

**VILLAGE OF JOHNSBURG  
SEPTEMBER 2, 2014 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 John Huemann  
Trustee Kevin McEvoy  
Trustee Mary Lou Hutchinson (later in the meeting)  
Trustee Janice Sisk  
Trustee Greg Klemstein  
Trustee Rich Janusz  
Village Attorney Michael Smoron  
Village Engineer Tim Hartnett  
Chief of Police Keith VonAllmen  
Special Projects Coordinator, Rick Quinn (later in the meeting)

**OMNIBUS AGENDA** – Trustee Huemann moved to approve the Omnibus Agenda. Trustee McEvoy seconded the motion. Trustee Sisk requested the removal of the Disbursements. All trustees present voted aye on the roll on the remaining Omnibus Agenda items. Motion carried.

- Move to approve the minutes of the August 19, 2014, Regular Meeting of the President and Board of Trustees
- Move to approve Ordinance 14-5-08 Granting a Special Use Permit to allow for outside storage of vehicles, boats and recreational vehicles with screening unrelated to the principal use of the business on the property at 3420 N. Richmond Road, Johnsburg, Illinois.
- Move to approve the Disbursements in the amount of \$120,892.20 (removed)

**DISBURSEMENTS** - Trustee Janusz moved to approve the Disbursements. Trustee Sisk seconded the motion. Trustee Sisk requested clarification on the check for the truck purchase with reference to vehicle trade in. Ms. Peters explained that the check is for the purchase of the new public works truck included in this year's budget and the amount due was greatly reduced as a result of two squad cars that were traded in towards the purchase. All Trustees present voted aye on the roll. Motion carried.

**PUBLIC HEARINGS** - Attorney Smoron opened up the public hearings at 7:08 p.m. regarding SSAs 29, 30 and 31 proposed for Remington Grove subdivision. He explained that the Village establishes backup SSAs in new subdivisions to cover the cost of maintaining common spaces in the event that homeowner's associations do not maintain them. Eric Plautz of 4106 Jay Street stated that he is concerned that the language in the proposed ordinance does not reflect that the SSA is a backup. He further explained that the residents were starting to feel better about the direction of the development with the more recent actions related to the establishment of the homeowner's association and now it appears that the Village will be instituting an assessment on their taxes. He explained that they would prefer to take care of the common areas through the association and not have the Village maintain them and establish an additional tax. Trustee Hutchinson attended at this time.

Attorney Smoron explained that the SSA is being proposed as a backup and the ordinance that was approved is a proposing ordinance which provides for a sixty day objection period following the public hearing that provides residents an opportunity to formally oppose the SSA if they so desire. Ms. Peters explained that a backup SSA is currently in place for the entire development however the Village feels is more appropriate to break out the SSA consistent with the responsibilities of each phase so that residents in the single family phase are not responsible for costs associated with maintenance in the multifamily phase should their association fail to take care of their obligations. President Hettermann emphasized that the Village establishes backup SSAs in all new developments and has never imposed a tax for a backup SSA to date. He further stated that it is not the Village's desire to have to step in a maintain subdivision common areas and impose a tax for the cost. The Village prefers to have the associations manage the maintenance as originally intended for the development.

Leonard Loy of 4206 Ella Court expressed displeasure with the proposal stating that he feels the Village has not looked after the interest of the residents in Remington Grove subdivision. He further stated that he does not believe that Jeff Brown of J Lawrence Holdings should be able to get a vote regarding the establishment of the SSAs. Mr. Smoron explained that State statute sets forth the procedures related to SSAs and the statute allows for the signatures of each property owner to sign for property they own. Mr. Loy expressed displeasure with the work that has not been completed in the development. He stated that he does not feel it is appropriate for the Village to expect the homeowners to be responsible for the work. Ms. Peters explained that the proposed SSAs are not related to the outstanding public improvements which the developer must complete. President Hettermann stated that although the Village typically requires a specific percentage build out in the subdivision before accepting public improvements, the Village is willing to consider accepting the improvements at this time once appropriately completed and inspected. He stated that Village staff has been working with Mr. Brown and Mr. Gregory to develop a punch list of outstanding improvements/maintenance items so that the work can be completed, inspected and accepted by the Village before the end of the calendar year. He offered to provide a copy of the punch list upon its completion.

Mr. Plautz stated that he is okay with the establishment of the SSA but feels that some additional language is needed in the ordinance.

John Campbell of 4212 Ella Lane stated that he noted that reflectors are needed on the split island and questioned if language regarding Outlot A1 should be included in the definition of properties that need to be maintained by the HOA. Attorney Smoron stated that the language in the ordinance regarding Outlot A1 is in reference to the overall legal boundaries of the development and is not related to the properties for which the association is responsible.

With no further questions or comments, the hearing closed at 7:56 p.m.  
Mr. Quinn attended at this time.

**PRESIDENT'S REPORT** - President Hettermann informed the Board that a follow up conference call was held with the producers of the Communities of Distinction program and they were informed that due to their production schedule, we would be unable to participate at this time.

Josh Carstens was in attendance to discuss his proposal to provide aerial filming and ground photography of the Roundabout Ribbon Cutting ceremony and Saufen und Spiel festivities. He explained that his proposal includes editing and the Village will own the completed presentation so that it can be utilized however it deems appropriate. The Board agreed to move forward at a cost not to exceed \$1,000.

**RECESS FOR EXECUTIVE SESSION** – Trustee McEvoy moved to go into Closed Session to discuss litigation affecting the Village. Trustee Sisk seconded the motion. All Trustees voted aye on the roll. Motion carried at 8:15 p.m.

**RETURN TO REGULAR SESSION** – Trustee Sisk moved to return to regular session. Trustee Huemann seconded the motion. All Trustees voted aye on the roll. Motion carried at 9:15 p.m.

**ADJOURNMENT** – Trustee Hutchinson moved to adjourn the meeting. Trustee Janusz seconded the motion. All Trustees voted aye. Motion carried at 9:16 p.m.

Respectfully Submitted

*Claudett E. Peters*  
*Village Administrator*