

**VILLAGE OF JOHNSBURG
JANUARY 5, 2021 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 Greg Klemstein
Trustee McEvoy
Trustee Josh Hagen
Trustee Tom Curry
Trustee Frost
Trustee Beth Foreman
Attorney Michael Smoron
Special Projects Coordinator Rick Quinn
Police Chief Keith VonAllmen

AUDIENCE PARTICIPATION – Eleri Jane of 1212 Acre Lane attended to express support for the open burning survey and shared her views on why she believes yard waste pickup needs to be implemented throughout the Village.

OMNIBUS AGENDA – Trustee Hagen moved to approve the Omnibus Agenda. Trustee Foreman seconded the motion. Trustee McEvoy requested the removal of the purchase of portable radios. All Trustees present voted aye on the roll. Motion carried.

- Move to approve the minutes of the December 15, 2020 Regular Meeting of the President and Board of Trustees
- Move to approve Ordinance 20-21-32 Amending Chapter 41 Hotel Motel Tax of the Johnsburg Municipal Code
- Move to ratify purchase of fifteen Motorola portable radios at a cost of \$54,019.17
- **Disbursements**
- General Fund \$628,758.01
- MFT
- Waterworks & Sewage Fund 75,736.51
- Land and Building 99,112.88
- Golf Course Fund 71.82
- Total All Funds \$803,679.22

MOTOROLA RADIOS - Trustee Hagen moved to approve the purchase of Motorola portable radios at a cost of \$54,019.17. Trustee Frost seconded the motion. Trustee McEvoy questioned who the radios are for. Ms. Sofiakis confirmed that they are for the police department. Chief VonAllmen explained the need to replace the radios to enable communications with other police agencies throughout the County as those agencies are upgrading to encrypted systems. He explained that group pricing is being obtained because several agencies are upgrading at this time. Chief VonAllmen stated that he is looking into our ability to sell the department's exiting radios. All Trustees voted aye on the roll. Motion carried.

PRESIDENT'S REPORT - President Hettermann discussed the appointment of Scott Letzter as Chairman of Planning and Zoning Commission and MaryBeth Adams to the vacant seat on the Planning and Zoning Commission. He then presented Public Works employee Joe Kleinhazel a plaque in recognition of five years of service to the Village.

MUELLER VARIANCE – Trustee McEvoy moved to approve Ordinance 20-21-34 Granting a Variance to Section 7.1-7, Accessory Structures for the property commonly known as 3305 Ramsgate Lane. Trustee Curry seconded the motion. The applicant, Eric Mueller, attended. He explained that he contacted the Village in August to inquire about whether or not he would need a permit for a shed at which time the Village addressed his questions. He stated that he was provided accurate information however he was not informed of the concrete floor requirement for sheds greater than 168 square feet. He acknowledged that he did not know the size of the shed he planned to pursue at that time. He explained that shortly thereafter he proceeded to order his shed and followed up with the Village at the beginning of October to apply for permit at which time he was told he would need a concrete floor. Trustee Frost questioned the cost to lift and pour a concrete floor. Mr. Mueller explained that he would incur costs for the concrete and the cost to have the shed lifted and temporarily relocated and then repositioned on the concrete slab. Trustee Foreman explained that in the case of variances, a hardship needs to be identified and questioned Mr. Mueller's hardship. Mr. Mueller stated that he would incur an additional cost of approximately \$1800. Trustee Foreman explained that a hardship cannot be financial, it would have to be something restrictive on the property. President Hettermann confirmed with Attorney Smoron that if approved, the action by the board would set a precedence. Mr. Hartnett questioned if their design builders looked into the permit requirements before designing. Mr. Mueller stated they directed him to check into permitting requirements. He added that if he has to provide a concrete floor he could potentially experience another half of the shed's cost in addressing the foundation. He explained that in addition to the cost of moving the shed, pouring the slab and replacing the shed, he will also have to remove the wooden floor. Trustee Curry expressed sympathy but explained that it is the owner's responsibility to obtain the necessary permits and meet the requirements. President Hettermann explained that the variance request does not appear to meet the hardship requirement. Mr. Mueller questioned if neighbors would attend to express support would it make a difference. Trustee Foreman, explained that it is not a question of neighbor support, the Board has to consider precedence and hardship. Trustee Hagen added that because he did not secure the permit in advance, the Village was not provided sufficient time to review and provide him thorough feedback before designing the shed. Trustee Frost stated that he does not want to set precedence by granting a variance and suggested the Village provide the applicant time to check into the cost and arrange to lift the shed and pour a concrete foundation. President Hettermann called for action on the motion. All trustees voted no. Motion failed.

Trustee McEvoy moved to provide the applicant until the end of July to bring the shed into compliance with Village ordinances. Trustee Hagen seconded the motion. All Trustees voted aye on the roll. Motion carried.

DAVID G. DOMINGUEZ MUNICIPAL FACILITY - Chris Hansen and Mike Elliot of Kluber Architects and Engineers attended the meeting to review the final plans for the David G. Dominguez Municipal Center expansion project. They reviewed the initial plans considered and discussed the changes that were made to accommodate site conditions. Mr. Hansen explained that contingencies are included as part of the base bid so that unforeseen issues can be decided promptly. He added that the contingencies were initially established at 10% of the cost but have been reduced to 5% as they have never experienced 10% increases on any of their projects. Mr. Hansen explained that the original estimate was approximately \$3.8 million and since that time, the building has increased by approximately 4%.

Special Projects Coordinator, Rick Quinn remarked that he believes the plan makes good use of what we have and although it provides for a new lobby and board room 75-80% of the cost is attributable to the police department which has to meet specific criteria required for a police facility.

Mr. Hansen stated that the team remained sensitive to the surrounding neighborhood throughout the design process. He added that the plan includes an emergency backup generator for the entire building, lockers, high density file storage, reception desk and card access in the base bid. Mr. Hartnett remarked that the public works employees did a lot to keep site preparation costs down by installing the conduit for the new electric service, relocating playground equipment, removing the volley ball courts and preparing the site to be shovel ready.

Trustee McEvoy moved to proceed with advertising for bids. Trustee Foreman seconded the motion. All trustees voted aye on the roll. Motion carried

COMMITTEE REPORTS - Trustee Frost reviewed the proposed outdoor landscape burning survey and asked the board to provide input to staff so that the survey can go out in a week. Trustee Frost left the meeting at this time.

Trustee Foreman expressed concern with UTV's in parks. She shared an experience she had nearly getting hit by a UTV while walking her dog. Discussion occurred regarding UTV's causing damage to parks. Trustee Curry discussed incidents that have occurred where kids have almost gotten hit by golf carts and UTV's at Hiller Park and recalled one incident in which a child did get hit. He also discussed damage that has occurred to paths and private property. President Hettermann stated that the Ordinance committee is reviewing the matter and added that the Village has ordinances to address reckless behavior. He pointed out that if the incidents are as a result of children driving the vehicles, it is illegal for anyone under 16 to drive them and the police department can issue citations.

Trustee Curry discussed concerns that were raised by a residents on Church Street regarding construction related traffic accessing the Berkshire site via Church Street rather than Johnsbury Road. He stated that the developers need to improve their construction access if workers are unable to access the site via the Johnsbury Road access. Ms. Sofiakis stated that she would follow up on the matter.

ADJOURNMENT - Trustee Hagen moved to adjourn the meeting. Trustee McEvoy seconded the motion. All Trustees voted aye. Motion to adjourn was carried at 9:20 p.m.

Respectfully Submitted

*Claudett Sofiakis
Village Administrator*