

**JOE AIELLO**  
**SANGAMON COUNTY CLERK**



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## **MINUTES**

### **SANGAMON COUNTY BOARD**

**JUNE 8, 2010**

The Sangamon County Board met in Reconvened Adjourned September Session on June 8, 2010 in the County Board Chambers. Chairman VanMeter called the meeting to order at 7:00 p.m. Mr. Montalbano gave the Invocation and Mr. Sullivan led the Board in the Pledge of Allegiance.

## **ROLL CALL**

Chairman VanMeter asked the Clerk to call the roll. There were 26 Present – 3 Absent. Ms. Dillman, Mr. O’Neill and Mr. Schweska were excused.

## **PROCLAMATION**

Mr. Preckwinkle presented a Proclamation to the Capital Area Independent Business Alliance in recognition of Independents Week. Tia Schoen, member of the Alliance, was present to accept the Proclamation.

## **MINUTES**

A motion was made by Mrs. Long, seconded by Mrs. Turner, for approval of the Minutes of May 11, 2010. A voice vote was unanimous.

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

**CORRESPONDENCE**

A motion was made by Mrs. Turner, seconded by Mrs. Long, to place the Correspondence on file with the County Clerk. A voice vote was unanimous. There was no correspondence to file.

**RESOLUTION 1**

1. Resolution approving the annual Prevailing Wage Rates for Sangamon County.

A motion was made by Mr. Montalbano, seconded by Mr. Sullivan, to place Resolution 1 on the floor. Chairman VanMeter asked for a roll call vote on the adoption of Resolution 1. Upon a roll call vote, there were 25 Yeas – 0 Nays.

MOTION CARRIED  
RESOLUTION ADOPTED

**RESOLUTION 2**

2. 2009-64 – James Ley/Ley Metals Recycling, 3000 Peoria Road, Springfield – Granting a Variance. County Board Member – Jim Good, District #8.

A motion was made by Mr. Moore, seconded by Mrs. Long, to table Resolution 2. A voice vote was unanimous.

MOTION CARRIED  
RESOLUTION TABLED

**RESOLUTION 3**

3. 2010-15 – Gerald W. Butler, 6333 Curran Road, New Berlin – Granting a Rezoning and Variances. County Board Member – Harry “Tom” Fraase, District #1.

A motion was made by Mr. Fraase, seconded by Mr. Moss, to place Resolution 3 on the floor. A motion was made by Mr. Moore to waive the reading of the professional staff’s report. There were no objections. Mr. Hall asked if there is a flag lot on either of these two tracts. Molly Berns, professional staff, stated that there is on proposed Parcel 1.

A voice vote carried for the adoption of Resolution 3. Mr. Hall voted no.

MOTIONS CARRIED  
RESOLUTION ADOPTED

**RESOLUTION 4**

4. 2010-21 – John Martin, in the 4000 block of Rochester Road, Rochester – Granting a Rezoning and Variance. County Board Member – Andy Goleman, District #4.

A motion was made by Mr. Goleman, seconded by Mr. Stephens, to place Resolution 4 on the floor. 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 for the adoption of Resolution 4.

MOTIONS CARRIED  
RESOLUTION ADOPTED

**RESOLUTION 5**

5. 2010-22 – Virginia C. King, 2018 S. Spring Creek Rd., Pleasant Plains – Granting Variances. County Board Member – Craig Hall, District #7.

A motion was made by Mr. Hall, seconded by Mr. Forsyth, to place Resolution 5 on the floor. 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 for the adoption of Resolution 5.

MOTIONS CARRIED  
RESOLUTION ADOPTED

**RESOLUTION 6**

6. 2010-23 – Kirk A. Mendenhall, 9095 Briar Ridge Lane, Rochester – Granting a Rezoning and Variance. County Board Member – David Mendenhall, District #3.

A motion was made by Mr. Mendenhall, seconded by Mr. Good, to place Resolution 6 on the floor. 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 for the adoption of Resolution 6.

MOTIONS CARRIED  
RESOLUTION ADOPTED

**RESOLUTIONS 7 - 13**

7. Resolution authorizing the Sheriff's Office to accept the bid of Ray O'Herron Company, Inc., and to surplus both weapons and ammunition and replace current sidearms.

A motion was made by Mr. Preckwinkle, seconded by Mr. Krell, to place Resolution 7 on the floor. A motion was made by Mr. Bunch, seconded by Mr. Smith, to consolidate Resolutions 7 – 13. Chairman VanMeter asked the Clerk to read Resolutions 8 – 13.

8. Resolution approving the designation of the Sangamon County Plant Water Tower as a Sangamon County Historic Site.
9. Resolution approving a contract with Community Resources and Lincoln Land Community College.
10. Resolution identifying acquisition contracts for new washing machines for the County Detention Facility to be paid from proceeds of the County's \$12,970,000 Taxable Debt Certificates, Series 2010.
11. Resolution identifying acquisition contracts for a phone system for the County Public Health and Community Services Building to be paid from proceeds of the County's \$12,970,000 Taxable Debt Certificates, Series 2010.
12. Resolution allocating funds for the build out costs of the fiber optic connection to the new Public Health/Community Resource Department Facility and for the approval of an intergovernmental agreement for telecommunications contract services with the City of Springfield.
13. Resolution to provide support for the Central Illinois Economic Development Authority.

A voice vote was unanimous on the consolidation. A motion was made by Mr. Bunch, seconded by Mr. Smith, that the roll call vote for Resolution 1 stand as the roll call vote for Resolutions 7 – 13, 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

#### **RESOLUTIONS 14 - 16**

14. Resolution identifying acquisition contracts for fiber optic installation for the new Public Health and Community Services Building to be paid from proceeds of the County's \$12,970,000 Taxable Debt Certificates, Series 2010.

A motion was made by Mrs. Long, seconded by Mrs. Musgrave, to place Resolution 14 on the floor. A motion was made by Mr. Bunch, seconded by Mr. Fulgenzi, to consolidate Resolutions 14 – 16. Chairman VanMeter asked the Clerk to read Resolutions 15 and 16.

15. Resolution identifying acquisition contracts for a Guaranteed Energy Management Contract with Ameresco, Inc. to be paid from proceeds of the County's \$12,970,000 Taxable Debt Certificates, Series 2010.
16. Resolution approving a contract with Hanson, Inc. for updating and repair work to the Sangamon County Courts and Detention Complex.

A voice vote was unanimous on the consolidation. A motion was made by Mr. Goleman, seconded by Mrs. Fulgenzi, that the roll call vote for Resolution 1 stand as the roll call vote for Resolutions 14 – 16, as consolidated. A voice vote was unanimous.

MOTIONS CARRIED  
RESOLUTIONS ADOPTED

### OLD BUSINESS

- A. Resolution 5 – Tabled 5/11/10  
2010-6 – Emma Marcella Davis, in the 2400 block of East Elm Street, Springfield – Granting a Rezoning. County Board Member – Doris Turner, District #19.

A motion was made by Mr. Moore, seconded by Mrs. Long, to bring Resolution 5 off the table. A motion was made by Mr. Moore to waive the reading of the professional staff's report. There were no objections.

Mrs. Turner explained that the petitioner wants to rezone and sell the land so someone can put a mobile home there. A lot of this area is mobile homes, but a lot of them are not being kept up and there is a lot of fly dumping going on. The neighbors are trying to clean up the area. She stated that she is asking the Davis' to work with the new prospective owners to ensure the mobile home they are putting there is in with the new trend of the area to make the neighborhood better.

Mr. Moss asked about inspections for plumbing and electrical. Cyndi Knowles, professional staff, explained that an inspection is done by the Building Department and a building permit is required. They are checking the plumbing, electrical, skirting and siding for new mobile homes going in. Mr. Moss asked what the process is if there is a complaint to bring it up to code. Jim Stone, Director of Public Health, stated that they address property maintenance code complaints. If there are problems with the property that are enforceable, they do give them notices so they have time to correct them.

Mr. Bunch asked if they have the authority to put these on a block foundation rather than skirting for safety and other reasons. Molly Berns, professional staff, explained that the Zoning staff and Regional Planning Commission are exploring various options and maybe proposing some changes to address these issues.

Chairman VanMeter asked how far they are with these recommendations from the professional staff. Ms. Berns stated that it will be about two to three months. Norm Sims, professional staff, explained that the Zoning staff has been collecting these recommendations and want to make sure what they are doing is acceptable under state law.

Mr. Hall asked if they could come back again in six months and have this zoned if they vote no tonight. Ms. Berns stated that if the circumstances of the property have dramatically changed, they can do this before six months, otherwise they do have to wait six months.

Mr. Krell asked if they will be holding other mobile home owners to this, and if they would be going out to inspect every mobile home in the County. Ms. Berns stated that this would apply only to prospective future homes. You cannot hold an existing property to a standard that has been subsequently set by the Board in the meantime.

Mr. Fulgenzi asked if the mobile homes on permanent foundations would have a different tax status. Ms. Berns stated that this is something they are taking under consideration as a part of the recommendations, and they are still investigating and working with Mr. Lindley's Office. Chairman VanMeter asked for clarification if it is not yet clear that the professional staff is going to recommend all mobile homes be put on a foundation, but are simply studying the issue at this point. Norm Sims clarified that they are speculating on what an ordinance would be, the nature of the ordinance, and even if it would pass this body. If this were in the zoning ordinance they could come back and ask for a variance of that standard under zoning.

Chairman VanMeter asked Mrs. Turner to state her intention on voting on this resolution. Mrs. Turner stated that she will be voting no.

Upon a roll call vote, there were 5 Yeas – 21 Nays. Those voting Yes were Mr. Krell, Mr. Moore, Mr. Moss, Mr. Smith, and Mr. Snell. Resolution 5 was denied.

**MOTIONS CARRIED  
RESOLUTION DENIED**

- B. Resolution 8 – Tabled 4/6/10  
2010-12 – Benjamin A. Liehr, 3113 South 14<sup>th</sup> Street, Springfield – Granting a Use Variance. County Board Member – Clyde Bunch, District #21.

A motion was made by Mr. Moore, seconded by Mr. Bunch, to take Resolution 8 from the table. A voice vote was unanimous. Chairman VanMeter asked the professional staff to give the procedural history of the case.

Molly Berns, professional staff, stated that the petitioner is requesting a use variance to allow for the assembly of four wheeler (quad) frames in the existing garage. The staff recommends denial of the use variance. There is no hardship in relation to this property which is in a long established neighborhood with small lots resulting in little to no buffer from the effect of potential noise on adjacent properties.

There does not appear to be a benefit to the community in allowing the proposed use. Cyndi Knowles, professional staff, stated that the Zoning Board of Appeals does not concur with the staff report and recommends approval of the use variance.

Chairman VanMeter asked why they do not concur with the staff report. Molly Berns explained that the Zoning Board believes with the testimony presented the petitioner had made an attempt to mitigate any negative potential affect on the building. Mr. Moore explained that the Zoning Board recommended approval of the variance because his operation would be indoors and there would not be a significant impact with noise and traffic. The neighbors did not totally object to this. Chairman VanMeter stated that the Zoning Board of Appeals should be stating what their reasons are for their recommendations.

Benjamin Liehr, petitioner, addressed the Board. He stated his address is 3237 Sherman Street in Springfield. He explained that this will be a part-time endeavor that will in no way commercialize the neighborhood. There is a print shop already in this neighborhood. There are also houses located there that are zoned commercial. There is a dance studio, a church, a school, a bate shop, a strip mall, and a mechanics shop in the area. He stated that he bought the property because of the location. There will be no signs, no employees, no lights or traffic, and it will not be open to the public. This will be marketed through the Internet and magazines. If everything goes good, it may be moved into a larger facility with employees. The business cannot be insured without a VIN number so they will need a legal business address and liability insurance. He stated that he has talked to all the neighbors, and they have confirmed they cannot hear any noise. This has been insulated and sound proofed. He explained that he has gone out and had petitions signed three times, and the neighbors signed all three times. This is not a major production facility, but is just something done part time to make a little money. Mr. Liehr handed out pictures of the property to the Board.

Mr. Fraase asked if he would just be doing this himself. Mr. Liehr stated that he will be the only one.

Mr. Bunch stated that he has talked to the petitioner and to some of the people out there, and has no reason to doubt his honesty. The garage is very well insulated and there is no room for two or three people to work in it.

Mr. Moss asked what was in the building prior to Mr. Liehr purchasing it. Mr. Liehr stated that it was a concrete business.

Mr. Stumpf asked if this variance would go away if the petitioner goes away. Molly Berns explained that if Mr. Liehr would close down the business for a period of two years this particular business would go away. If he would sell the property to someone else who wanted to operate this same proposed business as long as there is not a two year interruption, then this new individual could continue operating specifically to this use.

Mr. Liehr gave his rebuttal. He explained that he did not know this was part of the deal. His understanding was if he moved, it would go right back to residential. That was the clause with some of the neighbors.

Ms. Berns explained that the use variance is slightly different than the original rezoning. The original rezoning would have stayed the same, but a use variance deals with just your specific use.

Mr. Liehr stated that some of the neighbors would not go along with this if he zoned it, and he has just wanted the variance from the beginning.

A voice vote was unanimous for the adoption of Resolution 8.

MOTION CARRIED  
RESOLUTION ADOPTED

### NEW BUSINESS

#### A. Resolutions

There were no new resolutions.

#### B. Appointments

Zoning Board of Appeals - Peggy Egizii – Term to expire April, 2015

Springfield Mass Transit District – Christine Groves - Term to expire February, 2015

Citizens Advisory Board – Term to expire June, 2011

Sandra Douglas

Craig Feger

Judith Large

Frank Coble

Todd Ballenger

Ryan Vaughn

Aakash Raut

Woodwreath Cemetery Association Board of Trustees – James C. Davenport –

Term to expire 11/2013

Williamsville Fire Protection District – Gordon McCall - Term to expire May, 2013

Springfield Airport Authority – Mark Kinnaman - Term to expire June, 2015

Sangamon County Board of Review – Term to expire June, 2012

Jerry White

John Hawkins



B. Appointments (cont'd)

Historic Preservation Commission

Brian Reardon – Term to expire September, 2013

Randy Schick – Term to expire June, 2012

Robert Sherman – Term to expire June, 2014

Sangamon County Board of Health – Paul Smelter - Term to expire February, 2013

Comprehensive Health Access Plan (CHAP) – Dr. Jeffrey Bierman - Term to expire February, 2011

A motion was made by Mrs. Long, seconded by Mrs. Turner, for approval of the appointments. A voice vote was unanimous. The appointment nominations for July were also submitted.

Chairman VanMeter announced that he will make a nomination for Regional Superintendent of Schools some time very shortly, and has talked to some members of the Board about their feelings on filling that vacancy. He plans to talk with just about everyone soon. It is important to vote at the July meeting on the replacement because there are functions in that office relevant to the commencement of school.

MOTION CARRIED  
APPOINTMENTS ADOPTED

**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

**ADJOURN**

A motion was made by Mrs. Long, seconded by Mrs. Turner, to adjourn the meeting to July 13, 2010 at 7:00 p.m. A voice vote was unanimous.

MOTION CARRIED  
MEETING ADJOURNED