

**JOE AIELLO**  
SANGAMON COUNTY CLERK



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## **MINUTES**

### **SANGAMON COUNTY BOARD**

**JUNE 14, 2005**

The Sangamon County Board met in Regular Statutory Session on June 14, 2005 in the County Board Chambers. Chairman VanMeter called the meeting to order at 7:00 p.m. Mr. Montalbano gave the Invocation and Tanner Smith led the Board in the Pledge of Allegiance.

## **ROLL CALL**

Chairman VanMeter asked the Clerk to call the roll. There were 28 Present – 1 Absent. Mrs. Turner was excused.

## **PROCLAMATIONS**

Mr. Pace presented a Proclamation to the Illinois/Wisconsin State Association of the Improved Benevolent Protective Order of Elks of the World 78<sup>th</sup> Convention for their dedicated service to their communities.

Mr. Fulgenzi presented a Proclamation in honor of the Lincoln Park Centennial Celebration and the Lincoln Park Bridge and Lagoon Renovation Project. Christina Mandelski of the Springfield Parks Foundation accepted the Proclamation. Ms. Mandelski thanked the Board and invited everyone to a reception for the event on the evening of June 25<sup>th</sup>. Mr. Fulgenzi stated that the rebuilding of parks is a very worthwhile cause. Chairman VanMeter acknowledged Leslie Sgro, Chairman of the Park Board, who was also present.

## **APPROVAL OF MINUTES**

A motion was made by Mrs. Long, seconded by Mr. Bunch, for approval of the Minutes of May 10, 2005. A voice vote was unanimous.

MOTION CARRIED  
MINUTES ADOPTED

## **CORRESPONDENCE**

- A. Illinois Department of Transportation Motor Fuel Tax Allotment and Transactions for April, 2005.

A motion was made by Mr. Bunch, seconded by Mrs. Long, to place the Correspondence on file with the County Clerk. A voice vote was unanimous.

MOTION CARRIED  
CORRESPONDENCE FILED

## **RESOLUTION 1**

1. Resolution approving the annual Prevailing Wage Rate for the County Highway Department.

A motion was made by Mr. Montalbano, seconded by Mr. Bond, for the adoption of Resolution 1. Upon a roll call vote, there were 27 Yeas – 0 Nays.

MOTION CARRIED  
RESOLUTION ADOPTED

## **RESOLUTIONS 2 – 12**

2. Resolution approving a transportation planning agreement between the Springfield-Sangamon County Regional Planning Commission and Sangamon County.

A motion was made by Mr. Snell, seconded by Mr. Pace, for the adoption of Resolution 2. A motion was made by Mr. Cahnman, seconded by Mr. Stumpf, to consolidate only Resolutions 2, 3, 4, 5, 7, and 8. A motion was made by Mr. Pace, seconded by Mr. Bunch, to amend the consolidation to include Resolutions 6, 9, 10, 11 and 12. A voice vote carried on the amendment. Mr. Cahnman voted nay. Chairman VanMeter asked the Clerk to read Resolutions 3 – 12.

3. Resolution approving the bridge petition from Cooper Township for drainage improvements on Young Road.

4. Resolution approving the bridge petition from Cotton Hill Township for drainage improvements on Cotton Hill Road.
5. Resolution approving motor fuel tax funds for final costs on Black Diamond Road Bridge.
6. Resolution approving the jurisdictional transfer of Panhandle Road from the State of Illinois.
7. Resolution approving the low bidder for a bridge in Fancy Creek Township.
8. Resolution approving the low bidder for a bridge in Auburn Township.
9. Resolution approving an ordinance for establishing a speed zone on Hazlett Road.
10. Resolution approving the purchase of the Hansen property on Cardinal Hill Road.
11. Resolution approving the low bidder for a directional bore on Old Jacksonville Road.
12. Resolution approving a preliminary engineering agreement for the Sangamon Valley Trail.

A voice vote carried on the motion to consolidate Resolutions 2 – 12, as amended. Mr. Cahnman voted nay. A motion was made by Mr. Goleman, seconded by Mrs. Scaife, that the roll call vote for Resolution 1 stand as the roll call vote for Resolutions 2 – 12. A voice vote carried. Mr. Hall voted nay on Resolution 9.

MOTIONS CARRIED  
RESOLUTIONS ADOPTED

### **RESOLUTION 13**

13. 2005-29 – Jimmy D. Mitchell, 11050 Carson Road, Waverly – Granting Variances. County Board Member – Craig Hall, District #7.

A motion was made by Mr. Hall, seconded by Mr. Forsyth, for the adoption of Resolution 13. A motion was made by Mr. Moore to waive reading of the professional staff's report. There were no objections. A voice vote was unanimous on the motion to adopt Resolution 13.

MOTIONS CARRIED  
RESOLUTION ADOPTED

**RESOLUTION 14**

14. 2005-30 – Carol Sue Buecker, 1110 E. Cottonwood, Springfield – Granting a Rezoning. County Board Member – Clyde Bunch, District #21.

A motion was made by Mr. Bunch, seconded by Mrs. VanHoos, for the adoption of Resolution 14. A motion was made by Mr. Moore to waive the reading of the professional staff’s report. There were no objections.

A voice vote carried on the motion to adopt Resolution 14. Mr. Buecker voted Present.

MOTIONS CARRIED  
RESOLUTION ADOPTED

**RESOLUTION 15**

15. 2005-31 – Elmer John & Marian Helen Roderick, 773 Camp Sangamo Rd. West, 839 Camp Sangamo Rd. West & 4123 Chinquipin Rd., Springfield – Granting a Rezoning. County Board Member – John Fulgenzi, District #17.

A motion was made by Mr. Fulgenzi, seconded by Mr. Griffin, for the adoption of Resolution 15. A motion was made by Mr. Moore to waive the reading of the professional staff’s report. There were no objections. A voice vote was unanimous on the motion to adopt Resolution 15.

MOTIONS CARRIED  
RESOLUTION ADOPTED

**RESOLUTION 16**

16. 2005-32 – Trent L. Benanti, 3661 Stagecoach Rd., Springfield – Granting a Rezoning and Variances. County Board Member – Harry “Tom” Fraase, Jr., District #1.

A motion was made by Mr. Fraase, seconded by Mr. Mendenhall, for the adoption of Resolution 16. A motion was made by Mr. Moore to waive the reading of the professional staff’s report. There were no objections. A voice vote was unanimous on the motion to adopt Resolution 16.

MOTIONS CARRIED  
RESOLUTION ADOPTED

**RESOLUTION 17**

17. 2005-33 – Roger & Judy Ushman, 1812 Culver Avenue, Springfield –

Granting a Rezoning. County Board Member – Joel Tjelmeland, Jr.,  
District #14.

A motion was made by Mr. Tjelmeland, seconded by Mr. Goleman, for the adoption of Resolution 17. A motion was made by Mr. Moore to waive the reading of the professional staff's report. There were no objections.

A voice vote was unanimous on the motion to adopt Resolution 17.

MOTIONS CARRIED  
RESOLUTION ADOPTED

### **RESOLUTION 18**

18. 2005-34 – Michael & Donna Holinga, 9786 WICS Road, Dawson –  
Granting a Rezoning. County Board Member – David Mendenhall,  
District #3.

A motion was made by Mr. Mendenhall, seconded by Mr. Fraase, for the adoption of Resolution 18. A motion was made by Mr. Moore to waive the reading of the professional staff's report. There were no objections. A voice vote was unanimous on the motion to adopt Resolution 18.

MOTIONS CARRIED  
RESOLUTION ADOPTED

### **RESOLUTION 19**

19. 2005-35 – John & Sharon Murray, 620 West Browning Road, Springfield –  
Granting a Rezoning and Variance. County Board Member – John Fulgenzi,  
District #17.

A motion was made by Mr. Fulgenzi, seconded by Mr. Stephens, for the adoption of Resolution 19. A motion was made by Mr. Moore to waive the reading of the professional staff's report. There were no objections. A voice vote was unanimous on the motion to adopt Resolution 19.

MOTIONS CARRIED  
RESOLUTION ADOPTED

### **RESOLUTION 20**

20. 2005-36 – Nick & Donna Fanale, in the 7000 block of Old Rt. 36, Riverton-  
Granting a Rezoning and Conditional Permitted Use. County Board

Member – David Mendenhall, District #3.

A motion was made by Mr. Mendenhall, seconded by Mr. Goleman, for the adoption of Resolution 20. Chairman VanMeter asked the professional staff to read their reports.

Linda Wheeland, Senior Planner, stated that the petitioners are requesting a rezoning from “A” to “B-3” with a Conditional Permitted Use to allow a tavern and a variance to allow the tavern property line within 100’ of a residential structure.

Randy Armstrong, Zoning Administrator, stated that the property is on Old 36 at the east edge of Riverton. The petitioner wants to sell the land to an Eagles Club who wants to build a new facility. Ms. Wheeland stated that there is concern with rezoning an eleven acre tract to “B-3” with a CPU for a tavern in close proximity to existing residences and the staff recommends denial. Mr. Armstrong stated that the Zoning Board of Appeals recommends approval. The Board felt that since the proposal met all the required setbacks from the three surrounding residences that the rezoning was appropriate.

Nick Fanale, petitioner, residing at 913 N. 7<sup>th</sup> St. in Riverton, addressed the Board. He stated that the Eagles Club is short on space and requested to buy his property. The objector is concerned with the fuel tiles. The Eagle Club has assured them that if any fuel tiles are interrupted, they would fix them.

Mr. Bunch asked if this is a tavern or a private club. Mr. Fanale stated that it is a private club.

Mr. Mendenhall asked if they would be willing to put in writing that the drainage issues would be addressed. Mr. Fanale explained that he could not speak directly for the Eagles Club, but he thinks they would and he would ask. He explained that they did say they would fix anything that goes wrong.

Mr. Cahman asked how close the club would be to the residences. Mr. Fanale stated that it would be about 400 feet from the closest one and about 600 feet from the next one.

Mr. Moore asked for clarification from the professional staff if the Board has any control over what Mr. Fanale does through a private contract with the Eagles Club. Mr. Armstrong stated that they do not and explained that they did receive a copy of the letter regarding the fuel tile and forwarded it to the Eagles Club.

Mr. Hall asked what the difference is between a private club and a tavern. Mr. Armstrong explained that under the zoning ordinance any place that sells alcohol is considered a CPU for a tavern. It does not distinguish between a club and a tavern.

Jerry McCullough, objector, residing at 7549 Desch Road in Riverton, addressed the Board. He explained that his concern is with the natural flow of water. He stated that

he received a letter saying the problems would be taken care of and he just wanted to be assured of that.

Mr. Armstrong stated that they received a copy of the letter and it was forwarded to the Eagles Club. He explained that they have every indication that the fuel tile issues would be taken care of. Mr. Armstrong explained that they would make every effort to help coordinate when the building permit comes in. It may be three years from now.

Mr. Fulgenzi explained that in the course of building, hydraulics of water is addressed in any building plan. It would have to be taken care of and planned for.

Mr. Stumpf explained to the objector that there is no way the County can guarantee any problems would be fixed if something happens. Jim Grohne, Assistant State's Attorney, explained that the County would have no enforcement mechanism in regard to the fuel tiles. This is purely a zoning issue and if there is a change in the flow of water, that is a matter between the property owners and would be a private cause of action.

Mr. Bunch explained that the Eagles Club on East Ash Street had similar problems and they did correct them. He stated that he does have faith that this Eagles Club would not let anything happen.

Chairman VanMeter explained that the County has no jurisdiction over drainage and maintenance of drainage tile, but parties could take a private course of action if needed.

Mr. Fanale explained that he understands Mr. McCullough's concern. Because he owns the lot right next to this and would not want it to flood on his property either.

A voice vote was unanimous on the motion to adopt Resolution 20.

**MOTION CARRIED  
RESOLUTION ADOPTED**

### **RESOLUTIONS 21 - 25**

21. 2005-37 – Text amendment to the Sangamon County Zoning Ordinance regarding temporary use permits for fireworks stands.

A motion was made by Mrs. Long, seconded by Mr. Bond, for the adoption of Resolution 21. A motion was made by Mr. Bunch, seconded by Mr. Pace, to consolidate Resolutions 21 – 25. Chairman VanMeter asked the Clerk to read Resolutions 22 – 25.

22. Resolution approving the purchase of a Data Aire cooling system for the Information Systems Department.

- 23. Resolution approving a contract for maintaining the telephone system equipment for Sangamon County.
- 24. Resolution approving the transfer of funds for respective County departments.
- 25. Resolution approving a contract with ImageMax and the Recorder's Office.

A voice vote carried on the consolidation. Mr. Cahnman voted nay. A motion was made by Mr. Goleman, seconded by Mrs. Scaife, that the roll call vote for Resolution 1 stand as the roll call vote for Resolutions 21 – 25, as consolidated. A voice vote was unanimous.

MOTIONS CARRIED  
RESOLUTIONS ADOPTED

**WAIVER OF TEN-DAY FILING PERIOD**

A motion was made by Mr. Bunch, seconded by Mrs. Long, to waive the ten-day filing period. A voice vote was unanimous.

MOTION CARRIED  
TEN-DAY FILING PERIOD WAIVED

**RESOLUTION 26**

- 26. Resolution appropriating motor fuel tax funds for the employer's share of the cost of social security and IMRF.

A motion was made by Mr. Montalbano to withdraw Resolution 26.

MOTION CARRIED  
RESOLUTION WITHDRAWN

**OLD BUSINESS**

There was no old business.

**NEW BUSINESS**

- A. Resolutions

There were no new resolutions.

- B. Appointments

Appointment of Greg Marshall to the Buffalo Fire District for a term expiring May, 2008.

Appointment of Daniel Bolsen to the Pawnee Fire District for a term expiring May, 2007.

Reappointment of Roger Anderson to the Pleasant Plains Fire District for a term expiring May, 2008.

Reappointment of Mike Branham to the Chatham Fire District for a term expiring May, 2008.

Appointment to the Special Select Committee on the Sangamon Valley Trail:

Bill Moss, Co-Chairman  
Debbie Cimarossa, Co-Chairman  
Clyde Bunch  
Abe Forsyth  
Tom Fraase  
Tim Griffin  
Sam Montalbano  
Tim Moore  
Tyrone Pace  
Sam Snell

A motion was made by Mr. Bunch, seconded by Mr. O'Neill, for approval of the appointments. A voice vote was unanimous.

**MOTION CARRIED  
APPOINTMENTS ADOPTED**

### **COMMITTEE REPORT ON CLAIMS**

A motion was made by Mr. Bunch, seconded by Mrs. Long, to place the Committee Report on Claims on file with the County Clerk. A voice vote was unanimous.

**MOTION CARRIED  
REPORT FILED**

### **ADJOURN**

A motion was made by Mrs. Long, seconded by Mr. Bunch, to adjourn the meeting to July 12, 2005 at 7:00 p.m. A voice vote was unanimous.

**MOTION CARRIED  
MEETING ADJOURNED**