

**TOWN OF CORTLAND**

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

**BOARD OF TRUSTEES**

**Committee of the Whole**

7:00 P.M.

January 12, 2009

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

Mayor Seyller called the meeting to order at 7:04 p.m. Roll call was taken by Deputy Clerk Rita Nielsen. Shown as present were Mayor Seyller, Trustees Shawn McAllister, Brad Stone, Ben Suppeland, Mike Siewierski and Chuck Lanning. Trustee Dan Milroy was absent for roll call and present by remote attendance at 7:05 p.m. Quorum was present. Other officials present: Treasurer Susan Dockus, Attorney Parker Johnson, Zoning Administrator Walter Magdziarz and Town Engineer Noah Carmichael.

Trustee Lanning moved and Trustee Suppeland seconded a motion to allow Trustee Milroy remote attendance.

Roll call vote:

Ayes: Trustees McAllister, Suppeland, Stone, Siewierski and Lanning

Nays: None

Absent: Trustee Milroy

**Agenda**

Trustee Stone moved and Trustee Lanning seconded a motion to approve the agenda. Unanimous voice vote carried the motion.

**Committee of the Whole**

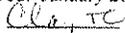
**Maple Park Boundary Agreement**

Mayor Seyller gave an overview of the revised draft. When the boundary agreement was last discussed by the Board, there was objection to the manner in which the jurisdiction of Hinckley Road was handled. Since neither municipality will have jurisdiction of Hinckley Road in the short-term, this Agreement compels the Parties to adopt jurisdictional transfer agreements in the future when transfer makes practical sense, for example, when both parties have annexed property on the opposite sides of the highway. Until that day arrives, there needs to be certain minimum requirements to which the Parties agree.

Trustee Milroy took exception to Page 3, item B, parts 2, 3 and 4. He felt that this was not the right instrument for setting 20 year standards.

At this time Mr. Magdziarz arrived and explained that this would be applying IDOT Standards to this road and that this gives the Town a window of opportunity to identify access roads and set the improvement standards.

Approved: January 26, 2009

Attest: 

Trustee Milroy said that referring to IDOT Standards could be done during time of development.

Mr. Magdziarz said that this would apply IDOT Standards to a road that IDOT does not control. He predicted that there will be a minimum number of access points in the future and we will be at odds where access points are going to be unless they are defined now.

Trustee Stone asked why Hinckley Road is the exchange and not County Line Rd. Mr. Magdziarz said that these boundary limits were set by the FPA established by the EPA.

Trustee Suppland expressed concerns regarding future railroad plans for a passenger line and wants to make sure that that area of Town would have space available.

Mr. Magdziarz said that this Agreement recognizes that the segment of Hinckley Road that will eventually extend north of State Route 38 and over the UPRR will be Cortland's jurisdiction. Since Cortland is leading the effort to construct the Airport Road Overpass and the north end of the overpass will be on land already annexed to Cortland, it only makes sense that the entire overpass and its approaches be in Cortland's jurisdiction.

Trustee Milroy moved and Trustee Lanning seconded a motion to recommend that Maple Park Boundary Agreement Revised Draft be sent to full board for approval adding that if the interchange fails to materialize at Hinckley Rd. then access requirements do not apply and by removing Section B, 3 & 4. Voice vote carried the motion.

### **DeKalb Boundary Agreement**

Mr. Magdziarz reported that all provisions that the Board was looking for have been added to this document. Since meeting in December, the Town is asking the City of DeKalb to consider including the possible extension of Loves Road (see exhibit F).

Trustee Milroy addressed item 8 on page 3 of the Agreement. He would like to work out a formula, now rather than later, for charging a discharge fee, in lieu of cash, from developers. Trustee Lanning will work on this and report back to Board.

Trustee Milroy moved and Trustee Lanning seconded a motion to recommend the DeKalb Boundary Agreement go forward to Board for approval, and authorize staff to publish and post notice as required by law. Unanimous voice vote carried the motion.

### **N.I.U. Proposal for Professional Services**

Mayor Seyller explained that there is a business in Town that is having fiber optic cables brought to their building. As a result, the Town was contacted by DeKalb Fiber Optic. DFO would like to enter into a utility agreement with the Town. If the Town entered into an agreement DFO would bring 4 strands of fiber to the Town Hall.

Mayor Seyller and Mrs. Aldis have met with Mr. Alan Kraus, Executive Director, of the N.I.U. Regional Development Institute. The institute has prepared a feasibility study to determine the best approach to linking our current and future facilities within the Town. They feel that it would be best for

the Town to look to look at all facets of fiber optic and wireless communications systems that will best serve the town now and in the future.

Trustee Milroy asked Trustee Siewierski if he would keep in touch with the Mayor and Mrs. Aldis on this issue. Trustee Siewierski said he has been talking with them regarding this issue and will continue to do so.

The amount of the contract is \$2,000 and will come from Developer's Technology Upgrades funds.

Trustee Siewierski moved and Trustee Suppeland seconded a motion to bring the License Agreement forward Proposal for approval. Unanimous voice vote carried the motion.

#### **DFO Fiber License Agreement and User Agreement**

Attorney Johnson said that he is not convinced that it is in the Town's best interest to enter into this Agreement. He mentioned a number of concerns and recommended that at this time the Town only look at the Licensing Agreement for the customer that they are going to serve. The Town can look at a contract with DFO for a Master User Agreement later.

Trustee Suppeland moved and Trustee McAllister seconded a motion to bring forward to next Business Meeting. Unanimous voice vote carried the motion.

#### **Layne Western Well No. 4; Payment No. 4**

Mr. Carmichael presented this payment request. He explained that Layne Western will not cross picket lines at the Tower, but would like to be paid for parts they have ordered. No action was taken.

#### **Gateway Tank Payment Request No. 5**

Mr. Carmichael presented this payment request. He explained that due to not having a second meeting in December, Gateway Tank Payments is off by 1 month.

Trustee Milroy moved and Trustee Suppeland seconded a motion to forward payment #5 to business meeting for approval. Unanimous voice vote carried the motion.

#### **Unfinished Business**

##### **MFT Payment Request, Peter Baker and Sons**

Mr. Carmichael presented payment request. He is recommending payment of \$143,869.82 at this time. The amount of \$5,000 will be held until receipt of material clearance from IDOT.

Trustee Stone moved and Trustee Lanning seconded a motion to pay \$143,869.82 from MFT to Peter Baker and Son for paving.

Roll call vote:

Ayes: Trustees McAllister, Suppeland, Stone, Siewierski, Milroy and Lanning

Nays: None

Absent: None

#### **Gateway Tank Payment Request No. 4**

Mr. Carmichael presented payment request. He is recommending payment of \$393,885 for work completed through the month of November.

Trustee McAllister moved and Trustee Lanning seconded a motion to pay Gateway Tank \$393,885 with funds to be paid from SSA Funds.

Roll call vote:

Ayes: Trustees McAllister, Suppeland, Stone, Siewierski, Milroy and Lanning  
Nays: None  
Absent: None

### **President's Report**

Mayor Seyller said that the Special Edition Newsletter has been emailed to all Trustees. He expects that it will be mailed next week to residents of Cortland. Mayor Seyller reminded everyone that the Appreciation Dinner is on Friday.

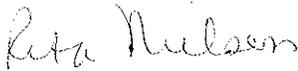
He said that the Operation and Maintenance Department is doing a good job with snow removal and he has heard a lot of good comments from residents.

### **Concerns**

Trustee Lanning expressed his desire that as citizens of Cortland he would like to see everyone support the referendum for a 1 cent sales tax increase.

Trustee Stone moved and Trustee Lanning seconded a motion to adjourn. Meeting adjourned at 8:33 p.m.

Respectfully submitted,



Rita Nielsen  
Deputy Clerk