

**VILLAGE OF JOHNSBURG  
MARCH 2, 2021 REGULAR MEETING  
OF THE PRESIDENT AND BOARD OF TRUSTEES**

President Hettermann called the meeting to order at 7:04 p.m. in the Village Hall.

Attendees

Trustee Tom Curry (absent)  
Trustee Beth Foreman  
Trustee Josh Hagen  
Trustee Greg Klemstein  
Trustee Kyle Frost  
Trustee Kevin McEvoy (absent)  
Village Engineer Tim Hartnett (absent)  
Assistant Administrator Vinny Lamontagna  
Police Chief Keith VonAllmen  
Village Attorney Michael Smoron  
Special Projects Coordinator Rick Quinn

**AUDIENCE PARTICIPATION** - Len Keil referenced a recent newspaper article regarding potable water availability and questioned the aquifer capacity in the area. President Hettermann stated that Mr. Hartnett would be best able to address the question but was not in attendance. Mr. Quinn stated he spoke with John Huemann of Huemann Well Drilling last year regarding the topic and he indicated that area aquifers are actually high.

Eleri Jane of 1212 Acre Lane attended via Zoom regarding the outdoor burning of landscape waste. She requested that the Board reconsider her request to ban burning and provide for alternatives. She remarked that even though a majority of the people responding to the Village's survey did not feel burning is problem, she believes it is and that it contributes to health issues.

**OMNIBUS AGENDA** – Trustee Frost moved to approve the Omnibus Agenda. Trustee Hagen seconded the motion. Trustee Frost requested the removal of Ordinance 20-21-36 and asked if property owners were in attendance. It was confirmed that they were not in attendance. All trustees present voted aye on the roll on the remaining Omnibus Agenda items. Motion carried.

- Move to approve the minutes of the February 16, 2021 Regular Meeting of the President and Board of Trustees
- Move to approve Ordinance 20-21-36 Denying a Variance to Section 10.3-4.2 Side Yard Setback for the Property at 5615 Amber Way (removed)
- Move to approve Ordinance 20-21-37 Approving a Variance to Section 7.1-2 Accessory Structures for the
- Vacant Lot at the Corner of Middle Avenue and Sunnyside Beach Drive, PIN 10-18-153-006

- **Disbursements**

• General Fund	\$187,877.82
• MFT	
• Waterworks & Sewage Fund	\$ 7,757.66
• Land and Building	\$ 425.99
• Golf Course Fund	
• Total All Funds	\$196,061.47

**ORDINANCE 20-21-36** - Trustee Frost moved to approve 20-21-36 Denying a Variance to Section 10.3-4.2 Side yard Setback for the Property at 5615 Amber Way. Trustee Hagen seconded the motion. All trustees present voted aye on the roll. Motion carried.

**PRESIDENT'S REPORT** - President Hettermann reported that a groundbreaking ceremony for the David G. Dominguez Municipal Center expansion project is being scheduled for April 11<sup>th</sup> at around 1:00– 2:00 p.m. and confirmed that all trustees could attend.

## **NEW BUSINESS**

**ORDINANCE 20-21-39 REGULATING ACCESS TO SUNNYSIDE BEACH DRIVE.** There were no questions from the Board. Gary Freireich of 1809 Sunnyside Beach Drive attended and questioned if another instrument could be considered by the Board, which would be more effective long term. Attorney Smoron explained that the Village is governed by the Illinois Municipal Code, which provides for the Village's authority through ordinances such as its Zoning Ordinance, Subdivision Ordinance etc. Mr. Smoron further explained that the Village is not a Home Rule community therefore we are bound by the Illinois Municipal Code and he is not aware of anything in the code that would allow the Village to utilize some other mechanism other than an ordinance. He suggested that if Mr. Freireich knows of some provision otherwise he can extend it to the Village.

**ORDINANCE 20-21-39 – AMENDING CHAPTER 15 TRAFFIC** – Trustee Frost reviewed changes proposed by the Ordinance Committee related to the operations of non-highway vehicles, which includes the implementation of license plates and an increase in fees to cover additional costs. The Committee recommended an initial fee of \$100 for the first year registration and \$50 each year thereafter for the renewal. The Committee also recommended the implementation of escalating fines for repeat offenses. The fine would remain at \$200 for the first offense but increase to \$400 for the second offense and \$750 for a third offence which includes the loss of privileges for one year. The committee agreed to monitor violations on an ongoing basis to see if other regulations are needed. Trustee Foreman questioned the cost of the plate. Chief VonAllmen outlined the additional expenses associated with implementing a plate such as mapping the network, enforcement, etc. Trustee Hagen expressed concern with added impacts to manpower. President Hettermann expressed support for the \$100 initial fee but expressed concern with the \$50 renewal fee. Trustee Foreman expressed concern with the registration fee as well. Chief VonAllmen explained that the intent is to support the program, not generate revenues. He pointed out that the neighboring community's fees and fines are much higher and they limit the use to six months out of the year. The Board further discussed and supported the escalating fine schedule and the initial fee but some members expressed concern with the cost of the renewal fee. Trustee Frost confirmed that the recommendation from the Committee would retroactively take effect to the beginning of the year. The matter will be included on the Omnibus Agenda for consideration at the next meeting.

**ORDINANCE 20-21-40 AMENDING CHAPTER 12 NUISANCES** - Trustee Frost pointed out that the only change is to limit the total number of trailers that can be housed on a property to four, but residents could have multiple trailers of the same type rather than one of each as is currently permitted. The matter will be placed on the Omnibus Agenda for consideration at the next meeting.

**COMMITTEE REPORTS** - Trustee Foreman informed the Board regarding the Community Affairs Committee's Parks and Field meeting, which was attended by Ted Juske from High School and local league representatives in preparation this year's seasonal field use. President Hettermann reinforced that the Board needs approve the fence being proposed by the High School before they proceed with installation. Trustee Foreman concurred and added that the Board will also see the field use rules before moving forward.

Trustee Foreman reported on the outcroppings at the Hickory Way pond. She explained that the second cropping was relocated across the pond where the Village has better access and the committee hopes to

get the project done in April. Trustee Foreman informed the Board that Celebration in the Park is being tentatively planned for the first weekend in October and Burger's in the Burg for the first Friday in August.

Trustee Hagen reported that the Johnsbury Bucks vouchers have been mailed and are circulating and restaurant activity appears to be increasing. He informed the Board that the Economic Development Committee is putting together marketing concepts and would like to get involved with the golf cart map so that it works in conjunction with local businesses. Lastly, the Committee recommended that the Board again waive the business registration this year due to ongoing COVID impacts.

Trustee Frost discussed the results of the survey related to the open burning of landscape wastes. He informed the Board that the Ordinance Committee reviewed the findings of the survey which reflects that 65% of Johnsbury residents do not believe the burning of landscape wastes is an issue in Johnsbury. The Committee unanimously recommended no changes to the Village's ordinances but did recommend that the Village include solicitations for yard waste collection in the next RFP for residential refuse and recycling services.

Mr. Lamontagna discussed a proposal that will be coming before the Board at the next meeting from Bobbie Foscett, President of the Dutch Creek Woodlands Homeowner's Association. He explained that Mr. Foscett is working in conjunction with the Fox Waterway Agency to perform dredging by the marina for Dutch Creek Woodlands. Mr. Lamontagna explained that the project if approved is expected to get underway in August and will require the removal of the dredge material via trucks traveling on Fairview Avenue and Reed Avenue. Approximately 1575 loads are anticipated over 52-79 days. Two to three trucks will be assigned to the project hauling up to 30 loads per day. One third of the material is proposed to be placed on the Huemann property at the intersection of Reed and Aspen Drive for drying and will later be sold as topsoil. Mr. Foscett will be in attendance at the next meeting to request the Village's authorization to use Fairview Avenue and Reed Avenue to haul the material. Mr. Lamontagna explained that the Waterway will load the material onto trucks situated at the end of Fairview Avenue and some water runoff is expected from the loads however the Waterway will clear the road of any spillage. Trustee Frost questioned if there is an odor associated with the material and if the neighbors have been notified. Mr. Quinn stated that there is an odor and that the neighbors should be notified. Laura King was in attendance and stated that she has lived in the subdivision for two years and has not heard anything about the project. Lori Filippone, also a resident of Dutch Creek Woodlands, stated that she was unaware of the project as well. Both urged that everyone in the subdivision be notified of the project. Ms. King questioned if anyone has approached the McHenry County Conservation District about using some of their property to dry the material rather than Mr. Huemann's property, which is at the entrance to their subdivision. Concern was expressed that the area being used to dry the material will be unsightly. Questions arose as to who should be contacted for more information about the proposed project. Mr. Lamontagna reported that Mr. Huemann and Mr. Foscett will be in attendance at next meeting to present to board.

**ADJOURNMENT** – Trustee Frost moved to adjourn the meeting. Trustee Foreman seconded the motion. All Trustees present voted aye on the roll. Motion carried at 8:24 p.m.

*Respectfully Submitted*

*Claudett Sofiakis*  
*Village Administrator*