



## 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 September 25, 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 Teege; Trustees: Jensen, Stochl, Konwent, Marr, Moore and Koske.

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

### 2. Approval of Minutes

*Trustee Jensen made a **motion** to approve the Village Board Meeting Minutes of September 11, 2018 as presented, seconded by Trustee Moore.*

*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>
<i><b>Motion Carried</b></i>	

### 3. Approval of the Warrant

*Trustee Marr made a **motion** to approve the Expenditures/Warrants/ Transfers for September 25, 2018 in the amount of \$503,692.69, 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>
<i>Motion Carried</i>	

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

##### **A. Fox Lake Queens**

Co-Director for the Miss Fox Lake/Ingleside Pageants, Jen Thibault, announced that the Fox Lake Queens were crowned on August 9, 2018 at the Parkway Banquet Salon in Round Lake. To date, the girls have already participated in over 10 events and 20+ hours in Lake County. In November 2018, the girls will compete for the title of Little, Junior, Teen and Miss Lake County. The winners will receive a scholarship.

The Fox Lake Queens introduced themselves, stated their platforms for which they stand for and their interests/hobbies.

- Miss Fox Lake Haylee, Suicide Awareness and Prevention
- Teen Fox Lake Savannah, Anti-Bullying
- Junior Miss Fox Lake Desiree, favorite event was the Homecoming Parade
- Little Miss Fox Lake Athena (absent), favorite event was Dog & Suds Cruise Nights and Fox Lake Car & Bike Rally

##### **B. Promote Fox Lake**

Michael Lescher gave an annual update regarding the finishing of Phase III (three) of Rollins Rd., Lakefront Park, weeding, mulching and planting of trees. Mr. Lescher stated they had difficulty with the soil at the Pizza Hut and Dairy Queen corners but will be focused on making them look as good as the Thornton's corner for next year and thanked the Village Board for their patience. Mayor Schmit commented how nice Lakefront Park is looking.

Mr. Lescher thanked everyone for the success of the ARTirondack community art project.

Promote Fox Lake will be holding their fundraiser on October 7, 2018 at Lynn Catherine's where they will be receiving 50% of the register ring. The fundraiser is being held for future projects and the goal to enhance the business community. Promote Fox Lake has been working with Community Development Director Donovan Day on the mural project and kiosks for next year.

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

The Mayor announced the Town Hall Meeting being held Thursday September 27, 2018 at 6 p.m.

**6. Village Administrator's Report**

Village Administrator Anne Marrin notified the Village Board that the requested talking points of the Town Hall Meeting were available and a word document email would be sent out as well.

**7. Village Attorney Report**

Village Attorney Howard Teegen announced that the Village closed on the 98 Forest Avenue property and the exception application will be filed as soon as the recorded deed is received.

**8. Village Treasurer's Report**

There is none.

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

There is none.

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

*Trustee Koske 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

Kealan Noonan, Director of Public Works stated they last met on September 5, 2018.

Kealan updated the Board on the following:

- Sayton Road – Berger has been out and working on storm sewers.
- Frontage Road – Received preliminary cost estimate of \$799,570 for the reconstruction project.
- Sewer Lining 2018 – Sewer lining for this year was completed and a \$13,000 credit received towards that project due to the 6 inch main not needing lining.
- Village Lighting Proposals – Proposals are being received to engineer lighting along Grand Ave, Millennium Park, Lakefront Park and the Community Garden.

2. Marketing

Laura Linehan, Assistant to the Village Administrator informed the Board that the Town Hall Meeting would be announced in the Northwest Herald.

3. Communication/Public Outreach

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

- Press releases continue to be published with great success.



- Volunteers requested for this year's Halloween Howl.
- The Parks and Recreation Public Meeting is scheduled for October 2, 2018 at Lakefront Park.
- Coffee with a Cop is in discussion.

#### 4. Economic Development

Community Development Director Donovan Day stated the next meeting will be held Wednesday, September 26, 2018. Donovan updated the Board on the following:

- A 6-10 month Business Bootcamp training concept for current or new local businesses in Fox Lake will be presented.
- Studio Hotrods Roadhouse started drywall in the interior, estimated open date is 5 weeks.
- Studio 17 will be having their Grand Opening on October 6<sup>th</sup>, 2018 from 3-6 p.m.

#### 5. Recreation

Assistant to the Village Administrator Laura Linehan informed the Board that The Recreation Strategic Planning Team had a meeting this morning September 25, 2018. Ms. Linehan gave an update of the projects in process and new business. They are as follows:

- Grant high School gave confirmation that the high school band and choir will be participating in the Holiday Parade this year. The Antioch brass band, historic carolers and the carriage for Santa have also been confirmed.
- Presentation of the ice rink is being prepared.
- Parks Master Plan Public Meeting is scheduled for October 2, 2018 at 6 p.m. at Lakefront Park. Trustees are also invited to the Stakeholders meeting which is scheduled for October 2, 2018 at 4p.m. at Lakefront Park.
- The new Recreation and Program Coordinator starts on October 1, 2018.

#### 6. Technology

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

- Staff and MSP continue to meet with companies to review the camera system project.

## 11. New Business

### A. Resolution to induce the redevelopment of 44 S Route 12

Staff is requesting Village Board approval for a Resolution to induce the redevelopment of 44 S. Route 12. The Inducement Resolution agreement includes a reimbursement of seventy-five percent (75%) of the one percent (1%) BDD retailers' occupation tax generated from the subject property for a maximum reimbursement for equipment in the amount equal to the lesser of twenty-five 25% of the total cost of the Project; or five hundred thousand dollars (\$500,000.00).

### B. 2018-43, an Ordinance amending Sections 3-3-6 A 1 b and 3-3-6 A 1 c of the Village Code by permitting sale of wine by the bottle by Major and Minor Restaurants.

If the bottle is opened it must be sealed and wrapped in plastic before it leaves the premises.

### C. Motion to authorize the administrator and attorney to sign the FTA Fiscal Year 2018 Certifications and Assurances.

No budget impacts at this time.

### D. Final Plat of Subdivision for Fox Lake Crossing First Re-subdivision

Principal of Wool Capitol Partners, LLC Gary Wool, proposed to subdivide LOT 1 and LOT 7. LOT 1 would be subdivided into three (3) lots and LOT 7 would be subdivided into two (2) lots. Mr. Wool explained the main goals of the re-subdivision, is to redevelop the vacant Dominick's space to a self-storage facility and continuously redevelop it into an economically improved property. Trustee Marr asked about the existing tenant at the old Dominick's building, Learn and Grow. Mr. Wool stated he spoke with the owner and he agreed to honor her 2 year lease. Trustee Stochl questioned the ownership of the old gas station area. Mr. Wool stated his interest in obtaining ownership of the old gas station space. Trustee Stochl acknowledged the benefits of having ownership on property.

### E. Special Use Permit – Indoor and Outdoor Storage at 1258 S Route 12

Design Build Storage intends to convert the building into indoor self-storage. DBS is proposing a two and one-half million dollar (\$2,500,000.00) buildout including a second story mezzanine, eight hundred to eight hundred fifty (800-850) indoor storage units and a drive thru option. Village Attorney, Howard Teegan stated he would prepare the ordinance to accommodate the noise concerns of having landscaping and construction vehicles use the outdoor storage area.

Section 9-1-5-13-B.2 of the Fox Lake Zoning Ordinance requires the following conditions and guarantees as part of the Special Use Permit for self-storage:

- a) The entire tax parcel must be surrounded by a 6 foot (6') chain link fence with a secured gate at the entrance.

Note: The operators have agreed to install a six foot (6') privacy fence instead of chain linked.

- b) Availability to the public and hours of use by the public are restricted to the hours between seven o'clock (7:00) A.M. and seven o'clock (7:00) P.M.



- c) All exterior lighting fixtures shall be installed as to reflect the light away from the adjacent residential property.
- d) All storage shall be contained within the buildings. There will be no storage outside of the buildings. Storage areas shall not contain toxic, flammable, volatile materials.
- e) An alarm system with detectors shall be submitted to the fire inspector for approval. Fire hydrant location to be in accordance with code.
- f) All driveways should be looped for emergency vehicles. (Ord. 2013-05, 3-12-2013)

**F. Façade Improvement Program Grant Request – 44 S Route 12, Studio Hotrods Roadhouse**

The total cost of the improvements equal fifty two thousand, one hundred dollars (\$52,100.00). Requested grant funds in the amount of four thousand dollars (\$4,000.00) which is the maximum grant amount permitted.

**G. Façade Improvement Program Grant Request – 33 E Grand Avenue, The Levin Fund, LLC**

The total cost of improvements equal seven thousand, six hundred dollars (\$7,600.00). Requested grant funds in the amount of three thousand, eight hundred dollars (\$3,800.00).

**H. Façade Improvement Program Grant Request – 45 Nippersink Blvd, Audiosmith Ltd.**

The total cost of improvements equal five thousand, five hundred thirty-five dollars and twenty-nine cents (\$5,535.29). Requested grant funds in the amount of two thousand, seven hundred sixty-seven dollars and sixty-five cents (\$2,767.65).

**I. Special Use Permit to operate a Short-term Rental – 167 Waltonian Terrace**

No questions.

**J. Special Use Permit to operate a Short-term Rental – 501-503 Pistakee Parkway**

No questions.

**K. Raffle License Application – Fox Lake Round Lake Rotary Club**

Requested approval of the Raffle License and waiver of the Raffle Manager Bond.

**L. Raffle License Application – Fox Lake Lions Club**

Requested approval of the Raffle License and waiver of the Raffle Manager Bond.

**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**

*Trustee Stochl removed items C2 & C3*

**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-48, a Resolution of the Village of Fox Lake, Lake and McHenry Counties, Illinois, to induce the redevelopment of certain property within a Business Development District.**

**B. Ordinances**

- 1. 2018-43, an Ordinance amending Sections 3-3-6 A 1 b and 3-3-6 A 1 c of the Village Code by permitting sale of wine by the bottle by Major and Minor Restaurants.**

**C. Motions**

- 1. Motion to authorize the Administrator and Attorney to sign the FTA Fiscal Year 2018 Certifications and Assurances.**
- 2. Motion to approve Final Plat of Subdivision for Fox Lake Crossing First Resubdivision.**
- 3. Motion to approve a Special Use Permit to Operate a Self Storage Facility at 1258 S Route 12 with the conditions recommended by both the Planning and Zoning Commission and the Village Board and direct the Attorney to prepare the necessary ordinance.**
- 4. Motion to approve the Façade Improvement Program Grant Request from Studio Hotrods Roadhouse located at 44 S Route 12 in the amount of \$4,000.00.**
- 5. Motion to approve the Façade Improvement Program Grant Request from The Levin Fund LLC located at 33 E Grand Avenue in the amount of \$3,800.00.**
- 6. Motion to approve the Façade Improvement Program Grant Request from Audiosmith Ltd located at 45 Nippersink Blvd in the amount of \$2,767.65.**
- 7. Motion to approve a Special Use Permit to Operate a Short-term Rental at 167 Waltonian Terrace and direct the Attorney to prepare the necessary ordinance.**
- 8. Motion to approve a Special Use Permit to Operate a Short-term Rental at 501-503 Pistakee Pkwy and direct the Attorney to prepare the necessary ordinance.**
- 9. Motion to approve the Raffle License Application from the Fox Lake Round Lake Rotary Club to conduct a raffle on January 26, 2019 and to waive the Raffle Manager Bond Requirement.**
- 10. Motion to approve the Raffle License Application from the Fox Lake Lions Club to conduct a Ham Raffle on April 7, 2019 and to waive the Raffle Manager Bond Requirement.**

Trustee Jensen made a ***motion*** to move that items Resolutions A-1, Ordinances B-1, Motions C-1,4,5,6,7,8,9 and 10 be established as the Consent Agenda for this meeting by unanimous vote, seconded by Trustee Koske.

*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
<b><i>Motion Carried</i></b>	

Trustee Koske 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	Aye
Trustee Koske	Aye
<b><i>Motion Carried</i></b>	

## 16. Approval of Exceptions

Trustee Marr made a motion to approve the final plat of subdivision for Fox Lake Crossing First Re-subdivision subject to timing approval 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	Aye
Trustee Koske	Aye
<b><i>Motion Carried</i></b>	

Trustee Marr made a motion to approve the Special Use Permit to operate self-service facility at 1258 S. Route 12 with the conditions recommended by both Planning and Zoning Commission, Village Board and direct attorney to prepare the necessary ordinance, including approval of amended CCRS and timing of the effective date seconded by Trustee Moore..



*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>	

**17. For the Good of the Order**

There is none.

**18. Audience Comments**

There is none.

**19. Executive Session**

*Trustee Marr made a **motion** to retire into executive session at 8:07p.m. for threaten litigation and to include Mayor Donny Schmit, Village Administrator Anne Marrin, Assistant to the Village Administrator Laura Linehan, Attorney Howard Teegen and Community Development Director Donovan Day seconded by Trustee Jensen. All were in favor. **Motion carried.***

**20. Reconvene the Village Board Meeting**

*Trustee Koske made a motion to reconvene the Village Board meeting at 8:24 p.m. seconded by Trustee Jensen. 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 8:26 P.M.

  
Brigitte Weber, Deputy Clerk