

**TOWN OF CORTLAND**

Town Hall  
59 S. Somonauk Rd.  
Cortland IL. 60112

**BOARD OF TRUSTEES**

Business Meeting  
7:00 P.M.  
March 27, 2006

**Call to Order/Pledge of Allegiance/Roll Call**

Mayor Seyller called the regular meeting to order at 7:04 p.m. Roll call was taken by Rita Nielsen, Deputy Clerk, showed as present Trustees Shawn McAllister, Randy Reiter, Dan Milroy and Chuck Lanning and Mike Siewierski. Shown as absent was Trustee David Liddick. Quorum was present. Also present were Cheryl Aldis, Town Clerk, Susan Dockus, Treasurer, Tom Simmons, Town Engineer, Walter Magdziarz, Zoning Administrator, Stewart Diamond, Town Attorney, John Kocher, Operations and Maintenance, Harry Zimmer, Water/Wastewater Department, Gary Williams, I.C.C.I. Building Inspection; and Russ Stokes, Police Chief

Mayor Seyller announced that he had signed and executed the agreement with Sheaffer International, LLC.

**Agenda**

Trustee Siewierski moved and Trustee McAllister seconded a motion to approve the agenda as presented. Unanimous voice vote carried the motion.

**Consent Agenda**

Mrs. Dockus pointed out that items b and c on the Consent Agenda was the same thing. Trustee McAllister moved and Trustee Lanning seconded a motion to approve the Consent Agenda which included the Approval of Town Board minutes for February 27 (with corrections to page 5 to show break out of (\$15,000) from Sewer and (\$10,000) from Water Department for purchase of Ford pick-up, not to exceed \$25,000; Approval of March 13 2006 Town Board minutes; Approval of the Summary of Expenditures for February 2006; Approval of the Administration & Personnel minutes for March 13; Tabled the Budget and Finance Minutes of March 13 2006; Acceptance of the Park Committee Minutes for February 21, 2006; Approval of PC06-04 Recommendation Zoning Ordinance Amendment (Personal Wireless Telecommunications Facility); and

**Approval of An Ordinance Amending the Town Zoning Ordinance (Personal Wireless Telecommunication Facility). ORD. NO. 2006-24**

Roll call vote:

Ayes: Trustees, D. Milroy, S. McAllister, R. Reiter, C. Lanning, M. Siewierski  
Nays: None  
Absent: Trustee D. Liddick  
5-ayes, 0-nays, 1-absent. Motion carried

## **Staff Reports**

### **Treasurer's Report**

Mrs. Dockus read the balance of each fund into the record for the month ending February, 2006. The total of all funds was \$2,141,184.51 Trustee Reiter moved and Trustee Lanning seconded a motion to accept the Treasurer's Report as presented. Unanimous voice vote carried the motion.

### **Attorney's Report**

Attorney Stewart Diamond was present and stated that he has been working with Mayor Seyller, the developers, and Laura Bilas to prepare and obtain signatures on the contracts for the SSA's.

### **Engineer's Report**

Mr. Simmons presented his report to the table for Board review and was present to answer questions. Mr. Simmons presented and invoice for \$11,055.82 for the Town's share of the Somonauk Road improvements. Trustee Milroy asked Mr. Simmons when the final grading will be completed on the West Side Interceptor. Mr. Simmons stated that he anticipates it being done right after May 1st when the plant opens.

Trustee Lanning asked Mr. Simmons if there is a plan in place for training someone to take his place when he retires. Mr. Simmons said that he is planning on training his replacement and let the board know what progress is being made regarding this issue.

### **Operations and Maintenance**

Mr. Kocher had his report available for Board review and was present to answer questions. Trustee Lanning expressed an interest in developers using the same vendor for street signs throughout the Town.

### **Water/Wastewater Report**

Mr. Zimmer had his report available for Board review and was present to answer questions. Trustee Milroy asked what the progress was with WRT. Attorney Diamond stated that he has met with someone from the Governor's office regarding the current interpretation and difficulty of a municipality to create a reserve fund. Trustee Milroy asked Attorney Diamond when the Town will look at alternatives to the WRT System. Attorney Diamond suggested that before looking at alternative systems the Town give the State a little more time to see if the State can give us a little better interpretation of the reserve fund. Mr. Simmons stated that he would look into alternative systems.

### **Zoning Administrator's Report**

Mr. Magdziarz submitted his January and February reports to the table. He was available to answer questions from the Board. Mr. Magdziarz stated that January and February are generally quiet months. Mr. McAllister asked about school district meetings. Mr. Magdziarz stated that he is on sub-committee that is helping the school districts plan for future enrollment and working with school district officials concerning global issues regarding development.

Trustee Milroy asked Mr. Magdziarz about the FPA. Mr. Magdziarz stated that the application was sent the end of January so we should hear something soon.

Trustee Milroy asked Mr. Magdziarz if the DeKalb Sanitary District is going to affect Cortland as they move forward with expansion. Attorney Diamond stated that the Town has a contract with DeKalb Sanitary District until 2015 so there should not be any problems at this time. Trustee Milroy stated that they can, however, establish a levy where homeowners will have to pay. Mr. Simmons stated that, yes, they are in the beginning stages of a major renovation and it will require a user fee and they will pay a tax on their real estate bill.

### **Building Report**

Mrs. Dockus distributed the building report for Mr. Gary Williams from I.C.C.I. for Town Board review as Mr. Williams had to leave the meeting. Trustee Siewierski asked if code violations are being looked into. Mr. Magdziarz stated that they are.

### **Police Report**

Chief Stokes presented his February report to the Town Board.

### **Committee Reports**

#### **Administration and Personnel Committee**

Next meeting date: April 10, 2006.

#### **Budget and Finance**

Next meeting date: April 10, 2006.

Public Hearing for the FY07 proposed budget is expected to be held on April 10, 2006.

#### **Planning Commission**

Clerk Aldis reported that the next meeting date is April 3, 2006.

#### **Public Utilities Committee**

No meeting scheduled.

#### **Economic Development**

Next meeting date: May 8, 2006.

#### **Airport Advisory**

Trustee Lanning reported that air freight is now being received at De Kalb Airport. He stated that C130 jets need 4500 feet of runway so they will only use the North/South runway.

### **New Business**

#### **Presentation by Jerry Smith, Executive Director, DeKalb County Community Foundation**

Mr. Smith was present to give an overview of the DeKalb County Community Foundation (DCCF) and how the foundation can work with the Cortland Parade and Festival Committee, and possible future Town needs while eliminating the need for the Town to set up a 501 (c) (3) (federal tax exempt status for Internal Revenue).

Mr. Smith explained that the DCCF is a public charity that has served DeKalb County for the past 12 years, with different fund opportunities available. The two types that could serve Cortland are the Endowment Fund which is a perpetual, never ending fund needing a minimum of \$10,000 to start. The other type being a Pass-Through Fund which has a specific project in mind and the Foundation handles the administration of the holding fund and then expending them for an ultimate purpose.

After questions regarding dispensing of funds, Mr. Smith explained that the turn-around for requested funds are generally within the same day and could be just a matter of minutes. Mr. Smith also stated that if the committee needed money for a car wash or something similar they could request an amount for supplies and turn in receipts after purchases are made.

### **Approval of Agreement Between the Town of Cortland and DeKalb County Community Foundation**

Trustee McAllister moved and Trustee Siewierski seconded a motion to accept an Agreement between the Town of Cortland and DeKalb County Community Foundation for a one year trial period.

Roll Call:

Ayes: Trustees D. Milroy, S. McAllister R. Reiter, C. Lanning, M. Siewierski

Nays: None

Absent: Trustees D. Liddick

5-eyes, 0-nays, 1-absent. Motion carried

### **Set Public Hearing Date for FY07 Budget**

Trustee Siewierski moved and Trustee McAllister seconded a motion to set April 10, 2006 for the FY07 Budget Public Hearing. Unanimous voice vote carried the motion.

### **Approve Sanitary Sewer Interceptor Improvement Pay Estimate #3, Dempsey Ing, Inc.**

Trustee Reiter asked if this improvement eliminates problems that run to the north. Mr. Simmons stated that it does. Trustee Lanning asked if the farmer with the 20 foot easement will get his land re-seeded. Mr. Simmons said that he will take care of this.

Trustee Reiter moved and Trustee McAllister seconded a motion to Approve Sanitary Sewer Interceptor Improvement Pay Estimate #3, Dempsey Ing, Inc.

Roll Call:

Ayes: Trustees M. Siewierski, S. McAllister R. Reiter, D. Milroy, C. Lanning

Nays: None

Absent: Trustees D. Liddick

5-eyes, 0-nays, 1-absent. Motion carried

### **Resolution for Improvement by Municipality Under the Illinois Highway Code (Loves Road Improvement)**

Mr. Simmons presented the resolution for reconstruction of Loves Road in the amount of \$12,505.68.

Trustee McAllister moved and Trustee Lanning seconded a motion to approve the Resolution for Improvement by Municipality Under the Illinois Highway Code (Loves Road Improvement)

Roll Call:

Ayes: Trustees M. Siewierski, S. McAllister R. Reiter, C. Lanning, D. Milroy

Nays: None

Absent: Trustees D. Liddick

5-ayes, 0-nays, 1-absent. Motion carried

**RES. NO. R2006-06**

**An Ordinance Approving Grainger's Re-Subdivision of Cortland Estates Unit Three Phase Three**

Trustee Reiter moved and Trustee Lanning seconded a motion to waive the first reading. Unanimous voice vote carried the motion.

Trustee Reiter moved and Trustee Lanning seconded a motion to approve An Ordinance Approving Grainger's Re-Subdivision of Cortland Estates Unit Three Phase Three

Roll Call:

Ayes: Trustees D. Milroy, S. McAllister R. Reiter, C. Lanning, M. Siewierski

Nays: None

Absent: Trustees D. Liddick

5-ayes, 0-nays, 1-absent. Motion carried

**ORD. NO. 2006-25**

**An Ordinance Authorizing the Sale of Unclaimed Property in the Possession of the Town of Cortland, De Kalb County, Illinois**

Trustee Milroy read the proposed ordinance into the record.

Trustee Lanning moved and Trustee Reiter seconded a motion to accept the first reading.

Unanimous voice vote carried the motion.

Trustee McAllister moved and Trustee Lanning seconded a motion to approve An Ordinance Authorizing the Sale of Unclaimed Property in the Possession of the Town of Cortland, De Kalb County, Illinois

Roll Call:

Ayes: Trustees D. McAllister, S. Milroy, M. Siewierski, C. Lanning, R. Reiter

Nays: None

Absent: Trustees D. Liddick

5-ayes, 0-nays, 1-absent. Motion carried

**ORD. NO. 2006-26**

**Approve a Resolution Supporting the Planning and Development of an Interchange at Interstate 88 and Hinckley Road and Related Residential, Commercial, and Industrial Development**

Trustee Milroy moved and Trustee Reiter seconded a motion to Approve a Resolution Supporting the Planning and Development of an Interchange at Interstate 88 and Hinckley Road and Related Residential, Commercial, and Industrial Development. Unanimous voice vote carried the motion.

**RES. NO. R2006-04**

**Mayor Seyller called for a recess from 8:55 p.m. to 9:04 p.m.**

**Board Review of Pending Business**

**Approval of Special Service Area Agreement Between Town of Cortland and Eagle Homes, L.L.C.**

Attorney Diamond explained that this Agreement was necessary as Eagle Homes was not subject to the SSA agreements the other developers signed as it was already a part of the community.

Trustee Reiter moved and Trustee Lanning seconded a motion to waive the first reading.

Unanimous voice vote carried the motion. Trustee Reiter moved and Trustee Milroy seconded a motion to Approve the Special Service Area Agreement Between Town of Cortland and Eagle Homes.

Roll Call:

Ayes: Trustees S. McAllister, D. Milroy, C. Lanning, M. Siewierski, R. Reiter

Nays: None

Absent: Trustees D. Liddick

5-ayes, 0-nays, 1-absent. Motion carried

Attorney Diamond stated that the Town has been working a long time looking for a method to finance the Sheaffer System and the method chosen is the issuance of bonds to be paid back by developers using the system and that is the purpose of passing the SSA Ordinances tonight.

Attorney Diamond introduced Ms. Laura Bilas who then presented each Ordinance for Board approval.

**An Ordinance Establishing Town of Cortland Special Service Area Number Four**

Trustee McAllister moved and Trustee Lanning seconded a motion to waive the first reading of items b, c, d, e, and f, Unanimous voice vote carried the motion.

Trustee Reiter moved and Trustee Lanning seconded a motion to approve An Ordinance Establishing Town of Cortland Special Service Area Number Four.

Roll Call:

Ayes: Trustees D. Milroy, S. McAllister, C. Lanning, M. Siewierski, R. Reiter

Nays: None

Absent: Trustees D. Liddick

5-ayes, 0-nays, 1-absent. Motion carried **ORD. NO. 2006-27**

**An Ordinance Establishing Town of Cortland Special Service Area Number Five**

Trustee McAllister moved and Trustee Siewierski seconded a motion to approve An Ordinance Establishing Town of Cortland Special Service Area Number Five.

Roll Call:

Ayes: Trustees R. Reiter, S. McAllister, C. Lanning, M. Siewierski, D. Milroy

Nays: None

Absent: Trustees D. Liddick

5-ayes, 0-nays, 1-absent. Motion carried **ORD. NO. 2006-28**

**An Ordinance Establishing Town of Cortland Special Service Area Number Six**

Trustee Lanning moved and Trustee McAllister seconded a motion to approve An Ordinance Establishing Town of Cortland Special Service Area Number Six.

Roll Call:

Ayes: Trustees R. Reiter, C. Lanning, S. McAllister, M. Siewierski, D. Milroy

Nays: None

Absent: Trustees D. Liddick

5-ayes, 0-nays, 1-absent. Motion carried **ORD. NO. 2006-29**

**An Ordinance Establishing Town of Cortland Special Service Area Number Seven**

Trustee Lanning moved and Trustee Reiter seconded a motion to approve An Ordinance Establishing Town of Cortland Special Service Area Number Seven.

Roll Call:

Ayes: Trustees C. Lanning, R. Reiter, S. McAllister, D. Milroy, M. Siewierski

Nays: None

Absent: Trustees D. Liddick

5-ayes, 0-nays, 1-absent. Motion carried **ORD. NO. 2006-30**

**An Ordinance Establishing Town of Cortland Special Service Area Number Eight**

Trustee Lanning moved and Trustee Reiter seconded a motion to approve An Ordinance Establishing Town of Cortland Special Service Area Number Eight.

Roll Call:

Ayes: Trustees C. Lanning, R. Reiter, D. Milroy, S. McAllister, M. Siewierski

Nays: None

Absent: Trustees D. Liddick

5-ayes, 0-nays, 1-absent. Motion carried

**ORD. NO. 2006-31**

**A Resolution Authorizing the Issuance, Sale and Delivery of Not to Exceed \$25,000,000 Principal Amount of Special Tax Revenue Bonds, Series 2006, (Sheaffer System Project); Approving the Execution and Delivery of Certain Documents in Relation Thereto; and Authorizing Certain Other Matters in Relation Thereto**

Trustee Lanning moved and Trustee Siewierski seconded a motion to approve A Resolution Authorizing the Issuance, Sale and Delivery of Not to Exceed \$25,000,000 Principal Amount of Special Tax Revenue Bonds, Series 2006, (Sheaffer System Project); Approving the Execution and Delivery of Certain Documents in Relation Thereto; and Authorizing Certain Other Matters in Relation Thereto.

Roll Call:

Ayes: Trustees R. Reiter, C. Lanning, D. Milroy, M. Siewierski, S. McAllister

Nays: None

Absent: Trustees D. Liddick

5-ayes, 0-nays, 1-absent. Motion carried

**RES. NO. R2006-05**

**President's Report**

Mayor Seyller thanked Attorney Diamond, Ms. Bilas, Walter Magdziarz, Tom Simmons and all the developers for their efforts and hard work in regards to the Sheaffer System and the SSA's.

**Adjournment**

Trustee Milroy moved and Trustee Lanning seconded a motion to adjourn at 9:50 p.m.

Respectfully submitted



Rita Nielsen  
Deputy Clerk