

Sharon K. Williams, District 1
Junior Watkins, District 2
Barry Robinson, District 3
Chairperson-Andrew A. Rand, District 4
Rachael Parker District 5
G. Allen Mayer, District 6
James C. Dillon, District 7
Phillip Salzer, District 8
Michael Phelan, District 9



Andrew A. Rand - Chairperson
R. Steve Sonnemaker, County Clerk

Vice-Chairperson -Stephen M. Morris, District 10
Gregory Adamson, District 11
Robert Baietto, District 12
James T. Fennell, District 13
Brian Elsasser, District 14
Steven Rieker, District 15
Brad Harding, District 16
Thomas H. O'Neill, III, District 17
Paul Rosenbohm, District 18

**PEORIA COUNTY BOARD
MEETING MINUTES
Thursday, March 9, 2017
6:00 PM**

County Courthouse • 324 Main Street • County Board Room 403 • Peoria, Illinois 61602
Voice: (309) 672-6056 • Fax: (309) 672-6054 • TDD: (309) 672-6073
www.peoriacounty.org/countyboard

**CALL TO ORDER
MOMENT OF SILENCE
PLEDGE OF ALLEGIANCE
ROLL CALL BY THE COUNTY CLERK**

Attendance was taken with the Roll Call-Pro voting system, and the following members of the Board were present: Adamson, Baietto, Dillon, Elsasser, Fennell, Harding, Mayer, Morris, O'Neill, Parker, Phelan, Rand, Rieker, Robinson, Rosenbohm, Salzer, Watkins and Williams.

I. APPROVAL OF MINUTES

- Approval of February 9, 2017 County Board Meeting Minutes
- Approval of February 9, 2017 County Board Executive Session Minutes

Mayer moved for approval of the minutes, Elsasser seconded. The minutes were approved by a unanimous roll call vote of 18 ayes. (Robinson noted for the record that he intended to vote aye).

II. PROCLAMATIONS & PRESENTATIONS

Williams recognized Nora Sullivan for being appointed as Interim Health Administrator by the Board of Health. She explained that Gene Huber took the VRI, Ms. Sullivan was appointed to the position, and she has an extensive background in healthcare.

Interim Health Administrator Nora Sullivan expressed that it has been an honor to work with the fine staff at the Health Department. She stated that she is a registered nurse, she has worked at the Red Cross for 24 years, has taught nursing education at Methodist College, and served on the Board of Health for 10 years. She said that those experiences have suited her well for the position.

- A proclamation recognizing Peoria High School's Football Team for winning the 2016 Class 5A State Football Championship
- A proclamation recognizing April 3 - 9, 2017 as National Public Health Week



III. CITIZENS' REMARKS

Mr. Evans requested that any comments about a zoning case that has already been heard by the ZBA and the Land Use Committee be limited to information that was previously presented at those meetings.

Jack Teplitz, attorney representing Marshall Bailey, addressed the Board with regard to Item 3. He said that there may be issues that may require the item to be taken back to committee and that is not being contested. He believed that the general issue in the case is that Marshall Bailey operates an environmental disaster business where he hauls materials wherever cleanup is necessary after a natural disaster. He explained that he is not operating a business out of the site, has no employees, no customers, nor materials stored on the site. He identified that the reason the regulation exists is to not have an adverse impact on the neighbors. He contended that Mr. Bailey is not having an adverse impact on the neighbors as a result of the proposed use. He asserted that there are some issues to be clarified, but regulations are not meant to be literal and applied to 100% of cases.

James Morris, 8008 W Thorngate Drive, Mapleton, addressed the Board with regard to Item 3. He stated that the property owners around the site did not attend the Land Use Committee because they could not present any new testimony during the meeting. He explained that there has been a lack of enforcement by the County because there are more vehicles on the property than zoning allows. He said that Mr. Bailey has admitted that he does not live on the property, which means that he does not have a vested interest in the neighborhood. He contended that if the Use passes, it will allow for commercial business on the property. He noted that a neighbor to the south who operates a horse farm has been a friendly neighbor and knows many in the subdivision. He inquired that if Mr. Bailey had nothing to hide, why were public hearing signs removed from the property the day they were posted.

Ron Verfurth, 7917 W. Thornridge Drive, Mapleton, addressed the Board with regard to Item 3. He brought up that there is excessive smoke and debris that comes onto his property. He asserted that there is not a need for more traffic on Cameron Lane.

Patrick Elliott, 8003 W. Thorngate Drive, Mapleton, addressed the Board with regard to Item 3. He presented that there are issues of tenancy on the property. He described how the vehicles on the property are in excess of what is allowed under the current zoning. He noted that there has not been any correction made to the issues. He also noted that there is a question about maintenance on the drive that leads to the property because Mr. Bailey does not own the drive.

Douglas Hopwood, President of the Rose Estates Homeowners Association, addressed the Board with regard to Item 3. He brought up that burning was discussed at the Zoning Board of Appeals meeting. He said that Mr. Bailey was notified to cease and desist, but he has not. He explained that Mr. Bailey has said that it doesn't matter what the County does, he will still do what he wants. He brought up that Mr. Bailey has been a nuisance to the neighbors due to burning on the property. He expressed that the private lane is not owned by him, there is no existing easement, and access could be cut off at any time. He reported that no one in the neighborhood association wants the Board to approve the special use. He emphasized that Mr. Bailey does not live on the property, but all the people that have testified are residents.

William Connor, attorney representing the Limestone Township Road Commissioner, addressed the Board with regard to Item 3. He detailed that there was testimony on the impact of the turning



movements by the heavy vehicles on Walters School Road. He noted that the ZBA asked for the applicant to come to an agreement with the Township Road Commissioner on maintenance, but no agreement was produced. He remarked that he was surprised that there was no variance requested for storage of semis outside of a building on the property, and expressed his belief that it would be improper to vote on such a variance.

IV. CONSENT AGENDA

- C1.** The Treasurer report consisting of the Bank and CD's Portfolio for the month of January 2017 and Revenue & Expenditure Reports for the month of December 2016.
- C2.** The Auditor's report of expenditures from Accounts Payable system is accessible at www.peoriacounty.org/auditor/transparency.
- C3.** A resolution (items 1 -2 conveyances; items 3 -4 defaulted conveyances) from the Ways and Means Committee recommending that the County Board Chairman be authorized and directed to execute deed of said property to the highest bidder, and be authorized to cancel the appropriate Certificates of Purchase. This resolution shall be effective ninety days from March 9, 2017 and any transaction between the parties involved not occurring within this period shall be null and void.
- C4.** A resolution from your Executive Committee recommending approval of an additional appropriation to the FY 2017 budget in County Administration in the amount of \$32,440.00.
- C5.** A resolution from your Budget Subcommittee recommending approval of a Reciprocal Agreement on Exchange of Information with the Illinois Department of Revenue.
- C6.** A resolution from your Budget Subcommittee recommending approval of FY 2017 Encumbrance Rollover Appropriation #1.
- C7.** A resolution from your Public Safety and Justice Committee recommending approval of an appropriation of funding donated by Petco Foundation in the amount of \$1,113.30 into the PCAPS Medical Fund to be utilized for medical supplies and treatment to prepare animals for adoption.
- C8.** A resolution from your Public Safety and Justice Committee recommending approval of the appointment of Lt. Tom Mitzelfelt as Peoria County EMA Coordinator.
- C9.** A resolution from your Public Safety and Justice Committee recommending approval of an appropriation in the amount of \$49,785.00 for anticipated expenses for the Rural Residential Recycling Grants and Sustainability Grants.



**Peoria County Board
Minutes, Thursday, March 9, 2017**

- C10.** A resolution from your Public Safety and Justice Committee recommending approval of an appropriation in the amount of \$12,000.00 to the FY 2017 Circuit Clerk's department budget to finance the microfilming of criminal and civil court documents.
- C11.** A resolution from your Public Safety and Justice Committee recommending approval of an extension of the Public Defender Agreement for the period of January 1, 2017 through March 31, 2017.
- C12.** A resolution from your Land Use Committee recommending approval of an appropriation of funds in the amount of \$70,850.00 to the Planning & Zoning Department of the General Fund in order to finance the demolition of an unsafe commercial structure in the Unsafe Structures Program.
- C13.** A resolution from your Land Use Committee recommending approval of the most responsible low bid of River City Demolition, Peoria, IL, in the amount of \$70,850.00 for the demolition of an unsafe commercial structure located at 8921 W. Farmington Road, Hanna City, IL.
- C14.** A resolution from your County Operations Committee recommending approval of the most qualified bid of CivicPlus, Manhattan, KS, for the provision of a website replacement and hosting solution in an amount not to exceed \$116,240.00.
- C15.** A resolution from your County Health Committee recommending approval of payment of fine to CMS in the amount of \$33,249.45.
- C16.** A resolution from your Infrastructure Committee recommending adoption of a Peoria County ADA (Americans with Disabilities Act) Transition Plan.
- C17.** A resolution from your Infrastructure Committee recommending approval of a financial commitment of local matching funds for Federal Surface Transportation Urban (STU) funding for reconstruction of the Willow Knolls and Allen Road intersection.
- C18.** A resolution from your Infrastructure Committee recommending approval of a Preliminary Engineering Services Agreement with Hanson Professional Services, Peoria, IL, for Phase I Engineering of a bridge structure on Kickapoo Creek Road, at a cost not to exceed \$240,000.00.
- C19.** A resolution from your Infrastructure Committee recommending approval of a Preliminary Engineering Services Agreement with Hanson Professional Services, Peoria, IL, for Phase I and Phase II Engineering of a bridge structure on Brimfield Jubilee Road, at a cost not to exceed \$312,615.00.
- C20.** A resolution from your Infrastructure Committee recommending



approval of the Special Warrant for State Fiscal Year 2018, Section 5311 Non-Metro Public Transportation Operating Assistance Grant.

- C21.** A recommendation from your Infrastructure Committee to approve an Ordinance to facilitate public transportation within Peoria County in State Fiscal Year 2018.
- C22.** A resolution from your Infrastructure Committee authorizing application, execution and amendment of Section 5311 Grant Agreement.
- C23.** A resolution from your Infrastructure Committee recommending approval for Peoria County to negotiate and enter into service agreements with social service agencies that utilize Peoria County's rural transportation program.
- C24.** Approval of Bond for Robert C. Gates, Greater Peoria Sanitary and Sewage Disposal District.
- C25.** Chairman Appointments.

Fennell moved to approve the Consent Agenda and Mayer seconded. Baietto asked to pull Item C8. The Consent Agenda, except for Item C8, was approved by a roll call vote of 17 ayes and 1 nay, with Harding voting nay.

C8. A resolution recommending approval of appointment of EMA Coordinator.

Baietto moved to approve Item C8 and Salzer seconded.

Sheriff Mike McCoy addressed the Board regarding EMA and Lt. Tom Mitzelfelt as the recommended new coordinator. He highlighted that the Sheriff took over the responsibilities of EMA to facilitate making it better and taking care of the agency as the Peoria County residents deserve. He explained that Lt. Molleck has done a stellar job. He detailed that Lt. Mitzelfelt began as a correctional officer in 1993, has 4,000 hours of training, is in charge of the gun range, and, with the budget constraints, will be adding to his workload this new responsibility. He asked for support from the Board in voting for the appointment of Lt. Mitzelfelt.

Item C8 was approved by a unanimous roll call vote of 18 ayes.

V. ZONING ORDINANCE AND RESOLUTIONS

Watkins left the meeting.

- 1.** Case #006-17-U, Petition of Seneca Foods Corporation. A Special Use request as required in Section 20-5.1.3.2.a of the Unified Development Ordinance. This section allows for a special use for an Agriculturally Related Business. The proposal would bring an existing business into compliance with the Unified Development Ordinance. The parcel is located in Akron Township. The Zoning Board of Appeals recommends approval. The Land Use Committee concurs.

Dillon moved to approve the ordinance and Elsasser seconded.



Rosenbohm stated that he will be abstaining due to a business relationship.

Elsasser explained that it is a very important business in northern Peoria County, and Seneca Foods and Libby's in Morton produce 95% of pumpkin.

The ordinance passed by a roll call vote of 16 ayes and 1 abstention, with Rosenbohm abstaining.

2. Case #007-17-Z, Petition of Wayne Page, successor trustee of the Evelyn M. Page Revocable Living Trust. A Rezoning request from "A-1" Agricultural Preservation to "C-2" General Commercial. The petitioner proposes to rezone 0.135 acres in order to combine it with the adjacent "C-2" zoned parcel. The parcel is located in Trivoli Township. The Zoning Board of Appeals recommends approval. The Land Use Committee concurs.

Dillon moved to approve the ordinance and O'Neill seconded. The ordinance passed by a unanimous roll call vote of 17 ayes.

3. Case #005-17-U, Petition of Marshall Bailey. A Special Use request to allow for a Major Home Occupation in the "A-2" Agriculture Zoning District, when the lot is less than 5 acres in size. The petitioner requests to operate a trucking business from a 3.1 acre parcel. Section 20-7.3.5.9 states the home occupation may involve the use or indoor storage of heavy equipment and that the equipment may only be stored in the dedicated accessory structure. Only 1 vehicle and only 2 trailers or pieces of equipment may be permitted. The petitioner is proposing to allow 2 commercial vehicles and 4 trailers and to store these outside. The petitioner will not meet the landscaping requirements on the north and east property lines and will not meet the tree/shrub ration on the north, east, south and west property lines. The parcel is located in Limestone Township. The Zoning Board of Appeals recommended denial. The Land Use Committee did not approve the denial.

Subsequently, on a motion of the Land Use Committee, a Special Use was approved for a Major Home Occupation, when the lot is less than 5 acres in size and/or is located within a platted subdivision in the "A-2" Agricultural use zoning district, which includes only one vehicle and 2 trailers, and the Committee voted to approve the Special Use to vary from the requirement that landscaping shall be required to screen off-street parking areas, loading zones, outdoor storage areas and outdoor work areas from the view of adjacent landowners, according to the provisions set forth in Section 7.6 ("Landscaping and Bufferyards").

Dillon moved to approve a substitute ordinance and Harding seconded.

Dillon directed attention to the resolution, and said it should read that the Land Use Committee voted to approve with restrictions. He explained that the Board will be voting on the original document which was a denial by the Zoning Board of Appeals. Dillon detailed that the case has been going on for a while, and the reason for the substitute ordinance has arisen because there are land issues and other things that need to be settled. He said that the resolution does not have any weight on what was decided in committee dealing with the numbers of vehicles being stored on the property. He discussed the original motion which deals with 4 trailers and 2 vehicles as a Special Use. He mentioned that a 2 trailer and 1 vehicle major home occupation was approved in committee, but will not be voted on currently because there needs to be more information. He asked that the original request be voted on and have the petitioner create a new application to be brought



to the ZBA, if they so choose.

Fennell asked if the decision should be made by the Board or referred to committee.

Mr. Evans reported that the approval of the motion would be a denial of the request and it would be on the petitioners to file a new matter to the Zoning Board of Appeals. He explained that the other issues Dillon brought up would be addressed fully there.

Dillon confirmed that only the original petition of the 4 trailers and 2 vehicles would be considered in the vote. He suggested that the 2 trailers and 1 vehicle being stored on the property have their own issues that need to be addressed by the ZBA under a new petition.

Elsasser inquired if the denial is approved, whether the petitioners need to refile and pay the fee again.

Dillon stated that it was requested that the fees be waived for a new application at the discretion of the County Administrator, but the publications would have to be covered by the petitioners.

Mr. Sorrel agreed that the applicant would have to reapply, and it would be his decision to waive the application fee.

Adamson thanked those that spoke in front of the Board.

Mr. Evans detailed that the amended motion would be approving the denial from the Zoning Board of Appeals.

Dillon asserted that the original petition would be denied, and the other issue of 2 trailers and 1 vehicle would have to be applied for as a new case.

Mr. Sorrel summarized that a yes vote would deny the Special Use.

Phelan asked if the case would be a new case in front of the ZBA and new evidence could be considered; Chairman Rand confirmed yes. Phelan noted that he had not heard of public hearing signs being missing and asked if the County had encountered this previously.

Mr. Sorrel responded that from time-to-time the signage is removed, but it is not a regular occurrence.

Dillon contended that the Board cannot make a valid decision without all of the facts, so it must vote for the denial and get the facts.

Rieker asked to amend the language to what the Zoning Board of Appeals had done because it can be confusing to the Board and others.

Chairman Rand explained that the language in the resolution can be confusing, but the Board is adopting what the Zoning Board of Appeals passed, which is a denial of the petition.

Mayer remarked that this is the correct way, approving the denial and having findings of fact.



Elsasser inquired if there would be a new recommendation from Planning and Zoning on a new petition.

Mr. Sorrel confirmed that there would be an entirely new staff report and recommendation based on a new application.

Chairman Rand specified that a yes vote would be the Board saying no to the original request and a new case will get filed with the ZBA.

The ordinance passed by a unanimous roll call vote of 17 ayes.

4. Case #W01-17, Petition of Wayne Page, successor trustee of the Evelyn M. Page Revocable Living Trust. A resolution from your Land Use Committee recommending approval of a waiver of compliance from Section 20-3.16.2.3.b.2.b of the Unified Development Ordinance. This section requires a minimum of 60 feet of contiguous road frontage for parcels being created by tract survey which are 10 acres or greater. This request is filed concurrently with rezoning case #007-17-U. The petitioner proposes to rezone 0.135 acres from the existing 75.49 acre farm parcel in order to combine it with the adjacent "C-2" zoned parcel. The parcel is located in Trivoli Township.

Dillon moved to approve the resolution and Rosenbohm seconded. The resolution passed by a unanimous roll call vote of 17 ayes.

5. Case #W02-17, Petition of Darrin & Angela Symonds. A resolution from your Land Use Committee recommending approval of a waiver of compliance from Section 20-8.3.4.1.b.2.b of the Unified Development Ordinance. This section requires a new minor subdivision to have a public water supply. The waiver request would divide two lots from an existing 12.196 acre parcel. The parcel is located in Jubilee Township.

Dillon moved to approve the resolution and Rosenbohm seconded. The resolution passed by a unanimous roll call vote of 17 ayes.

6. A recommendation from your Executive Committee to approve Amendment #4 to the Peoria Urban Enterprise Zone Designating Ordinance.

Mayer moved to approve the ordinance and Parker seconded.

Williams stated that she would be voting no in continuation of her no votes.

Mayer highlighted that this is a good example of showing cooperation with the City of Peoria and economic development.

The ordinance passed by a roll call vote of 15 ayes and 2 nays, with Harding and Williams voting nay.

7. A resolution from your Infrastructure Committee recommending approval of a Cooperative Research Agreement between the County of Peoria and Bradley University, for the purpose of maintaining the Pavement Management Program.

Salzer moved to approve the resolution and Fennell seconded.



Salzer mentioned that the program is an example of the good relationship between the County and the local institution of Bradley.

Dillon explained that he asked to have the item placed on the agenda because he wanted to highlight how great of an engineering college the County has in Bradley University. He emphasized that it is an important tool and without it there would not be information on road conditions.

Salzer detailed that the County gets its money's worth from the project. He noted that an engineer that worked on the study was hired and that shows how much it benefits the County with the help of the University.

The resolution passed by a unanimous roll call vote of 17 ayes.

8. A resolution from your Infrastructure Committee recommending approval of an appropriation for FY 2016 in the amount of \$107,468.00 and an appropriation for FY 2017 in the amount of \$5,000.00 in order to cover outstanding and future bills for the Emergency Generator Project at the Peoria County Jail.

Salzer moved to approve the resolution and O'Neill seconded.

Salzer stated that he asked for the item to be placed on the agenda. He reported that the money was encumbered in 2016, but due to some vacation time and unforeseen circumstances, the purchase orders were not in at the appropriate time. He said that the money was there, the work has been done, and the generator is doing well.

The resolution passed by a unanimous roll call vote of 17 ayes.

9. A resolution from your County Operations Committee recommending approval of the Collective Bargaining Agreement (CBA) between Peoria County and AFSCME-PCEA Local 3586. *(Pending Committee Approval)*

O'Neill moved to approve the resolution and Mayer seconded. O'Neill thanked Phelan for filling in for him while he was on vacation, as well as Shauna Musselman and the union for working out the contract. The resolution passed by a unanimous roll call vote of 17 ayes.

VI. MISCELLANEOUS AND ANNOUNCEMENTS

Rosenbohm invited all to attend the Farmers' Breakfast at Expo Gardens Saturday March 11th. He said that the cost is \$.70, which is the farmers' share. He mentioned that it is a zero waste event because it will all be composted.

Chairman Rand inquired about what the share actually is to a farmer.

Harding described that the meal would cost \$7.95 and the \$.70 represents the farmer's share.

Rieker commented that he had the same meal without the milk and juice at a restaurant in the past week that cost about \$25.



Dillon recognized all retiring employees, but especially Matt Wahl on his retirement, wishing him well, and thanking him for his hard work and dedication to the County.

Planning and Zoning Administrator Matt Wahl detailed that the Board, Mr. Sorrel, and the people in the Planning and Zoning department are all exceptional. He described his plans of spending more time with his granddaughter. He said that the County has been a great place to work.

Williams thanked Mr. Wahl for being great to work with and for all the work he has done for the 1st district.

O'Neill recognized Matt Wahl for everything and said to enjoy retirement.

Salzer noted that there is a project planned to rebuild the Eastbound span of the McClugage Bridge between 2019 and 2022 at the cost of \$200 million. He encouraged all to attend a public meeting from 5-7pm at Washington Gifted School on March 15th.

Elsasser thanked Matt Wahl, wishing him well, and Rachel Parker for the wonderful cake.

VII. ADJOURNMENT

There being no further business before the Board, the Chairman announced the meeting was adjourned.