



## 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 June 26, 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 and Koske. Trustee Moore absent.

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

#### 2. Approval of Minutes

*Trustee Konwent made a motion to approve the Village Board Meeting Minutes of June 12, 2018 as amended, seconded by Trustee Stochl.*

*A roll call vote was taken as follows:*

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

#### 3. Approval of the Warrant

*Trustee Marr made a motion to approve the Expenditures/Warrants/ Transfers for June 26, 2018 in the amount of \$558,893.02 Seconded by Trustee Stochl.*

*A roll call vote was taken as follows:*

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

***Motion Carried***

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

##### A. Fire & Police Commission Appointment – Greg Kenney

Greg Kenney was sworn in by Village Clerk Debra Dolis, he will be taking Margaret Paull's position. The Mayor thanked Margaret Paul for her many years of service. Police Chief Jimmy Lee Jr. stated Greg Kenney is well qualified for this position; Greg has been a dispatcher and part time Police Officer in the past. Greg Kenney is honored to accept this position.

##### B. Certificate of Recognition – Kimberly Kunkel

Telecommunicator Kimberly Kunkel was recognized for her life saving efforts when a caller's mother has stopped breathing and Kunkel gave instructions on how to do CPR, by the time of rescue's arrival the patient had a pulse and started breathing. Telecommunicator Kunkel is being honored for her exceptional service and presented with a certificate of appreciation from Mayor Donny Schmit.

##### C. Presentation of the Annual NPDES Report

Anne Marrin gave the NPDES (National Pollution Discharge Elimination System) Report. The NPDES Report is required each year by all municipalities for our MS4 Permit. The NPDES ensures that our storm water is running into the storm drains as clean as it comes down. The flooding event in July had a major impact on our storm drains. The public outreach provided during that event was well received with emergency information for those impacted by the flooding.

SWALCO collected over 3 Million pounds of electronics from four host sites, which equals a 3.5% increase over last year's collections.

Promote Fox Lake planted over 3,000 daffodils throughout the Village.

Community Development Director, Donovan Day attended a two day seminar hosted by the Illinois Association of Flood Plain and Storm Water Management, the presentation was titled "Fox Lake from Worst to First." The Village had over 200 violations and Donovan Day has cleared them up in two years.

The Village has a 501 C3 "Champions on the Chain" a non-profit educational group for residents and business owners to help with clean-up and erosion control, helping bring our lakes back to pristine condition.

Duck Lake Storm Water Management Project is completed.

Dunns Lake HOA with the help of the Village of Fox Lake, Mayor Donny Schmit and Storm Water Management of Lake County worked together to clean up their retention pond and interconnected drainage ways. Dunns Lake no longer has the flooding or debris in retention pond, it now drains properly.

Our Public works Department inventoried over 600 storm water drains, they have all been cleaned.

The Village has purchased another home this year through a FEMA Grant for homes that consistently flood, a total of 5 homes have been purchased. The home sites are and will be green areas.

Construction areas must use silt fencing on all construction sites.

The Village has adopted the following storm water management activities; Lake County All-Natural Hazard Mitigation Plan, McHenry County All-Natural Hazard Mitigation Plan, a resolution authorizing the Mayor to approve a bike path and joining the Lake County Brownfield Coalition.

Street cleaning was performed and collected 288 yards of debris.

The Village will continue to work on best practice involving Storm Water Management, updates available on our website.

## 5. **Village President's Report**

### **A. Amnesty Update**

The Mayor attended a meeting June 18, 2018 regarding the amnesty program. This program will affect approximately 90 residents and 1 or more businesses. The subjects include residents that wanted to keep their well even if they hook up to the water and sewer. The Lake County Health Department said if the well is in a pit or underneath stairs it will have to be capped. Some residents would like to keep their well to water landscaping and fill their pools. The County stated that if the well is physically disconnected then it is a municipal decision. One resident received an estimate of \$1900.00 to cap their well. Kaelan Noonan verified that price. Trotter suggested if the Board allows residents to keep their well a check valve or RPZ will have to be installed so no well water can flow back into the municipal water. Trustee Marr asked if the residents can get a rebate on sewer, but Mayor Donny Schmit stated that when a pool is drained it should be going into the sanitary sewer. Trustee Jensen is in agreement with allowing the well to be used if the check valve is installed. Trustee Koske asked why the County discourages this practice; Mayor Schmit said some people have hooked their well back up. Dwight House would also like to hook up the water and be allowed amnesty along with the residents.

**B. Use Tax**

The ‘Use Tax’ will allow the Village to receive tax on items sold out of state by online sellers. Sellers who sell more than 200 plus transactions or \$100K plus in annual sales will be required to collect the “Use Tax.”

**6. Village Administrator’s Report**

There is none.

**7. Village Attorney Report**

Village Attorney Howard Teegen has prepared the tax exemption for the property on Forest Avenue

**8. Village Treasurer’s Report**

There is none.

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

Resident Dawn Patterson asked if there is any update on the Hickory Street Grant, Village Attorney Howard Teegen is still researching it and should have an update at the next Village Meeting

**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 Konwent. All were in favor. **Motion Carried.***

**A. Strategic Planning Team Reports**

**1. Infrastructure**

Ryan Kelly stated that The Infrastructure Strategic Planning Team last met on June 6, 2018. Anne Marrin gave an update of the projects in process and new business. They are as follows:

**• Sayton Road**

Meeting held June 21, 2018 at the IDOT District 1 Office in Schaumburg. Anticipated start date is July 9, 2018.

**• Frontage Road**

Preliminary design for construction in front of Jewel is almost complete, will be coordinating utilities for design, update at next meeting or first meeting in August.

**• Sayton Road Phase II**

Working on estimate, completed field locations and elevations for pipes and drainage information for project.

- Grand Avenue  
Engineering plans still being worked on
- Nippersink Phase I  
Gewalt is aiming for an early July completion of draft project development report
- Traffic Study  
Working on analyzing geometrics for replacing the tow sided parallel parking with single angle parking. Hoping to have draft report ready within two weeks but may need modification to meet ADA accessibility codes.

Ryan Kelly, Director NWRWRF updated the following:

- Washington Tower  
Leaks have been repaired; tower is now full and will be tested in the next week or two
- Interconnect  
Staff is gathering data to evaluate the actual benefits of the interconnect including long term capital needs and cost to operate
- Sewer Lining  
Out to bid, bid openings will be held Wednesday, July 3, 2018 at 10:30 a.m.
- NWRWRF Screw Pump Project  
Project complete and both pumps are operational

The next meeting will be Wednesday, July 11, 2018 at 8:30 a.m. at the Village to include Trustees Jensen and Trustee Marr.

## 2. Marketing

There is none.

## 3. Communication/Public Outreach

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

- Content is being migrated for the website.
- Planning Team met and selected topics for Department heads
- Working on a Farmers Market E-Newsletter
- Bike Rodeo is scheduled for July 17, 2018
- Police Bike Patrols have been out more, weather permitting

#### 4. Economic Development

Community Development Director, Donovan Day, stated that the Economic Development Strategic Planning team last met on June 27, 2018 to include Trustee Jensen and Trustee Marr. Director Day gave an update of the projects in process and new business. They are as follows:

- Dunkin Donuts  
Opened May 30<sup>th</sup>, they will be planning a Grand Opening Reception
- “Art”irondack Chairs  
Artists have been returning their completed chairs to Village Hall. They will be installed soon.
- Studio Hot Rods Roadhouse  
Approved for rough plumbing

#### 5. Recreation

Assistant to the Village Administrator, Laura Linehan, stated that the Recreation Strategic Planning Team last met in May 31, 2018. Laura thanked Leslie for all the photos provided for the updated website, she was in the audience. Ms. Linehan gave an update of the projects in process and new business. They are as follows:

- Concert by the Lake was held on June 16, 2018, there were about 100 attendees, lots of families and boats.
- WILL Rock will be broadcasting Friday, June 29, 2018 for Bloody Mary Fest. Hello Folks and KC’s Cabin will also be in attendance. T-Shirts will be for sale.
- Solidifying the ‘GO Fox Lake’ events
- Celebrate Fox Lake, parade at 4 p.m., Food and Games at Lakefront Park 5 p.m., Modern Day Romeos in concert 7 to 9 p.m. and Fireworks at 9:30 p.m.
- Splash Pad open
- Yoga on Monday nights at 6:30 p.m. for \$10 per class with a certified yoga instructor at Lakefront Park
- Farmers Market open every Tuesday, 4 to 8 p.m. at the Community Garden
- Paint in the Park will be painting an anchor in July
- Classical Concert will be held July 13, 2018
- “Great Gatsby” will be the movie for July

The next Recreation Strategic Planning Team meeting will be Thursday, June 28, 2018

#### 6. Technology

Jimmy Lee Jr. would like to schedule a meeting with department heads regarding locations for placement of video cameras throughout the Village.

## 11. New Business

### A. Ratifying Execution of Local Public Agency Agreement – Sayton Road Improvement

Authorize the Mayor to sign that the Village will pay 20% of the project or \$933,206.00

### B. Façade Improvement Program Grant Request – Graff Realty Inc.

Approving grant for 50% of \$3370.94 cost of new signage, total grant of \$1685.47

### C. 2018-26, An Ordinance Amending Various Sections of the Village Code to Authorize Licensing of Ice Cream Vendors within the Village.

Staff, Police Jimmy Lee Jr. and Sergeant Hoyne recommended that they need to be licensed, background checks, restricted operation and locations, no music while in motion. Trustee Jensen also brought up restrictions on selling during games while the concession stand is open at the baseball field and schools. Fines have also been listed in packet. Village Attorney Howard Teegen will write it up now, all in agreement.

### D. Ord 2018-27, An Ordinance Directing the Disposal of Surplus Property by Sale or Auction.

Two PD motorcycles are being auctioned; we currently have bids of \$6,500.00 and buyer will pay 12.5% advertising fee.

### E. Text Amendment to Zoning Ordinance Discussion and Direction

Designed for seasonal temporary use permits, that will not be a large detriment to surrounding properties. Trustee Marr brought up concerns about permit length. The duration of the permit will be spelled out when the permit is issued. The Board will have the control over the definition of temporary means for each permit.

### F. Special Use for Motor Vehicle Storage at 95 Industrial Discussion and Direction

Ray Chevrolet signed a lease with Dave Ferrigan to park the cars in this lot, there is no limit to the cars to be parked just as many as can be fit on the pavement.

### G. Petition Amend Zoning Ordinance to Include Solar Farms as Allowable Use Discussion and Direction

Thillen has asked for allowing M1, M2 and A1 allowing solar farm on 12 acres in the middle of his field. Village Attorney Teegen pointed out that this would be a ‘Special Use’ not ‘Allowable Use’ The consensus was to update the language and remove C5 from the consent agenda.

### H. Raffle License – Lakes Region Post 703 Monday Meat Raffles

Waive bond to re-new meat raffle license

**12. Old Business**

There is none.

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

Trustee Marr 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**

*C5*

**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-36, a Resolution Ratifying Execution by the Mayor of the Approval of the Local Public Agency Agreement for Federal Participation in the Sayton Road Improvement Project.**

**A. Ordinances**

1. **2018-26, An Ordinance Amending Various Sections of the Village Code to Authorize Licensing of Ice Cream Vendors within the Village.**
2. **Ord 2018-27 An Ordinance Directing the disposal of Surplus Property by Sale or Auction.**

**B. Motions**

1. **A motion to approve the Façade Improvement Grant Application for Graff Realty Inc. located at 28 W Grand Avenue, Fox Lake, IL in the amount of one thousand, six hundred eighty-five dollars and forty seven cents (\$1,685.47).**
2. **A motion to approve the Raffle License Application from Lakes Region Post 703 of the American Legion to conduct Meat Raffles on Mondays from 3:00 – 5:00 PM.**
3. **A Motion to approve the text amendment to section 9-1-6-10-D of the Zoning Ordinance of the Village of Fox Lake to include 9-1-6-10-D-3 Temporary Uses.**
4. **A Motion to approve the Petitioner's request for a Special Use Permit to store motor vehicles at property commonly known as 95 Industrial Avenue.**

*Trustee Jensen made a **motion** to move that items A 1 and B 1- 2 and C 1- 4 be established as the Consent Agenda for this meeting by unanimous vote, seconded by Trustee Konwent.*

*A roll call vote was taken as follows:*

Trustee Jensen	Aye
Trustee Stochl	Aye
Trustee Konwent	Aye
Trustee Marr	Aye
Trustee Moore	Absent
Trustee Koske	Aye
<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:*

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

### **C. Approval of Exceptions**

*Trustee Jensen made a **motion** to Amend Section 9-1-4-2 Table 1 of the Zoning Ordinance to Include Solar Farms as a Special Use **Seconded** by Trustee Konwent.*

*A roll call vote was taken as follows:*

Trustee Jensen	Aye
Trustee Stochl	Aye
Trustee Konwent	Aye
Trustee Marr	No
Trustee Moore	Absent
Trustee Koske	Aye
<b><i>Motion Carried</i></b>	

### **D. For the Good of the Order**

Mayor Donny Schmit was approached by a vendor who owns the hot dog boat asking if he could park at the piers by Lakefront Park, the Mayor would like the Board's input. Trustee Koske and Konwent do not have a problem with that as long as it will not take away from Village events. Anne Marrin raised a safety concern with the piers. Police Chief Jimmy Lee will look over temporary food sale Ordinance.

The three buildings purchased at 125 Nippersink – the engineer is going over plans right now, he recommended taking down retaining wall and sloping the land. The cul-de-sac should be returned to a grassy area. There are many ideas for the future of the property including ice skating and a sledding hill.

Vehicle stickers, Timber Oaks include utilities with the rent; they do not have a mechanism to collect money for stickers this year, but can add it to next year's lease. A payment plan will be worked out for this budgeted year. The Mayor will be visiting Leisure Village on July 28, 2018 to discuss this topic.

### **E. Audience Comments**

Resident Valerie Knopp asked for clarification on the new vehicle sticker program. Mayor Donny Schmit explained it will now be charged with your utility (water/sewer) bill, each home will pay \$25.00 (per household) no matter how many cars are owned. There will no longer be stickers for the windshield.

#### **F. Executive Session**

*Trustee Konwent made a **motion** to retire into executive session at 8:05 p.m. for threaten litigation and collective bargaining and to include Mayor Donny Schmit, Village Administrator Anne Marrin, Assistant to the Village Administrator Laura Linehan, Attorney Howard Teegen, Village Treasurer Julie McManus, Director of Community Development Donovan Day, Director NWRWRF Ryan Kelly. Seconded by Trustee Konwent. All were in favor. **Motion carried.***

#### **G. Reconvene the Village Board Meeting.**

*Trustee Konwent made a **motion** to reconvene the Village Board Meeting at 8:41 p.m., seconded by Trustee Marr. All were in favor. **Motion Carried.***

#### **H. Possible Motion Coming out of Executive Session**

*There is none.*

#### **I. Adjournment**

*Trustee Stochl made a **motion** adjourn the meeting at 8:44 p.m., seconded by Trustee Marr. All were in favor. **Motion Carried.***

Meeting was adjourned at 8:44 P.M.

*Debra Dolis*  
Debra Dolis, Village Clerk