

**DON J. GRAY**  
**SANGAMON COUNTY CLERK**

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## **MINUTES**

### **SANGAMON COUNTY BOARD**

**FEBRUARY 10, 2015**

The Sangamon County Board met in Reconvened Adjourned September Session on February 10, 2015 in the County Board Chambers. Chairman Van Meter called the meeting to order at 7:00 p.m. Mr. Smith gave the Invocation and Mrs. Fulgenzi led the County Board in the Pledge of Allegiance.

### **ROLL CALL**

Chairman Van Meter asked County Clerk Pittman to call the roll. There were 26 Present – 3 Absent. Mrs. Douglas Williams, Mr. O’Neill and Mr. Preckwinkle were excused. Mr. Hall came in late.

### **APPOINTMENT OF NEW COUNTY CLERK**

A motion was made by Chairman Van Meter to offer to the County Board the nomination of Don Gray as the new County Clerk. Don has served in the County Clerk’s office in several different positions and has studied the office. Chairman Van Meter stated that Don impressed him in his interview with some innovative ideas for operating the office which he thinks could benefit all of Sangamon County. He also had some good solid experience in the private sector, which is always good to see. He asked the County Board to join him in supporting Don Gray as the new County Clerk. A voice vote was unanimous to appoint Don Gray as County Clerk. Judge Madonia swore him in.

Mr. Gray stated he is honored by their support and vote of confidence. He thanked them for the opportunity to serve Sangamon County. He is excited to get to work with an incredibly talented staff. They are the source of success in the County Clerk’s office, and he is grateful to be working with each of them. He expressed his respect and appreciation for the leadership and opportunities provided to him by former County Clerk Joe Aiello. He thanked Joe for everything. Maintaining the tradition of top notch customer service and the integrity of the elections will be his top priority.

He values the County Board's advice and guidance. His door will always be open, and he looks forward to building strong relationships with each of them. He is proud to be a part of the Sangamon County team. He thanked his inspiration in life, his wife Katy and his 2 children, Noah and Gianna. Two weeks from tonight they will be counting ballots at this very moment, so there is no time to waste. He will get right to work.

### **PROCLAMATIONS**

Mr. Tjelmeland presented a proclamation to Julie Pittman for her service as Acting County Clerk. Mr. Tjelmeland stated this was presented for her 20 plus years and 10 days of great service to the county. Ms. Pittman accepted the proclamation. She stated she enjoyed working with Joe for over 20 years, and has learned so much from him. Don will be a great one to take over the role and continue in Joe's wonderful big footsteps. She thanked the County Board.

Mr. Krell thanked Ms. Pittman and congratulated Mr. Gray on his appointment. He presented a proclamation to Joe Aiello for his 22 years of service as Sangamon County Clerk. Mr. Aiello has been a great friend to him and has helped him through some rough times too. He has been a great servant to Sangamon County. He is a great guy and it gives him great pleasure to give him this proclamation.

Mr. Aiello accepted the proclamation. He stated that he has enjoyed the journey, which includes a lot of people. It includes the County Board, the general public, the media, who he saw as a partner in delivering his message, and includes his family at home and family in the office. He couldn't have done things on his own. They have a great group of people who did a wonderful job and will continue to do so. This is it? 22 years condensed into two pages? He imagines Clyde Bunch consolidated this. Clyde Bunch and Sam Montalbano were both here when he got here. He appreciates the service they have all given the county and his office. He has a great staff. It could not have been done without each and every one of them. Through thick and thin, Andy and Brian stuck with him and they got some things done. They were very innovative in the Election Office. He believes they changed the face of government through the County Clerk's Office. He believes the County Clerk employees work as close to 7.5 hours per day as anybody in the office, and he is proud of that. They are hard workers and good public servants. They should be proud of what they do. He stated it is hard for him to leave, but it's something that had to be done. He has done enough in the clerk's office, and it is time for somebody else. He honestly believes his replacement was probably the best replacement they could have come up with. He couldn't have picked anyone better than Julie to replace him. He had the opportunity to work with Don, and he is a very diverse and aggressive individual. He is very particular about what he does and how he assembles his work and agenda. You will not find a harder working guy in the county building than him. He is a hard working campaigner and hardworking government servant. He thinks they will be served well by Don. Mr. Aiello expressed his appreciation for the recognition he has been given. He couldn't have done this without them.

Mr. Madonia presented a proclamation to the Rochester Rockets High School Football Team in recognition of their outstanding fifth IHSA Class 4 State Football Championship title. The coaches and team members, including Coach Derek Leonard, Captains Evan Sembel, Tyler Mazzini, Jeremy Bivens and Dallas Greer, were present to accept the proclamation.

Mr. Sullivan presented a proclamation to the Sacred-Heart Griffin Cyclones High School Football Team in recognition of their outstanding fifth IHSA Class 5A State Football Championship title. The coach and team members, including Coach Ken Leonard, were present to accept the proclamation.

**MINUTES**

A motion was made by Mr. Montalbano, seconded by Mr. Bunch, for approval of the minutes of January 13, 2015. A voice vote was unanimous.

MOTION CARRIED  
MINUTES ADOPTED

**CORRESPONDENCE**

A motion was made by Mr. Bunch, seconded by Mr. Montalbano, to place correspondence on file with the County Clerk. A voice vote was unanimous. There was none filed.

**RESOLUTION 1**

1. Resolution approving the low bid for the township aggregate letting.

A motion was made by Mr. Fraase, seconded by Mr. Hall, to place Resolution 1 on the floor. Chairman Van Meter asked for a roll call vote. Upon the roll call vote, there were 25 Yeas – 0 Nays.

MOTION CARRIED  
RESOLUTION ADOPTED

**RESOLUTIONS 2 – 4**

2. Resolution appropriating motor fuel tax funds for IMRF expenses.

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

3. Resolution approving the low bids for the county’s miscellaneous material letting.
4. Resolution approving the purchase of a used end loader.

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

MOTIONS CARRIED  
RESOLUTIONS ADOPTED

### **RESOLUTION 5**

5. 2015-001 – Robert Trapp Trust, etal, 16300 Old Route 36, Buffalo – Granting a Variance. County Board Member – David Mendenhall, District #3.

A motion was made by Mr. Mendenhall, seconded by Mr. Madonia, 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. 2015-002 – Hollinshead Auto Body, 2935 E. Sangamon Ave., Springfield – Denying Variances and a Conditional Permitted Use. County Board Member – Greg Stumpf, District #16.

A motion was made by Mr. Stumpf, seconded Mr. Snell, to place Resolution 6 on the floor. Chairman Van Meter asked the professional staff to give the procedural history of the case.

Trustin Harrison, professional staff, stated the petitioners are requesting a variance to allow two principal uses on one parcel; a variance to allow a tavern property line to be within 20 feet of a residence instead of the required 100 feet; and a conditional permitted use to allow a tavern with the sale and consumption of beer and wine. Molly Berns, professional staff, stated the Planning Commission recommends denial of the variance to allow two principal uses on one parcel. There was no evidence provided as to whether the variance to allow a second principal use, a tavern, will benefit the community at this location because a successful auto body shop is on the subject property. Recommend denial of the variance request to allow the tavern property line to be within 20 feet of a residence instead of the required 100 feet. The residence in question is located on property zoned I-2 and is considered to be "watchman's quarters" for the property. It is expected that residences located in more intense zoning districts will be subject to more intense uses in the immediate area than would residences in a residentially zoned district. However, there is no evidence that the subject property cannot be economically used unless the tavern is located within 100 feet of the residence; therefore, the standards for variation are not met. They recommend denial of the conditional permitted use to allow a tavern with the sale of beer and wine. It appears that the video gaming/tavern business will be open until 1 a.m.

The proposed hours of operation result in the business being open for the general public, not just for the patrons of the business as the petition indicates. As such, the proposed use for the property is more like a tavern with an auto body shop as an incidental use. Mr. Harrison stated the Zoning Board of Appeals concurs with the staff recommendation and recommends denial.

Jacob Hollinshead, proponent, residing at 10923 State Route 124 in Williamsville, addressed the County Board. He explained they want to add another suite to the body shop for a gaming parlor. It will have its own entrance, exit and walkway that will meet with the existing walkway for the body shop. He does know there have been concerns about additional traffic. Sangamon Avenue is one of the busiest streets in Springfield, but with it having four lanes he doesn't see where it would be more of a hiccup with traffic. There is another place on North Grand that is a tobacco place with a gaming parlor and mechanic shop connected to it. This place would be the same with two uses in one facility. The extra revenue coming in from the gaming parlor would help offset the body shop during the slow season. They have 15 parking spots, so there would be plenty of parking. They also do have handicapped parking. They actually have more parking in the back they could use if it's a concern. The hours would be from 8:00 a.m. to 1:00 a.m. They would not open until Noon on Sundays with respect to the church being so close to them.

Dr. Robert Armstrong, Pastor with the Living Water Church at 2901 Sangamon Avenue in Springfield, addressed the County Board. This is the second time they have been here for rezoning requests on this property. The first use was to rezone for a body shop, and that was supposed to be it. The church has been there for forty years. He believes this contributes to the integrity of the neighborhood. Sangamon Avenue is one of the nicest approaches into the city. Sangamon County is kind of over the top with gaming. He knows they have been working on that process. A tavern and gaming facility is kind of in opposition to their mission in that neighborhood. They believe it is inappropriate in a neighborhood with a high density of residential properties and also with children. They have children from the church they take outside for activities right by the Hollinshead facility. They think their opposition is reasonable, and believe that particular use is inappropriate for this location.

Mr. Goleman asked Pastor Armstrong if their main opposition is because it's gambling. Pastor Armstrong stated it would be gambling and a tavern. His understanding is if it's zoned for a tavern then there are really no restrictions. It could be used for anything that taverns do and not just for serving beer and wine. There is probably not enough land there to facilitate that dual use. It was initially said it was for the customers that come to the facility, but he does not know too many people who will wait until 1:00 a.m. in the morning to pick up their car that is being worked on. He does not believe that is a correct use. As a pastor he deals with people's problems, and gambling is a problem he has dealt with significantly in the past in regards to families and its destructive habits to families. So naturally, he will stand opposed to anything that destroys a family. He believes putting a tavern there will have an impact on the neighborhood, which will also have impacts on families.

Mr. Hollinshead gave his rebuttal. He explained that they would only serve beer and wine in the facility. There would be no hard liquor. It is not a tavern. There would not be bands or music in the facility.

Actually, there is a gentleman here that has a parlor, and their beer sales are usually about \$30 per day. People usually come in for 20 to 30 minutes. It is not like they are staying and hanging out and drinking. They are there to game and then they are leaving.

Pastor Armstrong stated his understanding is the way it is structured to have a gambling facility, the primary flow of revenue can't just be from the gambling. It has to be from something else. He stands in opposition to anything that could possibly destroy families and could be opposed to their mission, which is to reach the families within the neighborhood.

Mr. Stumpf stated he can respect the fact that the pastor is talking about family and gambling, but he wants his colleagues to be aware the zoning is based on the findings of fact and whether this establishment does or does not meet the criteria. This is his district, and he does not believe, with the findings of fact from Regional Planning and Zoning, that this is a good fit for the neighborhood. The zoning is not based on the feelings, but is based on whether it meets the criteria, which it does not.

Chairman Van Meter asked for a vote on the question. A voice vote carried. Mr. Fulgenzi abstained from voting. The resolution written "to deny variances and a conditional permitted use" was adopted. The variances and conditional permitted use were denied.

MOTION CARRIED  
RESOLUTION ADOPTED

### **OLD BUSINESS**

There was no old business.

### **NEW BUSINESS**

- A. Resolutions
- B. Appointments

Appointment of Sandra Douglas to the Springfield Mass Transit District for a term expiring February, 2020.

Appointment of Tim Timoney to the Deputy Merit Commission for a term expiring January, 2021.

Chairman Van Meter stated they are withdrawing the nomination of Mr. Endris to the Board of Health. A motion was made by Mr. Montalbano, seconded by Mr. Bunch, for approval of the appointments. A voice vote was unanimous. There were no nominations for March.

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

MOTION CARRIED  
REPORTS FILED

**RECESS**

A motion was made by Mr. Montalbano, seconded by Mr. Bunch, to recess the meeting to March 10, 2015 at 7:00 p.m. A voice vote was unanimous.

MOTION CARRIED  
MEETING RECESSED

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