



# 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 May 28th, 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 Moore.

Staff also in attendance: Anne Marrin, Laura Linehan, Donovan Day, Kealan Noonan, Ryan Kelly, Phillip Love, and Stephanie Eisner.

## 2.     **Approval of Minutes**

Trustee Konwent made a ***motion*** to approve the Village Board Meeting Minutes for May 14, 2019 as presented, seconded by Trustee Marr. All were in favor. ***Motion Carried***

## 3.     **Approval of the Warrant**

Trustee Marr made a ***motion*** to approve the Expenditures/Warrants/ Transfers for May 28, 2019 in the amount of \$896,395.57, 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                | Absent |
| <b><i>Motion Carried</i></b> |        |

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

**A. Anchor Awards – Butch and Melinda Conrad and Bobby Boles**

*This award is given to individuals or businesses that make a difference in the community. There are two recipients this quarter: Melinda and Butch Conrad from Whistle Stop and Bobby Boles from Hello Folks.*

**B. 2019-2020 Appointments**

*Trustee Jensen made a **motion** to approve the Mayors Appointments, seconded by Trustee Konwent. All were in favor. **Motion Carried***

*The following Appointments were sworn in by Deputy Village Clerk, Laura Linehan:*

*Village Administrator - Anne Marrin*

*Director of Planning and Development - Donovan Day*

*Office of Emergency Services and Disaster Agency Coordinator - Dawn Deservi*

*Planning and Zoning Board Member – Niki Warden*

*Planning and Zoning Board Member – Debra Vander Weit*

*Emergency Telephone System Board Member - Randy Fontana*

*Park Ranger – Jack Kiesgen*

**5. Village President's Report**

*The Village will be looking to fill some positions. Last week Fox Lake lost Town Historian, Ken Buchardt. Stephanie Vermillion will also be resigning leaving openings on the planning commission. Applications will be accepted, and interviews will be scheduled.*

*There have been complaints about noise coming from Studio Hotrods. Mayor Schmit visited the owner, Harry, to discuss these complaints and work on finding a way to coexist. There will be an upcoming meeting with Dawn, Harry, Mayor Schmit and the residents to work on a resolution.*

**6. Village Administrator's Report**

*Anne Marin said consolidation of the Lakes Region Sanitary District with Lake County began as of May 1<sup>st</sup>. The Sanitary District building and the assets inside have been put up for sale. Operational services have been streamlined into Lake County.*

**7. Village Attorney Report**

*Attorney Teegan had a phone call with Denise Malone, who donated land to the Village that belonged to her parents. Denise is grateful the town accepted this land donation and she is very excited the property will be used for public purposes. If the Village has any sort of grand opening event, she'd like to be notified so she can attend.*

**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 Jensen 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**

Kealan Noonan, Director of Public Works

- Frontage Rd – Asphaltting the road later this week, pending weather.
- TIF District Sidewalk – Waiting on IDOTs final comments.
- Village Lighting – Out to bid last week and bid opening date will be June 11<sup>th</sup> at Village Hall. This lighting project will stretch from Route 12 to York.
- Sewer Lining – Bid opening was this morning and it came in \$14K under the engineer's estimate.

Trustee Jensen asked if the Village is responsible for the potholes on Hartigan and Frontage Rd. Kealan said that Peter Baker will be responsible for those.

**2. Marketing**

Laura Linehan, Assistant to the Village Administrator

Fox Lake joining 'Visit Lake County' will be begin the week after Memorial Day. There will be a press release also an announcement on their social media sites.

Apple is in the process of reviewing the Village's mobile application. So far, they have accepted the developer agreement.

Communication/Public Outreach

- 3.** Laura Linehan, Assistant to the Village Administrator spoke for Chief Lee who was not in attendance.

Laura shared a reminder to complete the survey on Wayfinding Signage related to the town's bike path signs. This survey can be found on Fox Lake's Facebook page or the Village website.

**4. Economic Development**

The Mayor asked for comments from Economic Development and there were none.

**5. Recreation**

Laura Linehan, Assistant to the Village Administrator

Laura had a successful meeting with Grant Township about Fall Fest. Plans were proposed and she looks forward to working with the Township on implementing new ideas at this year's Fall Fest.

In getting ready for the Farmer's Market, there have also been various infrastructure improvements to the garden green. Laura thanked the Department of Public Works and Community Development for all their hard work during this preparation phase.

The biggest announcement this week was the product and cash donation from Tito's Vodka for Bloody Mary Fest. This will cut down on expenses for the participating bars.



## 6. Technology

Laura Linehan, Assistant to the Village Administrator spoke for Chief Lee who was not in attendance.

The Village continues to get the remaining cameras online. Also, Phillip is working on the SharePoint project with a beta test group to decide how it will be applied across the municipality.

## 11. **New Business**

- A. Resolution 2019-R-35: A Resolution authorizing the Mayor of the Village Of Fox Lake to accept the quote from Midwest Paving Equipment, Inc. for the purchase of one Falcon 4 Ton Transporter. *This is a hot asphalt trailer. The street department was able to demo the equipment and they were impressed by its performance and versatility. This was a budgeted item at \$55K and the cost came in at \$34K.*
- B. Resolution 2019-R-36: A Resolution authorizing the Mayor and Village Clerk of the Village Of Fox Lake, to Sign And Thereby Accept The Proposal From G.O. Painters through the Lake County Municipal League Cooperative Purchasing Program for the 2019 Fire Hydrant Painting Project. *The Village owns 600 hydrants and it's costly to keep up with the maintenance. Thru the Municipal League Co-op, the hydrants can be painted at \$70 each. This was a budgeted item at \$10K but the work can be done for \$8K.*
- C. Resolution 2019-R-37: A Resolution Authorizing The Mayor And Village Clerk Of The Village Of Fox Lake, To Sign And Thereby Accept The Proposal From Standard Equipment Company Through The Suburban Purchasing Cooperative Contract #161 For The Purchase Of A 2019 Vactor 2100i Combination Sewer Cleaning Truck. *As a requirement of the CMOM program, the Village is required to clean 10% of sewers annually. The Public Works department goal is to clean 25% annually. This cost will be split between the Northwest Region and Public Works. Each had \$225K budgeted and the total cost came in under budget at \$386K. Staff suggests the Board accept this bid.*
- D. Resolution 2019-R-38: A Resolution Authorizing The Mayor Of The Village Of Fox Lake To Accept The Quote From Environmental Lighting for Architecture for The Purchase of Street Lights for Sayton Road and The Bike Path. *The Lighting Study showed that these lights should be spaced 100 feet apart. Fourteen lights will be purchased for \$69,594. This will reach from Walgreens up to the train tracks. The Village will handle running the electric.*
- E. Resolution 2019-R-39: A Resolution of Intent to Award the Contract for Construction of the Main Lift Station for the Interconnect Project. *Scott Trotter spoke about the Interconnect Project which is split into two phases. The first phase is made up of three projects. Six bids have been received for these projects. The first project is seeking approval from the Board for an 'Intent to Award', which will be sent to the IL EPA. They will review the bids and put together a loan agreement which will come back to the Board for approval. After that, each contract can be awarded. The second project is a pipeline that goes along Route 12 and Nippersink and connects the water main and sanitary sewer. This will cross under the river, up the hill, back down oak and cover all of Nippersink. The third project is for reconstruction of the Main Street Lift Station on the far west side of the bridge. Scott anticipates receiving the loan agreement by July 1<sup>st</sup>. Once awarded, construction will commence; most likely around August.*



*Attorney Teegan asked if the project totals are in excess of the loan amount. Scott said there was a loan authorization for \$9M and the state reviewed that. There is a component of debt forgiveness where the Village can get reimbursed for costs such as legal, planning and engineering. The Board will be asked to replace the Debt Authorization Ordinance with one that will cover the entire project cost, and, at projects end, the state will provide debt forgiveness. The total project cost will be around \$9M and debt forgiveness will be around \$2,250,000.*

- F. Resolution 2019-R-40: A Resolution of Intent to Award the Contract for Construction of the Bridge Lift Station for the Interconnect Project.  
*See comments in Section E.*
- G. Resolution 2019-R-41: A Resolution Authorizing the Village of Fox Lake to Contribute the Sum of \$44,273.26 Toward the Contract of Antioch Township with Peter Baker & Son Co. for Repaving of Greenwood Avenue.  
*This is to pave Greenwood Avenue by Lotus Woods. This cost will be split with Antioch Township.*
- H. Resolution 2019-R-42: A Resolution Establishing an Extension to the Amnesty Program for Residents Where Connection to the Village's Water System is required.  
*When the Plaza was built, there was a dry cleaner that occupied the area near the Dollar Store. The cleaners use to throw chemicals out the back of the building and a brown area has developed there. The owners of the Plaza have gone to the bank for additional funds to make repairs and expand the plaza. The owners were informed they couldn't make these changes due to wells in this area. There are 13 wells on Holly St. within 600 feet of the Plaza. The owners asked if the Village can assist in hooking up the nearby buildings, but the Village doesn't have the funds. Kealan and the Mayor walked the neighborhood and talked with the residents to gauge interest in implementing this change and all but one was on board. The Plaza owner is getting a budget number together for if the Village installs the water main, they will hook up the houses. The Plaza Owners want to know if the Amnesty Program was still in effect for those 13 connection fees. The ordinance runs out June 1<sup>st</sup>, so the Mayor would like to extend that program. This will address the Holly St. issue and have more people hooked up on the Amnesty program who will pay a fee. This resolution will extend the Amnesty season thru September 2020.*
- I. Resolution 2019-R-43: A Resolution of Intent to Award the Contract for Construction of the Pipeline Portions of Phase 1 of the Interconnect Project.  
*See comments in Section E.*
- J. Ordinance 2019-18: An Ordinance Amending the Budget for FY2019-2020 for Road Improvement Project Reallocations.  
*to IDOT recommendations, the Sidewalk project, Sayton Lighting, Grace Avenue and Grand Avenue Rehab all came in over budget. This ordinance will amend the budget for additional costs. Trustee Moore asked if any of these projects can be done next year. The funds are coming from projects that were postponed until future years, so that these can be completed this year. It's not asking for additional money, it's a reallocation of funds.*
- K. Ordinance 2019-19: An Ordinance Authorizing the Sale of a Motor Vehicle Owned by the NWRWRF at Public Auction.  
*This is a treatment plant vehicle with under 15,000 miles on it. This vehicle is still in good shape.*
- L. Ordinance 2019-20: An Ordinance Amending the Zoning Ordinance of the Village of Fox Lake, by Granting a Special Use Permit to Steven and Willow Jergensen to Operate a Short-Term Housing Rental Business at the Property at 100 East Grand Avenue, Fox Lake, Illinois.  
*Trustee Stochl mentioned there are quite a few of these rental properties coming up in each Board Meeting. He wanted to know if this is the direction the Village is going. Donovan said that many*

*of these rentals already existed in town and this is to continue the Special Use Permit. The Mayor agrees to keep an eye on the number of rentals but so far, there haven't been any issues with the short-term rentals. In addition, they bring visitors and business to the area.*

**M. Ordinance 2019-21:** An Ordinance Amending the Zoning Ordinance of the Village of Fox Lake, by Granting a Special Use to Halina Kelemen to Operate a Short-Term Housing Rental Business at the Property at 184 Howard Court, Fox Lake, Illinois.

**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 Moore. All were in favor. **Motion carried.***

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

*There are none.*

**15. Motion to waive the formal bidding procedure for purchase of Street Lights for Sayton Road and the Bike Path.**

*Trustee Jensen made a **motion** to waive the formal bidding procedure for the purchase of Street Lights for Sayton Road and the Bike Path, seconded by Trustee Konwent. All were in favor. **Motion carried.***

**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-35: A Resolution authorizing the Mayor of the Village Of Fox Lake to accept the quote from Midwest Paving Equipment, Inc. for the purchase of one Falcon 4 Ton Transporter.
2. Resolution 2019-R-36: A Resolution authorizing the Mayor and Village Clerk of the Village Of Fox Lake, to Sign And Thereby Accept The Proposal From G.O. Painters through the Lake County Municipal League Cooperative Purchasing Program for the 2019 Fire Hydrant Painting Project.
3. Resolution 2019-R-37: A Resolution Authorizing The Mayor And Village Clerk Of The Village Of Fox Lake, To Sign And Thereby Accept The Proposal From Standard Equipment Company Through The Suburban Purchasing Cooperative Contract #161 For The Purchase Of A 2019 Vactor 2100i Combination Sewer Cleaning Truck.
4. Resolution 2019-R-38: A Resolution Authorizing The Mayor Of The Village Of Fox Lake To Accept The Quote From Environmental Lighting for Architecture for The Purchase of Street Lights for Sayton Road and The Bike Path.
5. Resolution 2019-R-39: A Resolution of Intent to Award the Contract for Construction of the Main Lift Station for the Interconnect Project.
6. Resolution 2019-R-40: A Resolution of Intent to Award the Contract for Construction of the Bridge Lift Station for the Interconnect Project.



7. Resolution 2019-R-41: A Resolution Authorizing the Village of Fox Lake to Contribute the Sum of \$44,273.26 Toward the Contract of Antioch Township with Peter Baker & Son Co. for Repaving of Greenwood Avenue.
8. Resolution 2019-R-42: A Resolution Establishing an Extension to the Amnesty Program for Residents Where Connection to the Village's Water System is required.
9. Resolution 2019-R-43: A Resolution of Intent to Award the Contract for Construction of the Pipeline Portions of Phase 1 of the Interconnect Project.

#### B. Ordinances

1. Ordinance 2019-18: An Ordinance Amending the Budget for FY2019-2020 for Road Improvement Project Reallocations.
2. Ordinance 2019-19: An Ordinance Authorizing the Sale of a Motor Vehicle Owned by the NWRWRF at Public Auction.
3. Ordinance 2019-20: An Ordinance Amending the Zoning Ordinance of the Village of Fox Lake, by Granting a Special Use Permit to Steven and Willow Jergensen to Operate a Short-Term Housing Rental Business at the Property at 100 East Grand Avenue, Fox Lake, Illinois.
4. Ordinance 2019-21: An Ordinance Amending the Zoning Ordinance of the Village of Fox Lake, by Granting a Special Use to Halina Kelemen to Operate a Short-Term Housing Rental Business at the Property at 184 Howard Court, Fox Lake, Illinois.

#### C. Motions

There are none.

*Trustee Jensen made a **motion** to move that items Resolutions A 1-9, and Ordinances B 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:*

|                              |               |
|------------------------------|---------------|
| <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>Absent</i> |
| <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:*

|                        |               |
|------------------------|---------------|
| <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>Absent</i> |

***Motion Carried***

**17. Approval of Exceptions**

*There is none.*

**18. For the Good of the Order**

*There is none.*

**19. Audience Comments**

*The Mayor asked for audience comments and there were none.*

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

*Mayor Schmit opened the Hearing regarding the Special Use Permit at 100 S. Route 12 at 7:24pm and asked for public comments.*

**21. Public Comment**

*Donovan Day has nothing to report. Zach, from Culvers, was contacted but has not provided an update. Attorney Teegan said that Zach was supposed to be setting up another negotiation meeting with IDOT and was to provide an update prior to tonight's Village Board Meeting. The Mayor asked if there were any questions. As there were no other public comments, the Mayor closed the hearing and continued into Executive Session.*

**22. Executive Session**

*Trustee Jensen made a **motion** to retire into executive session at 7:26 p.m. for discussion on Acquisition of real estate, threatened litigation, a personnel matter and discussion 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, Ben Jacobi, and Community Development Director Donovan Day, seconded by Trustee Marr. All were in favor. **Motion Carried.***

**Reconvene the Village Board Meeting**

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

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

*Trustee Marr made a **motion** to accept the seventh supplemental Village Board findings for the matter at 100 S. Route 12 Fox Lake, IL, seconded by Trustee Moore.*

*A roll call vote was taken as follows:*

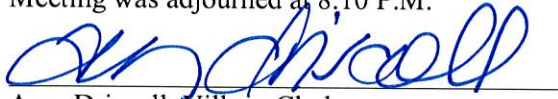
|                       |        |
|-----------------------|--------|
| Trustee Jensen        | Aye    |
| Trustee Stochl        | Aye    |
| Trustee Konwent       | Aye    |
| Trustee Marr          | Aye    |
| Trustee Moore         | Aye    |
| Trustee Koske         | Absent |
| <b>Motion Carried</b>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



24. **Adjournment**

*Trustee Stochl made a **motion** adjourn the meeting at 8:10 p.m., seconded by Trustee Marr. All were in favor. **Motion Carried.***

Meeting was adjourned at 8:10 P.M.



Amy Driscoll, Village Clerk