

**JOE AIELLO**  
SANGAMON COUNTY CLERK



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## **MINUTES**

### **SANGAMON COUNTY BOARD**

**APRIL 15, 2009**

The Sangamon County Board met in Reconvened Adjourned September Session on April 15, 2009 in the County Board Chambers. Chairman VanMeter called the meeting to order at 7:00 p.m. Mr. Montalbano gave the Invocation and Mr. O'Neill led the Board in the Pledge of Allegiance.

### **ROLL CALL**

Chairman VanMeter asked the Clerk to call the roll. There were 25 Present – 4 Absent. Mr. Forsyth, Mr. Preckwinkle, Mr. Smith, and Mr. Stumpf were all excused.

### **PROCLAMATIONS**

Mr. Goleman presented a Proclamation to Brigadier General John G. Sheedy in honor of his more than 40 year career in the military. Mr. Goleman stated that Mr. Sheedy was his neighbor for years and he provided excellent leadership in the Illinois National Guard, and he wished him well on his retirement.

General Sheedy addressed the Board and thanked them for this honor. He also thanked the Board, Chairman, and the Sangamon County Officials for the great support they have given the Illinois National Guard.

Mr. Tjelmeland presented a Proclamation to Chief Deputy Tony Sacco upon his retirement, and in honor of his many years of service with Sangamon County. Mr. Sacco thanked the Board. He explained that the face of law enforcement has definitely changed over the years. He stated that he has done his duty and is proud of what he has done. He thanked everyone for all the opportunities he has had.

## **GREATER SPRINGFIELD CHAMBER OF COMMERCE**

Gary Plummer, with the Springfield Chamber of Commerce, addressed the Board. He introduced some new and existing members. They are Eric Bloxdorf, Executive Vice-President, Diane Reinhart, Vice-President of Business Attraction and Development, and existing member Matt Seiz, Manager of Business Retention and Expansion.

Mr. Plummer explained that he is updating everyone on some things they have done in Sangamon County and that they will be asking for additional help to do even more. They held three regional meetings in Sangamon County last year and talked about issues that impacted the regional and local communities. County Board Members and Mayors from each community in the County were invited to attend those meetings. Mr. Plummer thanked Chairman VanMeter, John Fulgenzi, Rosemarie Long, Sam Montalbano, Bill Moss, Todd Smith, Jim Good, Sam Snell, and Andy Goleman who were all a part of those meetings. He also thanked Norm Sims and Jeff Fulgenzi from the Regional Planning Commission, as well as Sharmin Doering from Community Resources for also participating in the meetings. He explained that they have been working with the Village Mayor since those three meetings, primarily on development site opportunities. Two of the attractive sites they have are in Williamsville and New Berlin. They have been working very closely with them to find out what they have to offer particularly in logistics or warehouse and distribution. They have also been working with Sherman, Auburn and Pleasant Plains to explore additional site opportunities, and are in different stages with each one of them on that progress. He also reported that they have worked with Chatham and Sherman to add sections on those markets to a publication called a Guide to Retail in Sangamon County. They use that publication to market retail opportunities on a year-round basis. One of the primary uses for that is at the International Council of Shopping Centers Show in Chicago.

They have had a great working relationship for decades with the City of Springfield, and obviously with the administration of Sangamon County. They are really committed to making it a priority to develop those same working relationships with every village in Sangamon County. He stated that they have just scratched the surface of working on those relationships, and they want to ask every member of the Board to get involved and help them continue to do so. Mr. Plummer thanked the Board for their continued support.

### **MINUTES**

A motion was made by Mrs. Turner, seconded by Mrs. Long, for approval of the Minutes of March 10, 2009. A voice vote was unanimous.

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

## **CORRESPONDENCE**

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

### **RESOLUTION 1**

1. Resolution approving the purchase of two service trucks by the Highway Department.

A motion was made by Mr. Montalbano, seconded by Mr. Fulgenzi, for the adoption of Resolution 1. Upon a roll call vote, there were 24 Yeas – 0 Nays.

MOTION CARRIED  
RESOLUTION ADOPTED

### **RESOLUTION 2**

2. Resolution approving the vacation of an alley in the 1200 block of Calhoun Street.

A motion was made by Mr. Stephens, seconded by Mr. Mendenhall, for the adoption of Resolution 2. A motion was made by Mr. Goleman that the roll call vote for Resolution 1 stand as the roll call vote for Resolution 2. A voice vote was unanimous.

MOTIONS CARRIED  
RESOLUTION ADOPTED

## **BUDGET PRESENTATION**

A motion was made by Mr. Goleman to proceed out of the regular order of business to allow him to make a presentation to the Board. There were no objections.

Mr. Goleman presented a handout explaining FY 2009-2010 budget projections. He explained that they have a history of confronting issues and addressing those issues head on, and they will continue to do that when it deals with the County General Budget. The County General Fund is looking at a potential revenue shortfall of about \$2,700,000 in the budget. The issues have been the economic downturn in the economy, which has had a tremendous impact on the budget, and where they anticipate they are heading if they don't take some corrective measures to address the concerns.

He explained that about a year ago he announced that they saw a potential "perfect storm" scenario, with a decrease in sales tax revenues and the downturn in the economy.

The citizens of Sangamon County voted overwhelmingly in favor of tax caps, which limit the amount of new revenue that comes into the County General Fund and into County government as a whole. At that time they said it would force governmental bodies to become better managers, and it would mean cut backs. They have managed to do a lot in the past 14 years and continue to do that. They initiated a Voluntary Severance Plan, which was successful. If they had not done that, next year's budget would be even more difficult and challenging. The report shows that revenues are down significantly. They have instructed the Finance Committee to meet with the elected officials and department heads to come up with a plan for an immediate 10% cut in budgets across the board. They believe layoffs will not be necessary if they work together and these cuts are made. All options are on the table and they are looking for input from the department heads and elected officials on how they can become more efficient. There has been some talk about a new County Health Department. They believe if they achieve that and combine some of those offices, there will be some efficiency there.

The County has to make decisions on what they can afford and what they can't afford and need to make cuts the old fashioned way because of tax caps. He stated that he feels confident they will be able to do this. There are currently 53 vacancies in Sangamon County. They know if they scrutinize those vacancies and don't fill many of them, then they can achieve their goal. It will take cooperation from everyone to do so. They could wait until the last minute to deal with the budget, as many other bodies do, but the County has never done that. They have always tackled issues in a forward straight manner, and that is what they are going to do. He stated that it will be difficult, but he is confident they will be able to do that.

### **RESOLUTION 3**

3. 2009-10 – Kendra McCarthy & Bill Igoe, 766 S. Oaklane Road, Springfield – Denying a Use Variance. County Board Member – Sarah Musgrave, District #9.

A motion was made by Mrs. Musgrave, seconded by Mr. Fraase, for the adoption of Resolution 3. Chairman VanMeter asked the professional staff to give the procedural history of the case.

Norm Sims explained that the petitioners are requesting a use variance to allow outside storage of masonry business material and equipment. Molly Berns explained that the petitioners want to store material and equipment outside the property for a masonry business. Mr. Sims stated that the professional staff recommends denial. A use variance is not recommended at this location because the standards for use variations are not met in that the area has remained agricultural and residential, and having outside storage of masonry equipment at this location would have a negative effect on the essential character of the area. A use variance is meant to support a non-permitted use when no other viable option is apparent. Ms. Berns stated that the Zoning Board of Appeals concurs with the staff report and recommends denial.

Bill Igoe, residing at 138 N. State Street in Springfield, addressed the Board. He explained that he and his wife bought this property a couple years ago. They put in a zoning request for outside storage of masonry equipment. They plan to put additions on the house and to build a masonry pole barn. They are just asking for what everyone else in that neighborhood has. Nine out of ten people on the street are running small businesses from their property. There is Adams Pest Control, a contractor, corndog trailers, and junkyards in the area. They do take care of their property and are just trying to run a business from it.

Debbie Monroe, residing at 736 S. Oaklane Road in Springfield, addressed the Board. She stated that her property adjoins the property in question and they do not want a small business running out of there. The other people that have businesses in the area do drive their cars home from work and store their trailers in their driveways, but none of the people have businesses where they are bringing in equipment and supplies and coming in and out two or three times a day. They just want to keep their neighborhood residential and they feel this business would destroy that.

Kendra McCarthy, residing at 138 N. State Street, gave the petitions rebuttal. She explained that this has been blown totally out of proportion. They have materials stored on the property and two small machines. She stated that they have a right to go out of their driveway and down that road as many times a day as they like. The objectors have no idea whether it is for business or not. Adams Pest Control, across the road, has trucks and cars stored in their driveways with their names on them. They would have none of that. They also proposed to put up a privacy fence and a building in the future. There is also an automotive body shop down the road. She stated that she does not think anyone has really looked at this clearly, and there have been accusations made that are just not true.

Mr. Fulgenzi asked if there is a trend in the area for the development of small businesses. Mr. Igoe stated that there are probably ten houses on the road and eight out of ten are running businesses out of their property.

Mr. Moss asked what types of equipment are on the property. Mr. Igoe stated that there are a couple trailers, a bobcat, and a couple mortar mixers. The neighbors also have a bobcat and trailers on their property.

Mr. Moss asked the professional staff if this type of business is allowed in this area. Mr. Sims explained that if they were actually running a business from there it would be in violation of the ordinance. If they are doing business somewhere else and just parking a trailer there, then they would not actually be running a business from there. Mr. Moss asked if trailers are allowed to be parked in the driveways. Mr. Sims stated that they could.

Ms. Monroe stated that another issue is they have blocked the entire driveway because of their lack of storage. They have owned the home since 2006 and have never moved in it, but have only run their business from it.

They do have the right to drive in and out of their driveway anytime they want, but they are using work trucks that are making noises. They would enjoy having them as neighbors, but do not want a business run out of it.

Chairman VanMeter asked for a roll call vote on the motion to adopt Resolution 3. Upon the roll call vote, there were 22 Yeas – 2 Nays. Resolution 3 written “to deny a use variance” was adopted and the use variance was denied.

MOTIONS CARRIED  
RESOLUTION ADOPTED

#### **RESOLUTION 4**

4. 2009-12 - Harry A. Gines, 1614 N. 29<sup>th</sup> St., Springfield – Granting a Rezoning and Denying a Variance. County Board Member – Rosemarie Long, District #10.

A motion was made by Mrs. Long, seconded by Mr. O’Neill, for the adoption of Resolution 4. 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-2 single-family and two-family residence district to RM-4 manufactured home district and a variance of 17.06.080 to allow two manufactured homes on one lot. Molly Berns stated that the property is on North 29<sup>th</sup> Street north of Ridge, the North Grand Extension.

Mr. Sims stated that the professional staff recommends approval of the RM-4 zoning due to similar uses of zoning in the area. The staff recommends denial of the requested variance to allow two manufactured homes on one lot. RM-4 regulations require 50 feet of lot width. The subject parcel is 60 feet wide, which essentially results in 30 foot lot width for each mobile home if this variance were granted. It would be inappropriate for the area. Ms. Berns stated that the Zoning Board of Appeals concurs with the staff recommendations.

Harry Gines, residing at 1612 N. 29<sup>th</sup> Street in Springfield, addressed the Board. He explained that he is not asking for anything that is not already in the neighborhood. There were already mobile homes in this area and there is no reason, under the Fair Housing Act, for anyone to be denied this type of variance. The 6,000 square feet is plenty of space for the two mobile homes. He referred to Section 17.38.010 of the County Code and explained that he used those dimensions when he did a study before he even came and applied for the variance. He found out that he did have the appropriate size for two homes. He stated that he just does not understand how anyone could say that 6,000 square feet does not qualify for this variance.

Mr. Bunch asked if he would be satisfied with one mobile home on the lot if the Board does not grant both. Mr. Gines stated that he would not be satisfied, but it does not mean he would not accept it.

Mr. Bunch asked if he would be willing to use blocks instead of skirting underneath the mobile homes. Mr. Gines explained that it would be called double tie-downs and he would have to use both concrete and skirting.

Mr. Moore asked the professional staff to explain the County Code and why they are not allowing two mobile homes. Mr. Sims explained that what Mr. Gines was referring to relates to yard requirements. The issue here relates to section 17.38.030, which relates to bulk requirements. The bulk requirements for RM-4 zoning require a minimum lot area of 5,000 square feet with a public sewer for each mobile home. It requires 50 feet at the required front yard line. The front yard line is the one that is taken into account and that is the section of the Code that is in question. There are different requirements for mobile home parks.

Mr. Stephens asked if there are any other lots in that area that actually have two mobile homes on one lot. Mr. Sims stated that he is not aware of any. Mr. Stephens asked Mr. Gines what his intent is for the two residences. Mr. Gines stated that they would be two separate residences.

Mr. Hall asked if they would be owner occupied. Mr. Gines stated that his home sits right next to where the homes would be.

Mrs. Fulgenzi asked what the sizes are of the mobile homes. Mr. Gines stated that they are 14x70. Mrs. Fulgenzi asked how he would be able to put them across the lot when the lot is only 60 feet wide. Mr. Gines stated that the depth of his lot is probably 400 to 500 feet in depth. Most of the lots in the neighborhood are very deep. He explained that the lot is 120 feet in width when you include the area where his home is. It is actually 60 feet across where the mobile homes would be sitting. Mrs. Fulgenzi asked how these homes would fit. Mr. Gines stated that it is simple math.

Bob Roberts, residing in Athens, addressed the Board. He stated that he is representing his 85 year old mother who lives next to this property. There are not that many mobile homes in this neighborhood and none of them are for rent. Many years ago people bought double lots, which is what he bought. They have never been built on, because it would be too crowded. This lot does not even have a sewer or water. If you let two mobile homes start on one lot, there could be 10 or 15 of these built in this neighborhood. It would be a big change for this area. These lots are 60x120 feet deep, and there is no way he could put both of them there.

Mr. Moore asked Mr. Roberts if he would have any objection to putting one mobile home there. Mr. Roberts stated that he would not.

Mr. Moore asked the professional staff if the issue of no water or sewage would pertain to zoning. Mr. Sims stated that it would only need sewer to meet the Code.

Jim Stone, Director of Public Health, stated that the County Ordinance allows the Health Department to require a hook on to public water if it is within 300 feet of a private residence or within 1,000 feet of a commercial property.

Mr. Hall asked if the homes in the area are owner occupied or rentals. Mr. Roberts stated that they are owner occupied.

Mr. Gines gave his rebuttal. He stated that he has spoke with Public Works and already has the map and blueprints about the sewer and water. All of this is in the works. Public Works has seen no issues at all. We cannot live in the past and cannot go by the way it was 40 years ago.

Mr. Roberts gave his rebuttal. He stated that there is another generation that has been there for 20 years and most of them would not want two mobile homes there. The two mobile home trend would change a lot of people's lives.

Chairman VanMeter asked for a roll call vote on the motion to adopt Resolution 4. Upon the roll call vote, there were 23 Yeas – 1 Nay. Mr. Moore voted nay. Resolution 4 written to “grant a rezoning and deny a variance” was adopted. The rezoning to allow one mobile home was granted and the variance to allow two mobile homes was denied.

MOTIONS CARRIED  
RESOLUTION ADOPTED

### **RESOLUTION 5**

5. 2009-13 – Bi-Petro, 12790 Fishburn Road, Mechanicsburg – Denying a Rezoning and Granting a Use Variance. County Board Member – David Mendenhall, District #3.

A motion was made by Mrs. Long, seconded by Mr. Goleman, for the adoption of Resolution 5. Upon a roll call vote, there were 23 Yeas - 0 Nays - 1 Present. Mr. Mendenhall voted present. Resolution 5 written to “deny a rezoning and grant a use variance” was adopted. The rezoning was denied and the use variance was granted.

MOTIONS CARRIED  
RESOLUTION ADOPTED

### **RESOLUTION 6**

6. 2009-14 – Mark & Michelle Thielen, 6310 Westwind Drive, Springfield-Granting a Variance. County Board Member – Tom Fraase, District #1.

A motion was made by Mr. Fraase, seconded by Mr. Snell, for the adoption of Resolution 6. Chairman VanMeter asked the professional staff to give the procedural history of the case.

Norm Sims stated that the petitioners are requesting a variance of the side yard requirement from 10' to 6' to allow a room addition to the existing single-family residence. Molly Berns stated that the property is the second house on the north side of the road past the First Street intersection. The petitioners want to allow a room addition to the existing single-family residence.

Mr. Sims stated that the staff recommends approval of the requested variance. The standards for variation are met. Ms. Berns stated that the Zoning Board of Appeals concurs with the staff report and recommends approval.

Mark Thielen, residing at 6310 Westwind Drive in Springfield, addressed the Board. He explained that they need the room addition and do not want to move because they love the location they are in. This addition would include a basement with a crawl out window.

A voice vote was unanimous on the motion to adopt Resolution 6.

MOTION CARRIED  
RESOLUTION ADOPTED

### **RESOLUTION 7**

7. 2009-15 – John D. Moore, 2329 Moore Road, Springfield – Granting a Variance. County Board Member – Tom Fraase, District #1.

A motion was made by Mr. Fraase, seconded by Mr. Davsko, for the adoption of Resolution 7. 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 7.

MOTIONS CARRIED  
RESOLUTION ADOPTED

### **RESOLUTION 8**

8. 2009-16 – Ted R. & Julie Mies, 8876 Waverly Road, Loami – Granting a Variance. County Board Member – Craig Hall, District #7.

A motion was made by Mr. Hall, seconded by Mrs. Musgrave, for the adoption of Resolution 8. 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 8.

MOTIONS CARRIED  
RESOLUTION ADOPTED

**RESOLUTION 9**

9. Resolution approving the street name change of an unnamed road to Hamrick Lane.

A motion was made by Mr. Montalbano, seconded by Mr. Moore, for the adoption of Resolution 9. A voice vote was unanimous.

MOTION CARRIED  
RESOLUTION ADOPTED

**RESOLUTION 10**

10. Resolution approving an amendment to the Sangamon County Erosion Control Ordinance.

A motion was made by Mr. Moore, seconded by Mr. Hall, for the adoption of Resolution 10. A motion was made by Mr. Moore, seconded by Mrs. Long, to Table Resolution 10. A voice vote was unanimous.

MOTIONS CARRIED  
RESOLUTION TABLED

**WAIVER OF TEN-DAY FILING PERIOD**

A motion was made by Mrs. Long, seconded by Mrs. Turner, 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 2/10/09  
Resolution allowing a study of radio communications by the Sangamon County Emergency Telephone Systems Board.

Resolution 12 will remain Tabled.

- B. Resolution 4 – Tabled 3/10/09  
2009-07 – Charles Gilbert, 103 W. Clinton Street, Clear Lake Village-  
Denying Variances. County Board Member – Sarah Musgrave, District #9.

A motion was made by Mrs. Musgrave, seconded by Mr. Moore, to take Resolution 4 off the Table. A voice vote was unanimous. Mrs. Musgrave stated that there were many letters of support for this resolution. Chairman VanMeter asked Mrs. Musgrave what her position is on this resolution. She stated that she would be voting no and wants to approve the variances. A voice vote was unanimous to deny Resolution 4 and grant the variances.

**MOTION CARRIED  
RESOLUTION DENIED & VARIANCES GRANTED**

Mr. Goleman asked for questions regarding his previous report made on the budget.

Mr. Kamper asked if the Board has a contingency fund they could be using at times like this. Mr. Goleman stated that they do, but because of expenditures the fund is not like it should be and that is why they need to address these issues. Mr. Kamper asked how much is in the fund. Chairman VanMeter stated that this year's appropriation is about \$400,000 in unallocated contingency funds.

Mr. Moore asked if there are any plans for the self insured money that is set aside with respect to offsetting this potential deficit. Mr. Goleman stated that they would absolutely not touch that money. He explained that it would not be wise to use it, and he is sure the Board of Managers would not like that either.

**NEW BUSINESS**

A. Resolutions

There were no new resolutions.

B. Appointments

Appointment of John Endris to the Sangamon County Board of Health.

Appointment of Reverend Eric Hansen to the Regional Planning Commission.

Appointment of Larry Hamlin to the Regional Planning Commission.

Appointment of Frank Squires to the Springfield Mass Transit District.

Appointment of Dr. Jeffrey Bierman to the Comprehensive Health Access Plan.

B. Appointments (continued)

Appointment of Dale Molohon to the Loami Fire Protection District.

Appointment of Michelle Tucker to the Community Service Block Grant.

A motion was made by Mrs. Long, seconded by Mrs. Turner, for the adoption of the appointments. A voice vote was unanimous.

MOTION CARRIED  
APPOINTMENTS ADOPTED

**COMMITTEE REPORT ON CLAIMS**

A motion was made by Mrs. Turner, 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

**RECESS**

A motion was made by Mrs. Long, seconded by Mrs. Turner, to recess the meeting to May 12, 2009 at 7:00 p.m. A voice vote was unanimous.

MOTION CARRIED  
MEETING RECESSED