

**VILLAGE OF JOHNSBURG  
FEBRUARY 15, 2022, 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 Tom Curry  
Trustee Beth Foreman  
Trustee Kyle Frost  
Trustee Josh Hagen  
Trustee Greg Klemstein  
Trustee Scott Letzter  
Village Administrator Claudett Sofiakis  
Assistant Administrator Vinny Lamontagna  
Police Chief Keith VonAllmen  
Village Attorney Michael Smoron  
Village Engineer Tim Hartnett (absent)  
Special Projects Coordinator Rick Quinn

**AUDIENCE PARTICIPATION** – Diane Smrz of 1715 Rosewood Lane attended to express her support for chickens. Jeff Ullrich of 1715 Rosewood Lane attended to express his support of chickens. Taylor Espinosa of 4706 Lake Dawnwood Drive attended to express thanks for the efforts of the Ordinance Committee in developing an ordinance regulating the keeping of chickens. She discussed her efforts in gathering information from other communities and email exchanges that occurred to develop the ordinance. Ms. Espinosa stated that she relied upon ordinances from communities within 15-20 miles of Johnsburg and discussed minimum lot sizes and other requirements. She noted that most of the communities permit chickens on lots smaller than one acre. Michael Olson of 2211 Golden Rod Lane attended to express support for chickens and stated his appreciation for Ms. Espinosa's efforts. Hollis Arnold of 2114 Church Street attended to support chickens. She remarked that the Village implemented non-highway vehicles in an effort to attract people to Johnsburg and she feels that allowing chickens will do the same.

**OMNIBUS AGENDA** - Trustee Curry Foreman to approve the Omnibus Agenda. Trustee Hagen seconded the motion. Trustee Klemstein removed the Intergovernmental Agreement between the Village of Johnsburg and McHenry County All Trustees present voted aye on the roll. Motion carried.

**OMNIBUS AGENDA**

- Move to approve the minutes of the February 1, 2022 meeting of the President and Board of Trustees
- Move to approve an Agreement between the Village of Johnsburg and Pitel Septic Inc. for Portable Toilet Services and Maintenance
- Move to enter into an Intergovernmental Agreement between the Village of Johnsburg and McHenry County regarding the Law Enforcement Social Services Program (removed)

- **Disbursements**

• General Fund	\$276,971.79
• Waterworks & Sewage Fund	48,064.05
• Land and Building	5,653.97
• Debt Service/SSA Fund	3,784.50
• Total All Funds	\$334,474.31

**INTERGOVERNMENTAL AGREEMENT FOR SOCIAL SERVICES PROGRAM** – Trustee Frost moved to enter into an Intergovernmental Agreement between the Village of Johnsburg and McHenry County regarding the Law Enforcement Social Services Program. Trustee Curry seconded the motion. Trustee Klemstein questioned the long term costs associated with the program as the need for additional social workers and other staff grows in the future. Chief VonAllmen explained the proposed funding of the program with McHenry County contributing one-third of the cost, the McHenry County Mental Health Board contributing one-third and the participating communities sharing in the remaining one-third of the cost. He stated that in the future the number of calls and responses for each jurisdiction will be reviewed and the cost share may change based upon experience. Chief VonAllmen added that the program is being instituted in response to new mandates brought about by the passing of the Public Safety Act which also instituted the 988 mandate. He remarked on the need for reliable social work support in policing. Trustee Klemstein expressed concern with the State's implementation of another unfunded mandate. All Trustees voted aye on the roll. Motion carried

**STRATEGIC PLANNING EFFORTS** - Trustee Foreman reported that she and Trustee Curry inventoried all Village owned parcels and their current uses. Trustee Curry explained that a recommendation will be developed regarding the future of each parcel so the Board can determine if parcels should be sold, retained in their current capacity or developed in the future. President Hettermann explained that some of the small sliver parcels were retained in the event the Village needed the land to further the wastewater treatment collection system expansion.

Trustee Hagen reported on the progress being made with Trustee Frost in furthering the Village's marketing efforts. He discussed the timeline and the need for additional staff to assist in those efforts. He added that the marketing plan will define ways to support existing businesses and expressed the need for the Village to work closely with JABA. Trustee Frost added that they are looking to develop ways for the Village to identify and brand itself. Trustee Hagen stated that they are also looking for ways to gauge the success of programs instituted.

Trustee Klemstein reported on the progress being made in establishing paths to accommodate non-highway vehicles. He stated that he and Trustee Letzter met with Village staff and drove around the areas contemplated for paths to determine the feasibility of the locations. They also toured areas that have experienced property damage due to destructive practices being pursued by some drivers of non-highway vehicles. He stated that he and Trustee Letzter plan to meet further with staff to firm up path alternatives before bringing a recommendation to the Board.

President Hettermann reported on a meeting held with Mr. Pease regarding some of the damage he experienced on vacant lots in Dutch Creek Estates. He explained that Mr. Pease is working with the Village to implement paths, enforcement and other ways of reducing the reckless/damaging activity taking place. President Hettermann reported that additional enforcement will be implemented to respond to trespassing and reckless actions being conducted by some non-highway vehicle owners. Trustee Foreman remarked that a lot of the drivers cut through the vacant property by the Jr. High. She questioned if the school has a position on how to deal with the situation. Trustee Klemstein stated that he will reach out to Dr. Johnson at the school to obtain input.

**KEEPING OF CHICKENS** - Trustee Frost discussed the Ordinance Committee's efforts related to developing an ordinance regulating the keeping of chickens on residential properties. He pointed out language developed regarding the number of chickens permitted and the requirements for enclosures. Trustee Frost explained that setbacks from adjacent properties were initially established at 25 feet and then reduced to 10 feet to accommodate the reduction in lots size requirements to .20 acres. He added that the Committee felt the number of permits initially allowed should be limited to 25 to start out slowly. The initial inspection fees is proposed to be \$100 with a \$50 annual fee thereafter. Trustee

Hagen questioned who would perform the inspections. President Hetterman stated that has not been determined.

Klemstein questioned the reduction in lot size to 8400 square feet. Trustee Frost stated that he was not certain why the committee reduced the lot size. Mr. Lamontagna stated that two of the committee members wanted to accommodate smaller lots in the R-2 zoning district. Trustee Klemstein pointed out that at 8400 square feet, the lots would be much less than a quarter acre which is 10,890 square feet.

Trustee Foreman questioned if the ordinance prohibits the selling of eggs. Trustee Frost stated that it does prohibit the activity.

President Hettermann remarked during previous Board discussions, the direction was leaning towards lots greater than one acre. He reported that the Planning and Zoning Commission did not support the keeping of chickens on small lots and would rather limit the activity to the agricultural district or larger lots such as those in the E-3 and E-5 districts.

Trustee Frost stated that the committee looked at a one acre minimum lot size first and then downgraded to half acre and then further reduced the requirements to lots measuring 8400 square feet. President Hettermann questioned how the committee proposed to deal with water front lots on which the backyard would be up against the road side of the property. He expressed that waterfront lots are seriously limited in area and he does not see how it would be possible to allow the activity on lots that small.

A question was raised regarding how many requests for permits are anticipated. Trustee Frost reported that there are likely about 8-10 people that want to keep chickens on their property. Trustee Letzter questioned making changes to regulations impacting the entire community based upon the desires of 8-10 people. Trustee Frost remarked that the committee was responding to a request by residents. Trustee Curry remarked that if only a minimal amount of people pursue the keeping of chickens he doubts anyone will even notice that it is taking place. President Hettermann pointed out that the situation came to the attention of the Village because of complaints received.

President Hettermann opined that 8400 square feet lots are too small and if the Village is going to consider a change it should be limited to larger lots. Trustee Foremann concurred. President Hettermann stated that the matter has to go back to Planning and Zoning and if the Board is going to contemplate a change it would be beneficial to propose language that is acceptable to the Planning and Zoning Commission as well as the Village Board.

Trustee Curry stated that he didn't have issues with his neighbors who raised chickens on their property until they brought in a turkey and rooster at which time it became problematic. He remarked that it is no different than having dogs. President Hettermann pointed out that dogs and cats are typically housed indoors.

Trustee Foremann expressed concern with allowing the activity on lots zoned R-2. She stated that she always envisioned if it would be allowed it would be limited to lots one acre in size or larger. Trustee Letzter remarked that if proposed language is sent to Planning and Zoning with smaller lots as currently proposed, it will not likely be supported.

Trustee Klemstein and Trustee Hagen expressed that they believe the activity can be accommodated on half acre lots. Trustee Klemstein remarked that HOA's will likely not allow residents to raise chickens on their property.

Trustee Hagen expressed concern with covering the Village's for administering and enforcing the program if it is approved. President Hettermann explained that the Village always seeks to support other

special interest programs through user fees such as in the case of non-highway vehicles. He concurred with the need to cover the Village's costs.

Trustee Letzter questioned if there are penalties for repetitive violators. Mr. Lamontagna stated that there are, similar to those implemented for non-highway vehicles.

Questions were again raised regarding who will inspect and enforce the program. President Hettermann stated that it will likely be Mr. Lamontagna and CSO Schmitt.

Trustee Curry remarked that the Village appears to bend over backwards for the golf cart community but nine or ten people that want chickens are experiencing road blocks. President Hettermann again explained the matter has to go back to the Planning and Zoning Commission and if it submitted as currently written, it will likely get kicked back again.

Trustee Klemstein requested that an inventory of lot sizes throughout the Village be done to determine how many lots could be affected based upon lot size.

President Hettermann suggested that a survey be pursued to determine how to proceed. Ms. Sofiakis offered to prepare survey questions for the Board's consideration.

Trustee Hagen expressed support for much of the language in the proposed ordinance however he feels the 10 foot setback may also be an issue. He requested that staff determine a real number associated with the cost to administer and enforce the program

Trustee Curry stated that he feels lots measuring 8400 square feet are too small but that it may be able to be accommodated on lots measuring one quarter acre.

The Board discussed some questions to include in the survey such as if the respondent is for or against the activity and if they would be okay with chickens were being kept on their neighbor's lots. The general consensus expressed by the Board was that 8400 square feet lots is too small. The Board also requested some real cost estimates for the time associated with staff review, the initial inspection, annual inspection and enforcement.

**HILLER PARK ADVERTISING** - The Board discussed advertising opportunities in Hiller Park and the language included in the agreement with Gary Lang. It was clarified that the agreement provides Gary Lang the first option on advertising opportunities for new improvements that are pursued with the use of advertising to support the cost. President Hettermann sought direction from the Board on whether they want to add advertising on the multi-use field score board and if so, who should receive the proceeds. Trustee Curry explained that the Jr. Skyhawks solicited donations for the purchase of the score board and he would like to see them be able to recoup some of the money to help further their program.

Trustee Curry again requested consideration for lightning detectors at Hiller Park and expressed that the Jr. Skyhawks would be willing to put some money towards to cost. President Hettermann remarked with today's technology people receive alerts on their phones regarding inclement weather and it can clearly be seen rolling in. Trustee Curry stated that a lot of other communities have them and he sees them when traveling with the football league. Trustee Frost suggested that the board may need to delay pursuit of the detectors as their cost may be beyond reach at this time. He suggested that the Village share the advertising proceeds for the score board with the Jr. Skyhawks with the Village retaining 75% of the funds and contributing 25% to the Jr. Skyhawks. Trustee Foremann questioned if there would be added liability for the Village if lightning detectors are installed.

Mr. Lamontagna was directed to obtain a drawing of the advertising area on the scoreboard to determine how to lay it out before pursuing advertisers. It was agreed that the Village's logo will be incorporated into the sign as is being done on the ballfield scoreboards. Trustee Frost agreed to provide a drawing.

**COMMITTEE REPORTS** – Trustee Klemstein reported that the Finance Committee is reviewing the proposed budget. He reported that the state has increased the license fee allowance for video gaming terminals to \$250. The Committee reviewed video gaming revenues being received by the establishments and recommended that the Village increase the license fee to \$250 beginning with this year's license renewals. The Board discussed the matter and expressed a desire to implement the increase in a two step process to help businesses continue to recover from the impacts of the pandemic. It was suggested that an increase of \$125 this year be implemented followed by another \$100 increase next year. The matter will be placed on the next board agenda for consideration by the Board.

Trustee Foreman reported that Trustee Hagen has suggested that a JABA member participate in Community Affairs Committee meetings to keep abreast of what is going on and look for ways to participate and help promote businesses in Johnsburg. The Board concurred that it would be helpful.

Trustee Curry questioned if the golf cart map had been published. Mr. Lamontagna stated that it has not been published but details are being finalized. Trustee Foreman questioned if the area aligned with Half-time has been secured. President Hettermann stated that it has and explained that the property is owned by the Community Club. He clarified that the path by Rescue Squad Park will run along the Community Club's fence line and will not be improved with limestone initially as the cost could be as much as \$50,000. Discussion continued regarding the path from Sunnyside Park to Angelos. Trustee Frost expressed concern that the UTV's will tear up the limestone especially on corners.

The Board discussed limiting the speed adjacent to parks to 5 mph and implenting signage reinforcing that carts need to remain on the path. Trustee Curry suggested that fees may need to be increased to cover cost of paths if they are going to cost \$50,000 as estimated for Rescue Squad Park. He expressed concern with people following regulations and referenced a picture of the representative of the golf cart club posing with his UTV at the base of the Village's sled hill despite carts not being permitted in the park. He expressed that violators need to get hit with some fines to discourage the ongoing trespassing and destruction to property that is occurring.

**ADJOURNMENT** - Trustee Frost moved to adjourn the meeting. Trustee Letzter seconded the motion. All Trustees voted aye. Motion to adjourn was carried at 8:54p.m.

*Respectfully Submitted*

*Claudett Sofiakis  
Village Administrator*