



## VILLAGE OF FOX LAKE VILLAGE BOARD MEETING MINUTES

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

At the regular Board Meeting, held in said Village and County in the State of Illinois at 6:30 p.m. on May 22, 2018 meeting was called to order by Mayor Schmit. The following official business was transacted:

### 1. Call to Order

#### **Roll Call**

Present Mayor Schmit; Village Attorney Howard Teegen; Trustees: Jensen, Stochl, Konwent, Marr, Moore and Koske.

Staff also in attendance: Anne Marrin, Laura Linehan, Donovan Day, Kealan Noonan, Jimmy Lee Jr., and Julie McManus.

### 2. Approval of Minutes

*Trustee Koske made a motion to approve the Village Board Meeting Minutes of May 8, 2018 as presented, seconded by Trustee Moore.*

*A roll call vote was taken as follows:*

Trustee Jensen	Aye
Trustee Stochl	Aye
Trustee Konwent	Aye
Trustee Marr	Aye
Trustee Moore	Aye
Trustee Koske	Aye

*Motion Carried*

### 3. Approval of the Warrant

*Trustee Koske made a motion to approve the Expenditures/Warrants/ Transfers for May 22, 2018 in the amount of \$609,686.39 Seconded by Trustee Marr.*

*A roll call vote was taken as follows:*

Trustee Jensen	Aye
Trustee Stochl	Aye
Trustee Konwent	Aye
Trustee Marr	Aye
Trustee Moore	Aye
Trustee Koske	Aye

***Motion Carried***

**4. Special Business (Appointments, Swearing In Ceremonies, Proclamations)**

A. Mayor's Annual Appointments for Village Administrator Anne Marrin, Police Chief Jimmy Lee Jr., Director of Community Development Donovan Day, Finance Director and Treasurer Julie McManus, ESDA Coordinator Dawn DeServi, Planning and Zoning Board David Gauger and Stephanie Vermillion, ETSB Board Randy Fontana, ETSB Board Ed Lescher, Honorary Position for Park Ranger Jack Kiesgen, Honorary Position for Historian Ken Buchardt, Village Engineer Trotter & Associates and Village Attorney Soffietti, Johnson, Teegen, Argueta & Bawcum, LTD.

*Trustee Koske made a **motion** to approve the Mayor's Annual Appointments, seconded by Trustee Konwent. All were in favor. **Motion Carried**.*

*A roll call vote was taken as follows:*

Trustee Jensen	Aye
Trustee Stochl	Aye
Trustee Konwent	Aye
Trustee Marr	Aye
Trustee Moore	Aye
Trustee Koske	Aye

***Motion Carried***

Randy Fontana, Jimmy Lee Jr., Dawn DeServi, Julie McManus, Anne Marrin and Donovan Day were sworn in. Per Mayor Donny Schmit there will be a few more appointments at the second meeting in June.

**5. Village President's Report** – Mayor Donny Schmit thanked everyone who came to the event at Ray Chevrolet. Ray Chevrolet is our biggest employer in town, between his two dealerships he employees about 175 employees. These employees in turn eat at our restaurants and buy gas at our gas stations.

Thursday, May 24<sup>th</sup> the mayor will be traveling to Springfield, IL to visit with the IDNR regarding the silt removal project, Senator Althoff has set the meeting up. The Mayor will keep everyone updated on the meeting. He also stated that this trip will be paid out of his own pocket; Village funds will not be used.

The Mayor would like to set up a meeting with the residents affected by the amnesty program for the water connection fees. The meeting will be held at Lakefront Park letting residents know they have until August of 2019 to take advantage of amnesty program. If the residents do not take

advantage of this amnesty program they will have to pay for the hook up should they sell their home.

**6. Village Administrator's Report –**

Anne Marrin stated that the Staff met with the Lake County Public Works Administration last week as part of an effort to improve our communication between the Northwest Treatment plant and our contract. The discussion included items such as the CMOM Program, and what we need to do to improve it an effort to oversee it because we hold the NPDES Permit. There will need to be some kind of repercussions if residents aren't doing what they should regarding their sewer mains because those results in too much stress on our asset i.e. screw pumps. Meetings will be held monthly.

The budget book is being developed; it is expected to be completed by the end of this week, May 25, 2018.

Northwest Municipal Conference Manager's meeting met last week, they discussed the Public Safety Pension Fund Coalition. Mark Fowler, Director of the Northwest Municipal Conference went to Springfield, IL; on behalf of the commission to discuss consolidation would be beneficial. Certified Public Accountants in attendance were able to show that consolidation would lead to potential savings. A new model that mirrors the IMRF, which is the pension fund for public employees, is funded at 98%, following this model would save \$122 Million dollars over 8 years.

**7. Village Attorney Report**

Attorney Howard Teegen has prepared a draft of a notice that would be in compliance with the Ordinance adopted to serve to the residents concerning the amnesty program.

**8. Village Treasurer's Report**

*There is none.*

**9. Preliminary Audience Comments (on Agenda Items Only)**

*There were none.*

**10. Motion to Recess to Committee of the Whole Meeting**

*Trustee Jensen made a **motion** to recess to the Committee of the Whole, seconded by Trustee Marr. All were in favor. **Motion Carried.***

**A. Strategic Planning Team Reports**

1. Infrastructure

Kealan Noonan, Director of Public Works stated that the Infrastructure Strategic Planning Team last met on May 2, 2018. Mr. Noonan gave an update of the projects in process and new business. They are as follows:

- Sayton Road waiting for documents from IDOT, expected to get a preconstruction scheduled after Memorial Day, May 28, 2018.

- Nippersink Blvd.  
Public Open House was held on Tuesday May, 15, 2018 event was well attended thank you to everyone who attended.
- TIF District  
Sidewalk and brush clearing, brush clearing expected to start on Thursday May 24, 2018, will be done in one day. Anne Marrin and Kealan met with Thomas Engineering regarding engineering for the sidewalks, some portions will be challenging but they are confident they can work around those challenges. Mayor Donny Schmit added that he and Trustee Marr met on the property and would like the brush clearing expanded to have a better view of the water and potentially sell the property. It will come out of the TIF Funds. The second item regarding the property; the Mayor has a contractor that is willing to remove the hill at no cost to the Village. We will need to prepare the correct paperwork together between the property owner and the contractor, leaving the Village out of the middle.
- Traffic Study  
The Metra Project is now over we can schedule the traffic study
- 18 East Grand Avenue Parking Lot  
Equipment is in place, has been delayed because of rain, weather permitting the underground should take place later in the week, paving to start shortly after that.
- Washington Tower started May 22, 2018, expected to have pipe down by Thursday, May 24, 2018
- Sewer Lining Project the final documents are being prepared so we can get competitive bids, hoping to have those within the next few weeks. Kealan also thanked Trustee Marr and Trustee Jensen.
- Millennium Park Trustee Marr would like herbicide to be used on the reed grass in the park; Kealan will take care of that.

2. Marketing

*There is none.*

Laura Linehan did thank Trustee Konwent and Trustee Moore on their help with the Marketing and Strategic Planning Team.

3. Communication/Public Outreach

Police Chief, Jimmy Lee Jr., updated the Board on the following:

- Civics Plus project is moving forward, final design meeting will be at the end of this week. Jimmy will be meeting with Trustee Koske and Trustee Stochl, meeting date and time to be determined. Laura Linehan was thanked for her help on the project.
- Ride of Silence, an event for those who have been hit or killed while riding their bicycle. Mayor Donny Schmit rode in the event. The event was to bring awareness of bike safety, on the back of the patrol car was a sign for motorists to obey the 3' minimum while passing bicyclists. Donovan Day and Laura Linehan put the word out about the event which drew about 25 riders.
- Sergeant Hoyne is working on bringing back the Bike Rodeo for the kids.

#### 4. Economic Development

Community Development Director, Donovan Day, stated that the Economic Development Strategic Planning team last met on May 14<sup>th</sup>. Director Day gave an update of the projects in process and new business. They are as follows:

- Incentive Application process, having continued discussions on how that process is done, discussion will continue at the May 30<sup>th</sup> meeting
- Beef Jerky opening delayed until May 24<sup>th</sup> or May 25<sup>th</sup>, however Mayor Donny Schmit stopped at the store and Ken said he might be able to open by May 23<sup>rd</sup>, and have a ribbon cutting after Memorial Day
- Dunkin Donuts is waiting for paving of parking lot.
- Studio Hot Rods – Harry, the owner, and Nikki, his event coordinator were in attendance. They are coordinating the Fox Fest event.

The Planning and Zoning Commission will be meeting Wednesday, May 30<sup>th</sup> at 4p.m.

#### 5. Recreation

Assistant to the Village Administrator, Laura Linehan, stated that the Recreation Strategic Planning Team last met in April 24, 2018. Ms. Linehan gave an update of the projects in process and new business. They are as follows:

- 251 tickets have already been sold for the Bloody Mary Fest
- Farmers Market will be opening in June with 10 to 12 Vendors, will be held on Tuesday nights at the Community Garden
- Summer Event push
- Parade – Trustee Koske wanted an update on the parade and the Chamber of Commerce participation, Laura said the Grant Community High School Band will be playing in the parade, the Chamber of Commerce helped solidify the band. The Village will also have a civic band out of Round Lake to participate in the parade also. The Village will have two floats, one for the Officials and a Bloody Mary Float.

6. Technology

Police Chief Jimmy Lee Jr. stated that the new phone system has been installed. The system has the capability to turn a voicemail into a .wav file in your email. Jimmy Lee Jr. and Laura Linehan will be meeting the future to discuss the next project; thoughts are cameras will be next.

11. **New Business**

A. **Donation by Karl R. Smutney** - property on Forest Ave. being donated to the Village, Mayor Donny Schmit has signed a letter of clarification on the billboards, a 5 year extension was granted.

B. **Lake County Land Bank Discussion** - Donovan Day explained that the land bank is a draft feasibility study that was provided by Tesca and The Lake County Municipal League and funded by the Lake County Community Development Block Grant, no monies have been expended by the community municipalities yet. The land bank is a separate government entity or it can be a 501C3. Money does not come out of the Village's funds to support it or to maintain it; it will have its own staff and Board of Directors. The main goal of the land bank is to acquire properties within Lake County and sell those properties and generate revenue for itself. The land bank will have the ability to purchase land quickly and offer them to the municipalities and the municipalities will have time to properly budget for the purchase of the property. The land bank would charge the municipality a holding fee which would maintain the property while the land bank owns the property but if the Village maintains the property it will be at a lower cost or no fee at all. The goal would be to purchase property that would be beneficial to the Village, the residents and potential developer in the future i.e. property on the Village's border. The land bank has established great relationships with Lake County to find properties within the county. The feasibility study breaks down three different types of scenarios to start with...low, medium and high. The low end is how many properties that can be obtained in the first year of operation, the medium and high levels are more popular options. The low end is approximately \$40,000.00 in seed money, but split between 8 municipalities is a relatively small amount to contribute. The land bank will be opening up for comment until the end of May. Mayor Donny Schmit thinks it sounds like a great idea especially with CDBG funds available.

C. **Special Use Permits Discussion** - staff has reviewed the last 20 years of Special Use Permits, 81 permits in total, 31 are active and 15 are active but in violation, some minor violations and some have expired. There are several options to move forward with compliance, letters, have them come to the Village and amend the permit, ask for an extension or a combination of efforts. If the business owner comes into the Village the cost is approximately \$1100.00 to come before the Planning commission, can the Board reduce the charges? Director Day stated of the 15 in violation some are considered minor infractions and could they go before the Village Board to seek an amendment or go before the Planning and Zoning Board. Trustee Konwent wants them to go before the Planning and Zoning Board, Trustee Koske agrees. Trustee Moore asked if they would

have to pay the \$1100.00 if they go before the Planning and Zoning Board, per Donovan they would not be able to amend the permit. Trustee Koske stated that they came before the Board for the Special Use Permit and were told what they can and cannot do; now they are in violation. We now have the staff in place to be sure the codes are being enforced and hold them accountable. Donovan will send out a letter stating they are in violation and they will have an opportunity to amend it. Trustee Jenson asked if they will still have to go before the Zoning and Planning Committee if they receive the letter and they comply will they still have to go through with all the meetings? Donovan stated that if we send a letter and they comply, our Permit Coordinator, Kimberly Schlaeger has been adding "ticker tape" to the permitting software for all the properties with a reminder to be inspected every 6 months. Trustee Marr would like them to come in because they violated the permit and be held accountable. Anne Marrin stated that they should not be allowed to amend the permit if they are not in compliance, they should go before the committee. Anne feels it should be a due process hearing asking why they have not complied and then go before the Zoning and Planning Board again. Mayor Donny Schmit wants to be open to the idea of amending the permit. The final decision is that Donovan can take care of some of the violations with a letter and a further discussion will be at the next meeting.

- D. Complete Streets Resolution**, Mayor Donny Schmit stated in order to receive Federal Funds on certain projects, Anne, Howard and Kealan have been working hard to make sure we receive the Federal Funds.
- E. Northwest FPA Wholesale Advisory Committee Representatives** – there are two groups, the Policy Group is comprised of Elected Officials and a Technical Group comprised of Staff from the Villages. Donny, Jeff and Anne will be on the Policy Group and Ryan and Kealan will be on the Technical Group.
- F. Lake County ETSB 911 Consolidation** - Mayor Donny Schmit attended a meeting and we are going to pay the \$30,000.00 fee over a 2 year period so it does not impact our budget and it will be amended when the budget amendment is done.
- G. Fox Fest Event** - Harry from Studio Hot Rod will hold a 3 day event, the Village will donate \$8000.00 for the fireworks. Nikki the Project Coordinator from Studio Hot Rods stated on Friday WILL Rock and bands will be there, Saturday will be the harbor boat show and, fireworks and car show, and on Sunday there will be a car show with food trucks. There will be a raffle for a car and a 50/50 Raffle, 10% of all proceeds will go to charity. All were in agreement for the fest.
- H. CDBG Agreement Amendment** – The Village has \$30,000.00 from CDBG for façade improvement has faced a lot of hurdles. Grant Community High School will allow their art students to help with murals. Trustee Marr asked if \$30,000.00 is the cost spread for three murals, Donovan stated yes but if the plans change we will only need a letter to change the agreement.

**I. Ord 2018-24, an Ordinance Amending Sections 8-2-7 and 8-9-7 of the Village Code Related to Penalties and Towing of Vehicles** - There are a lot of conflicts and inconsistencies in the Ordinance, they have been clarified.

**J. Block Party Permit Policy** – Guidelines have been established regarding public safety and hours. If there is one resident in the middle of the block they will not be able to have the block party.

**12. Old Business**

*There is none.*

**13. Motion to Adjourn from Committee of the Whole and reconvene Village Board Meeting**

Trustee Konwent made a **motion** to adjourn from Committee of the Whole and reconvene Village Board Meeting, seconded by Trustee Jensen. All were in favor. **Motion carried.**

**14. Items to be Removed from Consent Agenda**

*There are none.*

**15. Consent Agenda**

All items listed on the Consent Agenda are considered to be routine by the Village Board and will be enacted by one motion. There will be no separate discussion of these items unless a Trustee so requests, in which event the item will be removed from the general order of business and considered under the Approval of Exceptions.

**A. Resolutions items below taken from agenda**

1. **2018-R-29, a Resolution Accepting the donation by Karl R. Smutney of a vacant parcel of real estate to the Village of Fox Lake.**
2. **2018-R-30, a Resolution Adopting a Complete Streets Policy for the Village of Fox Lake.**
3. **2018-R-31, a Resolution Designating Representatives to the Northwest FPA Wholesale Advisory Committee.**
4. **2018-R-32, a Resolution Authorizing the Village of Fox Lake to Participate in the Lake County ETSB 911 Consolidation Effort.**
5. **2018-R-33, a Resolution Authorizing the Mayor to sign and approve a Letter of Mutual Understanding and Partnership between the Village of Fox Lake and Studio Hotrods roadhouse for the planning and execution of Studio Hotrods Fox Fest Event.**
6. **2018-R-34, a Resolution Authorizing the Mayor and the Village Administrator of the Village of Fox Lake to accept and thereby sign Community Development Block Grant Agreement Amendment.**
7. **2018-R-35, a Resolution Adopting a Block Party Permit Policy for the Village of Fox Lake.**

**1. Ordinances**

**2. Ord 2018-24, an Ordinance Amending Sections 8-2-7 and 8-9-7 of the Village Code Related to Penalties and Towing of Vehicles.**

**B. Motions**

*Trustee Stochl made a **motion** to move that items A 1-7 and B 1 be established as the Consent Agenda for this meeting by unanimous vote, seconded by Trustee Konwent.*

*A roll call vote was taken as follows:*

<i>Trustee Jensen</i>	<i>Aye</i>
<i>Trustee Stochl</i>	<i>Aye</i>
<i>Trustee Konwent</i>	<i>Aye</i>
<i>Trustee Marr</i>	<i>Aye</i>
<i>Trustee Moore</i>	<i>Aye</i>
<i>Trustee Koske</i>	<i>Aye</i>
<b><i>Motion Carried</i></b>	

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

*A roll call vote was taken as follows:*

<i>Trustee Jensen</i>	<i>Aye</i>
<i>Trustee Stochl</i>	<i>Aye</i>
<i>Trustee Konwent</i>	<i>Aye</i>
<i>Trustee Marr</i>	<i>Aye</i>
<i>Trustee Moore</i>	<i>Aye</i>
<i>Trustee Koske</i>	<i>Aye</i>
<b><i>Motion Carried</i></b>	

**16. Approval of Exceptions**

*There are none.*

**17. For the Good of the Order** – Trustee Moore sent a packet of an action plan regarding The Lake County Climate Change Initiative she asked that all review it.

Also a resident asked her about the Village's ban on ice cream trucks. Jimmy Lee Jr. stated it was a ban because of the safety issues; it might be possible to stop the music as to not lure the children into the street. Mayor Donny Schmit said we will discuss it further at the next meeting.

**18. Audience Comments**

Resident Norman Jensen stated how dangerous Sayton Road has become to trying to dodge the large pot holes. Mayor Donny Schmit told him construction on Sayton Road to begin in mid-June and completed in November. There will also be a bike path added.

**19. Executive Session**

*Trustee Marr made a **motion** to retire into executive session at 8:00 p.m. for threaten litigation and land acquisition and to include Mayor Donny Schmit, Village Administrator Anne Marrin, Assistant to the Village Administrator Laura Linehan, Attorney Howard Teegen, Police Chief Jimmy Lee Jr., Director Donovan Day, Village Treasurer Julie McManus, Scott Trotter and Bob Benson. Seconded by Trustee Konwent. All were in favor. ***Motion carried.****

**20. Reconvene the Village Board Meeting.**

*Trustee Konwent made a motion to reconvene the Village Board Meeting at 8:45 p.m., seconded by Trustee Marr. All were in favor. Motion Carried.*

**21. Possible Motion Coming out of Executive Session**

*There is none.*

**22. Adjournment**

*Trustee Stochl made a motion adjourn the meeting seconded by Trustee Marr. All were in favor. Motion Carried.*

Meeting was adjourned at 8:46 P.M.

Debra Dolis  
Debra Dolis, Village Clerk