

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

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**PEORIA COUNTY BOARD  
MEETING MINUTES  
Thursday, May 11, 2017  
6:00 PM**

County Courthouse • 324 Main Street • County Board Room 403 • Peoria, Illinois 61602  
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**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, Morris, Parker, Rand, Robinson, Rosenbohm, Salzer, Watkins and Williams, with Mayer, O'Neill, and Rieker absent.

**I. APPROVAL OF MINUTES**

- Approval of April 13, 2017 County Board Meeting Minutes

Elsasser moved for approval of the minutes, Baietto seconded. The minutes were approved by a unanimous roll call vote of 14 ayes.

**II. PROCLAMATIONS & PRESENTATIONS**

- A presentation of the Illinois Sheriffs' Association Scholarship Award

The presentation esd given after the Citizens' Remarks.

- A proclamation recognizing the week of May 14 - 20, 2017 as "National Nursing Home Week"

**III. CITIZENS' REMARKS**

Mr. Evans requested individuals to keep any comments to what was already presented during the ZBA hearing and not put in any additional items that could be termed as additional evidence.

Dale Schultz 18121 W. Farmington Road, Trivoli, addressed the Board with regard to Item 2. He explained that he lives next door to the gentleman that owns the ground for the airstrip. He noted that he had spoken in front of the Board about 17 years ago about the same topic and it was defeated at that time. He stated that he does use the landing strip and has been flying for 50 years



along with his oldest son who is a licensed pilot. He believed that a tower on the proposed site would be very unsafe.

Theodore Brown, 18201 W. Farmington Road, Trivoli, addressed the Board with regard to Item 2. He detailed that he is the owner and operator of the Gordon Brown Airport, a certified airport by the State in 1969. He described that he has an aviation degree from Southern Illinois University, he is a retired Air Force Captain, a Captain with American Airlines, and holds various certifications. He presented an aerial photograph of the Trivoli area with the proposed site and flying patterns around the airport. He explained that the airplanes entering the traffic pattern from all directions would enter at a 45° angle which would be right where the tower would be located. He said that if a plane were to hit the tower it would create a catastrophic event at the houses near the airport. He brought up that the previous tower that was proposed was not built because it was in the traffic pattern for the airport. He said he was not against a cell tower that would be out of the traffic pattern by at least half of a mile. He displayed a chart used to navigate the controlled airspace for the Greater Peoria Airport and including the private airport. He discussed that due to the proximity, planes are forced to stay below a certain altitude in the area, and a pilot coming into the Brown Airport would be at a substantially lower altitude than at other airports. He identified that all certified airstrips can be used in case of an emergency and if a plane needs to land at the airport, it could strike the tower and be a public hazard. He reported that the people in Trivoli are glad to have the airport and call it Trivoli International Airport; 20 residents signed a petition to support not building the tower. He informed that in the area there is only one tower that is built near an airport and that is about a mile away from the Pekin Airport. He highlighted that a gentleman who spoke at the Zoning Board hearing put it well by saying: putting a tower near an airport is never a good thing.

#### **IV. CONSENT AGENDA**

- C1.** The Treasurer report consisting of the Bank and CD's Portfolio for the month of March 2017 and Revenue & Expenditure Reports for the month of February 2017.
- C2.** The Auditor's report of expenditures from Accounts Payable system is accessible at [www.peoriacounty.org/auditor/transparency](http://www.peoriacounty.org/auditor/transparency).
- C3.** A recommendation from your County Board Chairman and your County Administrator to accept the resignation of Michael Phelan as a Peoria County Board Member effective May 2, 2017.
- C4.** A resolution (items 1 - 4 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 May 11, 2017 and any transaction between the parties involved not occurring within this period shall be null and void.
- C5.** A resolution from your Executive Committee recommending approval to settle Personal Injury Case 12 L 321 in the amount of \$58,000.00.  
*(Poll Vote per Rules of Order, Article V, Section 18C)*



- C6.** A resolution from your Public Safety and Justice Committee recommending approval of the lowest responsible bid of SCRAM Systems, Illinois, Joliet, IL, in an amount not to exceed \$148,062.25, for the provision of Electronic and Alcohol Monitoring.
- C7.** A resolution from your Land Use Committee recommending approval of the appointment of Kathi Urban to the positions of Zoning Administrator, Plat Officer and Erosion Control Administrator.
- C8.** A resolution from your Ways and Means Committee recommending approval of resetting the County Clerk's Take Notice Fee at \$10.00 plus postage costs.
- C9.** A resolution from your County Operations Committee recommending approval of the lowest responsible bid of The Tree House, Norwood, MA, for the purchase of toner and inkjet cartridges on an as needed basis.
- C10.** A resolution from your Infrastructure Committee recommending approval of a Construction Engineering Services Agreement with Hermann & Associates L.L.C., Peoria, IL, for construction engineering for improvements to the intersection of Lancaster Road and Pfeiffer Road, at a cost not to exceed \$31,585.00.
- C11.** A resolution from your Infrastructure Committee recommending approval of the lowest responsible bid of P.A. Atherton Construction, Spring Bay, IL, in the amount of \$105,947.78, for improvements to the intersection of Lancaster Road and Pfeiffer Road.
- C12.** A resolution from your Infrastructure Committee recommending approval of a Construction Engineering Services Agreement with Hutchison Engineering, Inc., Peoria, IL, for construction engineering for culvert replacement on Mapleton Road, at a cost not to exceed \$18,750.00.
- C13.** A resolution from your Infrastructure Committee recommending approval of the lowest responsible bid of Otto Baum, Morton, IL, in the amount of \$89,816.34, for culvert replacement on Mapleton Road.
- C14.** A resolution from your Infrastructure Committee recommending approval of the participation of the Peoria Jaycees in the Adopt-A-Highway Program on Radnor Road.
- C15.** A resolution from your Infrastructure Committee recommending approval of the participation of the Limestone Airforce JROTC in the Adopt-A-Highway Program on Dirksen Parkway.
- C16.** A resolution from your Infrastructure Committee recommending approval of the lowest responsible Base Bid of Hein Construction, Peoria, IL, in the amount of \$260,000.00, and Alternate No. 1 Work of Hein



Construction, in the amount of \$9,900.00, for the renovation of the County Clerk and Recorder of Deeds Office.

**C17.** Approval of Bond for John Henson Bliss, Akron-Princeville Fire Protection District.

**C18.** Chairman Appointments.

Baietto moved to approve the Consent Agenda and Watkins seconded. Morris asked to pull Item C8. The Consent Agenda, except for Item C8, was approved by a unanimous roll call vote of 14 ayes.

**C8. A resolution recommending approval of resetting the County Clerk's Take Notice Fee.**

Fennell moved to approve Item C8 and Williams seconded.

Morris asked for an explanation on what is happening due to the language of resetting in the resolution.

Mr. Sorrel explained that the fee is collected by the County Clerk's office, it has been a part of the fee study program, and therefore treated under the statute related to the setting of fees based on the cost of delivering the service. He noted that a situation in another county was brought to the Clerk's Association and there is a new interpretation that relates to a specific statute that limits the fee to \$10 plus postage. He explained that the amount charged previously was higher and the resolution merely sets the fee to what the specific statute requires.

Elsasser requested if the fee was higher and is now being set lower and Mr. Sorrel affirmed.

Item C8 was approved by a unanimous roll call vote of 14 ayes.

## **V. ZONING ORDINANCE AND RESOLUTIONS**

- 1.** Case #014-17-U, Petition of Mark & Sheryl Douras. A Special Use request as required in Section 20-5.3.2.2.e of the Unified Development Ordinance. This section allows for a special use for Overnight Accommodations, provided they meet the requirements set forth in Section 7.8 (Overnight Accommodations) and provided that 1) No more than 5 rooms or suites of rooms are rented, and 2) rooms are not rented for a period of more than 14 days. The petitioner proposes to operate overnight accommodations for Refreshing Mercies Ministries in the lower level of the home. The parcel is located in Medina Township. The Zoning Board of Appeals recommends approval with restrictions. The Land Use Committee concurs.

Dillon moved to approve the ordinance and Robinson seconded. Dillon described that the use is for a ministry that provides grief counseling after someone close passes away, it is in use only during that time, it was recommended by some counseling agency and church based groups, and passed committee unanimously. The ordinance passed by a unanimous roll call vote of 14 ayes.

- 2.** Case #018-17-V, Petition of James Kaysing. A Variance request from Section 20-7.1.1.2 of the Unified Development Ordinance, which requires that the height of a telecommunication facility shall not exceed 200 feet, if located in a non-residential zoning district. The petitioner proposes



to construct a telecommunications tower at a height of 255 feet, resulting in a variance request of 55 feet. The parcel is located in Trivoli Township. The Zoning Board of Appeals recommends approval with restriction. The Land Use Committee concurs.

Dillon moved to approve the ordinance and Williams seconded.

Ms. Urban detailed that the variance is requested for a 55 foot variance from the ordinance requirement in an agricultural district. She reported that the siting agent stated the site would be used to increase broadband and cellular coverage.

Dillon noted that there would be red and white lighting on the tower and it would be constructed with cables, not just the tower, which could be a concern with the airport. He emphasized that the committee voted the way it did because the final decision would be made by the FCC and FAA.

Harding remarked that he learned a lot during the ZBA hearing about the airport. He said that it can be used recreationally and it is maintained as a designated safe zone for a light aircraft that has a problem or due to weather that the pilot can use to put down. He highlighted that there is no issue with there being a tower, but it shouldn't be in the direct flight path of the airport and is a risk that shouldn't be taken. He mentioned that most airplanes landing at the airport would be at about 800 feet when landing, but because the airport is designed to land airplanes in a hazardous situation, a tower with guide wires at 255 feet in the flight path is not safe and a plane could hit one of the nearby houses. He reported that he and the residents want a tower for expanded service, but that shouldn't come at a cost to public safety. He noted that the previous request for a tower had been withdrawn and not defeated by the County Board. He said that there are other towers around Trivoli and other locations which would be better. He noted that the Planning and Zoning department has worked up Findings of Fact, if necessary.

Dillon explained that the Findings of Fact would only need to be adopted if voted down by the Board.

Harding asserted that the committee and the ZBA did a good job, but based on public safety he urged a no vote and he would do everything to help AT&T find a new location.

Elsasser described the airport as a gem for the area, it is very useful for those flying, and it provides an additional emergency landing spot for those in trouble. He explained that it is not worth the financial gain to build it so close to the airport. He encouraged the Board to deny it and find a better location.

Baietto brought up that the Board adopted an ordinance to allow for a tower of up to 200 feet and the Board is voting on only the 55 foot variance. He predicted that a tower of that height in any location could become a hazard. He urged a no vote.

Adamson thanked all of the citizens who spoke and the words of the Board members and urged a no vote.

Rosenbohm expressed that he lives next to the Peoria airport and he sees airplanes coming in all the time. He discussed that he sees them from time-to-time coming in very low in bad conditions, and he is going to vote no due to safety concerns; he urged the rest of the Board to



vote the same way.

Baietto contended that there have been other issues of height around the Peoria airport and now there is a want to build a 255 foot tower.

Dillon summarized that the committee had a discussion about how a plane should never be flown at 255 feet and that a left could be drawn anywhere and not be in line with that tower. He said that it was brought up in the committee that a tower could have been built closer to the airport. He expressed that the committee took in the public safety concern, but the committee and the ZBA voted the way it did because the FAA will rule on the tower being safe next to the airport along with the FCC. He said that this is just a step in a multiple step process.

Chairman Rand asked if the FAA would be using another set of determinates in its deliberations for approval.

Dillon informed that the committee had lengthy discussion and it was a learning experience while deliberating the question because they are not pilots, but the determination was made that the FAA would make the final decision. He explained that if the Federal government determined it to be a hazard, it would vote against it.

Adamson stressed that anyone who flies says that take-off and landings are the most dangerous part in flying, and using common sense would say a tower would be a hazard. He said that he agrees that it would be better to be safe than sorry.

Morris asked if the petitioner was present; a representative acknowledged presence.

Fennell detailed that he typically likes to support the wishes of the County Board member in the district, but no matter the reasoning, it is not up to the Board to vote on the safety since this is left up to another agency.

Harding contended that it is hoped that the professional staff at the Federal government would do their job, but when the residents were asked to put their safety into the hands of a bureaucrat in Washington D.C., the answer was a resounding no. He asserted that it is incumbent upon the Board to put public safety first.

Baietto mentioned that there are other places for the tower and the airport is small with small aircraft that will land and take-off in line with the tower. He expressed that this is a common sense issue due to weather, and anyone that votes for it could be voting for disaster.

Dillon asserted that voting for it would not be doing something unsafe. He noted that suggestions were made for other locations and common sense would say that they shouldn't go there, but there weren't objections to those locations. He said that for that reason, he and the committee voted to let the Federal government make the right decision.

Elsasser requested if there was another flight path that could be taken around the tower.

Dillon informed that pilots use a specific set of left turns and there is debate on where those lefts would have to be, but could be done in other locations.



Elsasser inquired that if in a difficult situation, would taking the turns in a different location still work.

Baietto believed that small aircraft with a 30 mile per hour crosswind with a tower would be a problem.

The ordinance failed to pass on a roll call vote of 4 ayes and 10 nays, with Dillon, Fennell, Morris, and Salzer voting aye.

Dillon moved to adopt the Findings of Fact and Harding seconded. The Findings of Fact were approved by a unanimous roll call vote of 14 ayes.

3. Case #020-17-Z, Petition of Marci Shoff, Esq. (Steven G. Rump, owner). A Rezoning request from "R-2" Medium Density Residential to "C-2" General Commercial. The petitioner proposes to rezone this parcel in order to combine it with an adjacent parcel to the south. The parcel is located in Limestone Township. The Zoning Board of Appeals recommends approval. The Land Use Committee concurs.

Dillon moved to approve the ordinance and Rosenbohm seconded. Dillon stated that the property would be a combination of parcels and doing so would lead to the need to rezone. The ordinance passed by a unanimous roll call vote of 14 ayes.

4. A resolution from your Public Safety and Justice Committee recommending approval of an extension of the Public Defender Agreement on a month-to-month basis until further notice.

Baietto moved to approve the resolution and Fennell seconded. Baietto said that the resolution is an extension while there is discussion of using the current model or a different model. The resolution passed by a unanimous roll call vote of 14 ayes.

5. A resolution from your Public Safety and Justice Committee recommending approval of the initial appointment of trustees to the Chillicothe Community Fire Protection District. (*Pending Committee Approval*)

Baietto moved to approve the resolution and Fennell seconded.

Chairman Rand stated that he would be abstaining because of a business interest in the fire protection community it governs.

Morris explained that he would be abstaining due to a professional conflict.

Baietto said that there was an excellent discussion in committee and urged a yes vote.

Elsasser mentioned that Chief Denzer has a vision for what he does and is very thoughtful in analyzing and planning ahead for the fire district. He remarked that the two appointments are a great base to start the new fire district.

The resolution passed by a roll call vote of 12 ayes and 2 abstentions, with Chairman Rand and Morris abstaining.



6. A resolution from your Ways and Means Committee recommending the setting of salaries for the upcoming Board of Review terms and the approval of a budget amendment to the Board of Review annual appropriation. The budget amendment adjusts wages and benefits for the members of the Board of Review. *(Poll Vote per Rules of Order, Article V, Section 18C)*

Salzer moved to bring the item to the floor and Baietto seconded.

Baietto moved to approve the resolution and Salzer seconded.

Morris moved to amend the resolution and Harding seconded. Morris informed that the Board had adopted a resolution removing it from the health insurance and IMRF, and through the budget cycle, no benefits were budgeted and the salary was reduced for the Board of Review. He detailed that there was unhappiness with removing the benefits and reduction in salary, and there was a concern that it could be harder to fill the Board of Review seats. He said that the amendment intends to hold the line and only set the salary of the members. He noted that candidates must pass the Department of Revenue test prior to taking the position and there is not a second Democrat to serve on the board to be in line with statute. He explained that if the Board is unable to find a candidate after passing the resolution, it can revisit the issue. He predicted that there are probably many people that would take the part-time job at that salary. He perceived that the change in the original resolution was reactionary and rushed, but the County can host the exam, recruit people to take the exam, advertise, and the job is a pretty good gig. He suggested that County Board members could even serve. He asked for the Board to hold the line as there is some time to get a candidate because the Board of Review can continue with one less person. He urged the Board to support the amendment.

Adamson asked for clarification on the amount of time spent in the position.

Morris explained that during his time on the Board there has been no one that has said they have met the threshold of being full-time. He believed that there are times that the members spend more than 20 hours a week, but accumulatively they are below the threshold.

Baietto expressed that when taxes are raised just 1 cent, the Board of Review is worth more than the salary because they have to listen to all of the complaints and approve or deny. He said it is not a job for everyone.

Elsasser discussed that he supports the amendment because there seems to be enough qualified candidates even under the new salary.

Harding requested the committee vote for the resolution. Mr. Sorrel stated that the vote was 5-2 in favor.

Morris asserted that the positions are important positions as they are the judges of fact for the taxpayers when market conditions or comparable conditions suggest the assessed value is too high. He predicted that the salary in the amendment would attract qualified candidates.

Chairman Rand informed that there were three qualified candidates that had passed the test recently; one is an incumbent, Mr. Fletcher, and another individual that doesn't live in the County. He discussed that the Board of Review is an extremely important function that is supposed to be a qualified, fair, and impartial finder of fact to determine if your property was



fairly assessed if you chose to protest. He stated that the Board is not at the end of the runway, but it needs to set the salary and find a candidate to fill the seat. He contended that there is a greater ease in appointments made to other committees, but the Board of Review is a different animal because it requires a certificate from the State prior to appointment. He noted that Morris has left the door open to amend the package, but it is not required at this time.

Elsasser declared that he along with other Board members can do a better job to promote the position.

The motion to amend the resolution passed by a unanimous roll call vote of 14 ayes.

The resolution, as amended, passed by a unanimous roll call vote of 14 ayes.

## **VI. MISCELLANEOUS AND ANNOUNCEMENTS**

Chairman Rand reported that Sarah Hoelzel, an employee at Heddington Oaks, had a fire at her home and lost everything. He encouraged all to help with donations.

Robinson invited all on May 14<sup>th</sup> at 11:30am to Bethel Baptist Church for his first service as Senior Pastor.

Harding thanked the Planning and Zoning Department for helping guide everyone through its decision along with the Board.

Dillon highlighted two members of the leadership with Amy McLaren winning the President's Award from the Illinois Chapter of the American Public Works Association and Kathi Urban in her appointment to head the Planning and Zoning Department.

Baietto brought up that the award for Ms. McLaren is one of many awards that she has received and there is no one better than her at the job.

Elsasser congratulated Robinson for sharing the good news of the gospel and that it is a great place to be on the Sabbath.

## **VII. ADJOURNMENT**

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