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MINUTES

SANGAMON COUNTY BOARD

JULY 12, 2005

The Sangamon County Board met in Reconvened Adjourned June Session on July 12, 2005 in the County Board Chambers. Chairman VanMeter called the meeting to order at 7:00 p.m. Mr. Montalbano gave the Invocation and Hilary Peterman led the Board in the Pledge of Allegiance.

ROLL CALL

Chairman VanMeter asked the Clerk to call the roll. There were 27 Present – 2 Absent. Mr. Hall and Mrs. Turner were excused.

PROCLAMATIONS

Mr. Vaughn presented a Proclamation to the Williamsville High School Boys' Baseball Team and Girls' Softball Team and their coaches for impressive season records. The coaches and teams accepted the honor.

APPROVAL OF MINUTES

A motion was made by Mr. Mendenhall to amend the minutes. Mr. Mendenhall explained that paragraphs 2, 6 & 9 of page 6 and paragraph 2 of page 7 should be amended. Anywhere it refers to fuel tiles should be amended to read field tiles. A motion was made by Mr. Bunch, seconded by Mrs. Long, for approval of the minutes, as amended. A voice vote was unanimous.

MOTIONS CARRIED
MINUTES ADOPTED

CORRESPONDENCE

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

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

MOTION CARRIED
CORRESPONDENCE FILED

RESOLUTION 1

1. Resolution supporting the Sangamon Valley Greenway.

A motion was made by Mr. Montalbano, seconded by Ms. Cimarossa, for the adoption of Resolution 1. A motion was made by Mr. Cahnman, seconded by Ms. Cimarossa, to amend the last paragraph after the word funds to add the phrase “along with Federal and State Grants”. A voice vote was unanimous on the amendment. Ms. Cimarossa commented that their public hearing went very well last week and the next hearing will be July 19th at 6:30 at the Gardner Township Hall. Mr. Moss commented that it was well attended, there was very little negative discussion, and there are a lot of people who want this to happen. Mr. Cahnman explained that he felt it was an excellent hearing and Ms. Cimarossa did an excellent job conducting the hearing. Chairman VanMeter asked the Clerk to call the roll. There were 26 yeas – 0 nays.

MOTIONS CARRIED
RESOLUTION ADOPTED

RESOLUTIONS 2 – 4

2. Resolution approving an engineering agreement with Greene & Bradford, Inc. for a hydraulic study.

A motion was made by Mr. Bunch, seconded by Mrs. VanHoos, for the adoption of Resolution 2. A motion was made by Mr. Bunch, seconded by Mr. Pace, to consolidate Resolutions 2 – 4. Chairman VanMeter asked the Clerk to read Resolutions 3 and 4.

3. Resolution approving the purchase of vehicles for the County Highway Department.
4. Resolution approving a land acquisition project in accordance with Federal-Aid procedures.

A voice vote was unanimous on the consolidation. A motion was made by Mr. Goleman, seconded by Mr. Pace, that the roll call vote for Resolution 1 stand as the roll call vote for Resolutions 2 – 4, as consolidated.

A voice vote was unanimous. Resolutions 2 – 4 are adopted, as consolidated.

**MOTIONS CARRIED
RESOLUTIONS ADOPTED**

RESOLUTION 5

5. 2005-38 – Diane Whittenburg & Kenneth Harbour, 3111 & 3113 South 13th Street, Springfield – Denying a Rezoning. County Board Member – Clyde Bunch, District #21.

A motion was made by Mr. Vaughn, seconded by Mrs. Musgrave, for the adoption of Resolution 5. Chairman VanMeter asked for the professional staff's report.

Dave Kiliman, Director of Regional Planning, stated that the petitioners are requesting a rezoning from R-2 to RM-4. This case is on 13th Street north of Stevenson Drive. The petitioner wants to demolish structures on the property and replace them with a manufactured home. The Planning Commission feels this would be spot zoning and recommends denial. The Zoning Board of Appeals concurs with the staff report and recommends denial.

Kenneth Harbour, 3111 & 3113 South 13th Street in Springfield, addressed the Board. He explained that there are over 40 mobile homes in this area known as the Cabbage Patch. There are also several businesses in the area. He explained that his manufactured home is in Divernon and he wants to move it to this location in Springfield. It would be put on a block foundation and could be taxed as real estate, when there are others in the areas that are not taxed as real estate. The two homes that are currently on the property would be torn down and the 28X66 manufactured home would be put in. The lots are 40 foot lots. Three lots are required to do this. One lot is already zoned for a manufactured home and the other two just need to be approved.

Mr. Bunch explained that he met with the petitioner and was guaranteed the garage on the property would be demolished by July 12th. Nothing has been done to the garage yet. Mr. Bunch stated that he does not understand how they could go 3 or 4 feet on the other property with a manufactured home when the property is in someone else's name. Things just haven't been done the way he said they would be.

Mr. Cahnman asked if this could be done by a variance as opposed to a rezoning. Mr. Kiliman explained that it could be done by a use variance, but the petition would have to be re-filed and republished and would have to go through the process again.

Mr. Fulgenzi explained that this is not the same thing as a use variance on this piece of property. Mr. Kiliman explained that the petition before the Board is for an RM-4, which does not specify any structure on a permanent foundation and would be a traditional mobile home with skirting.

Mr. Vaughn explained that no matter what is granted there could be two buildings put on this lot. Mr. Kiliman stated that it could be structured to allow just one. The petitioner would just have to apply in that manner. The County Board could limit it to only one. Mr. Vaughn stated that he feels they should have to specify if there is a manufactured home on a permanent foundation.

Mr. Moore asked for clarification as to whether he could put anything on this if it is granted and if he could put more than one. Mr. Kiliman clarified that he could.

Lynn Thornton, 3117 S. 13th in Springfield, addressed the Board. He explained his concern with a manufactured home is that they would have to tear down at least three buildings and would have to be put on the back of the lots parallel to the alley. He stressed that he is against rezoning for a manufactured home whether it is on a foundation or not and he does not see Mr. Harbour tearing down all three buildings.

Bill Bermel, 3110 South 13th in Springfield, addressed the Board. He commented that there is nothing to stop the petitioners from having a mini mobile home park there. This is mostly a residential area and there is only one mobile home in the immediate area, but there are four mobile home parks around this area. Some of the mobile homes are falling apart and a lot of them are for sale.

Mr. Vaughn explained that there are existing buildings on this lot and the petitioner cannot put any additional living facilities on these lots without them being torn down.

Dave Kiliman explained that there would be a physical problem with putting in a manufactured home without at least one of the existing buildings being torn down. The petitioner has said he would tear them down.

Mr. Harbour explained that he is just asking for a variance with one home on three lots with 120 feet between three lots. One lot is already okay. The home would be facing the street.

Mr. Kiliman explained that in November 2003 because of issues with use variance ordinances, changes were made to require republication and public hearings before a change is granted. This gives adjoining property owners time to dispute.

Mr. Bermel stated that years ago Mr. Harbour said he would clean up the place. This was a long time ago and now he wants to tear down \$75,000 worth of homes to put up a \$32,000 house trailer.

Mr. Montalbano explained that the objectors are talking about how bad the condition of the property is now. He asked if they think the manufactured home would look better than what is there now. Mr. Bermel stated that Public Health would be better to ask that question than he would. Many years ago Mr. Harbour said he was going to put up a pole barn and it still has not happened.

On the motion to adopt Resolution 5, a voice vote was unanimous. The resolution written to “deny a rezoning” was adopted.

MOTION CARRIED
RESOLUTION ADOPTED

RESOLUTION 6

6. 2005-40 – Alice Leinberger, 515 West Maple, Springfield – Granting Variances. County Board Member – Clyde Bunch, District #21.

A motion was made by Mr. Bunch, seconded by Mr. Vaughn, for the adoption of Resolution 6. 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 6.

MOTIONS CARRIED
RESOLUTION ADOPTED

RESOLUTION 7

7. Resolution approving a contract with Lexis/Nexis and the Circuit Court.

A motion was made by Ms. Cimarossa, seconded by Mrs. Long, to table Resolution 7 until the August 9, 2005 meeting. A voice vote was unanimous.

MOTION CARRIED
RESOLUTION TABLED

RESOLUTION 8

8. Resolution adopting the 2004 Illinois State Plumbing Code and 2005 National Electrical Code and amending Chapter 15.05 of the Sangamon County Code.

A motion was made by Mr. Snell, seconded by Mr. Vaughn, for the adoption of Resolution 8. A voice vote was unanimous.

MOTION CARRIED
RESOLUTION ADOPTED

RESOLUTION 9

9. Resolution approving a contract with Sangamon County and Springfield Mechanical Corp.-A-Wrecking.

A motion was made by Mr. Vaughn to withdraw Resolution 9.

MOTION CARRIED
RESOLUTION WITHDRAWN

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

OLD BUSINESS

There was no old business.

NEW BUSINESS

- A. Resolutions

There were no new resolutions.

- B. Appointments

Appointment of Marion Darling to the Divernon Fire District for a term expiring May, 2008.

Appointment of Dennis Wieland to the Sangamon Valley Trail Committee.

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

MOTION CARRIED
APPOINTMENTS ADOPTED

COMMITTEE REPORT ON CLAIMS

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

MOTION CARRIED
REPORT FILED

RECESS

A motion was made by Mr. Bunch, seconded by Mrs. Long, to recess the meeting to August 9, 2005 at 7:00 p.m. A voice vote was unanimous.

MOTION CARRIED
MEETING RECESSED