

Members Present

Mr. Tripp, Mr. Reid, Mr. James, Mr. Liehr, Mr. Tholen, Mr. Vickery, Mr. Mulcahy, Mr. Einfeldt, Mr. Washington, Ms. Evans, and Ms. Polk

Members Absent

Mr. Olthoff

In Attendance

- **Board Members**

Mr. Bossert and Mr. Byrne

- **Department Heads**

Mike Van Mill and Erich Blair

- **Media**

Present

1. Call to Order/Roll Call

The meeting was called to order by the Committee Vice-Chairman, Mr. Washington, at 9:00 a.m. Quorum present.

2. Public Comment

- **Glenn Kramer commented on ZBA Case #15-15.**
- **Dana Meyer commented on ZBA Case #15-15.**
- **Cynthia Sidiner commented on ZBA Case #15-15.**

3. Approval of Minutes – October 21, 2015

Mr. Vickery made a motion to approve the minutes and Ms. Polk seconded it. Motion carried with a voice vote.

4. Building

- **Building Report – October, 2015**

The Planning Department and the Building Division issued 77 building permits which totaled \$31,959 with a value of \$12,445,121. The total of extra fees was \$3,155 which makes a grand total of \$35,114.

Mr. Tripp made a motion to approve the Building Report and Mr. James seconded it. Motion carried with a voice vote.

- **Update on Flooded Properties**

Mr. Skimerhorn stated that a few months ago they had given this committee a report on the properties that had been damaged by the floods that occurred over the summer. Since that time the total number of properties that were substantially damaged has increased from 10 to 13. Momence Township has 4 of those properties, Ganeer Township has 1, Aroma Township has 5, Kankakee Township has 1, and 2 are in Otto Township. Out of those 13, 5 are repetitive loss properties and 3 are severe repetitive loss properties.

Mr. Van Mill stated that part of their responsibility under Flood Plain Management is that when a flood occurs his office has to go out and assess the flood and the damage to structures that are in the flood plain. They have to do that in order for our county to be eligible for flood insurance. Substantial damage means that a property is determined to be damaged by beyond 50% of its market value and that property has to be brought into compliance with flood plain standards. If a property is less than the 50% they give a permit for the owners to repair and build.

Mr. Skimerhorn stated that out of those 13 properties, 2 homes are going to be demolished and rebuilt in the future in an elevation that takes them out of the flood plain, 2 homes are currently being elevated, 1 home is being partially elevated, 3 homes are currently looking into being elevated, 1 is investigating the buy-out option, and 4 homes have not decided which action that they are going to take.

Mr. Reid asked if the homes that are being demolished and then rebuilt are being elevated.

Mr. Van Mill stated that they are because they have to meet the flood plain requirements.

Mr. Van Mill stated that the Department of Natural Resources has audited their process to evaluate the Planning Department's activities during this last flood and they came back with a positive review and they were satisfied with how his office is managing flood plain management.

Mr. Liehr asked how long property owners have to decide on what course of action they want to take.

Mr. Van Mill stated that it is a difficult decision for the homeowners to make and they try to work with them on that. There is another round of grant programs for elevation and for buy-out that will take place around March and some of the home owners are willing to take that option but his office needs to prepare for that grant cycle to come back.

Ms. Evans asked if the funds for the elevation of homes are being provided by FEMA.

Mr. Van Mill stated that the funds are provided by FEMA.

Ms. Evans asked if the work is being done by local contractors.

Mr. Van Mill stated that he believes that it is.

5. Historic Preservation

• Limestone Cemetery Nomination Landmark

Ms. Sadler stated that Mardene Hinton who is the chairman of the Historic Preservation Commission is going to discuss the Limestone Cemetery landmark.

Ms. Hinton stated that the County Preservation Commission would like to submit to this committee and the county board for approval the Limestone Cemetery in Limestone Township to become a landmark in the county. It would be significant from its first burial in 1835 through 1965. The 1965 date means that nothing can be a landmark that is not already 50 years old. It gives us a lot of information about the people that are buried there and what they did in the community before they died.

Mr. Tholen made a motion to approve and Mr. Mulcahy seconded it. Motion carried with a voice vote.

Mr. James asked if doing this gives it some kind of significance so that funds can be obtained to maintain the property.

Ms. Hinton stated that the Limestone Township has already been given the authority to take care of that property and they are doing a nice job.

Mr. Reid asked if there are still burials in that cemetery.

Ms. Hinton stated that it is an active cemetery.

- **Update of the Historic Preservation Ordinance**

Ms. Sadler stated that the commission was going through the ordinance that was passed in 2009 and most of the changes that they have made are grammatical changes. There were some inconsistencies throughout it and they have added some new definitions and pre-qualifications but nothing was very significant. They would like to get it approved by this committee to move this forward.

Mr. Vickery made a motion to approve and Mr. James seconded it. Motion carried with a voice vote.

6. Revolving Loan

- **RL Grant for Road Improvements – Mومence Packing**

Mr. Skimerhorn stated that the Revolving Loan Review Committee met on October 22, 2015, to hear the proposal by Mومence Packing Company for a county infrastructure grant for \$150,000. Back in August of this year they amended the Revolving Loan Fund's recapture strategy to explicitly say that they would consider infrastructure projects that would result in job creation and economic growth and this proposal meets those requirements.

Mr. Tyson gave an overview of the proposal from Mومence. They are proposing to redo Mechanic Street. It needs to be updated and the cost of upgrading it is going to be about \$1.8 million. They have applied to the Economic Development Program and have received a grant from them for a little over \$1.2 million. The City of Mومence is working with the three companies that are along that road and they going to fund part of it. There is also \$49,000 in TARP funds so they are looking for help from this grant to be able to build this road and keep these businesses open.

Mr. Bossert made a motion to approve and Mr. Tripp seconded it. Motion carried with a roll call vote of 12 ayes and 0 nays. Voting aye were Mr. Bossert, Mr. Tripp, Mr. Reid, Mr. James, Mr. Liehr, Mr. Tholen, Mr. Vickery, Mr. Mulcahy, Mr. Einfeldt, Mr. Washington, Ms. Evans, and Ms. Polk.

Mr. Vickery stated that it will be a great improvement

Mr. Bossert asked what the balance was in the Revolving Loan Fund.

Mr. Van Mil stated that it is around 300,000.

7. Zoning

- **ZBA Case#15-12; request for a Rezoning from A1-Agriculture District to RE-Rural Estates District on a parcel generally situated in Section 10 of Salina Township. The petitioners are Jason E Cole and Allison M Cole, property owners and applicants.**

Mr. Skimerhorn stated that about 11 years ago the Cole's bought a 20-acre parcel and built their home on it but because of recent financial difficulty they would like to parcel off 3 acres with the home and keep that and sell 17 remaining acres to an adjoining farmer. The ZBA voted to deny the rezoning 5 to 0 based on their disagreement with Finding #1 – that the rezoning is not consistent with the zoning ordinance as it does not preserve or promote agriculture. There was no public comment at the hearing.

Mr. Vickery made a motion to reject and Mr. James seconded it. Motion carried with a voice vote.

- **ZBA Case#15-14; request for a Variance to Section 121-99.g.1 (Front Yard Setbacks) on a parcel generally situated in Section 12 of Essex Township. The petitioner is Glenn Kirchner, property owner and applicant.**

Mr. Skimerhorn stated that this case did not go before the ZBA because the applicant failed to give proper notice to surrounding property owners so it will come back at a later time.

- **ZBA Case#15-15; request for a Rezoning from R1-Single Family Residential District to A2-Agricultural Estates District on a parcel generally situated in Section 16 of Limestone Township. The petitioners are Gene R. & Cynthia L. Sidener, property owners and applicants.**

Mr. Skimerhorn stated that back in September his office sent a violation notice to the property owner based on complaints that they received regarding the keeping of semi-trucks on the parcel which is what prompted the rezoning to A2 which would allow trucks to be kept there. During the hearing Glenn Kramer the Limestone Township Highway Commissioner raised objections that the access roads to the property were not built to handle truck traffic. Cynthia Baker an adjoining property owner raised concerns with the trucks, also. ZBA voted 4 to 1 to deny the request as they did not agree with Finding #2 and that it was not consistent with the goals, objectives, and policies of the county's comprehensive plan. They did not offer any explanation as to why they felt it was not consistent with it.

Ms. Evan stated that, if what the family is stating is correct, that when this initially came about nine years ago there were no issues but now there is then that concerns her.

Mr. Skimerhorn stated that he does not know what happened nine years ago. On the building permit application for the pole barn it states that it was to be used for storage. There was no mention of trucks. The limitation on trucks and the storage of trucks in the R1 district has been in our zoning ordinance since at least the 1980's.

Mr. Bossert asked, if there had been mention at the time about the use to store semis, would the construction standards been different with regards to the shed.

Mr. Skimerhorn stated that he is not the county's building inspector and he is not up on all of the requirements but it is his understanding that a containment system of some sort would have been required in the building to contain any possible leaks from the trucks. A containment system is a collection system that consists of floor drains that goes into a tank that holds anything that would come off a truck.

Mr. Tripp stated that sometimes he has a tendency to lean toward common sense. If what he has heard is all accurate he really does not have a problem with it. He would probably vote against the recommendation to deny it.

Mr. James stated that his motion is to support the findings and to deny the applicant and Mr. Vickery seconded it.

Discussion

Mr. James stated that the fact that there was a violation going on for nine years is not a reason to grandfather in something that is wrong. Also, if we issue the zoning for this and if or when they move the zoning stays with the property and basically we are talking about a terminal, whether it is a one-truck terminal or a 12-truck terminal. This is a residential area. He feels bad that it went that way for nine years before the problem surfaced but it should have never existed in the first place and he does not think granting forgiveness is the answer. He cannot support changing the rezoning on this property.

Mr. Tholen asked if they could park an RV in that building.

Mr. Skimerhorn stated that they could not if it was over one ton. It is the carrying capacity of the vehicle not the actual weight of the vehicle.

Mr. Vickery stated that he has a hard time going against ZBA's recommendation.

Mr. Bossert stated that even if you change the zoning the use of semis on the rural roads is not allowed. The trucks that are consistently using the roads are causing a real hardship for townships to keep the roads maintained and built. This situation falls within that discussion.

Motion failed with a roll call vote of 5 ayes and 7 nays. Voting aye were Mr. James, Mr. Vickery, Mr. Liehr, Mr. Mulcahy, and Mr. Bossert. Voting nay were Mr. Tripp, Mr. Washington, Mr. Tholen, Ms. Polk, Mr. Reid, Mr. Einfeldt, Ms. Evans.

- **ZBA Case#15-16; request for a Special Use Permit #121-99(c) (33) Adaptive Reuse in the A1-Agricultural District and a Variance to Section 121-294(c) (4) (materials used to expand gravel storage area) on a parcel generally situated in Section 22 of Rockville Township. The petitioner is Manteno Real Estate Holdings, LLC, property owner and applicant.**

Mr. Skimerhorn stated that this is a request for a special use permit for their new adaptive reuse category in the A1-Agricultural district and for a variance to allow a gravel storage area rather than a hard surface of cement or asphalt on the storage area. The property is a 23.98 acre located in section 22 of Rockville Township. It is the former Summit Seed Distribution Facility. They are requesting the special use permit to allow an electrical equipment distribution company to utilize the buildings. The company that is going in there leases testing equipment for electronic equipment such as generators. The ZBA voted 5 to 0 to approve and there was no public comment. There are three conditions that the zoning board placed on the approval of the special use permit. One is that all testing, repair, and maintenance of equipment must be performed in an enclosed structure. The second one is that the facility must conform with the Performance Standards for industrial properties as outlined in Section 121-207 of the Kankakee County Zoning Ordinance and the third one is that the property owner will construct a 3" thick hot mix asphalt surface along the entrance from the existing roadway pavement to the property line of the property per the direction of the Kankakee County Highway's regulation for commercial entrances.

Ken Carlson, on the behalf of Manteno Real Estate Holdings, stated that the some of the conditions will be done before they occupy the building but others will be ongoing. Their intent is to expand on this site and to keep them in Kankakee County.

Mr. Reid asked if it was a wholesale business.

Mr. Carlson stated that it was not. Their primary business is leasing load banks to test the capacities of electrical systems.

Mr. Vickery made a motion to approve and Mr. Mulcahy seconded it. Motion carried with a voice vote.

8. Transportation

- **Transportation Funding Status**

Mr. Olsen stated that they have received a check from the state for the first quarter for rural transit. Hopefully, they will continue.

Mr. Olsen stated that right now on the MPO side of things with Planning the State has not paid them yet since the beginning of the fiscal year because they do not have a budget, despite the fact that all of the funding that gets dispersed to them is federal funding but it has to go through the State's Comptroller's Office first. He is working with some people at IDOT who are working with the federal highway administration in trying to bypass the Comptroller's Office which would get them at least 83% of their reimbursement as 17% comes from the FTA and there have been no discussions on the FTA trying to get people paid but at least the majority of their reimbursement is in the works.

Mr. Liehr asked if the money that is being withheld is part of the \$660,000 that was reported at the Finance Committee.

Mr. Bossert stated that it is.

9. Old Business

10. New Business

- **One Opening on Historic Preservation Commission**

Mr. Washington announced the above opening.

Ms. Sadler stated that the opening would have to be filled by an attorney.

Mr. Bossert stated that Mr. Van Mill will be leaving at the end of this month. On the behalf of this committee he would like to thank Mr. Van Mill for his dedicated service to the county over the last many years. He thinks he has guided us well and got us through some rough waters. His leaving is a big loss to the county.

Mr. Van Mill stated that he started his career here in 1988 and there have been many board chairmen and board members that he has had great relationships with and he will cherish those. He thanked the committee for the recognition.

Mr. Vickery stated that he wanted to echo the comments by our Chairman. It has been quite a trip for the Economic Alliance and his leadership through all of the travails has been phenomenal. He will be missed and the eastern end of the county is going to suffer this loss. On behalf of the eastern part of the county, he thanked Mr. Van Mill for supporting their community.

Mr. Washington stated that Mr. Van Mill stepped into the leadership of the Alliance when there was really no structure to facilitate, retain, or bring in new manufacturers and he did a phenomenal job of creating an

atmosphere whereby we could retain the industry we have, help with the expansion of industries, and he too echoes all the sentiments.

11. Adjournment

A motion to adjourn the meeting at 10:05 a.m. was made by Mr. Reid and seconded by Ms. Polk. Motion carried.

George Washington, Committee Vice-Chairman
Joanne Langlois, Executive Coordinator