

TOWN OF CORTLAND
Town Hall
59 S. Somonauk Road
Cortland, IL 60112
BOARD OF TRUSTEES
Committee/Business Meeting
August 20, 2012
7:00 P.M.

Call to Order / Pledge of Allegiance / Roll Call

Mayor Seyller called the meeting to order at 7:05 p.m. Roll call was taken by Clerk Cheryl Aldis. Shown as present were Mayor Seyller and Trustees Sandra Barzso, Chuck Lanning, Susan Dockus, Brad Stone and Mike Siewierski. Trustee Doug Corson was absent. Quorum was present. Also present was Noah Carmichael of Fehr Graham.

Approval of Agenda

Trustee Lanning moved and Trustee Barzso seconded a motion to approve the agenda with the addition of item C. Discussion of possible policy on town board action. Unanimous voice vote carried the motion.

Public Wishing to Speak

Ed Aldis, on behalf of Mary Aldis addressed the Board stating that he had received a phone call from Mr. Magdziarz requesting him to provide a list of things that need to be finished or completed on the easement at 370 E North Ave in relation to the installation of the sewer and water irrigation lines at the Mary Aldis farm. Mr. Aldis read the list into record.

- Irrigation line installation
- Replacing clay and debris with 8 to 10 inches of black dirt, entire easement area
- Level clay berms along North Ave along the field lines west and east of the house property area
- Fix field tile broken during construction.

Not provided per annexation ordinance; sewer and water hook-ups.

In the discussion of the irrigation line it is reported that the line connects Chestnut Grove subdivision with the force main on North Ave to the sanitary treatment plant. The irrigation line has not yet been construction. The concrete box in the mid-line of the easement is a junction box which was projected to be the workings for a potential sewer connection. When asked why is it was not placed below ground the answer was there are valves that would need to be operated, therefore, access is required.

Mr. Aldis stated he has spoken with the tenant farmer. The farmer would need two feet of ground cover to be able to farm the area.

Mr. Carmichael stated that the box would need to be modified in order for that to happen.

Trustee Lanning said the box should be included on the list provided.

Mayor Seyller stated that this will be discussed at the next meeting.

Mr. Aldis stated these issues have been talked about before numerous times with no positive outcome. A couple of weeks ago it was requested that it be put in writing.

Mary Aldis addressed the Board. She stated that this has been going on for six years. Why now saying it will be discussed at the next meeting? The utility easement is with the Town of Cortland. There is no mention of Montalbano in the easement document. Mrs. Aldis stated she would never have given the easement if she had known she would have had to go through this. "You better do something."

Presentation and Discussion of TIF Projects:

KCR, LLC and Resource Bank, N.A. and KCR, LLC and George Caravelli (Worthington Enterprises, LTD) Draft projects are in the packet. There is interest in doing two redevelopment projects in Robinson Farm subdivision.

East South Avenue and Somonauk Road – KCR and Resource Bank – proposed plan. Resource Bank is interested in building a bank on that corner; Lot 25. Consensus of the board is to proceed with project while TIF consultant works with the Board.

George Caravelli, representing Worthington Enterprises stated he would like to redevelop some of the lots in the subdivision. The draft document does not list the lot numbers. He is looking for a consensus that the Town is willing to look forward to these projects. The draft documents were prepared by the Town's TIF attorney Herb Klein.

Mr. Caravelli stated he is under contract to purchase lots. He walked the Board through the packet that he submitted to the table. The townhome buildings are age targeted to seniors. He wants to design a building that is intended to target a certain demographic; ranch style residential attached single family. Pg 2 shows a detail of the exterior. He wants to fit with what currently exists. Pg 3 shows the preliminary design. These units will not have basements; garage will be a bit bigger to accommodate storage. Buildings are designed go face to face with a center court yard; should encourage socialization of neighbors.

The area in Yellow- Phase one - age targeted ranch style. (7 unit buildings on lots 77, 79, 78- (30 units) 111, 110 – 4 four units buildings, (16 units)).

The area in Pink – Phase two - age restricted – 55 and older – up to a 3 story apartment building.

Mr. Caravelli's intention is to get under construction this year. Time is of the essence.

The Company wants to hear from the market – one-bedroom is not quite big enough, this is what they have already heard. They have already begun to see where they can adapt for a second bedroom in the design phase.

Business references are included in the documentation. Mr. Caravelli included an unsolicited published article.

Regarding the age restricted, age targeted projects; the question was asked if you don't hit your targets will you sell to anyone? Mr. Caravelli stated that townhome declarations will be imposed on the properties. They do not have intentions of selling the units. Homeowners' Association is required for enforcement.

These units will be offered for rent. They will not be sold; therefore, Westmore is the Homeowners' Association. Each unit has its own footprint – utilities, taxes, etc.

There was general discussion about possibilities; someone buys them out, properties becoming Section 8 housing, the type of foundation/floor, long-term upkeep, snow plowing and personal flower/vegetable gardens.

Mayor Seyller stated the subdivision density is not being compromised.

When asked how the proposal fits with the current PUD Mr. Caravelli stated the buildings would need to cross the lot lines in 77, 78, and 79. He believes the driveways will cross the lot lines; he wants two long buildings. Mr. Caravelli stated his attorney believes he can write a written legal description that comports with the current PUD.

Mayor Seyller stated that Mr. Caravelli is looking for a nod to proceed with finalizing the documents. He suggested having the Town's TIF attorney Herb Klein come and explain the TIF rules in more depth. Asking if there is approval on the concept to move forward Trustee Stone stated he would be interested in seeing the next step of how it fits in the TIF rules. Would like the lawyer here as a next step. Trustee Dockus would like to see a completed project before making a decision. It is a nice proposal, but does not want to make a decision on the first discussion. Trustee Lanning wants to see the next step before he makes a decision.

Mr. Caravelli asked the Board to check the references. He feels the Board would be satisfied.

Mayor Seyller stated the reason for creating the TIF is to bring development and redevelopment with the hopes of economic development expansion. He wants to know that the age restricted, age targeted process is something that would be acceptable.

Mr. Caravelli stated that contractors cannot build something today and recoup their construction costs. Need development incentives to build in today's economy, i.e., TIF. He asked for just a nod of the Board – are you interested? You need to review TIF agreement and decide if you can support the project from the TIF side and have comfort with the reimbursements that his company would receive.

Mayor Seyller reminded the Board that reimbursements only come from the increments derived from building the buildings. The basic payout as proposed would be 75% of the increment.

Trustee Dockus – responding to Mayor Seyller: 1) only the increment from his lot(s) and, 2) the developer can request that we issue TIF revenue Bonds per the proposed document.

Mr. Caravelli stated that he may pursue the bond option. It helps the developer with upfront costs. He would be responsible to sell the bonds.

Trustee Dockus stated outside of the obvious typos and incomplete spaces she had no problem with the documents. She does not want to stop the project, but wants to see it progress and work on it.

Committee of the Whole

Water/Wastewater, Streets & Maintenance Reports are in packet for review and discussion.

Streets & Maintenance – Mr. Kocher mention tree was moved, curb removed, a portion of Dove Street was repaved. There was discussion regarding the new ADA rules and the removal of the center median south of Cortland Center Road. There was discussion regarding sidewalks. Sidewalks are being planed to level a potential trip hazard. When asked if a new piece of equipment was purchased the Mayor reported that he had approved the purchase at a cost of \$3,200. The Mayor reported that all of NeuCort Lakes, Cortland Estates and Heatherfield have been completed as far as grinding and leveling. ADA curbs are not completed.

CUSD 302 Intergovernmental Agreement Discussion

CUSD 302 – intergovernmental renewal – they want to reduce the fees by 25%. The Mayor asked for consensus if we feel we would be able to sign on to this. The Town has no residents in the district, therefore, no impact at this time.

Trustee Dockus asked how long the renewed agreement would last. When talked about last October she asked the following questions. She stated she would like to get the answers to the questions:

- 1) The agreement would affect future annexations only? Yes and any current annexation agreements that requires the developer to pay whatever the current school contribution is. Anest Annexation agreement is in the Kaneland school district
- 2) Does our land cash ordinance state that we hold the funds until they showed a need? This statement would be a conflict with this agreement.

- 3) If the Regional Office of Education (ROE) does not continue to exist will the school district pay building permit fees to the town?
- 4) Age restricted housing is not exempt from school land/cash fees. This agreement would be effective for the TIF project presented tonight?
- 5) There is a conflict with our Code 8-3B 4A (2) # of students and acres.
- 6) 8 3B-12 cash contributions – town will hold funds in accordance with statutes.

Possible Town Board Policy on Town Board Action.

Trustee Dockus submitted a proposal to the table for discussion. The town board could be more efficient if it had proper documents submitted prior to proposed action, complete and already reviewed by the attorney if needed.

Mayor Seyller stated that he could not disagree with the concept. However, he would hate to set a policy that says it could never submit documents.

Trustee Lanning raised concerns regarding when information is actually presented to the board and in what manner. His concern is that Board members and staff don't have a complete picture when information is pieced together.

Trustee Stone stated that it is disheartening to discuss something for hours and then cannot finish because we don't have the proper documents. He expressed that was a problem in the past that has come forward again.

Consensus was to postpone discussion of this topic to the next meeting and bring forward as an action item.

Unfinished Business

Accept MFT Bid and Award Peter Baker & Son FY13 MFT Project

Mr. Carmichael stated that the numbers projected were reduced in the engineering line because they were based on the bid and include only the construction supervision. The Town has already paid \$10,600 for preliminary engineering.

The Town received a letter from Governor's office that an additional MFT payment of \$17,180 would be authorized. This should be received in October.

Trustee Stone moved and Trustee Lanning seconded a motion to award the bid of Peter Baker & Sons in the amount of \$147,954.60 and begin the process for work.

Roll call vote:

Yeas: Trustees Barzso, Stone, Siewierski, Dockus and Lanning

Nays: None

Absent: Trustee Corson

5-yeas; 0-nays; 1-absent; motion carried

Engineer Overview of North Avenue Lift Station Project

Noah Carmichael was present to readdress the project and cover questions raised by Clerk Aldis.

North Ave lift station project - 2006 discussion. The North Ave lift station is one of oldest and in roughest shape mechanically. Originally, discussion and drawings done by Mr. Simmons showed the lift station on the Aldis farm property by the UP railroad. Ultimately it was designed through the Aldis farm with the Montalbano Builders (Chestnut Grove). Hope was the developer would pay for some or all of the new facility. We all know what happened with the state of development. Junction vault sitting in the middle of the field was to be the connection for the lift station. Planning was done for the future services at the time. In 2009 Fehr Graham talked with Mayor and the Board regarding and IEPA revolving loan. It took 18 months to two years to get in

the queue. In 2011 the Town was approved for the loan. In 2012 it has barely happened. Design of the lift station needed to happen in a quick time; all had to be approved by October 1st. Design – the original idea was to use existing wet wells and gravity out from there and construct the lift station as originally planned. Utilities on the south side of the road make the construction out of the question. Bob, Joel and Walter reviewed various options. Go down center of road (12 to 15 feet deep at Prairie and North. Reconstruct the road when done. Then move the lift station to the north side of the road at that point, Orville Olson's property. The design was put forward to the IEPA for approval in May. Bids are due tomorrow at 10 a.m. There have been a fair amount of questions as to how they came up with this design. It has changed from the 2005-06 planning documents. Plan as it stands today is the least disruptive to the utility system and is the most cost effective in their opinion. The plan still provides a stub to the Aldis property when that gets developed.

Trustee Lanning asked about the original project design and how it was paid.

Mr. Carmichael believes it was paid for through the Shaeffer system town-wide sanitary sewer study. That study was used for permitting of the STP. Part of the study talked about the location of the lift station. It was a planning conceptual document. The Town got approval in February to do design work and then in May presented the documents.

Trustee Lanning stated that the engineer used to come to the board and present the whole thing. The list presented by Mrs. Aldis – these questions should have all come through the board.

The list was reviewed by Mr. Lanning with the Board.

There was discussion of not moving forward with this project until the Mary Aldis project was taken care of. How long will it take to finish that? Unknown.

It was stated that the projects not related, however; the Town needs to finish one project before beginning another.

How long are bids valid once opened? Mr. Carmichael replied, typically 45 days; IEPA documents may be 60 days.

Mr. Carmichael reported that Attorney Buick is drafting easement documents needed for this project. He will speak with the owner when documents are ready. He stated that easements and county permit are the priorities in his opinion.

Comments/Concerns

Trustee Dockus reported that the handbook exhibits not corrected. She received a letter from Humana stating that it had provided the Town a refund on premiums. It is up to the Town how it will be distributed. She asked that the information be prepared for the Board.

Trustee Stone reported that a letter had been drafted for parade and festival.

Trustee Lanning stated he would like an explanation of TIF – how is the Town ever going to get ahead if we keep giving back 75%?

President's Report

Mayor Seyller congratulated the festival and parade committee on a great festival. He reported there were no issues, no major anything.

Closed Session to Discuss the Appointment, Employment, Compensation, Discipline, Performance, or Dismissal of Specific Employees, including the public body's legal counsel, or to hear testimony on a

complaint lodged against an employee to determine its validity (Exception to Open Meeting Act, 5, ILCS 120/2 (c) (1)).

Trustee Siewierski moved and Trustee Stone seconded a motion to adjourn to closed session to Discuss the Appointment, Employment, Compensation, Discipline, Performance, or Dismissal of Specific Employees, including the public body's legal counsel, or to hear testimony on a complaint lodged against an employee to determine its validity (Exception to Open Meeting Act, 5, ILCS 120/2 (c) (1) to include the Mayor, Clerk and Treasurer. 10:14 p.m.

Roll call vote:

Yeas: Trustees Barzso, Stone, Siewierski, Dockus and Lanning

Nays: None

Absent: Trustee Corson

5-yea; 0-nay; 1-absent; motion carried.

Reconvene to Regular Scheduled Meeting

Trustee Stone moved and Trustee Siewierski seconded a motion to reconvene the regular scheduled meeting. 10:26 p.m.

Roll call vote:

Yeas: Trustees Barzso, Stone, Siewierski, Dockus and Lanning

Nays: None

Absent: Trustee Corson

5-yea; 0-nay; 1-absent; motion carried.

Adjournment

Trustee Stone moved and Trustee Siewierski seconded a motion to adjourn. Unanimous voice vote carried the motion. 10:27 p.m.

Respectfully submitted,



Cheryl Aldis
Town Clerk