



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 March 26th, 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: Stochl, Konwent, Marr, Moore and Koske.

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

2. Approval of Minutes

Trustee Konwent made a motion to approve the Village Board Meeting Minutes for March 12th, 2019 as amended, seconded by Trustee Marr. All were in favor. Motion Carried

3. Approval of the Warrant

Trustee Koske made a motion to approve the Expenditures/Warrants/ Transfers for March 26th, 2019 in the amount of \$836,988.65 Seconded by Trustee Marr.

A roll call vote was taken as follows:

Trustee Jensen	Absent
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)

There is none.

5. Village President's Report

Mayor Schmit discussed the legislation going on in Springfield and how the Village is staying on top of it. One proposal relates to reimbursement for officials and Mayor Schmit wanted to state for the record that in the past six years he hasn't taken a penny for gas, his phone or his meals. He occasionally gets reimbursement for a hotel room when traveling to Springfield. Litigation is constantly changing, especially recreational marijuana, which recently saw 63 votes to slow down that process. The Mayor and Anne are reviewing the weekly reports out of Springfield, to stay on top of these proposals.

6. Village Administrator's Report

Anne is excited about the beatification and lighting projects going on in town. She also heard from Metra this week and they will be meeting about the platform remodel for the Fox Lake station. The pre-plan is to add cement stamping and color to the platform, which will be decided on at the Metra meeting. The hope is to coordinate the platform remodel with the Nippersink Blvd rehab and bike path. Also, congratulations to Fox Lake Director of Public Works, Kealan Noonan, and his wife on the birth of their baby boy!

7. Village Attorney Report

There is none.

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

A. Strategic Planning Team Reports

1. Infrastructure

Mayor Schmit mentioned Sayton Rd will be starting up soon and there will be a pre-construction meeting, for Frontage Rd by Jewel, the first week of April.

2. Marketing

Laura Linehan, Assistant to the Village Administrator

Monthly flyers will be going out to the schools for kids to sign up for programs offered by the village.

3. Communication/Public Outreach

Jimmy Lee, Jr, Police Chief

Chief Lee was approached last week by Wendy's Corporation. Wendy's gave Chief about 300 coupons to give out when officers see someone doing something good. This initiative will start in the weeks ahead.

4. Economic Development

Donovan Day, Community Development

- Create Your Own Cheesesteak and Cheesecake (CYOC) – April 3rd will be their official opening.
- Hotel Study – RFP is due April 1st. Staff received inquiries from three interested firms.

5. Recreation

Laura Linehan, Assistant to the Village Administrator

- 222 tickets have been sold for the Bloody Mary Fest. Three new vendors have been added: Diamond Deli, Famous Freddie's and Olive Black Martini and Wine bar from Richmond.
- Parks, Infrastructure and Economic Development are working on the Community Garden grading process and making sure the WDO permit is completed so it's ready for Farmers Market and other events to be held in that space.

6. Technology

Jimmy Lee, Jr, Police Chief

The camera project has been in the works for a while now. The current proposal is a cut down, refined version using some of the equipment that's in place now. If approved, this will allow for more effective monitoring.

11. New Business

A. Resolution 2019-R-22: A Resolution Authorizing the Mayor to Sign and Thereby Accept the Proposal from Current Technologies for the Installation of Video Cameras, Microphones and Storage Servers for Various Village of Fox Lake Buildings and Facilities.

A budgeted item to be used at Village Hall, Holiday Park Evidence Building, Lakefront Park, Public Works and the Police Department. This technology will also be used in taping the Village Board Meetings. There are potential issues with software that backs up the tapes because it needs space to be stored and be made available as needed. Where and how to store the recordings, and how long to retain them, are all issues to be discussed. Staff also has to be conscious of what is released and broadcast for privacy purposes. The original proposal was \$150K but Chief Lee was able to work that number down to around \$60K.

- B. Ordinance 2019-07: An Ordinance of the Village of Fox Lake, Lake and McHenry Counties, Illinois, Granting a Special Use Permit to Trevor Denniston to operate a short-term rental at property commonly known as 16 S. Pistakee Lake Rd.

They have been doing this for about five years now and operate about 16-20 days a year.

- C. Ordinance 2019-08: An Ordinance of the Village of Fox Lake, Lake and McHenry Counties, Illinois, Granting a Special Use Permit to Michelle Stewart to operate a short-term rental at property commonly known as 23 Atwater Parkway.

This property has been operating for about six months now but under the condition that the private park near the property is not to be used by tenants of the short term rental.

- D. Ordinance 2019-09: An Ordinance of the Village of Fox Lake, Lake and McHenry Counties, Illinois, transferring a Special Use Permit to operate a self-storage facility and outdoor storage at property commonly known as 1258 S. Route 12.

This is the old Dominick's grocery store.

- E. Ordinance 2019-10: An Ordinance of the Village of Fox Lake, Lake and McHenry Counties, Illinois, adopting a redevelopment agreement between the Village of Fox Lake and Tivoli Enterprises, Inc.

Tivoli had requested \$500K from BDD and the Village countered with \$200K. Both parties came to an agreement of \$300K. Donovan said Phase 1 is to redo seating and lighting. Phase 2 is taking over the old creamery which will become a bar/lounge area with outdoor seating. They will also expand into the old Chinese restaurant and Ace Hardware buildings to add three new theatres. The beginning portion of the rebuilding did not need additional funding. With this additional Phase 2 work, incentive agreements have been discussed. Classic Cinemas has done several buildouts in other towns and villages who have provided them with incentives. The Village is offering a reimbursable incentive with an expiration date at 20 years. If they don't reach the amount specified then the agreement is terminated. They will receive 75% of BDD and the Village will receive 25% of that revenue from the new theatres and restaurant bar revenue. Side note: The theatre will not be changing the popcorn! There is also talk of storeowners interested in moving into empty buildings in that plaza due to success of the new theater.

- F. Ordinance 2019-12: An Ordinance of the Village of Fox Lake, Lake and McHenry Counties, Amending the Budget for the FY 2018-2019 for a Change to the Sayton Road North Project to Include Draining Improvements.

Deficiencies were found during storm sewer installation and there are flooding issues at the treatment plant. The Village wants to take care of everything at once and do it right. The total cost will be \$170K plus a 10% contingency. Most of the Sayton Road project is done at an 80/20 split where the Village only has to pay 20%. IDOT denied the 80/20 split on this project so the Village will have to cover the whole amount. This will put in 36 inch pipe from the railroad tracks down to the industrial park. A budget amendment will need to be made because these funds will come out of the 2019 budget. This will deplete reserves for next year and the Village will need to begin saving again for another project. Julie said this was addressed at the Budget Workshop. This will be

funded by the least restrictive General Fund which had \$1.2M dollars in it. If approved tonight, this won't slow down the project which is expected to last about 3 weeks.

G. A Motion to accept the Planning & Zoning Commission's recommendation to amend Section 9-1-4-3-B-3 of the Zoning Ordinance.

There are many lots in town that were built on when yards were not required to be a certain width. Requirement is now 65ft wide. If two vacant lots are next to each other, the lot with the home on it is considered a legal non-conforming structure or lot. In order to build on these homes, code requires the lots to be combined. This amendment will take away the legal non-conforming lot requirement. Donovan shared that Attorney Teegan has concerns that people may build junky, small homes on smaller lots. Donovan said the State of Illinois has requirements that won't allow you to build a junky home, since there has to be certain foundation and siding in order to meet code. He thinks with the amount of small, open lots that are currently unbuildable in Fox Lake, it makes sense to remove this restriction so owners can sell the lot as an open lot or build onto their homes. Donovan also shared that Attorney Teegan stressed a minimum standard should be set, to not allow for zero lot lines and to prevent exceeding current lot coverage requirements which is 30%.

The Planning and Zoning Commission agreed with Attorney Teegan's remarks. Trustee Marr commented that in the 1980's, zero lot lines were en vogue with builders because combining two structures on the same side of the lot, increased the open, green space on the opposite side of the lot. This gave a row house effect with a lot of nice green space. Trustee Marr has reservation with preventing zero lot lines and advised Donovan to consider approving it for specific projects.

Donovan will work with Attorney Teegan on wording the ordinance so that, in certain circumstances, there won't be complete restrictions.

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 Konwent. All were in favor. Motion carried.

14. Items to be Removed from Consent Agenda

There are none.

15. Approval of Exceptions

A. Resolution 2019-R-22: A Resolution Authorizing the Mayor to Sign and Thereby Accept the Proposal from Current Technologies for the Installation of Video Cameras, Microphones and Storage Servers for Various Village of Fox Lake Buildings and Facilities.

Trustee Moore made a motion authorizing the Mayor to sign and accept the proposal from Current Technologies for the Installation of Video Cameras, Microphone and Storage Servers for Various Village of Fox Lake Buildings and Facilities, seconded by Trustee Marr.

A roll call vote was taken as follows:

<i>Trustee Jensen</i>	<i>Absent</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>	

16. **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-22: A Resolution Authorizing the Mayor to Sign and Thereby Accept the Proposal from Current Technologies for the Installation of Video Cameras, Microphones and Storage Servers for Various Village of Fox Lake Buildings and Facilities.

B. **Ordinances**

1. Ordinance 2019-07: An Ordinance of the Village of Fox Lake, Lake and McHenry Counties, Illinois, Granting a Special Use Permit to Trevor Denniston to operate a short-term rental at property commonly known as 16 S. Pistakee Lake Rd.
2. Ordinance 2019-08: An Ordinance of the Village of Fox Lake, Lake and McHenry Counties, Illinois, Granting a Special Use Permit to Michelle Stewart to operate a short-term rental at property commonly known as 23 Atwater Parkway.
3. Ordinance 2019-09: An Ordinance of the Village of Fox Lake, Lake and McHenry Counties, Illinois, transferring a Special Use Permit to operate a self-storage facility and outdoor storage at property commonly known as 1258 S. Route 12.
4. Ordinance 2019-10: An Ordinance of the Village of Fox Lake, Lake and McHenry Counties, Illinois, adopting a redevelopment agreement between the Village of Fox Lake and Tivoli Enterprises, Inc.
5. Ordinance 2019-12: An Ordinance of the Village of Fox Lake, Lake and McHenry Counties, Amending the Budget for the FY 2018-2019 for a Change to the Sayton Road North Project to Include Draining Improvements.

C. **Motions**

1. A Motion to accept the Planning & Zoning Commission's recommendation to amend Section 9-1-4-3-B-3 of the Zoning Ordinance.

Trustee Koske made a motion to move that items Resolutions A-1, Ordinances B 1-5, and Motion C-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>Absent</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>	

Trustee Konwent 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:

<i>Trustee Jensen</i>	<i>Absent</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>	

17. For the Good of the Order

Mayor Schmit said it has come to his attention in the last few weeks that the small liquor bottles (i.e. airplane bottles) have plugged up the sewer in the plaza and as the snow melted, they're showing up all over town. The Mayor doesn't know if they can be banned but the issue needs to be looked into. Trustee Stochl recommended assessing a fine for those littering. The issue is catching the person littering. Trustee Moore mentioned possibly removing all small liquor bottles from local stores. Mayor Schmit wants research to be done and see if an additional tax can be assessed on purchase of these bottles.

Trustee Marr said in walking around the neighborhood, he has noticed an excessive amount of residents in violation of building codes. There are cars blocking walks and garbage in yards. Trustee Marr has talked to staff and the Mayor to possibly increase the budget in Community Development and see if Legal can review and beef up codes. Donovan show properties in violation of current codes in his report, but it's only a line item without much detail. Trustee Marr asked that these reports include the top offenders with a little more detail behind each. The Mayor said he recently met with the owner of a few condemned buildings which they will be moving forward on those. He will also speak with judicator to provide guidelines as the goal is to provide guidance without becoming punitive.

18. Audience Comments

There is none.

19. Executive Session

There is none.

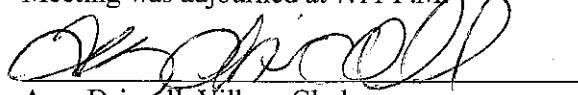
20. Possible Motion Coming out of Executive Session

There is none.

21. Adjournment

*Trustee Stochl made a motion adjourn the meeting at 7:11p.m., seconded by Trustee Marr.
All were in favor. Motion Carried.*

Meeting was adjourned at 7:11 P.M.


Amy Driscoll, Village Clerk