



## 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 January 22<sup>nd</sup>, 2019 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 Karen Barone; Trustees: Jensen, Stochl, 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 pointed out a correction needed in the Consent Agenda section of the meeting minutes. It was Trustee Jensen who made the motion to establish the Consent Agenda, not Trustee Marr.*

*A. Trustee Marr made a **motion** to approve the Village Board Meeting Minutes for January 8<sup>th</sup>, 2019 as amended, seconded by Trustee Moore. All were in favor. **Motion Carried***

### 3. Approval of the Warrant

*Trustee Koske made a **motion** to approve the Expenditures/Warrants/ Transfers for January 22<sup>nd</sup>, 2019 in the amount of \$656,156.02 Seconded by Trustee Marr.*

*A roll call vote was taken as follows:*

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

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

Presentation on Parks Master Plan

*Representative from the Site Design Group who has been working with the Village of Fox Lake since August 2018 presented on the Parks Master Plan. The Site Design Group gathered data in order to analyze parks and resident survey results and also compared Fox Lake parks against national benchmarks (parks in villages of comparable size and population). Findings included:*

- *Areas south of Rollins Rd and North of Rollins Road are in need of neighborhood parks.*
- *Lakefront Park and Community Gardens are well distributed and equitable. However, the Garden has big embankments which limit visibility.*
- *144 responses to the public survey found that playgrounds, a public restroom, a beach and walking trails were the highest priority.*
- *Village Parks are well used but not given high quality ratings due to lack of maintenance and ages of the parks.*
- *Lakefront Park: Community Center is used but separate from everything else, the parking lot isn't clearly defined and no consistent shoreline.*
- *Veterans Park: Disjointed park assets and unclear boundaries. There is a detention pond with great wildlife habitat and the Village isn't taking advantage of that.*
- *Millennium Park: Great connection to downtown main street but no great walking path for pedestrians to walk downtown. Good bike trail to the south but there's no sign calling it out.*
- *Neighborhood Parks: Lack of maintenance give a feel of being forgotten. They're monotone and can use a more imaginative feel which can be an inexpensive fix.*
- *Village Programs: Main demographic is ages 20-54 but this group is only served by 2% of the Village's programs.*

*Site Design Group recommends increasing open space, rethink equity of the Village's age demographic, complete a staffing report to see where employment needs will be, investigate how money is spent in terms of capital improvements (last more than 2 years and cost over \$25K), look at maintenance and landscape around the Village in order to achieve a cleaner look and make existing playgrounds more unique. Going forward, the Parks and Rec team will prioritize these recommendations and decide which will be implemented.*

*Mayor Schmit was receptive of the Parks Master Plan feedback. He acknowledges aging equipment but was surprised by the age demographic information. The Village will continue to move forward. Trustee Koske reminded everyone that since 2001, the Village's Parks and Rec has expanded tremendously. The Board has taken the time and money to promote Parks and Rec. It's now an essential service because residents want parks and events. In order to stay a modern, contemporary community, it is very important to stay on top of this plan.*

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

*Mayor Schmit gave out some accolades.*

*Mayor received a letter from the Alliance Against Intoxicated Motorists about prosecutor Caryn Barone. Director of Court Monitoring for the Alliance, Kathy Stanley, acknowledged that Caryn was very prepared for her DUI cases, as well as confident and knowledgeable.*

*Another Letter came from the owner of Antioch Pizza thanking the Village for its generous BDD Financial Support. He thanked the Village for working with him and trusting him to open a business in town. Antioch Pizza is excited to be a part of the community.*



Mayor Schmit is on Board of Stormwater management. The Village received a \$21,400 grant for Millennium Park to build a nature trail with a bridge and walking paths. Also, the 2019 Stormwater Manager of the Year award went to Donovan Day.

Mayor Schmit said when he became mayor, over 200 homes were not in compliance under FEMA and the Village was on the verge of losing its flood insurance. Fox Lake went from 'worst to first' under Donovan's leadership.

Donovan Day explained the need to follow regulations as we have 258 properties that need to meet FEMA regulations. That's over \$51M coverage in Fox Lake. Of the 200 homes that were not in compliance, there are only 7 homes left. Once those meet FEMA regulations, Donovan expects resident flood insurance to decrease between 15%-20%.

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

Performance Metric Mid-Year Status Report

Anne Marrin discussed the mid-year performance metric that gets incorporated into the annual budget. The planning team starts on a metric for the budget year, as well as a prioritization plan and metrics of how the team is going to get there. When they do the budget amendment, the plan gets updated. These plans are very fluid as it depends on funding or delayed project start date or technical issues (not compatible). Includes input from planning teams and residents.

## 7. **Village Attorney Report**

There is none.

## 8. **Village Treasurer's Report**

Fiscal Year 2018-2019 Budget Amendment

Finance Director Julie McManus presented the 2018/2019 budget amendments. The total adjustment was \$1.2M. This is a positive adjustment reducing expenditures and/or increasing revenues. One of the main drivers behind the amendment is a \$750K adjustment for the Business Development Districts. Most of the money they expected to spend will be spent in another year. Another driver is administrative charges related to local water and sewer which were overestimated when the original budget was created. Other changes that impacted the budget: personnel changes, benefits changes and adjustments based off business trends such as training, interest and bank charges, building maintenance and the park study.

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

There is none.

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

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

### **A. Strategic Planning Team Reports**

#### 1. Infrastructure

Kealan Noonan, Director of Public Works

- Frontage Road: Designed and ready to go out to bid on January 29<sup>th</sup>. The bid opening will be on February 19<sup>th</sup>.
- Sayton Road South: February 6<sup>th</sup> public input meeting will be held in the Village Board Room.

- Grace Avenue Improvements: Local letting of March 2019.
- Grand Avenue: April 26<sup>th</sup> letting date.
- Grand Avenue Lighting: Met with engineers on project and they're ready to move forward.

2. Marketing

Mayor asked for comments from Marketing and there were none.

3. Communication/Public Outreach

Mayor asked for comments from Communication/Public Outreach and there were none.

4. Economic Development

Community Development Director Donovan Day

- Owner of Create Your Own Cheesesteak (CYOC) will occupy the former Marina Grill and will be opening in the next couple weeks.

5. Recreation

Mayor asked for comments from Recreation and there were none.

6. Technology

Mayor asked for comments from Technology and there were none.

**11. New Business**

- A. Resolution 2019-R-08: A Resolution Authorizing the Mayor and Village Clerk of the Village of Fox Lake, to sign and thereby accept the proposal from Marc Kresmery Construction LLC for lift station backup generator sets.

Mayor Schmit said there is no room for a backup generator by the lift station, so this project will come in under budget. Kresmery is a reputable contractor who has worked with the Village in the past.

- B. Resolution 2019-R-09: A Resolution Approving a Construction Engineering Service Agreement with Trotter and Associates, Inc. for bidding and construction engineering services for Phase I of the Interconnect.

Mayor Schmit explained this project will take place in two phases. The first phase will be from the Bakery up to the American Legion. The construction portion, starting in June, will be \$533K (includes a lift station and piping). This will be in conjunction with the Nippersink Road Project and the plan is to be completed by November.

- C. Resolution 2019-R-10: A Resolution Authorizing the Mayor of the Village of Fox Lake, to sign and thereby accept work order W058 from Trotter and Associates, Inc. for design phase engineering services for the replacement of the biological treatment process air main at the Northwest Regional Water Reclamation Facility (NWRWRF).

There is a leaking air header and the Village is working to get funding for the project, as well as determine if this will be a repair or a replacement.

- D. Resolution 2019-R-11: A Resolution pledging good faith efforts of the Village of Fox Lake to comply with permit conditions for work performed in I.D.O.T. Right of Way for the years 2019 and 2020.

The Mayor explained that IDOT requires permits to begin repairs. This is a two year signed agreement that allows for emergency repairs with application for an IDOT permit afterwards.

- E. Ordinance 2019-01: An Ordinance of the Village of Fox Lake, Lake and McHenry Counties, Illinois, Amending Section 9-1-5-1-C of the Zoning Ordinance.



- F. Ordinance 2019-02: An Ordinance of the Village of Fox Lake, Lake and McHenry Counties, Illinois, Granting a Side Yard Setback Variance to Sean Stochl and Erin Thomas at property commonly known as 28 N. Lake Ave.  
Will be pulling Ordinance 2019-02 off the consent agenda.
- G. Ordinance 2019-03: An Ordinance of the Village of Fox Lake, Lake and McHenry Counties, Illinois, Granting a Special Use Permit to Kelly Ellis to operate a short-term rental at property commonly known as 182 Howard Ct.
- H. Ordinance 2019-04: An Ordinance of the Village of Fox Lake, Lake and McHenry Counties, Illinois, Granting a Special Use Permit to Kirti Patel to construct a drive-up window at property commonly known as 19 S. Route 12.
- I. Ordinance 2019-05: An Ordinance of the Village of Fox Lake, Lake and McHenry Counties, Illinois, directing the disposal of surplus property by various means.
- J. Ordinance 2019-06: An Ordinance of the Village of Fox Lake, Lake and McHenry Counties, Illinois, Amending the Annual Budget FY 2018-2019.
- K. A Motion to approve the Raffle License Application from National Athletic Club (NAC) for various raffles types on Friday's through December 27, 2019 and waive the bond.  
Will be pulling this Motion off the consent agenda.
- L. A Motion to approve the Raffle License Application from Grant Township for the Annual Fish Fry Super Raffle and 50/50 Raffle on March 8, 2019 and waive the bond.

## 12. **Old Business**

Mayor Schmit talked with the Fire Protection District and Anne Marrin and they are anxious to extend the agreement for the two firehouses and the Community Garden.

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

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

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

- Ordinance 2019-02: An Ordinance of the Village of Fox Lake, Lake and McHenry Counties, Illinois, Granting a Side Yard Setback Variance to Sean Stochl and Erin Thomas at property commonly known as 28 N. Lake Ave.
- A Motion to approve the Raffle License Application from National Athletic Club (NAC) for various raffles types on Friday's through December 27, 2019 and waive the bond.

## 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**

1. Resolution 2019-R-08: A Resolution Authorizing the Mayor and Village Clerk of the Village of Fox Lake, to sign and thereby accept the proposal from Marc Kresmery Construction LLC for lift station backup generator sets.
2. Resolution 2019-R-09: A Resolution Approving a Construction Engineering Service Agreement with Trotter and Associates, Inc. for bidding and construction engineering services for Phase I of the Interconnect.

3. Resolution 2019-R-10: A Resolution Authorizing the Mayor of the Village of Fox Lake, to sign and thereby accept work order W058 from Trotter and Associates, Inc. for design phase engineering services for the replacement of the biological treatment process air main at the Northwest Regional Water Reclamation Facility (NWRWRF)
4. Resolution 2019-R-11: A Resolution pledging good faith efforts of the Village of Fox Lake to comply with permit conditions for work performed in I.D.O.T. Right of Way for the years 2019 and 2020.

#### B. Ordinances

1. Ordinance 2019-01: An Ordinance of the Village of Fox Lake, Lake and McHenry Counties, Illinois, Amending Section 9-1-5-1-C of the Zoning Ordinance.
2. Ordinance 2019-02: An Ordinance of the Village of Fox Lake, Lake and McHenry Counties, Illinois, Granting a Side Yard Setback Variance to Sean Stochl and Erin Thomas at property commonly known as 28 N. Lake Ave.
3. Ordinance 2019-03: An Ordinance of the Village of Fox Lake, Lake and McHenry Counties, Illinois, Granting a Special Use Permit to Kelly Ellis to operate a short-term rental at property commonly known as 182 Howard Ct.
4. Ordinance 2019-04: An Ordinance of the Village of Fox Lake, Lake and McHenry Counties, Illinois, Granting a Special Use Permit to Kirti Patel to construct a drive-up window at property commonly known as 19 S. Route 12.
5. Ordinance 2019-05: An Ordinance of the Village of Fox Lake, Lake and McHenry Counties, Illinois, directing the disposal of surplus property by various means.

#### C. Motions

1. A Motion to approve the Raffle License Application from National Athletic Club (NAC) for various raffles types on Friday's through December 27, 2019 and waive the bond.
2. A Motion to approve the Raffle License Application from Grant Township for the Annual Fish Fry Super Raffle and 50/50 Raffle on March 8, 2019 and waive the bond.

*Trustee Jensen made a **motion** to move that items Resolutions A-1, 2, 3, 4, Ordinances B-1,3,4,5,6 and Motions C-2 be established as the Consent Agenda for this meeting by unanimous vote, seconded by Trustee Koske.*

*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>Absent</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 Jensen made a ***motion*** that the consent agenda as established by the prior motion be passed, seconded by Trustee Koske.

*A roll call vote was taken as follows:*

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

#### 16. **Approval of Exceptions**

Trustee Jensen made a ***motion*** to pass Ordinance 2019-02, granting a Side Yard Setback Variance at 28 N. Lake Ave, seconded by Trustee Moore.

*A roll call vote was taken as follows:*

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

Trustee Koske made a ***motion*** to approve the Raffle License Application from the National Athletic Club (NAC) and waive the bond, seconded by Trustee Moore.

*A roll call vote was taken as follows:*

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

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

Trustee Moore said that she's received good feedback about changes to the ordinance for legal non-conforming structures, allowing residents to make changes to their homes. She commends all those who have worked on getting that done.

Trustee Moore also wants to advocate for the Sustainability Plan. There are incentives going out to businesses and the communities that Village can take advantage of.

Finally, Trustee Moore followed up on the Chamber of Commerce conversation from the previous Board Meeting and Trustee Koske said there's still a meeting to be scheduled with the Village and the Chamber.

#### 18. **Audience Comments**

There is none.



**19. Reconvene the Hearing regarding the Special Use Permit for the Property located at 100 S. Route 12, Fox Lake, Illinois**

*Trustee Marr made a **motion** to reconvene the hearing regarding the special use permit at 100 S. Route 12, seconded by Trustee Jensen. All were in favor. **Motion Carried***

**20. Public Comment**

Zach Steffens, the owner of Culvers, has new plans (from their new engineer Art Designs) that will remove all encroachments from the property. The engineer will be in contact with IDOT and get the final plans to them for approval.

Alex Marks representing the property owners at 90 South Route 12 said he has not heard of or seen revised plans with the removal of all encroachments. He notes that there was no mention of a time frame for this work to be completed. He asks the Village Board to enforce their Ordinances.

**21. Executive Session**

*Trustee Jensen made a **motion** to retire into executive session at 7:52p.m. for collective bargaining, pending litigation, personnel and deliberations on Reconvened Hearing regarding the Special Use Permit for the Property located at 100 S. Route 12, Fox Lake, IL to include Mayor Donny Schmit, Village Administrator Anne Marrin, Assistant to the Village Administrator Laura Linehan, Attorney Karen Barone and Community Development Director Donovan Day, Ben Jacobi, seconded by Trustee Moore. All were in favor. **Motion Carried.***

**Reconvene the Village Board Meeting**

*Trustee Koske made a motion to reconvene the Village Board meeting, seconded by Trustee Jensen. All were in favor. **Motion Carried.***

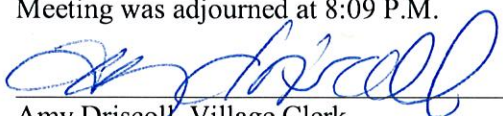
**22. Possible Motion Coming out of Executive Session**

*Trustee Marr made a **motion** to approve the deliberations for the Special Use Permit at 100 S. Route 12, Fox Lake, IL. The Special Use hearing will be continued to the next Village Board Meeting on February 12<sup>th</sup>, seconded by Trustee Jensen. All were in favor. **Motion Carried.***

**23. Adjournment**

*Trustee Stochl made a **motion** adjourn the meeting at 8:34p.m., seconded by Trustee Marr. All were in favor. **Motion Carried.***

Meeting was adjourned at 8:09 P.M.

  
\_\_\_\_\_  
Amy Driscoll, Village Clerk