



VILLAGE OF FOX LAKE VILLAGE BOARD MEETING MINUTES

STATE OF ILLINOIS,
Lake and McHenry Counties, }
Village of Fox Lake } ss.

At the regular Board Meeting, held in said Village and County in the State of Illinois at 7:05 p.m. on August 26, 2008 meeting was called to order by Mayor Irwin. The following official business was transacted:

Roll Call

Present Mayor Irwin; Village Clerk Weeks; Attorney Teegan; Trustees, Bender, Murrey, Ulasz, Working, Kiesgen, and Koske.

I. Approval of Minutes

Trustee Working made a *motion* to approve the Village Board Meeting minutes of August 12, 2008 seconded by Trustee Bender.

A roll call vote was taken as follows:

Trustee Bender Aye
Trustee Murrey Aye
Trustee Ulasz Aye
Trustee Working Aye
Trustee Kiesgen Aye
Trustee Koske Aye

Motion Carried

III. Presentation – Mayor Irwin

Mayor Irwin stated there would not be a presentation due to technical difficulties. She stated that she was going to introduce some U.S. Soldiers that were home from Iraq however they were unable to attend this evening Board Meeting due to travel arrangements. Mayor Irwin stated that she hoped to have this presentation later in the year.

IV. Public Hearing – Annexation – CJW Development Company

Mayor Irwin opened the Public Hearing at 7:07 PM. Mayor Irwin asked if there was anyone hear this evening for this public hearing.

Attorney Teegan invited Daniel Venturi to speak before the Board Members. Daniel Venturi 20041 Megan Court Lake Villa: Mr. Venturi stated he this was the property on

State Park Road and they have gone through the hearing and zoning for the variance and made some accommodations. He stated this was the final leg of the annexation agreement, which is what they were talking about in the prior zoning and other meetings. Mr. Venturi asked if there were any questions from the Board Members. Attorney Teegan asked if the Board Members or audience had any additional questions regarding the annexation. There were no additional questions. Attorney Teegan stated there would be motions regarding the annexation during this evenings meeting. Mayor Irwin closed the Public Hearing at 7:09P.M.

V. Parks and Recreation Coordinator Update

Nancy Rogers stated the Cardboard Boat Races at Lakefront Park were held on August 17th. She stated there was a large turnout with 33 entries and about 600 attendees. She thanked Fox Waterway, Police, Firefighters, Explorers and the Volunteers that helped to make this a successful event.

Ms. Rogers stated that the Life Source Blood Drive was also successful. She stated this year they had battle of the badges with the Fox Lake Fire Department winning the event 6 to 12 over the Police. She stated there were 33 units donated. She stated that November 14th is the next scheduled blood drive.

Ms. Rogers stated the 5K events were coming up and everything was in its place to ensure the event would be fun and successful. She stated this year they would be using a microchip for the event so the runners/walkers would be timed with efficiency. Ms. Rogers stated the event opened with the Spaghetti Dinner on September 13th.

VI. Director of Planning and Community Development Update

Mr. Rogers stated that he distributed his report and would like to update the Board on a few items. He stated the Big Hollow School project was being looked at from other developers who he sent literature to. He stated there were some developers who were glad the property was still available. He stated there was a developer in Antioch who was also interested in the property.

Mr. Rogers stated that he was also in touch with Enterprise Car Rental who were still interested in bringing a business into the village with a potential for a 20 business.

V. Department Head Reports

A. BEHAN

Chief Behan stated he gave his report during the Public Safety Committee Meeting. Chief Behan stated that he would like to introduce the newest officer to the Fox Lake Police Department.

Chief Behan introduced “Indy” Indiz Von Der Donner Brucke born on 08-08-07 a one year old sable German Shepard. Chief Behan stated this was the first AKC registered Officer the Village has ever had and the Blood Line Belongs to the Village of Fox Lake.

Chief Behan stated that Officer Lewis has been in training with Indy for approximately 6 weeks and doing very well. Chief Behan reminded everyone that the donations from the public were over \$10,000.00, which enabled the Police Department to purchase Indy. He stated the K-9 Unit Police Vehicle was also

obtained through drug forfeiture funds so the vehicle did not cost the Village and funds either.

Chief Behan stated the training would continue for 3 – 6 months before the Officers were able to work as a team on the streets. He stated that Indy was an asset to the Department. Mayor Irwin asked when he would be introduced to the public. Chief Behan stated that would depend on how well the training goes. He stated First Place Dog Training from McHenry was chosen to help in the training because they had an outstanding record of over 24 years in this particular type of training. Chief Behan stated they would wait for the trainer to tell them when it was appropriate to introduce Indy to the public.

B. HOEHNE

Chief Hoehne stated that Trustee Bender had his report.

C. HART

Mr. Hart stated that Lake County, FEMA and IEMA has asked the Village to adopt an all Hazard Mitigation plan to cover wind, flooding snow and other natural disaster situations that may happen to our local communities. He stated most of these items are covered however FEMA is trying to limit their losses and they would like a plan put together to work with them. He stated there were grants in the program and buy back plans in the program as well. He stated this was a wide range program that would affect the Street Department, ESDA and the Building Department. He stated that they were pushing hard for the village to adopt the program and we are one of four communities in Lake County that have not passed the plan. He stated this was preparedness and not servicing the flood but cleaning up after storm damage, being prepared for the storm hazards. He stated that he has not had sufficient time to sit down with the Department Heads to go over the plan in detail.

He stated this affects everyone in the Village including the residents and how we are treated by FEMA. He stated they are insistent that this be passed. Mr. Hart sated that there was some information distributed already and he would try to answer any questions anyone may have. He stated this would need to be done quickly.

Mayor Irwin asked if there were any questions. Trustee Koske asked if this would be costly. Mr. Hart stated the buy back of homes would be 75 –25% situation with the local municipalities paying the 25% and at this time the county has been doing that. He stated this would be a similar situation to the Dells where the homes were actually washed away and sever damage being done. Mr. Hart stated his biggest concern is that we go through all of this then the municipality is sold the property for \$1.00 and then the property then becomes a park. Mr. Hart stated that in our area real estate is prime due to the waterfront community. He stated this is not a common situation but a situation where continues flooding accurse at the same locations. He stated he knew of only one home that would qualify and it would be hard to rebuild at that location.

D. WOLF

Ms. Wolf stated she did not have a report this evening.

VI. Village Administrator Report

Ms. Schuerr stated that she has spoken to Eller's, the financial advisers and they will have a report out to the Board Members the first week of September because they would like to speak with the Board on September 9th and they would like to have the report to

the Board Members to review before that meeting. She stated this report would be an initial report with larger projects coming after this initial report. She stated they are prepared to have this report written and in the Boards hands by September 5th. Mayor Irwin asked if they would be interviewing the candidates for Village Treasurer. Ms. Schuerr stated they would be interviewing the top 2 candidates.

Trustee Working asked if they would be making a recommendation for the open position. Ms. Schuerr stated yes they would be making that recommendation.

VII. Trustee Reports

A. BENDER

Trustee Bender read part of a letter that was addressed to Chief Ron Hoehne from the Newport Fire Protection District: On behalf of the Newport Township Fire Protection District and myself, please accept our sincere appreciation for the mutual aid response to our structure fire at 14430 Yorkhouse Road Tuesday Morning August 12, 2008. Upon arrival the first units found a large two story farmhouse with heavy fire on the second floor. Fortunately firefighters or civilians experienced no injuries. Thanks to Ron and his staff.

Trustee Bender read the end of July Public Safety report. Fire-72, Rescue-217, Village fires – 35, District – 28, Village Rescues-134 District 80, Total Fire calls year to date 480, Total Rescue Calls 1401 year to date.

B. Murrey

Trustee Murrey made a motion to go out to bid for the Purchase of Replacement Parts for the South Gravity Belt Thickener for the Northwest Regional Water Reclamation Facility seconded by Trustee Bender.

A roll call vote was taken as follows:

*Trustee Bender Aye
Trustee Murrey Aye
Trustee Ulasz Aye
Trustee Working Aye
Trustee Kiesgen Aye
Trustee Koske Aye
Motion Carried.*

C. Ulasz

Trustee Ulasz made a motion to approve the Bill List dated August 26, 2008 in the amount of \$315,951.67 seconded by Trustee Kiesgen.

A roll call vote was taken as follows:

*Trustee Bender Aye
Trustee Murrey Aye
Trustee Ulasz Aye
Trustee Working Aye
Trustee Kiesgen Aye
Trustee Koske Aye
Motion Carried*

Trustee Ulasz made a **motion** to ratify the Manual Check List dated August 26, 2008 seconded by Trustee Bender.

A roll call vote was taken as follows:

Trustee Bender	Aye
Trustee Murrey	Aye
Trustee Ulasz	Aye
Trustee Working	Aye
Trustee Kiesgen	Aye
Trustee Koske	Aye

Motion Carried

Trustee Ulasz made a **motion** approving the Grainger bills in the amount of \$3,699.04 seconded by Trustee Working.

Trustee Bender read the following statement: "For the record I would like to disclose that I am the owner of stock in Grainger consisting of less than 1% of outstanding shares; I further will refrain from evaluating, recommending, approving, deliberating or otherwise participating in the negotiation or approval of Grainger bills and that I will abstain from voting on any motions to pay Grainger bills".

A roll call vote was taken as follows:

Trustee Bender	Aye
Trustee Murrey	Aye
Trustee Ulasz	Aye
Trustee Working	Aye
Trustee Kiesgen	Aye
Trustee Koske	Aye

Motion Carried.

Trustee Ulasz made a **motion** accept the quote from AMB for \$9800.00 for re-roofing a portion of the Village Hall and authorize the attorney to prepare the necessary resolution seconded by Trustee Bender.

A roll call vote was taken as follows:

Trustee Bender	Aye
Trustee Murrey	Aye
Trustee Ulasz	Aye
Trustee Working	Aye
Trustee Kiesgen	Aye
Trustee Koske	Aye

Motion Carried.

Trustee Ulasz made a **motion** accept the quote from Allied in the amount of \$8170.00 to replace the heating/air-conditioning unit for the Village Hall and authorize the attorney to prepare the necessary resolution seconded by Bender.

A roll call vote was taken as follows:

Trustee Bender Aye
Trustee Murrey Aye
Trustee Ulasz Aye
Trustee Working Aye
Trustee Kiesgen Aye
Trustee Koske Aye

Motion Carried.

D. Working

Trustee Working made a **motion** to approve Ordinance 2008-35, an Ordinance Authorizing and directing the Execution of the Annexation Agreement between the Village of Fox Lake and CJW Development Company seconded by Trustee Ulasz.

A roll call vote was taken as follows:

Trustee Bender Aye
Trustee Murrey Aye
Trustee Ulasz Aye
Trustee Working Aye
Trustee Kiesgen Aye
Trustee Koske Aye

Motion Carried

Trustee Working made a **motion** to approve Ordinance 2008-36, An Ordinance Annexing Certain Unincorporated Territory at State Park Road and Coventry to the Village of Fox Lake, Illinois seconded by Trustee Kiesgen.

A roll call vote was taken as follows:

Trustee Bender Aye
Trustee Murrey Aye
Trustee Ulasz Aye
Trustee Working Aye
Trustee Kiesgen Aye
Trustee Koske Aye

Motion Carried

Trustee Working made a **motion** to approve Ordinance 2008-37 An Ordinance Amending the Zoning Ordinance of the Village of Fox Lake, by Rezoning Property Known as the Southwest Corner of State Park Road and Coventry and Granting a Special Use to CJW Development Company to Operate a Mini Storage Facility on Said Property and Granting Variations on Said Property seconded by Trustee Ulasz.

A roll call vote was taken as follows:

Trustee Bender Aye
Trustee Murrey Aye
Trustee Ulasz Aye
Trustee Working Aye

Trustee Kiesgen Aye
Trustee Koske Aye
Motion Carried

E. Kiesgen

*Trustee Kiesgen made a **motion** to sell at auction at Lake Department of Transportation a vehicle that is no longer in use by the Village of Fox Lake, seconded by Trustee Koske.*

A roll call vote was taken as follows:

Trustee Bender Aye
Trustee Murrey Aye
Trustee Ulasz Aye
Trustee Working Aye
Trustee Kiesgen Aye
Trustee Koske Aye

Motion Carried

Trustee Kiesgen asked Attorney Teegan for proper procedure related to the vacation of Trout Ave.

Attorney Teegan suggested that the Street Department, Building Commissioner and the Fire Department look at the property to see if they have any comments regarding the appropriateness of the vacation. Attorney Teegan stated they should then report back to the committee if this is an appropriate action for the Village. Attorney Teegan stated the ordinance would then be prepared and publication is not absolutely required although if there are a number of residents affected by this change then a publication would be in order.

Trustee Kiesgen asked Trustee Koske if this was a sufficient answer. Trustee Koske stated she would like a better understanding of the monetary value to the Village if this property would be vacated. Attorney Teegan stated State Statute has changed to accommodate the discretion of the village. Attorney Teegan stated that he was not familiar with the property other than viewing a plat of survey and his main concern would be that it should be vacated all the way so this issue would not need to be revisited in the future. Trustee Koske asked Attorney Teegan if there was any monetary value to the village on this parcel. Mayor Irwin asked Attorney Teegan to look into the matter. Trustee Koske stated that she has not been to see the property. Attorney Teegan stated that the first step would be to have them visit the property to see if there would be any advantage to the village. Attorney Teegan stated if there was a value to the village then the property should not be vacated. Attorney Teegan stated if there was no value to the village then he would ask for the expertise of a real estate agent look at the property.

Trustee Koske stated that she did not want to interfere with a land owner however it is her job to ensure the decisions are made in the best interest of the Village of Fox Lake and if there is a monetary value to the property then it would belong to the Village of Fox Lake.

Trustee Kiesgen stated they would be researching the property and invited the Board Members to look at the property and call him with any questions.

Trustee Kiesgen read a card that was sent by Terry Mahew addressed to the Mayor: I thought you should know how much I appreciate our fantastic Street Department. I was experiencing several problems on the job and requested help from the Street Department knowing they may be behind on schedules due to the clean up after the flooding. I noted my request was “when you can get to it”, I noticed within days the overgrown brush on the side of the road trimmed eliminating the Japanese Beetles from being flung in my truck. They are an asset to our community.

F. Koske

Trustee Koske stated she had a couple of business applications one for 22 East Grand JP’Z Incorporated, which is Bottoms Up. Trustee Koske stated they would be renaming the current business. Trimming to Perfection Carpentry will be on Sayton Road they are an authorized dealer for Wausau Homes. Gino’s Trattoria. Which will be located on State Park Road and they are a Pizzeria.

VII. Attorney’s Comments

Attorney Teegen stated that he did not have any comments this evening.

VIII. Consent Agenda

*Trustee Murrey made a **motion** I move that items A and B be established as the consent agenda for this meeting by unanimous vote, seconded by Trustee Bender.*

A roll call vote was taken as follows

<i>Trustee Bender</i>	<i>Aye</i>
<i>Trustee Murrey</i>	<i>Aye</i>
<i>Trustee Ulasz</i>	<i>Aye</i>
<i>Trustee Working</i>	<i>Aye</i>
<i>Trustee Kiesgen</i>	<i>Aye</i>
<i>Trustee Koske</i>	<i>Aye</i>

Motion Carried

*Trustee Bender made a **motion** that the consent agenda as established by the prior motion be passed, seconded by Trustee Ulasz.*

A roll call vote was taken as follows

<i>Trustee Bender</i>	<i>Aye</i>
<i>Trustee Murrey</i>	<i>Aye</i>
<i>Trustee Ulasz</i>	<i>Aye</i>
<i>Trustee Working</i>	<i>Aye</i>
<i>Trustee Kiesgen</i>	<i>Aye</i>
<i>Trustee Koske</i>	<i>Aye</i>

Motion Carried.

IX. Presidents Comments

Mayor Irwin invited the public to participate on September 8th for the Shop with a Cop Golf Outing.

X. Audience Comments

Ranan Chatterjea, 28 S. Maple - Mr. Chatterjea stated he was here this evening to discuss the property on 30 S. Maple. Mr. Chatterjea thanked the Board for visiting the property and witnessing what they saw. He stated that he appreciated Mr. Carlino coming out to the property to discuss the questions that he had. Mr. Chatterjea stated that he still had questions regarding the metal posts.

Mr. Chatterjea asked what was the current status of the property. Mr. Hart stated the property owners and bank have been officially notified. He stated that they have not responded however this isn't unusual with foreclosed properties. Mayor Irwin stated the Village Attorney's would send out another strong letter. Trustee Working stated one of the problems is the bank is located in Texas. Mayor Irwin stated that the Village was doing its due diligence regarding the property.

Mr. Chatterjea asked what could be done with the buried pool. Mr. Hart stated he would contact the Health Department and get their opinion and if it was a serious concern to them we would take the necessary steps to remove the items.

XI. EXECUTIVE SESSION – Pending Litigation and Threatened Litigation

*Trustee Murrey made a **motion** to retire to executive session for pending litigation and threatened litigation to include the Village Administrator Nancy Schuerr at 7:40P.M seconded by Trustee Kiesgen.*

A roll call vote was taken as follows:

<i>Trustee Bender</i>	<i>Aye</i>
<i>Trustee Murrey</i>	<i>Aye</i>
<i>Trustee Ulasz</i>	<i>Aye</i>
<i>Trustee Working</i>	<i>Aye</i>
<i>Trustee Kiesgen</i>	<i>Aye</i>
<i>Trustee Koske</i>	<i>Aye</i>

Motion Carried

*Trustee Working made a **motion** to reconvene the Village Board Meeting at 9:07PM seconded by Trustee Kiesgen.*

A roll call vote was taken as follows:

<i>Trustee Bender</i>	<i>Aye</i>
<i>Trustee Murrey</i>	<i>Aye</i>
<i>Trustee Ulasz</i>	<i>Aye</i>
<i>Trustee Working</i>	<i>Aye</i>
<i>Trustee Kiesgen</i>	<i>Aye</i>
<i>Trustee Koske</i>	<i>Aye</i>

Motion Carried

XII. ADJOURNMENT

*Trustee Bender made a **motion** to adjourn the Village Board Meeting at 9:08PM seconded by Trustee Murrey.*

A roll call vote was taken as follows:

<i>Trustee Bender</i>	<i>Aye</i>
<i>Trustee Murrey</i>	<i>Aye</i>

Trustee Ulasz *Aye*
Trustee Working *Aye*
Trustee Kiesgen *Aye*
Trustee Koske *Aye*
Motion Carried

Meeting was adjourned at 9:08 p.m.

Samantha Weeks
Village Clerk

- A. **A motion to approve Ordinance 2008-33, an Ordinance Granting a Certain Variation from the Fence Ordinance of the Village of Fox Lake, Lake and Mc Henry Counties, Illinois, for a fence to be located at the Larry Lichter Property at 49 Rushmore Road, Fox Lake, Illinois.**
- B. **A motion to approve Resolution 2008-R-46, A Resolution Authorizing the Mayor and Village Clerk of the Village of Fox Lake, to Sign and Thereby Accept the Proposal from Payne & Dolan, Inc. for the Various Streets 2008 MFT/CDBG Paving Project.**