

**VILLAGE OF JOHNSBURG
NOVEMBER 19, 2019 REGULAR MEETING
OF THE PRESIDENT AND BOARD OF TRUSTEES**

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

Attendees

Trustee Greg Klemstein
Trustee McEvoy (absent)
Trustee Josh Hagen
Trustee Tom Curry
Trustee Frost
Trustee Beth Foreman
Village Attorney Michael Smoron
Special Project Coordinator Rick Quinn
Village Engineer Tim Hartnett
Assistant Administrator Vinny LaMontagna
Sergeant Michael Vollmer

President Hettermann opened the meeting with a historical account of the zoning map and text amendments included on the Board agenda for consideration. He stated that the Village Board directed the Planning and Zoning Commission to consider the amendments in an ongoing effort to insure that the Village's ordinances remain consistent and appropriate in accordance with Illinois law. President Hettermann explained that the map amendments, if approved, zone parcels along Johnsburg Road, between Spring Grove Road and Route 31, B-2 General Business District, consistent with majority of the zoning along Johnsburg Road from Spring Grove Road to May Avenue. He pointed out that the Johnsburg Road corridor strategically links the Downtown with the Route 31 corridor and is well suited for valuable business development that can provide much needed shopping, dining and professional services for our community. President Hettermann explained that text amendments are also being considered to address uses that are not well suited in some districts based upon the objectives set forth in the Johnsburg Zoning Ordinance.

President Hettermann stated that the Planning and Zoning Commission met on the amendments on September 10th and September 24th and following those hearings recommended approval of the amendments except for the removal of "Church: Place of Worship" as conditional uses in the Business districts. He added that the recommendation came before the Village Board in October at which time a resident expressed that she felt more notices should have gone out. President Hettermann explained that even though the Village sent out notices as required by State statute, the Board decided to send out additional notices and hold an additional hearing. At the conclusion of that hearing on October 29th, the Planning and Zoning Commission stood by their original recommendation and supported the amendments proposed by the Board except for the elimination of churches as conditional uses in the business zoning districts.

AUDIENCE PARTICIPATION – Pastor Neil Lindwall of 2742 Barney Court in McHenry attended on behalf of Lighthouse Church and differed to their attorney Mark Saladin. Mr. Saladin reviewed the Church's efforts to date to pursue a zoning amendment to permit a church on the Ford property on Johnsburg Road. He stated that the Church has had a contract on the property since June and they would like the property to be either removed from the petition and remain zoned agricultural so that they can pursue a conditional use for the Church, or zoned B-2 and allow churches to remain as conditional uses in the Village's Zoning Ordinance. He stated that some residents have expressed a desire to have the church on the property rather than a more intense B-2 use. He acknowledged that a church would render the property tax exempt but expressed that the Village will benefit from the church members who want to be a part of the community and the benefits the church hopes to provide youths in the community.

Pastor Neil Lindwall thanked the board for their consideration and stated that he understands that the Board is looking to make changes that would benefit the community but emphasized that tax dollars are not the only consideration of what is beneficial to a community. He expressed that he believes the Church can make a positive contribution to the community.

Bobbie Foskett stated that he attended on behalf of the Dutch Creek Woodlands homeowners association. He explained that the subdivision consists of 132 homes in a unique neighborhood and he is concerned with the proposed B-2 zoning. Mr. Foskett stated that he is concerned with the impact to home and aesthetic values. He acknowledged that change does occur but stated that he does not believe B-2 zoning belongs next to a residential area. He stated that he see residential uses, not businesses locating along Johnsbury Road and suggested the village get professional planners to look into the matter.

Carla Seaborn of 3507 Jamesway attended and read a list of questions previously submitted to the Village.

Gerald Key of 2715 Parker Lane attended on behalf of Lighthouse Church. He stated that he owned a business across from the church and expressed his support for Lighthouse Church as he feels the church does much for the youth in the community. He stated that he has been a resident of Johnsbury for eight years and believes it is a great community.

Tom Fowler of 3302 Chapel Hill Road attended to express his support for Lighthouse Church of which he is a member.

Joseph Jaax signed in but chose not to speak

Matthew Menoni of 3421 Jamesway attended and submitted a petition with 46 signatures opposed to B-2 zoning adjacent to Dutch Creek Woodlands. He stated that he received additional signatures online. Mr. Menoni expressed that currently the Village's downtown area has many vacant properties and the Village should work to fill those parcels first. He added that downtown business districts should be walkable and provide a transition to more intense uses. He stated that the Village made considerable investment in the Comprehensive Plan, Route 31 Corridor and Downtown Plan and he believes the proposed changes should be done with input from an engineer or planner. Mr. Menoni stated that he received notice of the proposed changes one month prior when a notice was sent with the proposed ordinance. He opined that if the zoning is approved it will allow the Village little discretion. Mr. Menoni expressed that he is not opposed to progress but until the downtown area is bustling with business he believes there is no need for more business zoning. He stated that the Village should get input from a professional consultant before making changes. Mr. Menoni read the Village's Vision and Mission Statements and questioned if the proposed changes are consistent with those statements. In closing, he asked the Village Board to turn the amendments down or table the matter until an engineering firm can be hired to provide input on the matter.

Timothy Manning of 2708 Old Oak in McHenry attended in support of Lighthouse Church. He explained that he lives in unincorporated McHenry County and worked for McHenry Township Fire Protection District. He asked for the Board's consideration on behalf of Lighthouse Church.

Theresa Hagen attended and read an email she attempted to send but had difficulty submitting. She explained that she and her husband moved to Johnsbury in 1990 and raised their family in the community. She explained that she and her husband are members of Lighthouse Church and believe that the Church will be a valuable addition to the community. She asked the Board to retain the conditional use to allow for churches.

OMNIBUS AGENDA – Trustee Frost moved to approve Omnibus Agenda. Trustee Hagen seconded the motion. Trustee Curry requested the removal of Ordinance 19-20-19 amending the Village’s Comprehensive Land Use Plan. All Trustees voted aye on the roll. Motion carried.

- Move to approve the minutes of the November 5, 2019 Regular Meeting of the President and Board of Trustees
- Move to approve Ordinance 19-20-19 Amending the Village of Johnsburg’s Comprehensive Plan
- Move to approve Ordinance 19-20-23 Amending Chapter 12 of the Johnsburg Municipal Code
- Move to approve Ordinance 19-20-24 Approving the Tax Increment Financing Eligibility Study and Redevelopment Plan and Project for the Bush School Redevelopment Project Area
- Move to approve Ordinance 19-20-25 Designating the Bush School Redevelopment Project Area
- Move to approve Ordinance 19-20-26 Adopting Tax Increment Financing
- Move to approve Intergovernmental Agreement for McRide Dial-A-Ride Transit Services in 2020
- Move to approve Ordinance 19-20-27 Annexing the Rowe Property Commonly Known as 2707 North Chapel Hill Road.

Disbursements

• General Fund	\$111,382.93
• MFT	\$
• Waterworks & Sewage Fund	\$ 3,662.44
• Golf Course	\$ 385.79
• Debt Service/SSA Fund	\$
• Total All Funds	\$115,431.16

ORDINANCE 19-20-19 - Trustee Frost moved to approve Ordinance 19-20-19 amending the Village of Johnsburg’s Comprehensive Plan. Trustee Hagen seconded the motion. Trustee Curry requested to table action on the ordinance so that his committee could have an opportunity to review the matter further. Trustee Hagen agreed that the Village has looked at the area as a potential business district but there are some unique aspects to the area that should be reviewed. Trustee Klemstein concurred.

Trustee Foreman questioned if all notices requirements were met. President Hettermann stated that the Village provided more notices than required. Trustee Frost agreed that committees should get an opportunity to weigh in before the Village Board acts on the matter. Attorney Saladin expressed that there are some time concerns regarding the contract on the Ford property.

President Hettermann pointed out that Mr. Menoni has expressed concerns regarding other parcels and therefore time should be spent further reviewing the matter and obtaining additional input. He explained that the B-2 properties currently situated all along Johnsburg Road were grandfathered in however the parcels affected by the proposed change need to meet the minimum lot size of 2 acres. President Hettermann added that there was concern expressed regarding the possibility of another liquor establishment being permitted on one of the subject parcels. He explained that before that could occur, the Board would need to authorize additional licenses and a zoning hearing would need to take place to consider granting a conditional use.

Trustee Curry move to table action related to the proposed Comprehensive Plan amendments to January 7, 2020 to obtain input from other committees. Trustee Frost seconded the motion. All Trustees present voted aye on the roll. Motion carried.

PRESIDENT'S REPORT – President Hettermann reiterated that the Village Board will only have one more meeting before the end of the year on December 10, 2019.

BUSH SCHOOL REDEVELOPMENT AGREEMENT – Attorney Smoron reported that a draft was prepared and the Village is waiting for feedback from General Capital Group. President Hettermann asked the Board to direct any questions or concerns to Attorney Smoron, Ms. Peters or Mr. Lamontagna prior to the next meeting at which time the matter may be included on the agenda for consideration by the Board.

UNFINISHED BUSINESS

SIGN ORDINANCE - Trustee Hagen moved to approve Ordinance 19-20-12 Amending Section 9 Signs of the Johnsburg Zoning Ordinance. Trustee Frost seconded the motion. Trustee Hagen reported that members of JABA provided input and some clarification revisions have been incorporated into the Ordinance at their request. Trustee Hagen explained that the only outstanding concern was raised by Dr. Northern who asked that “Attention-Getting Devices” for special events be allowed every other month instead of quarterly. The Board concurred and agreed to incorporate the change. All Trustees present voted aye on the roll. Motion carried.

ORDINANCE 19-20-18 TEXT AMENDMENTS - Trustee Frost moved to table Ordinance 19-20-18 Approving Map and Text Amendments to the Johnsburg Zoning Ordinance to January 7, 2019. Trustee Foreman seconded the motion. All Trustees present voted aye on the roll. Motion carried.

COMMITTEE REPORTS – Trustee Klemstein reported that the Finance Committee will meet on the Tax Levy in December and bring forward a recommendation to Board on December 10th

Trustee Frost reported that the Ordinance Committee is reviewing an ordinance related to Cannabis Use and Trustee Foreman reported on that status of arrangements for the upcoming Holiday Magic event.

ADJOURNMENT – Trustee Curry moved to adjourn the meeting. Trustee Foreman seconded the motion. All Trustees present voted aye on the roll. Motion carried at 8:14 p.m.

Respectfully Submitted

*Claudett Peters
Village Administrator*