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SANGAMON COUNTY CLERK



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## **MINUTES**

### **SANGAMON COUNTY BOARD**

**MAY 13, 2008**

The Sangamon County Board met in Reconvened Adjourned September Session on May 13, 2008 in the County Board Chambers. Chairman VanMeter called the meeting to order at 7:00 p.m. Mr. Montalbano gave the Invocation and Mr. Kamper 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. Buecker and Mr. Moore were excused.

## **MINUTES**

A motion was made by Mrs. Turner, seconded by Mrs. Long, for approval of the Minutes of April 9, 2008. A voice vote was unanimous.

**MOTION CARRIED**  
**MINUTES ADOPTED**

## **CORRESPONDENCE**

A. Illinois Department of Transportation Audit Reports.

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

**MOTION CARRIED**  
**CORRESPONDENCE FILED**

### **RESOLUTION 1**

1. Resolution approving an agreement with the Illinois Department of Transportation for traffic signal modernization.

A motion was made by Mr. Montalbano, seconded by Mr. Tjelmeland, for the adoption of Resolution 1. Upon a roll call vote, there were 26 Yeas – 0 Nays.

**MOTION CARRIED**  
**RESOLUTION ADOPTED**

### **RESOLUTION 2**

2. 2008-19 – James D. Trader, 1736 S. Camp Butler Road, Springfield – Denying an amendment and variance. County Board Member – Sarah Musgrave, District #9.

A motion was made by Mr. Stephens, seconded by Mrs. Long, for the adoption of Resolution 2. Chairman VanMeter asked the professional staff to give the procedural history of the case.

Norm Sims stated that the petitioner is requesting a rezoning from R-1, single-family residence district to B-3, general business district, and a variance to allow the lot depth to exceed 2 ½ times the lot width for two parcels to allow a trucking firm (truck parking) and a concrete contractor. Randy Armstrong stated the property is on South Camp Butler Road on the East side of the road, opposite from Roselawn Cemetery, and is currently improved with a greenhouse.

Mr. Sims stated that the staff recommends denial of the requested B-3 zoning because they feel such intensive commercial use is not appropriate, as it is located among single family residences. The current R-1 zoning is consistent with the findings of fact pertaining to trends in the area. The staff recommends denial of the requested lot width depth variance because there are no unique circumstances and the standards for variation are not met. Mr. Armstrong stated that the Zoning Board of Appeals concurs with the staff report and recommends denial.

Wes O'Dell, residing at 3576 Pet Cemetery Road in Springfield, addressed the Board. He stated that right now there are three dump trucks he uses to haul asphalt for Truman Flatts. The trucks leave in the morning and come back at the end of the day. Some of the neighbors think trucks are going to come in and out all the time, and that is not true. Basically, they just need a place to park the trucks. There will be a fence put up and landscaping in the front. The neighborhood is residential and commercial. There are storage units, semi trucks, helicopters landing, three concrete pump trucks, and a commercial realtor all down the road. There is probably ¾ of the property that is next to other commercial property.

James Trader, petitioner, residing at 326 E. Wilcox in Springfield, addressed the Board. He stated that he owns property next to this and just wants this for a building to put his supplies in. About 75% of the property around this area is commercial. There will not be any heavy trucks or a lot of noise on this property. During the day there is none at all.

Mr. Snell asked if he intends to clean up this property. Mr. Trader stated their intention is to clean up the area, fence it in, and do some landscaping. They want to do this out of respect for the neighbors and the cemetery across the street.

Mr. Bunch asked what he plans on storing. Mr. Trader stated that he puts in windows and foundations for new homes, so he would be storing material and windows for his jobs. There are some small trailers that have wood on them which need to be stored inside.

Mrs. Musgrave asked what size the building would be on the property. Mr. Trader explained that he is splitting the property with Mr. O'Dell, so on his side the building would be 60x80 with 12-foot walls. Mr. O'Dell stated that he wants to put a garage about the same size on there eventually. Mrs. Musgrave asked Mr. Trader if he owns the property. Mr. Trader stated that he does. Mrs. Musgrave asked Mr. Trader if he would set up a meeting with the neighbors to come up with some sort of agreement and come back next month if this is denied tonight. Mr. Trader stated that he definitely would.

Mrs. Long asked what the hours of operation would be. Mr. O'Dell stated that the earliest they need to be on the job is 6:30 a.m. at the asphalt plant. Mr. Trader stated that they usually leave the shop about 6:00 a.m. and he usually leaves off of Route 36 and never leaves off of Camp Butler Road.

Mr. Hall asked if the petitioners can set their hours to whatever they want if they do not set them in writing. Jim Grohne, Assistant State's Attorney stated that is correct.

Chris Butler, objector, at Roselawn Memorial Park, 1735 South Camp Butler Road in Springfield, addressed the Board. He explained that he is helping to represent neighbors in the area as well as families who have loved ones interred at Roselawn. This would encompass 18,000 individuals that have spaces there. He explained he does understand the petitioners desire to expand his business, but it seems commercial development has typically gone along the lines of Old Route 36 and not on the side of South Camp Butler Road. The road conditions on South Camp Butler Road are not good, and this is something all the neighbors recognize as something that needs to be addressed. This is also a major road for processions to Camp Butler National Cemetery, Roselawn Memorial Park, and Oak Hill Cemetery. The neighbors would understand if this was already zoned commercial, but it is not. It is hard to define what a clean up would be and to keep with the spirit of that when there are no certainties down the road.

Janine Nydegger, residing at 1704 South Camp Butler Road in Springfield, addressed the Board. She stated that she has submitted 12 signed petitions in objection

and protest to this change of zoning. They do want a change, but do not want this parcel to go to a business use again. The neighbors are distressed about the current use and the proposed use of the property based on the current conditions of the property owned and operated by the petitioner.

The neighbors also voiced concerns about traffic issues, the appropriateness of such a business in such close proximity to the cemeteries, impact of the noise levels, and impact on property values. She respectfully requested that the Board deny this petition.

Pam Blankenship, residing at 1798 South Camp Butler Road in Springfield, addressed the Board. She stated that everyone agrees the property needs to be cleaned up, and it's unfortunate it has gotten to this point. The neighbors agreed it doesn't need to be rezoned commercial to accomplish this clean up. She asked that the Board deny the request to rezone so they can maintain this residential neighborhood. She added that they would be willing to help clean it up.

Mr. O'Dell gave his rebuttal. He explained he has been working for Truman Flatts for 6 years and they have been parking at Mr. Trader's place for about 4 ½ to 5 years. The traffic would be less because there won't be traffic from the flower shop.

Mr. Trader explained that they will clean the place up, fence it in and put landscaping in the front.

Mr. Fulgenzi asked Mr. O'Dell if he would be able to leave off of Route 36 also. Mr. O'Dell explained that his property is actually behind the cabinet shop so they would have to work something out because his exit and entrance would be from Camp Butler Road. A gate could also be put up there. Mr. Fulgenzi asked if they would be willing to meet with the neighbors. Mr. O'Dell stated that he absolutely would.

Mr. Snell asked Mr. Trader if he realizes he can come back before the Board, after he has worked something out with the neighbors, if this is voted down tonight. Mr. Trader stated he does understand that.

Mr. Stumpf asked the professional staff if they could come back for the variance along with the B-3 rezoning. Randy Armstrong explained that they could come back to the June Zoning Board of Appeals Hearing and to the July County Board Meeting.

Ms. Nydegger reiterated the importance of this to her neighbors that the issue of this going commercial in the middle of a residential area is inappropriate. She explained that they do not particularly want to live next to dump trucks or to big warehouse buildings. The concern is that when you go commercial it is forever, and it would be hard to protest if they do change the zoning.

Mr. Butler explained that he has heard the discussion of clean up and nice landscaping, but there are no definitions. It would be helpful to have something defined to address this. If it's not defined than it speaks for itself as to the uncertainty of the

situation. The neighbors are willing to work for the situation if there is a way it can be worked out, but those details are missing right now.

Chairman VanMeter asked for a roll call vote on the motion to adopt Resolution 2. Upon the roll call vote, there were 22 Yeas – 4 Nays. The Resolution written “to deny and amendment and variance” was adopted and the amendment and variance was denied.

MOTIONS CARRIED  
RESOLUTION ADOPTED

### **RESOLUTION 3**

3. 2008-23 – Thomas & Joann Lewis, 3515 S. Douglas, Springfield – Granting a Rezoning. County Board Member – Linda Fulgenzi, District #12.

A motion was made by Mrs. Fulgenzi, seconded by Mr. Hall, for the adoption of Resolution 3. A motion was made by Mr. Goleman to waive the reading of the professional staff’s report. There were no objections. A voice vote carried on the motion to adopt Resolution 3.

MOTIONS CARRIED  
RESOLUTION ADOPTED

### **RESOLUTION 4**

4. 2008-24 – Donnie Beechler, 2485 Sandhill Road, Springfield – Granting a Rezoning. County Board Member – Jim Good, District #8.

A motion was made by Mr. Good, seconded by Mr. Bunch, for the adoption of Resolution 4. A motion was made by Mr. Goleman 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 4.

MOTIONS CARRIED  
RESOLUTION ADOPTED

### **RESOLUTION 5**

5. 2008-25 – Tracy L. Goodall, 104 E. Houston Street, Clear Lake Village – Granting a Variance. County Board Member – Sarah Musgrave, District #9.

A motion was made by Mrs. Musgrave, seconded by Mr. Fraase, for the adoption of Resolution 5. A motion was made by Mr. Goleman 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 5.

MOTIONS CARRIED  
RESOLUTION ADOPTED

**RESOLUTION 6**

6. 2008-26 – John Lowe, 1335 W. Reynolds, Springfield – Granting a Rezoning and Variance. County Board Member – Mike Sullivan, District #11.

A motion was made by Mr. Sullivan, seconded by Mrs. Dillman, for the adoption of Resolution 6. A motion was made by Mr. Goleman 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

**RESOLUTIONS 7 – 9**

7. Resolution authorizing the Sheriff's Office to purchase desktop personal computers and related equipment.

A motion was made by Mr. Buecker, seconded by Mr. Stephens, for the adoption of Resolution 7. A motion was made by Mr. Bunch, seconded by Mr. Smith, to consolidate Resolutions 7 – 9. Chairman VanMeter asked the Clerk to read Resolutions 8 and 9.

8. Resolution approving an Intergovernmental Agreement between the County of Sangamon and the Village of Grandview regarding enforcement of the International Building Code.
9. Resolution amending the previously adopted Lincoln/Logan County Enterprise Zone Resolution.

A voice vote was unanimous on the consolidation. A motion was made by Mr. Goleman, seconded by Mr. Kamper, that the roll call vote for Resolution 1 stand as the roll call vote for Resolutions 7 – 9, as consolidated. A voice vote was unanimous.

MOTIONS CARRIED  
RESOLUTIONS ADOPTED

**WAIVER OF TEN-DAY FILING PERIOD**

A motion was made by Mrs. Turner, 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**

- A. Resolution 12 – Tabled 4/9/08  
2008-21 – Ramiro Maldonado, 10001 Palm Road, Glenarm – Granting a Use Variance and Variance. County Board Member – Don Stephens, District #5.

A motion was made by Mr. Stephens, seconded by Mr. Mendenhall, to take Resolution 12 from the Table. A voice vote was unanimous. A motion was made by Mr. Stephens, seconded by Mr. Mendenhall, to amend Resolution 12. Mr. Stephens stated that Page 2, line 5 should be amended after the word hereto to add the following: “and subject to the construction of a 6 foot chain link fence by October 1, 2008, which shall begin at the intersection of the north property line and the west right-of-way line for Palm Road and extend 146 feet to the West.” A voice vote was unanimous on the amendment.

A motion was made by Mr. Goleman 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 12, as amended.

MOTIONS CARRIED  
RESOLUTION ADOPTED

**NEW BUSINESS**

- A. Resolutions

There were no new resolutions.

- B. Appointments

A list of the proposed appointments has been submitted and will be voted on at the June meeting.

**REPORTS OF COUNTY OFFICIALS, REPORTS OF SPECIAL COMMITTEES,  
REPORTS OF STANDING COMMITTEES**

Mr. Goleman addressed the Board to give a special report on the budget. He explained that the Finance Committee has been closely scrutinizing the budget. With that budget they have asked the County Administrator along with the Auditor’s Office to come up with some recommendations as they begin the budgeting process for the next fiscal year. He stated it is their belief they have a “perfect storm” that is potentially out there. They are not in a crisis, but as always, with the budgeting process they always try

to be pro-active rather than re-active. Unlike some governmental bodies, who first think about raising taxes, the County does not have that philosophy.

What the County says and what they do is the same thing, and that is they have to live within their means. The voters of this County voted overwhelmingly for tax caps, so the County does need to live within their means. Inflation is rising and there is a slow down in the economy. With that there is some concern with the budgeting. They have had great cooperation with the elected officials and department heads in the past. He explained that the Finance Committee is just giving the Board a heads up of some concerns they may have so they can be prepared. The Finance Committee is unanimous in their concerns. The CPI they are looking at is 4.1% for property tax revenue for next year which equates to about 1/3 of their revenue. Salaries and benefits are about 70% of the budget and they will increase by 4.1%. So, there is 70% of the expense budget that will increase by 4.1% and 33% of revenue will increase by 4.1% so another 33% of revenue, which is mostly sales tax, will be flat next year. The County's budget is about 1/3 in property tax revenue, 1/3 in fines and fees, and 1/3 comes from sales tax and other sources like inheritance taxes.

Mr. Goleman stated they will remind the department heads and elected officials to closely monitor and scrutinize their budgets. They are looking at cuts up to 10% in next year's budget. Every line item for any type of expenditure is on the table for cuts. They are not in a crisis, but they need to prepare themselves for potential problems down the road. He asked for the Board's cooperation and explained that there will be some tough votes to come down the road, but they will do the right thing because they always have and always will.

Chairman VanMeter asked if the Finance Committee would be giving the department heads directives earlier this year so they can begin preparing. Mr. Goleman stated that is correct. They will begin the budget process a little earlier this year so they have plenty of time to look at the budgets. He explained that this County Board understands they have to do their job and do their job right by living within their means.

Mr. Kamper asked when the next Finance Committee is. Mr. Goleman stated that the meetings are always on the second and fourth Tuesdays of the month; however, the next one will be the 27<sup>th</sup> at 5:00 p.m. and they are open to the public. He stated that, as always, they can call him with questions or concerns.

### **COMMITTEE REPORT ON CLAIMS**

A motion was made by Mrs. Long, seconded by Mrs. Turner, 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 Mrs. Long, seconded by Mrs. Turner, to recess the meeting to June 2, 2008 at 7:00 p.m. A voice vote was unanimous.

MOTION CARRIED  
MEETING RECESSED