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MINUTES

SANGAMON COUNTY BOARD

JUNE 13, 2017

The Sangamon County Board met in Regular Statutory Session on June 13, 2017 in the County Board Chambers. Chairman Van Meter called the meeting to order at 7:00 p.m. Mr. Hall gave the Invocation and Mr. Tjelmeland led the County Board in the Pledge of Allegiance.

ROLL CALL

Chairman Van Meter asked County Clerk Gray to call the roll. There were 27 Present – 2 Absent. Mr. Fraase and Mr. O'Neill were excused.

PROCLAMATIONS

Linda Fulgenzi presented a Proclamation in recognition of local organizations who provide on-site professional mental health counseling workshops to Sangamon County Community Resources customers. The Proclamation was presented to: Christine Lindsey from the Family Service Center, Nancy Collins from Primed for Life, Bill McCarty from the Parent Place and Director of Community Resources Sharmin Doering. Mrs. Doering thanked her mental health community partners. She recognized that there is a huge need for mental health in this community. They survey each one of their clients who come through the door, and that is over 5,000 people every year. One of the top three needs was mental health. The other was goal setting, so they started a workshop every Tuesday from 9:00 a.m. to Noon. The first hour and a half is mental health services. It's a workshop where people can come connect with their partners so they have a relationship when they leave, and they are able to go talk about personal issues they may have. Creating that relationship is one of the charges of community action. It's a barrier they are hoping to reduce and continue to improve in the next number of years.

The second half of the three hour workshop is a goal setting workshop where the family support specialists come in with individuals to set goals and follow up with their clients until they meet those goals. Community action has changed quite a bit in the last three to four years. She was talking to the owner of Luers and he was asking why they are reducing the number of school uniform vouchers they are giving. She told him they are working with self-determined clients who are interested in reaching their goals. In order to do that, they bundle services and actually move families out of poverty permanently. She just wants them to know they are doing the best they can with taxpayer money, and appreciate all of the County Board's support and this recognition tonight.

MINUTES

A motion was made by Ms. Sheehan, seconded by Mr. Bunch, for approval of the Minutes of May 9, 2017. A voice vote was unanimous.

MOTION CARRIED
MINUTES ADOPTED

CORRESPONDENCE

A motion was made by Mr. Bunch, seconded by Ms. Sheehan, to place correspondence on file with the County Clerk. A voice vote was unanimous.

RESOLUTIONS 1 - 4

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

A motion was made by Mr. Tjelmeland, seconded by Mr. Sullivan, to place Resolution 1 on the floor. A motion was made by Mr. Bunch, seconded by Mr. Smith, to consolidate Resolutions 1 – 4. Chairman Van Meter asked County Clerk Gray to read Resolutions 2, 3 and 4.

2. Resolution approving a Federal Aid Agreement with the Illinois Department of Transportation for a road improvement on Woodside Road (County Highway 23).
3. Resolution approving the purchase of two (2) engineering pickup trucks.
4. Resolution approving the purchase of surveying equipment.

A voice vote was unanimous on the consolidation. A voice vote was unanimous for the adoption of Resolutions 1 – 4, as consolidated.

MOTIONS CARRIED
RESOLUTIONS ADOPTED

RESOLUTION 5

5. 2017-020 – Robert Brackebusch, 18000 block of Kennedy Road, Virden – Granting Variances. County Board Member – Sam Snell, District #6.

A motion was made by Mr. Snell, seconded by Mr. Mendenhall, to place Resolution 5 on the floor. A motion was made by Mr. Stumpf 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. 2017-021 – Kevin M. Korte, 2826 S. 16th Street, Springfield – Denying a Variance and Granting Variances. County Board Member – Joel Tjelmeland, District #14.

Chairman Van Meter asked the professional staff to give the procedural history of the case.

Trustin Harrison, professional staff, stated the petitioner is requesting a variance to allow two residences on one parcel: (a) single-family residence, (b) garage with dwelling unit on second floor; a variance to allow the side yard setback to be less than one foot instead of the required five (5) feet; and, a variance to allow the lot depth to be greater than two and one-half (2 ½) times the lot width. Steven Keenan, professional staff, stated the staff recommended denial of the requested variance to allow two residences on one parcel. Allowing two single-family residences on one parcel is not compatible with the trend of development in the area, and is not in harmony with the general purpose and intent of the zoning regulations. The standards for variation are not met for this variance. Recommend approval of the requested variances to allow the side-yard setback to be less than 1 foot, and to allow the lot depth to exceed 2.5 times the lot width. The subject property is a narrow lot and contains an older single-family residence, which predates the adoption of the zoning regulations. Requiring the petitioner to comply with current zoning regulations would result in an economic hardship because the current residence is wide enough that it would not be able to comply with the side-yard setback regulations. The standards for variation are met for these variances.

Petitioner Kevin Korte, residing at 14 Forest Green in Springfield, addressed the County Board. He is requesting a variance for a property he purchased that has two separate residences. It is also zoned R-2, which is allowed, as long as roof line is connected to the two properties, or he could take one of the structures and turn it into a duplex in the front or back. He could use various options as far as that goes. He is basically requesting this so he can get a return on his money for what has been spent at this point. He also has a single-car driveway in the driveway blocking the back end of the property. He applied for a demolition permit last week and has that scheduled to start this coming weekend. He is just asking the board to realize it is zoned for two families.

Originally that is not why he bought the property. He wanted the house to have in-laws quarters in the back, or have an older kid there that wants to live with their parents on that particular property.

Without this variance he is also going to end up having to spend money he did not plan on spending. He would need to have two different incomes with two different families living there to afford the remodel that he didn't initially foresee. Either way, he is just asking them to consider it. He did take Joel out there to look at the property. He purchased the property for the back end. It's a workshop that has a really nice apartment above it, and the house needs some work.

Robert Ushman, residing at 2827 S. 16th Street in Springfield, addressed the County Board. He is here to request, on behalf of residents in the 2800 block of South 16th Street who have submitted petitions, that no multiple family uses be allowed at the 2826 S. 16th Street residence. He has a petition signed by all the neighbors. Chairman Van Meter asked him to give that petition to the County Clerk. As far as the uses go, it is single family out there as far as he knows. They do not want to see it doubled up on one lot like that. When he bought the property he is at now, they had him combine them. When this deal first happened, it was just zoned for a garage. The guy went ahead and put his father upstairs, and made an apartment out of it without the proper zoning. It has been sold twice since then. He is sorry about the petitioner's financial situation with the place, but he does not see that it is in the best interest of the residents around the street, as far as their property values. It is not set up for this.

Mr. Korte gave his rebuttal. He stated with the one-car garage that is blocking the driveway to the back entrance, there would be no on-street parking whatsoever. It would all be in the rear. As far as it being zoned R-2, it was zoned for two families before he purchased the place. That is not necessarily what he wants it for, but if he can't get a variance for this specific situation then it might end up being two families because of the amount of money he would end up spending restructuring it to bring it up to speed as far as building and zoning.

Mr. Bunch reminded them that this family came before the board a long time ago. They asked for a use variance to build this apartment for their dad who had cancer, so they could take care of him. He thinks somehow they granted him some kind of use variance for this to take care of his dad until he passed away. He does know they were given permission to do this. Dan Vaughn was on the board at that time. He doesn't know what to recommend now, but he does remember the case.

Chairman Van Meter asked Mr. Korte if granting these variances makes it more or less likely that he will have two families living there. Mr. Korte explained that it would make it less likely because his intention originally was to find a family that has an elderly person or someone like that so there wouldn't be two families there. The other reason was because the sewer, water and electric was not separate; therefore, he would not have to figure out how to split that.

Mr. Ushman gave his rebuttal. He just moved back into the old neighborhood. He grew up there and will be there temporarily for the next couple years because he will be moving out of state. He cares about his neighbors and the people he has grown up around. A lot of the elderly out there have nobody that speaks for them. Everybody on that block is against this. He wants to know how that guy at the corner of 16th and Culver was able to build mountains with city dirt that was hauled down there that is not being taken care of, has bugs, rodents, is not being cut, and you can't sit out on your porch without mosquitos eating you up.

He asked the County Board to think if they would allow something like that on their own block. Chairman Van Meter stated he doesn't think this is quite the time to raise that issue, but the Public Health Director Jim Stone is here and the complaint is duly noted.

Chairman Van Meter clarified that the issue before the board tonight is not whether to zone it to R-2 for two families. As Mr. Bunch was pointing out, that was a decision that was made long ago. The decision tonight is about the setbacks on the property. The property owner, as he indicated earlier in his testimony, said if they grant this variance he is less likely to make this multi-family. Mr. Ushman stated, with all due respect, he does not believe him. He has seen too much over the years. He is 56 years old, his dad was a 30-year committeeman, and he has paid attention to how things are run. He does not believe him.

Chairman Van Meter explained that the question occurs on the motion to approve to grant the variances on this property. Chairman Van Meter asked for a roll call vote on the motion to adopt Resolution 6. Upon the roll call vote, there were 25 Yeas – 1 Nay. Linda Douglas Williams voted no.

Assistant State's Attorney Dwayne Gab explained to the audience that the resolution was drafted based upon the recommendations by the Zoning Board of Appeals. So, in fact, the resolution recommended denial for two residences on the property; therefore, a yes vote was in fact a no for that type of variance, but the setbacks were granted.

MOTIONS CARRIED
RESOLUTION ADOPTED

RESOLUTION 7

7. 2017-022 – Willis Payton, 1411 N. 29th Street, Springfield – Denying a Conditional Permitted Use and Granting a Variance. County Board Member – Jason Ratts, District #10.

A motion was made by Mr. Ratts, seconded by Mr. Stumpf, to place Resolution 7 on the floor. Chairman Van Meter asked the professional staff to give the procedural history of the case.

Trustin Harrison, professional staff, stated the petitioner is requesting a conditional permitted use for a tavern; a variance to allow for three uses on one parcel; (a) apartment building with three (3) dwelling units, (b) tavern limited to 420 square feet for video gaming, and (c) watchman's quarters for tavern and video gaming; a variance to allow the tavern property line to be located less than 100 feet from a residence (approximately 50 feet); and, a variance to allow an apartment building with three units on same parcel as tavern. Steven Keenan, professional staff, stated the staff recommends denial of the conditional permitted use to allow a tavern in the B-3 district. The residential character of the area to the north could be changed with the addition of a tavern to the area. In addition to the extent that the property is zoned to allow a tavern, there may be injury to property values in the area. Recommend approval of the variance request to allow three uses on one parcel. Since staff has recommended denial of the conditional permitted use for the tavern, the uses on the subject property would include: a business permitted in the B-3 district, a three-unit apartment building and

a watchman's quarters for the business. The subject property has a history of multiple uses. Some of the uses have been approved, while others have not been approved. The approval of the variance to allow three uses would bring the property into compliance with the zoning regulations. As staff has recommended denial of the conditional permitted use for a tavern, the variance requests to allow a tavern property line to be within 50 feet of a residence and to allow an apartment building with three units on the same parcel as the tavern are unnecessary. Mr. Harrison stated the Zoning Board of Appeals concurs with the staff recommendation for approval.

Petitioner Willis Payton, residing at 1009 N. Dirksen Parkway in Springfield, addressed the County Board. He explained that he was denied because the residential area to the north of him would be hurt, and the property values would be hurt. There is already a tavern right across the street from his apartment buildings. As far as the entrance to the apartment, it is off of 29th Street. The entrance to the tavern and gaming room would be off of Ridge Avenue. The area is very well separated by a garage and a fenced area. That actual walking distance, he measured it, for the residences to get to the tavern would be at least 165 feet. Granted there is a watchman that would be living in the same building as the tavern. He spoke to people before he put in for the zoning, and had no one in the neighborhood opposing it, to his knowledge. He has ample parking for a gaming room, and he fits in good with the neighborhood. There is a used car lot to the west along with a used appliance store, a car body shop to the east, a smoke shop and tavern, and a Casey's General Store about a block away from him. The main reason he wanted the variance changed is he has a lady retiring from AT&T that wants to start her own business, and he is interested in renting the property. The property is very well separated from the apartments. He has a picture if anyone would like see where they are separated.

Chairman Van Meter asked Mr. Payton for clarification if he is seeking an amendment to grant the conditional permitted use for the tavern, other than that he is satisfied with the resolution. Mr. Payton agreed that he is.

Mr. Preckwinkle asked if there is already a tavern near there that is a gambling center. Mr. Payton stated there is one in the smoke shop right across 29th Street from his apartments. The tavern and smoke shop is actually closer to the residential area than what his tavern would be. It is right across the street.

Mr. Madonia asked why the zoning was imposed for the tavern. Steve Keenan, professional staff, explained there was a case a couple years ago that had a very similar trend. They looked at it and it was at about the same range. Mr. Madonia asked how close to the residence it was. Mr. Keenan stated the variance was requested to be within 50 feet. Mr. Madonia asked how far the petitioner was from the residences. Mr. Keenan stated it would be less than 50 feet. Trustin Harrison, professional staff, stated the petitioner requested to be 50 feet as part of the variance requested. This parcel has a lot of uses on it. They are dealing with an apartment building, an additional structure with storage in it, and another apartment unit within the same building which will serve as a watchman's quarters for the video gaming. It just seemed like a lot of things going on for this one parcel of land. He thinks that was the driving force here and not necessarily how close it

was to the other residents. Chairman Van Meter explained that it would be an excessively intensive use of the property.

Mr. Krell asked if there is ample parking for all these usages with all the people that live there. Mr. Payton stated there would be. The apartment building has its own parking lot, which can handle the residents that live there plus visitors. The gaming room and tavern is completely to the front and to the south of the lot. It has a very large blacktopped parking lot which would be strictly for that. Mr. Krell asked what the maximum occupancy would be for the tavern. Mr. Payton stated his son talked to the gaming people and they said they would allow five machines. It would handle that without any problem. Mr. Krell asked what the seating capacity would be. Mr. Payton stated it is 420 square feet and would hold about 10 to 12 people. Mr. Krell asked if they would have enough parking to satisfy everybody in these buildings. Mr. Payton stated they would. There is parking there for 20 to 25 cars. Chairman Van Meter asked if the professional staff shares Mr. Payton's view that there is ample parking. Trustin Harrison agreed and added that there is no parking issue so that is why there was no parking variance requested.

Mr. Ratts asked Mr. Payton to clarify what he was referring to when he said someone was interested in his lot. Mr. Payton explained there is a lady who is retiring shortly from AT&T, and she is actually the one interested in the tavern and gaming room. After she retires she wants to start her own business. He really has no interest in the tavern. He just wants to rent out his property, and make a living. Mr. Ratts asked if he would just pass this on to her. Mr. Payton explained that he would rent the property to her. Mr. Ratts asked if the gambling license would be in his name. Mr. Payton stated that it would be in her name.

Mr. DelGiorno asked the professional staff if there were any objections filed during the review process or at the Zoning Board of Appeals. Trustin Harrison stated there have been no objections.

A motion was made by Mr. DelGiorno, seconded by Mr. Tjelmeland, to amend the petition to allow the conditional permitted use as applied for. Assistant State's Attorney Dwayne Gab explained there could be a motion and second and the amendment can take place, but then they are going to be voting yes or no in relationship to approval of the whole package; whereas, now it is kind of half the package. So if you are voting yes for the amendment, he would hope it also reflects voting yes for the resolution as amended. If they then vote no then he won't even get the variances that would be part of that amended resolution. Chairman Van Meter clarified that the amendment is to grant the conditional permitted use. Mr. Gab stated that is correct. All the amendment would do is change where it says denied to grant.

Mr. Stumpf stated he would like to see this not go through, and put it back to the Zoning Board of Appeals for one month to get this straightened out. He asked Mr. Gab if he concurs with that. Mr. Gab stated it does not put them in a simple majority type of situation. It is a conditional permitted use and not a variance or a zoning change, so they are not looking at something where they have a large vote of 22 required to pass the resolution as being potentially amended.

Chairman Van Meter stated a motion to table is always in order. Mr. Stumpf stated he hasn't yet, but if it keeps going down this path then he is going to. Chairman Van Meter asked for a brief moment to consult with Mr. DelGiorno. A motion was made by Mr. DelGiorno, seconded by Mr. Ratts, to withdraw his motion to amend Resolution 7 and entertain Mr. Stumpf's motion to table. Chairman Van Meter stated the motion to table is on the floor and is not debatable. A voice vote was unanimous to table Resolution 7. Mr. Stumpf expressed his appreciation for this. He does see that this needs revamped and looked at. Chairman Van Meter explained it is their long-standing policy not to try and legislate at this point of the County Board. He thanked Mr. Payton, explained that his zoning matter has been tabled until the next meeting, and he directed him to consult with the professional staff about the next steps to take.

MOTIONS CARRIED
RESOLUTION TABLED

RESOLUTION 8

8. 2017-023 – Half of What's Left, LLC, West Camp Butler Road, Springfield – Granting a Rezoning. County Board Member – Jason Ratts, District #10.

A motion was made by Mr. Ratts, seconded by Mrs. Deppe, to place Resolution 8 on the floor. A motion was made by Mr. Smith to waive the reading of the professional staff's report. There were no objections. A voice vote was unanimous for the adoption of Resolution 8.

MOTIONS CARRIED
RESOLUTION ADOPTED

RESOLUTION 9

9. 2017-024 – Duffy & Associates, Inc. d/b/a Discount Tobacco, 1313 Adlai Stevenson Drive, Springfield – Granting a Conditional Permitted Use and Variance. County Board Member – Joel Tjelmeland, District #14.

A motion was made by Mr. Tjelmeland, seconded by Mrs. Hills, to place Resolution 9 on the floor. A motion was made by Mr. Stumpf to waive the reading of the professional staff's report. There were no objections. A voice vote was unanimous for the adoption of Resolution 9.

MOTIONS CARRIED
RESOLUTION ADOPTED

RESOLUTION 10

10. Resolution approving a contract with Community Resources and Lincoln Land Community College for the Land of Lincoln Workforce Alliance WIOA Program.

A motion was made by Linda Fulgenzi, seconded by Mrs. Ruzic, to place Resolution 10 on the floor. A voice vote carried for the adoption of Resolution 10. Annette Fulgenzi voted Present.

MOTION CARRIED
RESOLUTION ADOPTED

RESOLUTION 11

- 11. Resolution approving a contract with Community Resources and Richardson’s Manufacturing Company for the Land of Lincoln Workforce Alliance WIOA Program.

A motion was made by Linda Fulgenzi, seconded by Mrs. Williams, to place Resolution 11 on the floor. A voice vote carried for the adoption of Resolution 11. Annette Fulgenzi voted Present.

MOTION CARRIED
RESOLUTION ADOPTED

WAIVER OF TEN-DAY FILING PERIOD

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

MOTION CARRIED
TEN-DAY FILING PERIOD WAIVED

RESOLUTION 12

- 12. Resolution authorizing application for a Public Transportation Capital Assistance Grant with the Illinois Department of Transportation.

A motion was made by Mr. Preckwinkle, seconded by Ms. Sheehan, to place Resolution 12 on the floor. A voice vote was unanimous for the adoption of Resolution 12.

MOTION CARRIED
RESOLUTION ADOPTED

RESOLUTION 13

- 13. Resolution approving the renewal and amendment of an Intergovernmental Agreement between the Department of Healthcare and Family Services and the Sangamon County State’s Attorney.

A motion was made by Mr. Krell, seconded by Mr. Ratts, to place Resolution 13 on the floor. A voice vote was unanimous for the adoption of Resolution 13.

MOTION CARRIED
RESOLUTION ADOPTED

OLD BUSINESS

Mrs. Douglas Williams announced that on June 5, 2017 the County Board presented a Proclamation to Rosemarie Bates in recognition of her 44 year teaching career at St. Patrick's Catholic School. This was presented to her at her reception. Chairman Van Meter stated he heard it was really a heartwarming reception.

PUBLIC COMMENT

Jim Moll with Hanson Engineers was present to give an update on the 10th Street rail program. The city and county will be going to Washington D.C. to meet with the FRA, accompanied by their federal delegation, to talk about the Springfield Rail Improvement Project and where they are at now and what they plan to do in the future. They are specifically going to talk to them about funding, what their next steps will be, and how best they can accomplish that. Tonight he is giving them a brief update on where they are in terms of scheduling funding and what they anticipate the next steps in the project would be. On August 4th they are getting ready to open bids on the next piece of the project. They have already done the Carpenter Street underpass, and he hopes everyone has seen that. They are now getting ready to open bids on the next piece, which will be new underpasses at 10th Street at Ash Street and at 10th Street at Laurel. It will also include constructing the new rail bed, the grading, the sub ballast and all the drainage work. It will be all the way from South Grand Avenue, along the 10th Street tracks, all the way down to 6th Street. This is a significant piece of their project with a cost of about \$50 million.

To date, the Carpenter Street project was funded with a TIGER Grant from the federal government at \$14.4 million and Illinois Commerce Commission funds of about \$5 million, plus a little bit of city and IDOT funds. All the design and planning work was funded by IDOT in the amount of about \$12 million. The new project, The Usable Segment II project and the Laurel and Ash underpasses, will be funded with \$15 million of Illinois Commerce Commission money, \$2 million in a grant from the Federal Railroad Administration, \$14 million from another TIGER Grant from the US Department of Transportation, about \$1.5 million in city money, and \$17.5 in IDOT funds. That brings them to a total committed to this project, in terms of dollars they can actually spend, to \$83.4 million. It is a significant funding on a project that a lot of people said they would never find any money for at all.

This is primarily due to the efforts of the Illinois Department of Transportation, the Illinois Commerce Commission, Senator Durbin, and the rest of their congressional delegation in Washington who worked with them to secure these federal funds. The city's share, to date, of the \$83.4 million is only about \$2.4 million, which is only about 3%. It is about a 35 to 1 return on investment. You can't

do any better than that. It is amazing, and is something the city really has a reason to be proud of. It also reflects on the value of this project, as seen by these various funding agencies. They see this is a good project that makes a lot of sense. That is going to take them through the Usable Segment II project, which is going to start this fall. They will close Ash Street first, build the underpass there, and get that opened up. They will then build the underpass at Laurel Street. The total project is going to take about three years to construct.

That leaves them, now that they have done the hard part by finding the money, where it is time to think about what the next pieces of the project are going to be. They had originally planned that the next pieces they would build will be the underpasses at Madison Street and Jefferson Street here at 10th Street. These are the ones that a lot of people coming to the County Building use all the time. Their plan was to build those next, but they have run into some issues there. The first one being the archeologist site north of Madison Street. They still have to come to a final resolution on that. The other big issue the Federal Railroad Administration wants them to accomplish is to complete the preliminary study on their new multiple mobile facility that will be located on the two blocks just north of this building. They want some more information about where the platforms are going to be, widths and elevations of platforms, and how people will get from parking areas to these platforms. They would like to have these questions answered before they move ahead with Madison and Jefferson Streets. That probably pushes those projects a little bit further off into the future. Even more important than that, they see an opportunity to move and advance one of the projects by just rejiggering the funding a little bit. The city came to an agreement with IDOT last year that IDOT would provide \$70.8 million to the project. Some of that money is being used for the Usable Segment II project, and that leaves a lot of money left over. They had planned to do Madison and Jefferson Streets with that. Madison and Jefferson Streets have a real potential for other funding sources, and to not use that IDOT money. They are very good projects, from a benefit cost ratio, because they are building underpasses at very busy streets. Those projects would also be eligible for Illinois Commerce Commission funds, where some of the other pieces won't. They see a chance now to use that IDOT money that is in effect in hand once there is a capital bill passed by the state. They can use that money to advance one of the other pieces of the project that might be much more difficult to fund. They could save the Madison and Jefferson Street project and hopefully fund that with a future TIGER Grant and Illinois Commerce Commission funds, and he thinks they would probably be successful there.

What the city, working with the county and IDOT, has decided to do is to advance the next piece as the stretch south from Ash Street, south of that Usable Segment II. The piece would connect them from 6th Street all the way down to Stanford Avenue. That is about a \$40 million project, and they think there are sufficient funds remaining from IDOT to accomplish that.

So, they are looking at moving and advancing that project, and beginning design and land acquisition on that one yet this year. They will move that project forward and hopefully get it under construction in 2019, just two years from now, while they are still working on Laurel and Ash. This allows them to maintain the project momentum so people can see they are actually accomplishing things. A project of this magnitude, for this long, and for this much money, tends to make people think it goes away and may never come back. This is allowing them to maintain that project

momentum and advance to get it constructed sooner. They would be looking to have that done at about the same time they are finishing Laurel and Ash in 2020, and then they would have the entire project south of South Grand completed, other than coming back to put some additional track down in the future. A big chunk of the project would be completed, and then he thinks they would be in a good position to fund the Madison and Jefferson Street project. Then they are looking at having over half of the project completed. While he heard six years ago, on any number of occasions, that there is no way they would get this project built, he doesn't think there is any doubt now they will get it constructed if the city and county maintain the perseverance they've had and the aggressiveness towards the project schedule they have shown so far. Again, that is thanks to the quality of the project, the leadership of the city and county, and also the efforts by IDOT, the ICC and their congressional delegation. Mr. Moll offered to answer any questions anyone may have.

Mr. Ratts asked if the idea is to consolidate to the 10th Street rail, then why would they put an underpass at Madison and Jefferson. Mr. Moll explained because they are consolidating to the 10th Street rail, it is very important that they build underpasses at 10th Street at Madison and Jefferson Streets. Now, where there is only one track crossing Madison and Jefferson up here at 10th Street, in the future there will be three and four tracks crossing that crossing. Where now there is maybe 20 trains per day using that crossing, eventually there will be 80 trains per day running down that 10th Street corridor. So with 80 trains per day, and all the traffic there is on Madison and Jefferson Streets, he thinks it is vital to their community's long-term growth that they have underpasses at both of those crossings. This is not just from a moving cars across town standpoint, but also from a safety standpoint. You can imagine 20,000 to 30,000 cars per day crossing 80 trains from the grade crossing. It is important from both a traffic and safety standpoint that they construct those underpasses. And again not for just cars, but for pedestrians too. They got a strong reminder this year about the true importance of this project and its real purpose and need. About a month or two ago, a pedestrian was hit at a grade crossing on 3rd Street and was critically injured. Earlier this year, a jogger was hit at a grade crossing and killed at the 10th Street corridor. Both of those crossings will be eliminated by this project. Those are two tragedies that will be eliminated in the future by this project. It is important that they address the pedestrian/car safety issue through Springfield.

Mr. Bunch stated he believes they are on the right track.

PUBLIC COMMENT

Lynette Jones, residing at 3117 S. 13th Street in Springfield, addressed the County Board. She explained the pictures that were distributed to the board members. The pictures are of her house and her neighbors' homes. She wanted them to see how well they are maintained. They are nice homes and are well maintained. They live next door to an eyesore at 3113 and 3115, and she has pictures of what that looks like presently. She has an aerial view of where those two houses are and how they affect the rest of them. She wanted them to understand what it is like for them living next door. They were working in their yard last week and two animals came from that neighborhood. There is a building on there that has no door, and they live in there. It is home to feral cats. They've had Public Health out and they fogged yesterday. They have also found standing water on the property, and have asked him to empty it. He has not done that. They have also put pellets in.

The last part of the pictures show documentation of FOIA requests she received from the Department of Public Health. It dates back to January 2006. They have been fighting this for over 10 years. As you can see from the picture that she took of what this property looks like now, they are just running out of steam and hope. They need somebody to do something about this. If this were your neighborhood and that was next to you, I don't think you'd be any happier than she is. The house is unlivable. Her husband has been in it. Part of the house doesn't even have a floor. There is a toilet sitting in the kitchen. The curtains are shredded, and you can't even get on the back porch and can't even see half of it. They are just looking for someone to help them do something about this. It's been over 10 years and nothing has happened, and it keeps getting progressively worse. She and the neighbors are looking for a little bit of help. They have been before the board twice. As you can see from the complaints, at least once a year they have been going to the Department of Public Health, and they do come out and spray. She has a little dog, and those animals are bigger than her dog, so she can't even let her dog out without guarding it. She is just looking for some help from them.

Director of Public Health Jim Stone addressed the County Board regarding this situation. The County Board should all have a report in front of them showing the history of this property. He stated this actually goes back to 2003. There have been 23 complaints, 53 inspections, 15 certified letters of correction, and they have referred the matter to the State's Attorney 10 times. They have received one injunction and were actually able to get an agreed court order back in 2013. The property improved in 2013, but has fallen in disrepair again. They have been back out and do have an open and active case. He agreed with Mrs. Jones that he wouldn't want to live next to this either. The important thing to remember, as they move forward with these, is they have to approach this from a Public Health standpoint and not from an aesthetic standpoint. If they have any ordinance violations they can enforce, then they will do that. They do have one issue with the homeowner, and that is they are very elderly and not in good health. Their inspectors have actually provided some ideas for resources to maybe get some correction done there. If they don't get correction, then they will have to move to the next step and consult with the State's Attorney's Office to see how they want to proceed.

Jason Ratts asked if there are two homeowners there. Mr. Stone answered that there is actually two people there. There is the owner and his significant other. The residences are at 3113 and 3115. The one house they are talking about with all kinds of stuff in it and a dirt floor is true, but it is an enclosed building and is not open and accessible to children. It does not meet the definition of a dangerous building. They do not regulate the activity and the furnishings inside a domicile. They can meet with the Jones' regarding the issue with groundhogs and other animals to give them some names of wildlife trappers. Their animal control cannot do that. If there are feral cats, they can look into doing some cat trapping where possible. The best thing right now is to try and keep mosquitoes down as best as possible. They will fog on a basis that seems appropriate. You don't want to overtax that either. They do recognize the problem and are working on it again.

Mr. Bunch stated he wouldn't let a skunk live there. He's had Public Health out there and is so tired of hearing they don't have the money to work with. It has been 7 years. He walked in that house and you could fall into the basement. There was a toilet in the kitchen and it was a filthy mess. When he ran the health department that would have never happened because those weeds need to

be cut down. That yard can be cut and they could keep billing them until it gets cut. He doesn't think one member of this board could go out there and live and fight mosquitoes off. He is glad they are spraying, but the weeds need to be cut. It's a shame when you go by there and there are 5 and 6 foot weeds and little trees, and you can't even walk in the yard. There are 50,000 mosquitoes all over you and there are little kids running around in that yard. There is no reason why that yard can't be cut and sprayed. He is no lawyer, but he does know they can maintain that property and those people can be fined for that. He charged them \$250 when he was at the health department. The second time was \$500 and the third time was \$700 and he put a lien against that property. In one year he collected over \$220,000 in fines, which he thinks Public Health could use financially. He feels sorry for those people out there. That used to be his district, but it is not anymore. He went out and met with them because he knows the hardship they have been through for the last 6 or 7 years. That is unheard of for people to live in that kind of environment when there are some things they can do about it. It's just sad to see this. He knows there is something they can do about it, and there is no reason for this. He would not want to live in this neighborhood, and it is a good neighborhood. Enough is enough, and something has to be done with that property.

Jim Stone shared Mr. Bunch's frustration. It is part of the process right now that if the weeds are not cut within 20 days of the notice then they will have it cut. There are some other obstacles on the property though. There is a tractor trailer there that was grandfathered in. He has a letter from the County Zoning Department that says it was grandfathered in. Mr. Bunch asked how a tractor trailer could be grandfathered in. Mr. Stone stated he does not know, but he does have a letter from Zoning. Mr. Stone explained that is one of the obstacles they have to deal with.

Mr. Stumpf agreed with Mr. Bunch. He stated this particular case has not hit his committee since he has been chairman, but he will say that he has full faith in what the Public Health Department does. You've got a whole host of issues here that need to be tended to. There are a lot of agencies and a lot of people the County Board can have help this man get his property cleaned up and straightened out. There are certain things that have to be done at some point in time through the State's Attorney. Mr. Stone agreed and is hopeful the owner will take heed to their recommendations, but he is not confident that he will. He imagines he will be talking with Mr. Gab about what their legal options are.

Mrs. Small stated it is her understanding the gentleman living on the property is elderly. She asked if he is of his right mind. Maybe someone from the Department on Aging or someone needs to go in there. It doesn't look like the property is habitable, so he might need help in relocating for his own health. Mr. Stone stated he doesn't know if it is appropriate to comment on his state of mind. He can tell them that within his 27 plus years he has seen people with PHD's living in situations like this, and he's seen people who don't have the same capacity living in these situations, so he really can't judge. They have to pretty much look at the ordinance and what the local and statewide rules are to see if they are violated. If they are, then they give them time to correct. If they don't, then they have to take them to court. Mrs. Small asked if there is some kind of gentleman's agreement where they will contact the Department on Aging to look in on him to see if they can step in to help. Mr. Stone explained that they have done that before in past situations, but they still have to let the person in the door. Sometimes they are not cooperative with allowing help on the property.

Mr. DelGiorno stated that he asked Sheriff Barr before about going out for a wellness check in other cases. He encouraged them to do that in this case and refer this to the Sheriff's Office. That could very well start the process with senior services and the Department on Aging. Mr. DelGiorno asked if they are utilizing their abilities under state law for enforcing their ordinances and going so far as condemnation to the fullest extent of their statutory authority under state law. He also asked if they are using the timelines prescribed under state law. Assistant State's Attorney Dwayne Gab stated if you are talking about a dangerous building condemnation, he does not know if it's even been referred to them by Public Health for a condemnation as a dangerous building. Mr. Stone explained that a dangerous building is when it's unoccupied. It would be a property code violation if it is occupied, so the condemnation would go underneath that. They've had the deputies out in the past for a wellness check because their inspector did not feel safe going on the property. Mr. DelGiorno stated he does believe there are some deputies trained with dealing with senior citizens in particular. He thinks this may be a situation they need to source out between their agencies as to what would be the best way to move forward. Mr. Stone agreed that they are absolutely willing to look into that.

Chairman Van Meter stated they have actually initiated and "successfully" concluded legal process on this process once before three years ago, and now they are back in the same position again. Mr. Gab stated that there is a court order regarding this property. As you can well imagine in this kind of situation, how do you enforce that court order? There are willful contempt issues, which he is sure they are familiar with the difficulty in proving when someone has a court order and even has the ability to follow the court order. These are very challenging situations when you are dealing with people who don't have the capacity or means. They were allowed to go onto the property back in 2013 or 2014, and they cleaned it up through Public Health at that point in time. There has been some forward progress in relationship to this property through court process. They are dealing with a very challenging court process because they can order people to do it, but when they don't then their only option is to put them in jail or fine them. With some people it is difficult for those to be successful in relationship to getting enforcement.

Mr. Ratts stated in the past they have been able to placard a house even when someone is living in it. He asked why it has not been placard with the condition that it is in. Mr. Stone explained there are two different properties there with one being unoccupied and the other occupied. In order to make the assessment on the inside, the owner has to let them come in to do the assessment needed to be able to placard it. Mr. Ratts asked if they could placard a place by what it looks like on the outside. Mr. Stone explained they could only placard it in certain situations where the roof is caving in, they don't have running water, and they don't have heat and things of that nature. They don't meet those standards at this point in time. Mr. Ratts asked if they have proof that they do have utilities. Mr. Stone stated they do, but if they wish to live in a certain situation, such as running well water, they can do that. Mr. Ratts stated he wasn't sure if they could prove that they are actively paying a CWLP bill. Mr. Stone stated they don't go to that level.

Ms. Sheehan pointed out that St. John's Hospital offers a program called Caregiver Interfaith Volunteer Services. Volunteers will go and help elderly people who wish to stay in their homes. This may be too big of a project or it may jeopardize their safety, but if that is a resource they would like

to look into she would be happy to give them information about it. She thinks the owner would also have to consent to it. Mr. Stone explained he thinks that is one of the biggest roadblocks they run into. There are also some very large items on the property that need to be removed as well. It is a challenging issue.

Mrs. Hills asked at what point they continue to exhaust county resources over and over again on the same property. She thinks maybe something is lacking in their ordinance if they continue to exhaust resources in this manner. Mr. Stone stated that is more of a philosophical issue.

Mr. Ratts stated the resources of the fogging and pellets they are using at that place could be used somewhere where a lot of families and areas need them. Mr. Stone agreed but he does not believe that was Mrs. Hill's point. Mr. Ratts stated that is his point. Mr. Stone stated that Mrs. Hill's point was more rhetorical in saying at what point do they exhaust their resources. They are doing their job right now by following up on the complaints and trying to get remediation voluntarily, if possible, and if not they go through the legal channels.

Mr. Bunch again pointed out he was in that house. He walked in the back door and all he could see was dirt and no floor. There was a commode in the kitchen. One time she would be living with the guy and the next they would get in a fight and she wouldn't be living there. You can't go out there and try to be nice because they will threaten to shoot you. He tried to sit down to see if he could help the guy, and he said if he comes on the front porch he has a shotgun in the house. He seen the man in Humphrey's Market and the man said he would kill him if he ever comes on his property again. The house is bad. If they can't get in, he can understand the reason. If they ever got in there, he doesn't think they would ever let anybody go in there again because it is bad. It does need to be looked into, and the weeds and grass need to be cut so the neighborhood looks a little bit better.

A motion was made by Annette Fulgenzi, seconded by Mr. DelGiorno, to refer this issue to the Solid Waste Committee to study the nuisance ordinance to see if there are any improvements they can make. A voice vote was unanimous.

Chairman Van Meter stated this is clearly an important issue and is an issue that is really difficult to resolve. It needs some time spent by the Solid Waste Committee to see if there are any improvements they can make in their procedures in dealing with it. It's not that they haven't been trying to deal with this problem.

Mr. Stumpf stated he has no problem at all working this through their committee on the procedures and regulations and things they need to do to help the Public Health Department and State's Attorney's Office to move quicker if they can. This particular case will still have to go through the legal process. He is hoping Public Health can move forward with the tall grass and mosquito issues. Mr. Stone stated there is noxious weeds as well as just general vegetation, and they have been given notice for both.

NEW BUSINESS

A. Resolutions

There were no new resolutions.

B. Appointments

Appointment of Tina Lathan to the Sangamon County Historic Preservation Commission for a term expiring June, 2018.

Appointment of Declan Binninger to the Sangamon County Building Code Board of Appeals for a term expiring November, 2017.

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

MOTION CARRIED
APPOINTMENTS ADOPTED

**REPORTS OF COUNTY OFFICIALS, REPORTS OF STANDING COMMITTEES,
REPORTS OF SPECIAL COMMITTEES, COMMITTEE REPORT ON CLAIMS**

A motion was made by Mr. Bunch, seconded by Ms. Sheehan, to place the reports on file with the County Clerk. A voice vote was unanimous.

MOTION CARRIED
REPORTS FILED

ADJOURN

A motion was made by Ms. Sheehan, seconded by Mr. Bunch, to adjourn the meeting to July 11, 2017 at 7:00 p.m. A voice vote was unanimous.

MOTION CARRIED
MEETING ADJOURNED

Don Gray
Sangamon County Clerk