

TOWN OF CORTLAND  
Town Hall  
59 S. Somonauk Road  
Cortland, IL 60112  
**BOARD OF TRUSTEES**  
Committee/Business Meeting  
**February 13, 2011**  
**7:00 P.M.**

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

Mayor Seyller called the meeting to order at 7:01 p.m. Roll call was taken by Deputy Clerk Rita Nielsen. Shown as present were Mayor Seyller and Trustees Brad Stone, Susan Dockus and Sandra Barzso. Trustees Doug Corson, Mike Siewierski and Chuck Lanning were absent. A quorum was present with the Mayor. Other officials present were Administrator Walter Magdziarz and Clerk Cheryl Aidis.

**Approval of Agenda**

Trustee Stone moved and Trustee Dockus seconded a motion to approve the agenda. Unanimous Voice Vote carried the motion.

**Public Wishing to Speak**

There was no one present wishing to speak.

**Presentations by Mark Pruitt with Municipal Aggregation and Chris Childers with Progressive Energy Group**

On January 1, 2010, an amendment to the Illinois Power Agency Act, 20 ILCS 3855/1-92, (the "Act") brought municipal electric aggregation to Illinois. Electric aggregation allows municipalities to create a program to obtain lower rates for residential and small commercial electricity customers by jointly purchasing electricity for the aggregated customers. [At the October 10, 2011 Town Board Meeting, the Board of Trustees approved Ordinance No. 2011-24 providing for the Submission to the electors of the Town, through referendum, the question whether the Town should have the Authority under Public Act 096-0176 to Arrange for the Supply of Electricity for its Residential and Small Commercial Retail Customers who have not Opted Out of Such Program].

Municipal Aggregation and Progressive Energy Group are independent energy consultants that would oversee the bidding process to purchase electric power to ensure lowest available pricing for the Town. Both agencies would participate in referendum promotion. Each representative gave an overview of their company and their procedures and practices for doing so.

**Committee of the Whole  
Town Administrator's Report**

Mr. Magdziarz met with Fehr-Graham to review the North Avenue lift station relocation and replacement project and the airport irrigation project. Attorney Roy Harsch [who represents the Town on IEPA issues], has advised the Town to accelerate the airport irrigation project and attempt to begin both projects this year as there are concerns on how long the funds will be available through the IEPA loan program.

The fiber optics connection to the Police Department has been completed.

Approved: February 27, 2012

Attest: Clayton

Chief Medema is negotiating with DeKalb County Sheriff to use one of his technology people who are familiar with the new software for squad cars to configure all of the computers and get the system up and operational.

We had received word that the Appellate Court dismissed Dr. Young's appeal of the District Court's ruling that he had no case in the matter involving the question whether the Town should be collecting the SSA taxes for his property. Dr. Young has filed an appeal to the Illinois Supreme Court.

The Town tried a new program for recycling Christmas trees, it did not attract much participation, however, it could be due to poor publicity (short notice) or the majority of Cortland residents do not use live trees.

Jeff Lemke from our Water Wastewater Dept. attended a week long training workshop and training exercise in Alabama. The training, lodging and transportation were provided by the Department of Homeland Security. This was disaster preparedness training for Municipal water system employees.

All other department reports were in the Town Board packet.

#### **Metro West WaterSense Partnership Resolution**

Mr. Magdziarz presented a Resolution for the Town to become a United States Environmental Protection Agency (USEPA) voluntary WaterSense Promotional Partner to encourage water efficiency by promoting the use of WaterSense labeled products by residents and businesses as well as other water conservation practices to help protect a community's water supply.

After a brief discussion it was recommended that because we were missing three trustees this item should be placed on the February 27 agenda for further discussion/action.

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

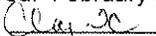
Mr. Magdziarz presented this ordinance. The Streets and Maintenance Department has determined the following items: 1) one (1) 10-foot Bonnell power angle snow plow blade; 2) one (1) "Sweepster" sweeping attachment for Ford tractor Model No. 124P5ANHMO Serial No. 0032048; and 3) one (1) Bonnell 10-foot long 28-inch high bottom trip snowplow w/reversing table and A-frame Model No. 10ST31T40 Serial No. 3251; is surplus and wishes to sell this property.

It was the consensus of those present that this item be placed on the February 27 consent agenda for action.

#### **An Ordinance Amending Ordinance No. 2006-32 (Amending a Special Use Permit for Planned Residential Development and Approving a Final Development Plan for the Neighborhood at Robinson Farm**

It was discovered that Ordinance No. 2006-32 (which approved an amendment of the Robinson Farm Planned Unit Development) had several conditions of approval that are inconsistent with those that were included in the Planning Commission's recommendation. The amendment consists of items "M" and "Q" on page 9 of PC06-6 are missing from the same Conditions of Approval in Exhibit C attached to Ordinance 2006-36. The Condition of Approval identified as "M"

Approved: February 27, 2012

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in Ordinance 2006-32 refers to section W that does not exist. Mrs. Dockus pointed out another scrivener error that could be changed at the same time. Item L in Exhibit C: the number 239 should be removed from middle of sentence (inserted incorrectly) and moved to the end of the sentence.

It was the consensus of those present that this item be placed on the February 27 consent agenda for action.

#### **Richland Trails Bond Reduction**

Fehr-Graham (Town Engineers) has reviewed and are recommending that the Town reduce the bond for Richland Trails by \$884,084.13. The Town attorney has reviewed the waivers of lien and finds the documents to be in good order.

Mayor Seyller stated that he was not opposed to reducing the amount of the request but he has some concerns regarding unfinished public improvements that have yet to be constructed. The Town Engineer determined that \$2,002,842.63 remaining in the bond would be sufficient to cover completion of the public improvements. This includes a 10% contingency amount and an additional 10% over and above the stated value of the future improvements. Mayor Seyller suggested that the Town use this opportunity to discuss these improvements with the developer.

Mr. Magdziarz will talk with Cambridge Homes regarding unfinished public improvements and will bring this back for discussion and possible action at the February 27 meeting.

#### **TIF District Development Agreement (Westmore Equities)**

Mr. Magdziarz reported that the Town's TIF consultants are recommending the Town approve a TIF Development Agreement with Westmore Equities. Mr. Magdziarz reported that originally the Town was going to establish a Business Improvement District (BID). Sales tax would have reimbursed Westmore Equities up to \$300,000 of their property improvement costs. Dollar General did not want to accept the BID sales tax. Westmore Equities proceeded with construction of the Dollar General Store on the reliance the Town would establish a TIF District and the property would be included and would receive TIF benefits. This was accomplished through an approved Inducement Agreement.

Board consensus was to bring this item back for discussion on February 27. It was recommended that the base year be defined in the document.

#### **Professional Service Agreement with Fehr-Graham for the North Avenue Lift Station Replacement and Relocation**

Mr. Magdziarz reported that with the funding secured (IEPA low interest loan), the Town Board can proceed with this critical project. This Professional Service Agreement covers the engineering design services and permitting required to replace and to relocate the North Avenue Lift Station. The costs of \$69,100 are a budget item in Capital Outlay in the Sewer Fund.

In addressing the General Conditions part of the Agreement, Trustee Dockus questioned if the seven (7) days allowed for in #10 is enough to allow for the Town to object to increased costs, and whether or not in #22, in the case of a dispute, does the Town want it to be heard in the 15<sup>th</sup> Judicial Circuit Court in Stephenson County? These two items will be looked into by Mr. Magdziarz.

Mr. Magdziarz was asked if any other engineering consultants were asked to look at the project Mr. Magdziarz said no other consultants had been asked to bid.

Mr. Magdziarz will follow up on engineering consultant bids for this project.

**Professional Service Agreement with Fehr-Graham for Airport Irrigation Field**

Mr. Magdziarz presented the Agreement for engineering design services and permitting required for designing the irrigation field. Mr. Magdziarz explaining that the construction of the irrigation field on a portion of the DeKalb-Taylor Municipal Airport is critical to the Town's wastewater reclamation and reuse operations. This project has been delayed for years due to lack of funding. Funding has now been secured with a low interest loan from the IEPA so the project can move forward.

Trustee Stone moved and Trustee Dockus seconded a motion to table for further discussion until March 12. Voice Vote was taken. Motion carried.

**Professional Service Agreement with Sikich for Temporary Bookkeeping Services**

The consensus of trustees present was that this item be placed on the February 27 agenda for discussion and possible action.

Mayor Seyller asked Mr. Magdziarz to work with Trustee Dockus on a list of desired requirements for prospective Finance Director Position. Mr. Magdziarz agreed.

**Proposed Town Code Amendment: Garbage Placement**

Mr. Magdziarz presented the Amendment explaining that the Police Department is requesting a code amendment to plug a gap in the enforcement that establishes time parameters for placing garbage at the curb.

The consensus of trustees present was that this item be placed on the February 27 for discussion with possible improvements to the amendment, and possible action.

**Proposed Town Code Amendments: Special Events Committee**

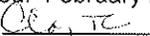
Mr. Magdziarz presented the Amendment explaining that the purpose of establishing this committee is to be responsible for reviewing permit and/or license applications or proposals for events to be held in the Town that may use or occupy public land or on private property that may have the potential to disrupt the use and enjoyment of other private property owners. Clerk Aldis presented the advertisement for the Town Garage Sales and pointed out some of the issues with using words such as renting of space in Cortland Community Park. It was suggested that the ad be revised to use donation in lieu of rent when referring to public property. Mr. Magdziarz will review the ad and make appropriate changes. Trustee Dockus suggested that that it may be necessary to use other staff that may have knowledge about these kinds of events from previous experience, and suggested that Clerk Aldis be included. Mr. Magdziarz said he agreed that other staff may be necessary and will add the words "and other staff members" to the list of committee members.

The consensus of trustees present was that this item be placed on the agenda for the February 27 TB meeting.

**Proposed Town Code Amendment: Liquor Control Regulations**

Mayor Seyller had asked Clerk Aldis to do a fee structure survey and get ideas from other communities regarding licensing fees. Another survey has begun regarding BYOB language from non-home rule communities. The fee structure survey results indicated the Town rates could be disproportionately high. We also have a business that has surrendered their license (including the State of IL. License) as the amount of their liquor business does not economically justify the cost of the license. There was discussion on the possibly of changing the fee schedule and regulating

Approved: February 27, 2012

Attest: 

BYOB. It was the consensus of the board to separate the two regulations and bring it back for discussion in March.

**Building Code Discussion: Siding and Window Replacement Permit Policy**

Trustee Barzso moved and Trustee Stone seconded a motion to table until March 12 TB meeting. Voice vote was taken. Motion carried.

**Proposed Personnel Policy Amendment: Electronic Communication Policy**

This item will be placed on the February 27 agenda for further discussion.

**Proposed Park Rental License and Policies**

This item will be placed on the March 12 agenda for further discussion..

**Proposed Personnel Policy Amendment: Travel and Training Policy**

Trustee Dockus moved to table item until March 12, Committee of the Whole meeting. 2. Voice vote was taken. Motion carried.

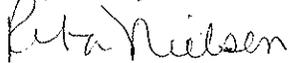
**Comments/Concerns**

Trustee Stone reported that due to poor turnout for movie night last summer the committee is having conversations with the Lions regarding possibly having a magician attend. The Festival and Parade Committee will be meeting on Thursday, February 23.

**Adjournment**

Trustee Dockus moved and Trustee Stone seconded a motion to adjourn. Meeting adjourned at 10:15 p.m.

Respectfully submitted,



Rita Nielsen  
Deputy Clerk