

**VILLAGE OF JOHNSBURG
MAY 20, 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
Special Projects Coordinator Rick Quinn

FROM THE FLOOR – Brad Fox of 5714 Meadowlark Lane attended to express his support for the proposed Hidden Harbor development, stating that he believes the community will benefit more from the motor condos rather than housing condos.

Greg Kelly of 3312 Cardington Way attended to express his support of the proposed Hidden Harbor development, remarking that the project fills the Village's mission for business growth and will provide public access to the river front. He added that he resides in the subdivision across from proposed development and does not anticipate any adverse impacts to traffic given the development's seasonal operations which occur while school is not in session.

Joe Huemann of 3811 Spring Grove Road attended to express his support for the project and remarked favorably that the developer is a local individual who he has found to be responsive. He added that he does not anticipate any negative impacts on traffic or to the fire, library and school districts.

Cheryl Markunas of 1310 Hayden Drive questioned what was determined regarding the Prairie Path water system concerns she raised at the previous meeting. Trustee Von Allmen stated that he has not received a response from Prairie Path to his inquiry but did speak with the IEPA and was informed that the State has become more restrictive on reporting any unusual testing levels. Ms. Markunas questioned if the sidewalk along Johnsburg Road will continue. President Hettermann stated that it will be further extended with the Johnsburg Road project.

Chris Meyer of 3707 Dutch Creek Lane attended on behalf of Mr. Oliver. He expressed his support for the project and remarked that the property is currently an eye sore and he would like to see it improved. He added that the proposed use is needed and will bring a lot to the community.

OMNIBUS AGENDA – Trustee Fouke moved to approve the Omnibus Agenda. Trustee Morris seconded the motion. Trustee Von Allmen requested the removal of the Minutes and Ordinance 25-26-02. All Trustees voted aye on the roll. Motion carried.

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OMNIBUS AGENDA

- Move to approve the minutes of May 6, 2025 meeting of the President and Board of Trustees. (removed)
- Move to approve Ordinance 25-26-02 Amending Chapter 3 Administration, adding Section 3.02E Treasurer, Striking Section 3.03B Accountant, and Revising the Lettering of the Provisions Thereafter of the Johnsbury Municipal Code. (removed)

- **Disbursements**

• General Fund	\$	85,723.47
• MFT	\$	
• Waterworks & Sewage Fund	\$	5,382.65
• Golf Course Fund	\$	2,163.57
• Debt Service/SSA Fund	\$	
• Total All Funds	\$	93,269.69

MINUTES – Trustee Von Allmen moved to approve the minutes of the May 6, 2025 meeting. Trustee Hagen seconded the motion. Trustee Von Allmen remarked that he did not understand the appointments to include staff appointments. President Hettermann explained that all staff and committee appointments remained the same with the exception of those he specified at the meeting. Trustee Von Allmen stated that he did not hear that staff appointments were included and expressed that he felt the staff appointments should be made with the advice and consent of the Village Board. Trustee Hagen questioned if contracts should have been reviewed at that time as well. President Hettermann stated that there aren't any staff contracts to consider. Trustee Hagen questioned whether there were contracts for the consultants. President Hettermann stated that the consultants establish hourly rates for the work they perform but there are no retainer contracts. Trustee Von Allmen questioned what staff appointments were made. President Hettermann stated that no changes were made to the current staff. Trustee Von Allmen expressed that he could not support the motion because the representations included staff appointments. Motion carried with Trustees Fouke, Letzter, Morris and President Hettermann voting aye and Trustees Hagen, Sylvanus and VonAllmen voting no.

ORDINANCE 25-26-02 AMENDING CHAPTER 3 – Trustee Von Allmen moved to approve Ordinance 25-26-02 Amending Chapter 3 Administration, adding Section 3.02E Treasurer and Striking 3.03B Accountant and Revising the Lettering of the Provisions Thereafter of the Johnsbury Municipal Code. Trustee Sylvanus seconded the motion. Trustee Von Allmen questioned the reason for the changes to the Code. President Hettermann explained that the current Accountant completed the training necessary to advance her to the position of the Treasurer. Trustee Von Allmen questioned if the Village has had a Treasurer in the past. Village Administrator Sofiakis stated that Kim Giovanni was the previous Treasurer. Trustee Von Allmen questioned if the the Accountant position had existed in the past. Ms. Sofiakis stated that it has and that Ms. Giovanni was the previous Accountant prior to completing the training to be appointed as the Treasurer. All Trustees voted aye on the roll. Motion carried.

PRESIDENT'S REPORT - President Hettermann appointed Beckey Kijak as Village Treasurer and Eric Loscocio to Finance Committee. He asked that all Trustees advise as to their attendance at the Memorial Day parade and discussed arrangements for vehicles.

FIRST READ – NO ACTION – HIDDEN HARBOR – Mike Oliver was in attendance to discuss the proposed development of the Waterfront Hotel and Marina property. He reviewed a slideshow presentation and introduced his attorney, Barrett Mays, and architect, Adam Levee. Mr. Oliver stated that he proposes to operate the development, which will consist of seven different business ventures including a restaurant, hotel, ice cream shop, marina, automobile condos and drive up boat storage units. He added

that he is proposing a river walk along the property's edge with public access amenities which will include a children's play area, splash pad, and seating area. He explained that the ice cream shop will be situated at the base of a lighthouse feature on the property.

Mr. Oliver reviewed the proposed site plan and explained that it was designed to keep the boat storage separate from the motor caves and other areas. He explained that motor caves are facilities in which a person can store their automobiles, motorcycles, wave runners, and boats, however they will not be used for sleeping units. He reviewed the floor plans and explained that each building will have 7 units which can be purchased as a single unit or a combination of units. Building elevations were reviewed along with conceptual drawings of the interior, which reflect vehicle lifts and workbench areas, enabling owners to work on their vehicles.

Mr. Oliver discussed the proposed retail building which will house a boating supply store, public bathrooms for events, and a vehicle showroom. He discussed the drive up boat storage area and landscaping proposed along Chapel Hill Road to buffer the view from the street as well as the elevation of the unit adjacent to Chapel Hill Road, which will be consistent with the elevation of the retail building. He explained that the units are rented monthly and are to be utilized for the storage of vehicles only and cannot be used to store boxes and miscellaneous items. Mr. Oliver explained that the storage units provide the financial balancing for the overall development. He identified public areas on the site plan and explained that some of the boat slips will be reserved for condo owners and others will be for public use. He stated that a Wooden Paddle Pizza restaurant proposes to operate in the restaurant space in the hotel.

In summary Mr. Oliver stated that in order to direct additional resources to the development, he needs to know that the Village supports the use. He explained that seasonal aspects of the operations create a challenge, therefore he needs to begin work in the fall to tear down the Jugger Dune facility, work on the marina and perform site prep so that he can proceed with the boat storage units in the spring.

QUESTIONS FROM THE BOARD – Trustee Fouke questioned if the improvements will be pursued all at once. Mr. Oliver stated that he originally planned to pursue a phased approach but he has received positive responses to the sale of the vehicle condominiums and will now pursue the entire development at once as quickly as construction will allow. Trustee Fouke questioned if a unit owner can change the exterior look of their unit. Mr. Oliver stated that the owner cannot change the exterior of the unit but they can finish off the interior as they see fit. Trustee Fouke questioned if the site will enable golf carts and side by sides to access neighborhoods to the south of the property. Mr. Oliver pointed out a multi-use path that is being included along Chapel Hill Road and expressed a willingness to make improvements along Salem Avenue that the Village may desire. Mr. Oliver stated that he does not have approval from the McHenry County Division of Transportation (McDOT) but he has completed the traffic analysis and continues to work with them. He explained that the Planning and Zoning Commission's recommendation was conditional and if any changes are required they will have to return to the Commission for additional consideration.

Trustee Letzter questioned if gasoline will be sold on the property. Mr. Oliver stated it will not at this time but he may look into pursuing it at a later time. Trustee Letzter questioned if small fuel trucks would be allowed in the interim. Mr. Oliver stated they will not be allowed. Trustee Letzter questioned the road improvements proposed on Chapel Hill Road. Mr. Oliver stated that his traffic study indicates that Salem Avenue can accommodate the traffic expected from the development. He pointed out the alignment of the access with Charnbrook and the left turn lanes and decel plans planned at the intersection.

Trustee Letzter questioned if everything stored must be titled. Mr. Oliver stated the Planning and Zoning Commission required that all vehicles stored in the units must be titled to the owners/renters of the units or, in the case of golf carts, they must be registered.

Trustee Hagen questioned the status of other approvals needed. Mr. Oliver stated that he has a meeting scheduled with the McDOT tomorrow and he anticipates Army Corp approval within 30 days. He added that he has made a second submittal to the IDNR and anticipates their approval in a month. Mr. Oliver stated that he has approval from the IEPA and phase I engineering is complete. He explained that information along with stormwater calculations were recently submitted for local review by the Village's engineer. He expressed that he is seeking to get entitlements so that he can proceed to final engineering.

Trustee Hagen stated that based upon the recent letter from McDOT, they have not made any determinations and the realignment of Salem Avenue may be required. Mr. Oliver confirmed that to be the case and stated that if any changes to his plan are required he understands that he will have to return before the Village for approval. Trustee Hagen questioned if Mr. Oliver plans to improve Salem. Mr. Oliver stated that he plans to resurface it but not pursue any improvements. Trustee Hagen pointed out that the ordinance reflects that Salem will need to be brought up to Village standards and dedicated to the Village. Trustee Hagen questioned if the mini-units will be owned. Mr. Oliver stated that they will be rented. Mr. Oliver pointed out the larger units planned for large RVs and the smaller mini units, which are planned for cars, golf carts, and other smaller vehicles.

Trustee Morris sought confirmation that the mini-units cannot be modified nor will they have a second story. Mr. Oliver confirmed Trustee Morris' understanding. Trustee Morris questioned if the units are heated. Mr. Oliver pointed out on the site plan some of the units that are climate controlled. Trustee Morris questioned if outside storage will be prohibited. Mr. Oliver confirmed that outside storage will be prohibited. Trustee Morris questioned the number of piers available for the public. Mr. Oliver stated that 42 piers will be available for public use and 16 will be private piers offered to the vehicle condominium owners. Mr. Oliver stated that overnight mooring will not be permitted. Trustee Morris questioned if there will be a time limit on pier use. Mr. Oliver stated that they will need to determine that once operational.

Trustee Hagen questioned the anticipated tax dollars to the Village. Mr. Oliver stated that it is hard to quantify the tax dollars resulting from the sale of vehicles but he plans to reinstitute video gaming in the restaurant. He added that projections reflect \$800,000-\$850,000 in real estate taxes for all taxing districts the first year. President Hettermann emphasized the importance of reflecting the Village of Johnsburg as the point of sale for any vehicles or boats sold on the property.

A question was raised regarding the use of Building E. Mr. Oliver stated that the building is for private use and pointed out the area reserved for in and out service parking. Trustee Von Allmen questioned if the reserved boat slips will be sold to motor cave owners. Mr. Oliver confirmed that they would be sold to owners desiring a slip. He added that the drive up boat storage and mini-motor caves will be rented on a monthly basis.

Trustee Hagen questioned if storage units are going to be allowed in the B-2 district, will it be a use permitted on all B-2 zoned properties in the Village. Mr. Oliver stated that the text amendment proposes the use only be allowed in cases of property being zoned as a planned development with a minimum of 15 acres. Attorney Smoron explained that limiting language was added to prevent the proliferation of storage in the downtown area. Trustee Hagen questioned if a precedence would be set if granted. Attorney Smoron confirmed that it would set a precedence insofar as someone could argue what the difference is between 10 acres versus 15 acres.

Trustee Morris questioned if the launch will be open to the public. Mr. Oliver stated that it would not be opened to the public initially but maybe at a later date. He added that he will allow the fire department to use the launch when necessary. Trustee Morris questioned how Mr. Oliver proposes to prevent junk from being stored in the units. Mr. Oliver stated that he is providing for inspections of the units and the Village is allowed to participate in the inspections. He added that the price point for the units will likely prevent people from renting to store boxes and miscellaneous items. Trustee Morris questioned if the area will be fenced. Mr. Oliver stated that the open areas will be fenced for security. Trustee Morris questioned if trailers will be allowed to be parked. Mr. Oliver stated that trailers can be parked in the stalls by the launch while the boat is out on the water but will need to be removed and put back in the unit when returning.

Trustee Hagen questioned what assurances will be provided that the development does not result in just storage units. Mr. Oliver stated that there is a demand for storage units and many people have signed up for them. He added that from a construction perspective, some things have to be done before others and explained that the storage units are more simple construction which can be finished sooner but the goal is to build everything as quickly as possible. He stated that he proposes to begin the site prep for entire site this fall so that he can rent the storage units in the spring, followed by the motorcaves at the end of next summer. Trustee Hagen questioned if he is seeking investors now. Mr. Oliver stated that he is working with investors and banks but has reached a standstill because of the lack of entitlements. Trustee Morris reinforced that the storage units alone would not be well received. Mr. Oliver restated his plan to do the entire development as one. Trustee Morris expressed that he does not wish to see only a pier and storage garages. Sylvanus remarked about the 40 jobs expected does he plan to have someone responsible for the grounds or will the work be contracted out. Mr. Oliver stated that has not yet been determined.

Trustee Hagen questioned what would constitute a change that requires review by the Commission again. Mr. Oliver stated that any change to the plan as proposed will require the plan to go back before the Commission and Board. He stated that he feels confident that the plan is nailed down. Trustee Hagen stated his understanding of Mr. Oliver's timetable but expressed concern with approving the plan without other approvals in place as the development may not be able to be completed as currently depicted. He questioned if Mr. Oliver expects to have answers from the other agencies by the next meeting. Mr. Oliver stated that he does not expect those answers prior to the next meeting.

HIDDEN HARBOR AND DOWNTOWN TIF – Rick Quinn remarked about the challenges related to the Waterfront Marina property and discussed the Corridor Study and McDOT's access requirements. Mr. Oliver discussed the additional right of way along Chapel Hill Road required by the Corridor Study which was developed in 2006. Mr. Quinn stated that Mr. Oliver does not believe that the realignment of the Salem Avenue should be placed on his development but he has expressed a willingness to provide the necessary right of way to accommodate the realignment. Mr. Quinn stated that the realignment creates an extraordinary expense on the project which is what lead to discussions about creating a TIF district to help cover some of the extraordinary costs. Rick explained that Mr. Oliver paid for a TIF study which resulted in a determination that without a TIF, the project is not feasible. Mr. Oliver stated that his team is reviewing the results of the study to determine how the TIF can apply. He explained that he wants to utilize TIF funds to improve the riverwalk area, as was done in the City of McHenry, and discussions have also included utilizing the funds for the realignment of Salem Avenue. Mr. Quinn stated that the only other TIF pursued by the Village was for the former Bush School and those funds were only used for public improvements. He pointed out that the property was previously tax exempt so all of the taxes now derived from the site are given back to the developer to pay back the financing they pursued to do the public improvements. He added that the TIF established for the former Bush School property enabled the school to sell a blighted site that was a burden to the District.

Mr. Quinn discussed how a TIF functions and explained the importance of having support from other taxing districts. He stated that Mr. Oliver needs to determine how much he wishes to pursue and make a proposal to the board for their consideration and if they are agreeable the proposal then needs to be taken to other taking bodies. Attorney Smoron explained that the process has a rigid schedule and some districts may not want the TIF to go the full term. Trustee Hagen questioned what sells the TIF concept to the school. Mr. Oliver stated that the development will have no impact on the school. He added that the development is expected to spur additional residential and commercial development. Trustee Hagen expressed that Mr. Oliver needs to be able to show the school how the development will benefit the district over time. Mr. Quinn explained the need to look at the matter long term because the property may otherwise remain blighted with no additional tax revenues coming in for many years. Mr. Oliver stated that the use of a TIF is not the main funding tool for the development.

RECESS FOR CLOSED SESSION - Trustee Letzter moved to recess to go into executive session to discuss pending litigation in the matter of the Pistakee Yacht Club versus the Village of Johnsburg. Trustee Fouke seconded the motion. Trustees Fouke, Letzter, Morris, Sylvanus and Von Allmen voted aye. Trustee Hagen abstained. Motion carried at 9:06 p.m.

RETURN TO REGULAR SESSION Trustee Fouke moved to return to regular session Trustee Letzter seconded the motion. All Trustees voted aye on the roll. Motion carried at 9:30 p.m.

ADJOURNMENT – Trustee Hagen moved to adjourn the meeting. Trustee Morris seconded the motion. All Trustees voted aye on the roll. Motion carried 9:31p.m.

Respectfully Submitted,

Claudett Sofiakis
Village Administrator