



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 April 23rd, 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 Howard Teegan; Trustees: Jensen, Stochl, Konwent, Marr, 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 April 9th, 2019 as presented, seconded by Trustee Marr. All were in favor. **Motion Carried***

*Trustee Jensen made a **motion** to approve the Public Hearing Meeting Minutes for April 9th, 2019 as presented, seconded by Trustee Konwent. All were in favor. **Motion Carried***

3. Approval of the Warrant

*Trustee Koske made a **motion** to approve the Expenditures/Warrants/ Transfers for April 23rd, 2019 in the amount of \$721,048.82, 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>

Trustee Moore	Absent
Trustee Koske	Aye
Motion Carried	

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

A. **Arbor Day Proclamation**

Mayor Schmit read the Arbor Day proclamation and proclaimed April 26th, 2019 to be Arbor in Fox Lake, IL; encouraging all citizens to plant and care for trees to promote well-being for current and future generations.

5. **Village President's Report**

A. **Land Bank Update**

Mayor Schmit attended a Board of Director meeting and the Land Bank is up and running with 7 communities joining so far. The current 'catch 22' is Villages can't go to the bank and get commitments for monies because there is no inventory. There will be no inventory until there is money to purchase inventory. The Bank went to CDBG and asked for \$40K but only received \$5K. North Chicago got 25 properties from the County for a dollar. Donovan Day explained that North Chicago went thru abandonment proceedings where the State allows municipalities to take over properties that been abandoned by banks & owners. The benefit of a Land Bank is, instead of designating a Village employee to handle these proceedings; the Bank will handle all paperwork and legal matters. In addition, when a property is acquired by a Land Bank, all property tax payments that have been abated will be forgiven. Local banks will look to put seed money into the Land Bank because a local bank has assets in the community. In order to protect their assets, a local bank is inclined to purchase dilapidated properties if they own neighboring commercial properties. Trustee Marr asked about how to handle contractor liens on these properties. Attorney Teagan thinks the demolition statute will allow the buyer to take over the property and wipe out the liens. However, the problem with demolitions is the purchaser will have to forward money.

B. **Fox River Storm Commission Update**

*The Mayor discussed a link to Storm Water Management which shows, for every 6 inches of elevation, how homes and roads will be impacted by storm water. Storm Water Management is pushing for cooperation between communities when flooding occurs, so they are working on a coordination plan. Heavy rain fall is expected over the next few years. *LINK**

6. **Village Administrator's Report**

Anne talked about the resolution on tonight's agenda for a Roadway Inventory of the Village's roads. Federal and State funding only go to federal access routes such as Grand Ave and Nippersink which see a lot of traffic. The focus need to go to local roads which are falling apart. Motor and Fuel Tax (MFT) funds use to be enough to cover local improvements but over the past 20 years, MFT funds have greatly decreased to the point where there will be zero funds as of 2020. There has been talk of increasing Motor Fuel Tax 19 cents a gallon; however, fixing all local Village roads will cost \$25M. The local roadway inventory will assist in determining the worst roads and which should be focused on first. There is also a resolution on tonight's agenda for Visit Lake County to video tape the community and it's events to on their website. It will be a great resource to bring visitors into the community and the people at Visit Lake County are very excited to partner with Fox Lake.

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

A. Strategic Planning Team Reports

1. Infrastructure

Kealan Noonan, Director of Public Works

- Sayton Rd – This week will be the installation of storm sewers and framed curbing.
- Frontage Rd – Planning to start work on Monday, April 29th.
- Sewer Lining – Bid opening will be in late May.
- Generators – This was passed a few months back and the generators have now been installed.
- Interconnect – May 21st bid opening.
- Grand Ave – Bid opening will be on Friday, May 3rd.

2. Marketing

The Mayor asked for comments from Marketing and there were none.

3. Communication/Public Outreach

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

4. Economic Development

Donovan Day, Community Development

- Antioch Pizza – Now open at 20 S. Route 12. They are doing really well and a Grand Opening celebration is in the works.
- Whistle Stop – Grand Opening celebration is also in the works.

5. Recreation

Mayor Schmit said Trustee Konwent and Laura Linehan did a great job with this year's Easter Egg Hunt.

6. Technology

The Mayor asked for comments from Marketing and there were none.

11. New Business

- A. Resolution 2019-R-26: A Resolution Authorizing the Mayor of the Village of Fox Lake to Accept the Proposal from Thomas Engineering Group for Professional Engineering Services for Village of Fox Lake Roadway Inventory.

The Mayor was asked by Senator Melinda Bush for a list of the Village's planned improvement projects for the Capital Bill that's upcoming. Congressman Underwood will be hosting a town hall meeting in Gurnee that Mayor Schmit will be attending, also related to capital improvement projects. Bush and Underwood are looking for support from local municipalities to increase MFTs, and they are also looking to give local communities the ability to assess local gas taxes. The Mayor said that local municipalities are in great need of road repairs but this is mostly a Chicago bill as they will see the greatest impact. If they raise the MFT, the Village's share will go up proportionately. Unfortunately, this won't have much impact on the Village to go from \$220K to \$250K, that'll cover overtime and salt. The Mayor's letter in the quarterly newsletter will be about improving Fox Lake's streets. The last time the roads were inventoried and assessed was back in 2012. It was a very good packet of information but it needs to be updated. For \$39K, every street will be assessed, as well as storm sewer needs. Thomas Engineering will also recommend alternative methods of maintenance and rehabilitation that will extend the life of roads. There is \$2M budgeted for roads this year and it is important to have a comprehensive street plan that makes sense and is sustainable. Trustee Stochl said it seems like \$39K is a lot of money for an upgraded plan. He said that if the Village spends \$2M this year, we are upgrading a plan but we won't have money for future road repair. Trustee Stochl asked if now is the right time to upgrade or does it make more sense to upgrade the plan in a few more years. He is concerned that it's throwing away money now on a roadway plan the Village won't be able to fund after this year. Then, the Village will need to hire someone to re-do the entire plan. The Mayor said the current model is a good one and Thomas will only be doing an upgrade, they won't recreate a whole new plan. Trustee Konwent explained that Thomas will be rating the roads and it can keep getting built upon in future years. Trustee Marr asked the typical lifespan of a mile of road, which is 15-20 years. Since the last plan was put together back in 2012, Marr pointed out that most of the roads are now halfway through their expected lifespan. Anne Marrin added that she receives so many complaints from residents about the state of Fox Lake roads that the Village needs to start thinking about a plan. Waiting a couple years for a plan isn't fair to the Village residents. Trustee Koske mentioned that if the Capital Plan comes through, the roadway plan will give direction of where to go with the funds. Adding on to Koske's point, the Mayor thinks it will come down to a local tax on gas to help fund the roads. Eventually, it may need to go out for referendum. Trustee Jensen pointed out that this plan needs to be updated in order to get grants if they become available. Trustee Marr said that electronic cars are in the not-too-near future, so putting faith in a gas tax is like a bucket with a hole in it. In closing, Mayor Schmit said some routes in town were declassified from FAU routes, which means they can become eligible for grants. Other options are higher license fees or permit fees for electric cars.

B. Resolution 2019-R-27: A Resolution Authorizing the Mayor to Sign and Thereby Accept a Participation Agreement with Visit Lake County.

The Mayor had reluctance to join Visit Lake County 3-4 years ago because there wasn't as much to do in town as there is available now. By participating, we are getting this agreement at ½ price this year \$6K, ¾ price the second year \$9K, and full price the third year \$12K. Trustee Marr asked about signage and how people will know where they are going. Anne Marrin will be attending a sign consortium so the town signs will blend with the Lake County signs. The Village is also continuing to work on the town's anchor signs and parking signs.

12. Old Business

A. Ordinance 2019-17: An Ordinance Adopting the Annual Budget for Fiscal Year 2019-20 (Second Read).

A Budget Workshop was held on March 15th, where no changes were made. There was a public hearing on April 9th, and there were no comments. The Budget has been posted on Village website since March 18th, as required by law, in order for the public to view before today's meeting. To date, there have been no comments. Julie McManus said the budget represents about \$43M worth of spending; \$4M of which are related to capital improvements.

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

Trustee Stochl asked that Resolution 2019-R-26 be removed from the Consent Agenda.

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-26: A Resolution Authorizing the Mayor of the Village of Fox Lake to Accept the Proposal from Thomas Engineering Group for Professional Engineering Services for Village of Fox Lake Roadway Inventory.
2. Resolution 2019-R-27: A Resolution Authorizing the Mayor to Sign and Thereby Accept a Participation Agreement with Visit Lake County.

B. Ordinances

1. Ordinance 2019-17: An Ordinance Adopting the Annual Budget for Fiscal Year 2019-20 (Second Read).

C. Motions

There is none.

*Trustee Jensen made a **motion** to move that items Resolutions A-2, Ordinances 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>Absent</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 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>Absent</i>
<i>Trustee Koske</i>	<i>Aye</i>
<i>Motion Carried</i>	

16. Approval of Exceptions

- A. A Motion to approve Resolution 2019-R-26: A Resolution Authorizing the Mayor of the Village of Fox Lake to Accept the Proposal from Thomas Engineering Group for Professional Engineering Services for Village of Fox Lake Roadway Inventory.

*Trustee Jensen made a **motion** to authorize the Mayor of the Village of Fox Lake to Accept the Proposal from Thomas Engineering Group for Professional Engineering Services for Village of Fox Lake Roadway Inventory, seconded by Trustee Konwent.*

A roll call vote was taken as follows:

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

17. For the Good of the Order

Trustee Konwent, speaking on behalf of Trustee Moore, reminded everyone that the Earth Day Celebration is Sunday, April 28th at 11am at the gazebo.

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

20. Public Comment

Donovan read the comments emailed from Zach Steffens of Culvers: There is no new information at this time but there is a meeting scheduled for May 7th, with IDOT, about the entrance 100 S. Rte. 12th. At that time, Zach hopes to get direction about the removal of encroachments. He will then be able to get bids and pricing to remove all encroachments. Zach asks to continue the meeting until May 14th at which time he can come to the board with new direction from IDOT. Attorney Teegan suggests that if there is no other public comment, to close the hearing and continue in Executive Session.

21. Executive Session

*Trustee Konwent made a **motion** to retire into executive session at 7:14p.m. for discussion on pending litigation pursuant to 5 ILCS 120/2(c)11; Deliberations on the 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 Howard Teegan and Community Development Director Donovan Day, seconded by Trustee Koske. All were in favor. **Motion Carried.***

Reconvene the Village Board Meeting

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

22. Possible Motion Coming out of Executive Session

*Trustee Jensen made a **motion** to accept the fifth supplemental Village Board findings for the matter at 100 S. Route 12 Fox Lake, IL and continue the haring until May 14th, seconded by Trustee Marr.*

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

*Trustee Stochl made a **motion** to accept Resolution 2019-R -25 accepting the donation by Denise Malone, of a vacant parcel of real estate, to the Village of Fox Lake, seconded by Trustee Konwent.*

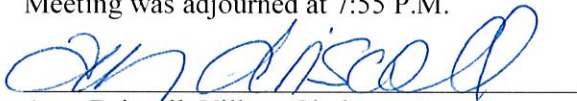
A roll call vote was taken as follows:

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

23. Adjournment

*Trustee Stochl made a **motion** adjourn the meeting at 7:55p.m., seconded by Trustee Marr. All were in favor. **Motion Carried.***

Meeting was adjourned at 7:55 P.M.



Amy Driscoll, Village Clerk