

**VILLAGE OF JOHNSBURG
AUGUST 19, 2025 REGULAR MEETING
OF THE PRESIDENT AND BOARD OF TRUSTEES**

President Hettermann called the meeting to order at 7:00 p.m. in the Village Hall.

Attendees

Trustee Mike Fouke
Trustee Josh Hagen
Trustee Scott Letzter
Trustee Jamie Morris
Trustee James Sylvanus
Trustee Keith Von Allmen
Village Administrator Claudett Sofiakis
Assistant Village Administrator Vinny Lamontagna
Chief of Police Jason Greenwald
Attorney Michael Smoron
Village Engineer Tim Hartnett (absent)
Special Projects Coordinator Rick Quinn

PUBLIC COMMENTS – Mark Adams of 520 Bald Knob Road attended to discuss noise concerns associated with Backyard Bar and Grill. He discussed experiences he had with police responding to calls of complaints and referenced several sections of the Village’s code, questioning the lack of enforcement.

Roberta Miller from Oakland Subdivision attended to speak on behalf of the majority of the residents of the subdivision. She expressed concerns with negative impacts the Hidden Harbor development will have on her neighborhood related to noise, safety and quality of life. She questioned the ability for emergency responders to reach her neighborhood if access is limited and the impact the added traffic from the development will have on Chapel Hill Road. Ms. Miller stated that she and her neighbors do not feel the proposed development is suited for the Village and asked that the board support its residents and consider rejecting the project.

Gary Kancer of Oakland Subdivision also attended to express concerns with the development proposal. He stated that the proposed number of boat slips and garages will draw a significant number of persons and their guests and questioned how parking will be accommodated. He also questioned how vehicles are going to exit from Salem Avenue and stated that if the road were realigned with Bay Road at the traffic signals it may have less of an impact.

Mike Maritech attended regarding the proposed text amendment to allow Athletic Facilities, Gymnasiums, Fitness Centers in the I-1 zoning district. He shared a list of gyms that are located in areas with industrial type zoning and asked the Board to focus on the benefits of the text amendment.

In response to statements made, President Hettermann advised that the Ordinance Committee will be meeting on Thursday to discuss the noise ordinance and acknowledged the petition and concerns raised by the residents in Oakland Subdivision.

OMNIBUS AGENDA – Trustee Sylvanus moved to approve the Omnibus Agenda. Trustee Fouke seconded the motion. All Trustees present voted aye on the roll. Motion carried.

OMNIBUS AGENDA

- Move to approve the minutes of the August 5, 2025 meeting of the President and Board of Trustees
- Move to approve Pay Request #1 to Geske and Sons in the amount of \$341,126.93 for the 2025 Road Resurfacing Program
- **Disbursements**
- General Fund \$197,365.84
- MFT 4,710.00
- Waterworks & Sewage Fund \$ 15,936.87
- Total All Funds \$218,012.71

PRESIDENT'S REPORT – President Hettermann advised that the board will meet on September 9th and September 23rd and a Committee of the Whole meeting will be held on September 23rd as well. The Committee of the Whole meeting is canceled for August due to scheduling conflicts with the Labor Day weekend.

Special Projects Coordinator Rick Quinn reported on a meeting held with McHenry County DOT and Mike Oliver regarding access to the proposed Hidden Harbor development. He explained that Mr. Oliver was directed early in the process to meet with the County as they have jurisdiction over Chapel Hill Road. Since that time Mr. Oliver has been working with the County to secure access to the development and insure that the entrance at the intersection of Charnbrook Drive is properly aligned with turn lanes offset to address site distance challenges. He added that Mr. Oliver has continuously been advised that access via Salem Avenue would only be permitted if the County allowed full access at the intersection as the Village would not be supportive of adversely impacting the residents of Oakland Subdivision by limiting the access.

Mr. Quinn reported that at the meeting County representatives informed Mr. Oliver that access via Salem Avenue would be limited to right in right out. They further advised that alternatively, he could realign Salem Avenue with Bay Road or limit his access from Chapel Hill Road to the intersection alignment with Charnbrook Drive. Mr. Oliver discussed the possibility of only accessing at the entrance aligned with Charnbrook Drive and providing a frontage road on this property to access the storage units as he does not want people traveling through the vehicle condominium area. Mr. Quinn reiterated that Mr. Oliver was advised that because his plan has already changed from what was originally noticed up before the Planning and Zoning Commission, he will need to pursue another public hearing before the Commission. With that in mind, Mr. Oliver was instructed to update his plans after receiving decisions from the other agencies and address outstanding engineering comments before proceeding back before the Commission.

Mr. Quinn explained that Mr. Oliver does not want to realign Salem Avenue in conjunction with his development but would rather the Village be responsible for the realignment for which the Village would have to pursue bonds. He added that Mr. Oliver is agreeable to setting aside funds through the TIF to pay for the realignment, however, he wants to recoup all of the funds he is seeking through the TIF before the Village is able to receive any of the tax increment. Mr. Quinn stated that Mr. Oliver should be advised of where the Village stands as it relates to the TIF so he can make an informed decision about proceeding with the development. He added that Mr. Oliver stated in his last correspondence that if he cannot receive 100% of the TIF increment, he will have to remove some of the public improvements from his plans. Mr. Quinn informed the board that during the meeting with the County, Mr. Oliver stated that he intends to have traffic for all of the storage units access through Salem Avenue and not allow any access through the vehicle condo area. Additionally Mr. Oliver discussed a large storage building on the south side of Salem

Avenue that will only be accessed by his employees which he would like to allow access into the storage area by crossing Salem, using a gate to control the access. Mr. Quinn recommended that if that is allowed, the Village institute strict fines for any violations.

Mr. Quinn stated that at the close of the meeting, it was understood that Mr. Oliver was going to update his plans and work to obtain approval from other agencies. Lastly, he clarified that the County's concerns regarding the access at Salem Avenue are related to safety due to the type/size of vehicles and the proximity to Bay Road and not necessarily the projected traffic counts.

Trustee Letzter questioned if Mr. Oliver has responded to HR Green's letter. Mr. Quinn stated that he does not believe that he has. Trustee Hagen stated that based upon Mr. Oliver's email, he is under the impression that the Board is okay with allowing him to receive 100% of the TIF increment before anyone else can receive funds through the TIF. He stated that he believes there is a disconnect between what the Village expects and what Mr. Oliver thinks the Board is okay with. All Trustees concurred that they are not agreeable with waiting to receive any of the TIF increment until after Mr. Oliver has recouped 100% of what he proposes to receive through the TIF.

STAFFING ANALYSIS – Trustee VonAllmen shared a proposed resolution to seek an RFP to conduct a staffing analysis which he requested to be included on the next Board agenda for discussion.

CELEBRATION IN THE PARK – Trustee Fouke reported on plans for the Celebration in the Park event scheduled for October 4th in Hiller Park.

JACKED VENDING MACHINES - The Board discussed a proposed agreement with Jacked Vending Machines to place vending machines in Hiller and Sunnyside parks. Attorney Smoron expressed concerns that the contract does not provide details related to what the expenses are that will offset profits to the Village, and because of that, he suggests the inclusion of a short termination period. Assistant Administrator Lamontagna discussed some formulas included for estimates. President Hettermann questioned if any estimates were provided for potential of electric costs and if a separate meter will be needed. Trustee Hagen suggested that a more straight forward terms be considered. Mr. Lamontagna stated that provided contract examples from other facilities but the vendor was not open to following those templates. Trustee Fouke expressed a desire to establish a defined fee rather than percentage. Trustee Quinn explained that the board viewed the proposal as an opportunity to provide a service that would benefit the community, not about making a profit however, the vendor is using the Village's property and we should determine the cost impacts and keep it simple. Mr. Lamontagna was directed to work on a defined fee agreement with the vendor.

AMENDMENT TO I-1 ZONING DISTRICT - Trustee Letzter questioned if the petitioner's property is the only property in the Village zoned I-1. Mr. Elser confirmed that it is. Mr. Letzter expressed concern with impacts the change could have on persons seeking I-1 zoning on other properties in the future.

Trustee Morris questioned why the petitioner is not pursuing a change to B-1 zoning to accommodate gym. Trustee Sylvanus stated that the owners may want to use the property in an industrial capacity in the future. Trustee Morris expressed concern with potential conflicts resulting from incompatible uses if he decides to use the property for industrial purposes in the future. Mr. Elser stated that if the gym is not allowed he will pursue manufacturing on the property. Trustee Fouke stated that he does not have concerns with the use being allowed in the I-1 zoning district. President Hettermann pointed out that the property does not conform to the requirements of the I-1 zoning district and when changing the use, the property needs to meet the requirements of the district. He added that when the variance was granted to Radicom for the accessory structure, it was granted on the basis that all of the items being stored outside

would be placed in the building, however the petitioner is now storing items outside. He added that if the Village is going to consider the request everything needs to be stored inside. Attorney Smoron questioned if outside storage is taking place on the property. Mr. Elser confirmed that he is storing personal items and containers on the property. Attorney Smoron concurred that the minutes from the zoning hearing at which the variance was considered for the accessory structure reflect that all items would be stored inside. President Hettermann expressed concern with the property becoming a junkyard in the future. He explained that even if the petitioner keeps it orderly now, someone in the future may not. President Hettermann reiterated that if the use is going to be allowed, it needs to be made clear that everything needs to be stored inside. Trustee Hagen stated that is not the question before the board.

Trustee Letzter remarked that the petitioner indicated if the request is not approved, he will manufacture pallets on the property and the activity will result in deliveries and stock piling of materials. Mr. Elser confirmed that if his request is not approved he will pursue manufacturing on the property and clarified that deliveries would likely be made by box trucks and flat beds.

Trustee Morris questioned how many people are in the building. Mr. Elser stated that there are three office employees along with himself, his partner and a flex sales person, the CrossFit coach and ten participants. He added that not many improvements were needed for the gym as the activity basically requires mats and some equipment. Trustee Morris questioned if the septic is suitable for the activity on the property. Mr. Elser stated that it is.

ADJOURNMENT – Trustee Von Allmen moved to adjourn the meeting. Trustee Hagen seconded the motion. All Trustees voted aye on the roll. Motion carried 8:50 p.m.

Respectfully Submitted,

Claudett Sofiakis
Village Administrator