

TOWN OF CORTLAND  
Town Hall  
59 S. Somonauk Road  
Cortland, IL 60112  
**BOARD OF TRUSTEES**  
Business Meeting  
March 28, 2011  
**7:00 P.M.**

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

Mayor Seyller called the meeting to order at 7 p.m. Roll call was taken by Clerk Cheryl Aldis. Shown as present were Mayor Seyller and Trustees Sandra Barzso, Randy Reiter, and Mike Siewierski. Shown as absent were Trustees Chuck Lanning (arrived at 7:19), Doug Corson, and Brad Stone. Other official present was Administrator Walter Magdziarz. Quorum was present with the Mayor.

**Agenda**

Trustee Reiter moved and Trustee Siewierski seconded a motion to approve the agenda as amended by removing item VI- C Approve a Development Agreement between the Town of Cortland and KCR, LLC. Unanimous voice vote carried the motion.

**Public Wishing to Speak**

There was no one present with a request.

**Consent Agenda**

Clerk Cheryl Aldis read the Consent Agenda into the record.

Approve Town Board Minutes of February 28 and March 14, 2011

Approve Treasurer's Report of February 2011

Approve Expenditure Report of February 2011

Trustee Reiter moved and Trustee Barzso seconded a motion to approve the consent agenda.

Roll Call Vote:

Ayes: Trustees Siewierski, Reiter, Barzso and Mayor Seyller

Nays: None

Absent: Trustees Stone, Lanning and Corson.

4-yea; 0-nay; 3-absent; motion carried.

**Town Administrator's Report**

Walter Magdziarz reported that the Board will hold the required public hearing for the proposed FY12 budget at its April 11 meeting. The proposed budget will be made available to the public April 1. Also, to satisfy a requirement for an IEPA loan, the Board will hold a public hearing on April 11 for proposed construction of irrigation on airport property and relocation of the North Avenue lift station. The IEPA wants to make its decision by September and a public hearing is required for this. DSATS awarded a traffic count study contract to KOLA – they will be in Cortland sometime this month and will count on Somonauk Road between Route 38 and Barber Greene Road; Somonauk Road and Cortland Center Road and Route 38 to Cortland Center Road.

Approved: April 25, 2011

Attest:     RW

Mr. Magdziarz reported that Dollar General will begin site work tomorrow.

He gave an update on an EPA violation incurred in 2009. He reported the violation occurred in July 2009 when water sprayed onto Airport Road for about 30 minutes. Staff responded, shut down, made repairs, and have had no problems since. The part in question was displayed on the table for trustees to see. Mr. Magdziarz described how the part works with the system and reported that bolts had been removed and the ramps were dislodged when vendor came to repair. It is the town's opinion that some kind of tampering of equipment had taken place. Area of irrigation was relatively small, the Town is irrigating treated wastewater; irrigation water is not a threat to the environment. On March 16 there was meeting with the Attorney General's office regarding violation. IEPA field office representative gave good reports for Cortland. It was noted that the IEPA gets a lot of complaints from neighbors. The Town will be held to a higher standard than normal because of the complaint level. The Town Attorney Roy Harsch objected to a proposal of reduced fine to \$5,000 (from \$50,000) because this violation does not warrant this kind of action or penalty. Litigation is not the best option for the Town. Recommendations were discussed with the mayor and a response to the Attorney General's office is being prepared. The Town has asked for consideration of a further reduction of fine to \$500 with no further stipulations; information relevant to town's current financial status was supplied. Mr. Magdziarz reported the fine is not the only issue. The Attorney General will file a stipulation with the Illinois Pollution Control Board that the Town will not have another violation. This is a problem for the town. It does not appear that the IEPA representatives are coming on site to verify complaints. They are taking phone calls and making judgments without firsthand review. In the future we will consult with Mr. Harsch before we respond to any violation notices.

Walter Magdziarz distributed a copy of the draft budget to the trustees. He mentioned that it is balanced; however, it is more than this current year's budget. He believes it would be sending the wrong message to residents and the Board should not be increasing if it doesn't need to. Last two pages of the handout are potential adjustments, items for potential reduction/elimination. Mayor Seyller stated that pay increases are included in this budget; he briefly discussed the merits of no pay increases with the possibility of taking the proposed pay increases and begin a cash reserve fund with the approximately \$15,000. The simple page graph is not a part of the budget, but a document that shows legal expenses over a number of years.

Trustee Lanning arrived at 7:19 p.m.

Mayor Seyller stated the report does not reflect reimbursements received by the Town for legal expenses reimbursed; he does not feel the report is a correct reflection of true expenses.

Chuck Lanning, referring to the potential reduction/eliminations asked questions.

#### **New Business**

#### **Motion to Approve Budget Amendments #1**

Trustee Lanning moved and Trustee Barzso seconded a motion to approve Budget Amendments #1.

Roll call vote:

Ayes: Trustees Reiter, Lanning, Siewierski, and Barzso

Nay: None

Absent: Trustees Stone and Corson

4-yea; 0-nay; 2-absent, motion carried.

**An Ordinance Authorizing the Sale of Surplus Personal Property Owned by the Town of Cortland**

Trustee Lanning moved and Trustee Barzso seconded a motion to waive the first reading of An Ordinance Authorizing the Sale of Surplus Personal Property Owned by the Town of Cortland. Unanimous voice vote carried the motion.

Trustee Siewierski moved and Trustee Lanning seconded a motion to approve An Ordinance Authorizing the Sale of Surplus Personal Property Owned by the Town of Cortland by replacing the document included in the Board Packet with the document presented to the table. The changes are the second whereas, clause and Section 2 in the body of the ordinance as follows:

Whereas, the Town of Cortland is the owner of (1) a Katolight generator Model #N25FDG4, 3.0 Engine, 25KW 1 Phase 120/240, includes Katolight MX100 Transfer Switch; (2) a Katolight generator Model #N45FJG4, 5.7L Engine, 40KW 3 phase 120/240, includes Katolight Transfer Switch; and (3) one (1) 1990 Chevrolet C3500 diesel truck with a Versa Lift Telescopic 28 Bucket;

Section 2: The corporate authorities find that the Town's (1) a Katolight generator Model #N25FDG4, 3.0 Engine, 25KW 1 Phase 120/240, includes Katolight MX100 Transfer Switch; (2) a Katolight generator Model #N45FJG4, 5.7L Engine, 40KW 3 phase 120/240, includes Katolight Transfer Switch; and (3) one (1) 1990 Chevrolet C3500 diesel truck with a Versa Lift Telescopic 28 Bucket constitutes surplus personal property within the meaning of 65 ILCS 5/11-76-4.

Roll call vote:

Ayes: Trustees Lanning, Siewierski, Reiter and Barzso

Nay: None

Absent: Trustees Stone and Corson

4-yea; 0-nay; 2-absent, motion carried.

**Approve Selection of Consultant to prepare Tax Increment Finance District Study**

Trustee Lanning moved and Trustee Siewierski seconded a motion to approve the selection of Jacob Klein and Economic Group, LTD to prepare a Tax Increment Finance District Plan and direct the Mayor and Town Administrator to negotiate a scope of work and fee for services for Town Board approval.

Discussion: Mr. Magdziarz reported that a request for qualifications process was used to identify the preferred consultant. The recommended firm possesses experience most closely related to Cortland's needs and circumstances. When asked for more specific information Mr. Magdziarz stated that Mr. Klein works exclusively with small towns. The town's requirement is to identify who (consultant) and authorize the negotiation of scope and services. If they are not able to come to terms with Mr. Klein, the first choice, then they will move to the second choice and so on, or start over. The selection of the consultant is qualifications based. Once an authorization is received the scope of project and fee negotiation can begin. These fees are reimbursable from the TIF account once the project is completed and funds become available. The estimate cost is between \$30,000 and \$50,000 to begin.

Roll call vote:

Ayes: Trustees Barzso, Reiter, Lanning and Siewierski

Nay: None

Absent: Trustees Stone and Corson

4-yea; 0-nay; 2-absent, motion carried.

**Accept Linden Group's fee proposal for architectural services for the Barb City Grinding building remodeling**

Trustee Siewierski moved and Trustee Reiter seconded a motion to accept the Linden Group's Fee Proposal for Architectural Services for the Barb City Grinding building (250 S Halwood St) remodel.

Discussion: Mr. Magdziarz reported that the group would develop construction plans, bidding documents and would assist in the awarding of the bid; would provide construction supervision. The estimated cost would be \$42,500.

Mayor Seyller stated the original proposal for purchase of this building included police department space. Looking at the fee, if it costs \$225,000 to build just the police department section [architectural estimates for concept plan from December 2010 for construction of police department offices in building] and that is torn out in 10 years to expand the operations and maintenance area... \$125,000 is 10 years rent where they are currently. This might not be the best plan.

Mr. Magdziarz stated that these discussions are ahead of the planning stage and should be discussed once the architectural services have determined. Discussions would be held at that time.

Mayor Seyller stated that the police want indoor parking – current town garage could be used instead. This is a building the town already owns.

Trustee Barzso asked why this portion is so expensive. Mr. Magdziarz stated that there are no as-built plans for this building so they must create the information that does not currently exist. They need to do this from the floor up.

With no further discussion Trustee Siewierski and Trustee Reiter rescinded their motion and second to accept the Linden Group's Fee Proposal for Architectural Services for the Barb City Grinding building (250 S Halwood St) remodel.

Trustee Siewierski moved and Trustee Reiter second a motion to accept Linden Group for Architectural Services for Barb City Grinding building (250 S Halwood St) remodel.

Discussion: Trustee Reiter questioned the amounts and types of work proposed and the 61 cents per mile travel rate; higher than the federal reimbursement rate (currently .51 cents).

Mr. Magdziarz stated that the hourly rates are for additional services, not in addition to the amounts estimated. He reiterated that approving a recommendation gets a process started to approve a contract.

#### **Liaison Reports**

Administration – Mike Siewierski – no report

Finance – Sandra Barzso – no report

Operations & Maintenance – Chuck Lanning – no report

Festival/Parade – Brad Stone

Ordinance – Doug Corson

Police – Randy Reiter – no report

Sewer/Water/Utilities – Brad Stone

Planning Commission – Chairman Brad Lawson

Next Meeting: April 4, 2011

Airport Advisory – Chuck Lanning

Mr. Lanning reported that the City of De Kalb has taken over operations at the airport, hangars and fuel sales. He stated they are unloading cargo planes for Johnson Control's and other corporate jets have begun using the facility. They have begun planning festivities for this summer. He stated that he would bring information as it becomes available.

**President's Report**

IML Lobby Day is Wednesday, April 13, 2011.

Mayor Seyller reported that the candidates' forum was fairly well attended. Three of the four viable trustee candidates were present. Questions asked of candidates were regarding who controls the speed on Somonauk Road, the negotiation with Waste Management and on what the town's money would be spent and, the proposed sales tax referendum.

Mayor Seyller reported that the Illinois Pollution Control Board voted for De Kalb County 5-0 in favor of the expansion. It is his understanding the Stop the Mega Dump group has 35 days to file an appeal (from original ruling date of March 17, 2011) to file an appeal.

**Concerns / Comments**

There were none expressed

**Adjournment**

Trustee Siewierski moved and Trustee Barzso seconded a motion to adjourn the meeting at 8:47 p.m. Unanimous voice vote carried the motion.

Respectfully submitted,



Cheryl Aldis  
Town Clerk