



VILLAGE OF FOX LAKE VILLAGE BOARD MEETING MINUTES

STATE OF ILLINOIS, }
 ss.
Lake and McHenry Counties,

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 August 13th, 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 Teegen; Trustees: Jensen, Stochl, Konwent, Marr, Moore and Koske.

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

2. Approval of Minutes

*Trustee Konwent made a **motion** to approve the Village Board Meeting Minutes for July 23, 2019 as presented, seconded by Trustee Koske. All were in favor. **Motion Carried***

3. Approval of the Warrant

*Trustee Marr made a **motion** to approve the Expenditures/Warrants/ Transfers for August 13, 2019 in the amount of \$1,134,987.41, Seconded by Trustee Konwent.*

Anne reminded everyone that the warrant is larger than normal because there are 4 weeks of bills between Board Meetings, instead of the usual 3 weeks.

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

Motion Carried

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

A. PCZBA Appointment of Stephen Legge

Village Clerk Amy Driscoll swore in Stephen Legge as the Village's next Planning and Zoning Commission Commissioner.

5. Village President's Report

Mayor Schmit said the Strategic Planning Team Appointments will be made this evening. The Mayor's recommendations for the four teams are:

- *Infrastructure: Trustees Jensen, Moore and Stochl*
- *Economic Development: Trustees Marr, Stochl and Koske*
- *Recreation: Trustees Konwent, Koske and Marr*
- *Public Outreach and Technology: Trustees Konwent, Moore and Jensen*

6. Village Administrator's Report

Anne Marrin notified the Board that the Village will be awarded the NextGen 911 Grant through the State of Illinois. This is reimbursement of the Silicon System in the 911 Center. The Grant amount is \$155,348. The Police Department has also been awarded a grant for programming state traffic safety. It's a continuation of the STEP program that starts this October. The amount of this grant is \$19,808.

Village Attorney Report

Attorney Howard Teegan said that in regards to the Strategic Planning teams, the Board will adopt a resolution for the appointments. The current ordinance will have to be updated to reflect four teams instead of the current six. Howard said it's okay to proceed with the appointments this evening and the ordinance can be updated at a later date.

7. Village Treasurer's Report

There is none.

8. Preliminary Audience Comments (on Agenda Items Only)

Glenn Close of Fox Lake addressed New Business Item J, for a new, larger garage structure that's more than three times the size of the house. He said this variance seems out of line because he has seen residents get denied for much smaller requests. Mayor Schmit said his question will be addressed during the New Business discussion of Item J.

9. 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 Marr. All were in favor. **Motion Carried.***

A. Strategic Planning Team Reports

1. Infrastructure

Anne Marrin spoke on behalf of Kealan Noonan, Director of Public Works

- Nippersink – The final project development report was submitted to IDOT review. The right-of-way parcel work cannot begin until IDOT approval is received.
- Frontage Road – Peter Baker completed all the punch list items. The original bid approval was \$566,257 and the final costs came in right around \$500K. This was a very successful project.

- Sayton Road South – The review process with IDOT is taking longer than the usual 4-6 weeks. Tonight the Board will review a resolution to study the drainage needs in order to figure out where the drainage will go.
- Grand Ave – Storm sewer work is underway. Once that is done, the concrete contractor will pour the reaming curb.
- Interconnect – Pre-construction coordination is wrapping up.
- TIF Sidewalk – Once again, this has been delayed by IDOT. The initial submittal was back in November 2018. IDOT designed a project for the ADA intersections in town, which was partially incorporate of the TIF sidewalk project. IDOT then pulled out their support of the project and said the Village would have to pay everything.
- Lighting Project – Pre-construction meeting was July 15th. The reviews of the drawings have been completed. The foundations will be 6-8 weeks out, so the lighting project is expected to begin middle-to-end of September.
- Grace Ave – Still trying to find a contractor.
- Frontage Rd North – Expect to receive preliminary plans early next week.
- Greenwood Ave – Working together with Antioch Township to improve storm water sewers and road repairs. Looking to be completed by early fall.
- Roadway Analysis Survey – This survey has been completed and the target deadline for the report will be Aug 19th.
- Next Infrastructure meeting will be held Wednesday, September 4th at 8:30am at Village Hall.

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, Director of Community Development

- Los Magueyes – No opening date yet.
- Anchors - Online bidding for Anchors is now open on PromoteFoxLAKE.org. Proceeds from the auction will go: 50% back to the artist, 25% to Promote Fox Lake and 25% to Champions of the Chain, a local charity.
- Big Hallow Property – Developer is set to close on the property August 20th.
- 13 Nippersink Blvd Restaurant – Exhaust duct system is under review because it terminates over a public sidewalk at 7ft, but Village Code requires 8ft and the Mechanical Code requires 10ft.

5. Recreation

Laura Linehan, Assistant to the Village Administrator

- Farmers Market – Day at the Movie will be an upcoming theme and there is currently a poll for people to submit movie ideas. Once those are narrowed down, there will be a vote to pick a movie.
- Cardboard Regatta - Eight registrations for Cardboard Boats so far. The race starts at noon on Sunday. There will be judges from Munson Marina and the US Coast Guard.

6. Technology

Mayor asked for comments from Technology and there were none.

10. **New Business**

A. Resolution 2019-R-55: A Resolution Authorizing the Mayor and Village Clerk of the Village of Fox Lake, to Sign and Thereby Accept the Proposal from Stuckey Construction Company for Construction Services for Grace Avenue Community Gathering Area.

There was a reduction to the scope of work to complete some of it in-house. This bid will be for \$176,251 which will not include the waterfall feature and the relocation of stairs. Mayor said the storm sewer and water service will need to be completed prior to construction on Grand Ave. Trustee Moore asked if the re-worked costs together with the waterfall and stair relocation will be within budget. Mayor said the rail bid came in at \$50k so that would bring it over budget. Anna said the rail (for all of Grand Ave) has been taken out. Anne said this will be budgeted for next year once the ground is level. Mayor said this year, the water fall and stairs will be added on to the \$176K. Anne is said the new railings look really nice but they want to do it right.

B. Resolution 2019-R-63: A Resolution Authorizing the Chief of Police of the Village of Fox Lake to Sign and Thereby Enter into a Memorandum of Understanding with Ring, LLC.

Chief Lee said the Ring system consists of two apps. One is for capturing video from a camera that is hung on the exterior of a home. This video can be shared with other Ring users or with the Police. There is another option to join Ring even if residents don't have an external home camera. Users can sign up with the app and see videos or notifications posted by people in the surrounding area. This memorandum will allow the Police Department to have their own private portal. Anyone who submits information to the Fox Lake Police Dept. via Ring, will remain completely anonymous. Chief Lee said this is not proprietary: it is to operate as a virtual neighborhood watch. The cost of the Ring doorbell costs \$99 and the system with cloud storage costs \$30 a year. Trustee Stochl asked if Ring can work cross-platform with other security systems. Chief Lee said that video can be uploaded from a different security system and shared on the Ring app. Information can also be shared on the Ring app without owning a camera. The app is free to download. Trustee Marr asked if the Ring app sets a radius for the user. Chief Lee said it's restricted to a 5-mile radius from where the Ring user's home is located. Trustee Moore said she has conflicting thoughts over Ring. She thinks it a good resource for residents and police. However, her issue is with Ring being owned by Amazon and the Neighbors app is a de-facto advertisement for Ring. There are critics in the digital world who say there are many unregulated surveillance networks. In addition, police departments are advertising on behalf of Amazon. Although Trustee Moore fully believes in neighborhood safety, she does question Amazon and its motives. She said that apps like Ring can create racial profiling and generate fear of crime. There is concern that Amazon may be hacked and if paired with facial recognition, it may create the infrastructure for a massive decentralized surveillance network. Trustee Moore is hesitant to give her approval because laws have not caught up with the technology. Ten years from now there may be consequences that aren't be thought through right now. Because it's not regulated, the terms and conditions can be changed at any time. Trustee Moore applauds the efforts of the Police Dept. for trying to keep the residents of Fox Lake safe but the partnership with Ring is not something she is willing to support right now.

Trustee Stochl asked Chief Lee if they have been able to prove someone guilty from surveillance video. Chief said that when doing an investigation, if there's a security camera, Police will ask for the video evidence. Ring cameras are not for the interior, they are exterior only. Chief Lee said there is video everywhere; at drive thru and gas stations. There are already 200 camera systems deployed in Fox Lake, so it appears that residents may be looking for a partnership like this. Chief Lee does not believe that facial recognition has been able to find someone guilty in court in the cases that he's dealt with. Trustee Stochl said that he wouldn't plan to buy cameras himself, but there are cameras all over and residents have the option to purchase these systems and it's not being forced upon them. He said he's more concerned about the cameras at Grand Ave and Rollins. Chief Lee said those cameras aren't recording video. They record frames and when there is a pixelation change, it tells the light to change.

Trustee Moore asked how can there be regulation of Police camera usage without controlling the private citizens who generate it. With this program, the Chief has to actively encourage the residents to use this. There is no monetary incentive for people who sign up. Chief Lee said there will be no money or credits received by the Police Department or The Village of Fox Lake; this is only to engage and interact with citizens.

C. Resolution 2019-R-64: A Resolution Authorizing the Mayor of the Village of Fox Lake to Sign and Thereby Accept the Proposal from Baxter & Woodman for Engineering Services for Sayton Road Drainage Improvements Study.

This project is not to exceed \$23,800. Trustee Marr asked is this is something the Village looked into already, about a year ago? Mayor said this is being revisited because the discharge point has been very difficult to determine. There have been several proposals and this will determine the best and most economical route.

D. Resolution 2019-R-65: A Resolution Authorizing the Submission of Proposed Revisions to the Village of Fox Lake Sewer Use Ordinance and the Evaluation Conducted to Demonstrate Technical Justification for Proposed Local Limit Revisions to the IEPA and U.S. EPA Region 5 for Review and Potential Approval.

This will change the Ordinance to reflect new laws. There will be an adjustment to the Pre-Treatment Ordinance and have it sent to the IEPA for review. Trustee Moore asked what the budget impact will be. Anne said this is a draft of the ordinance the Village will like to pass and the IEPA will have to review and make comments. This is a pre-approval of the actual approval and there are no cost at this time.

E. Resolution 2019-R-66: A Resolution Authorizing the Mayor and Village Clerk of the Village of Fox Lake to Sign an Interlocal Agreement with the Interlocal Purchasing System (TIPS).

This is a purchasing system for the Northwest Regional Water Reclamation Facility. This will put the Village in a national co-op for the most competitive prices. There is no budget impact at this time. Trustee Stochl asked if this will help the Village save money. Anne said that this is a national purchasing co-op that will help the Village find savings that they currently can't find in the Midwest. She said this can be passed, in the future, for public works or Parks and Rec. This is a test phase and more departments can be added.

F. Resolution 2019-R-67: A Resolution Authorizing the Mayor To Sign and Accept the Proposal from Gewalt Hamilton Associates, Inc. for Phase III Engineering Construction Oversight for Grace Avenue Community Gathering Area.

This will grant Gewalt Hamilton oversight of Grace Ave construction. The total cost will be \$15,386.

G. Resolution 2019-R-68: A Resolution Ratifying Acceptance of an Electricity Supply Agreement with AEP Energy, Inc. for the Northwest Regional Water Reclamation Facility and Local Sewer and Water Department Facilities.

This will be a four year agreement that will save the Village \$89K. This is a commercial aggregation program for Village buildings only.

H. Resolution 2019-R-69: A Resolution Authorizing the Mayor to Sign and Thereby Accept an Agreement with Emeric Facility Services.

The current cleaning service costs \$84K a year. The new vendor will be performing even more services at \$46K for one year, with an option to extend the contract. Howard Teegan said a notice of termination should be sent to the current cleaning vendor.

I. Resolution 2019-R-70: A Resolution Establishing the 2019 Strategic Planning Team Members and Chairs.

This is to establish the Strategic Planning Teams mentioned in the Village Presidents Letter earlier in the Meeting.

- J. Ordinance 2019-32: An Ordinance Amending the Zoning Ordinance of the Village of Fox Lake by Granting a Variance on the Maximum Size for an Accessory Structure at 27253 W. Nippersink Rd. *Donovan Day addressed Glenn Closes' question regarding this ordinance. He said several properties along Nippersink were annexed to the Village, which includes this property. There was already a garage on this property and the new garage is only slightly larger than the current structure. This ordinance will allow for the additional square footage. Trustee Jensen said there is still enough green space and it's not taking up the whole lot. In regards to Glenn's other audience comment about smaller requests being denied in the past, Donovan could not respond to that as he has no knowledge of those previous requests.*
- K. Ordinance 2019-33: An Ordinance Amending the Zoning Ordinance of the Village of Fox Lake by Rezoning Property at 702 Rollins Rd. from M-1 to B-3 and Granting a Special Use Permit for Automobile Sales.
This will be an ordinance for Dan's Auto Body to sell cars.
- L. A Motion to Approve the Raffle License Request from Promote Fox Lake, to Conduct a Raffle and Waive the Bond Requirement.

11. **Old Business**

There is none.

12. **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.

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

Trustee Moore asked that Resolution 2019-R-63: A Resolution Authorizing the Chief of Police of the Village of Fox Lake to Sign and Thereby Enter into a Memorandum of Understanding with Ring, LLC be removed from the Consent Agenda.

14. **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-55: A Resolution Authorizing the Mayor and Village Clerk of the Village of Fox Lake, to Sign and Thereby Accept the Proposal from Stuckey Construction Company for Construction Services for Grace Avenue Community Gathering Area.
3. Resolution 2019-R-64: A Resolution Authorizing the Mayor of the Village of Fox Lake to Sign and Thereby Accept the Proposal from Baxter & Woodman for Engineering Services for Sayton Road Drainage Improvements Study.
4. Resolution 2019-R-65: A Resolution Authorizing the Submission of Proposed Revisions to the Village of Fox Lake Sewer Use Ordinance and the Evaluation Conducted to Demonstrate Technical Justification for Proposed Local Limit Revisions to the IEPA and U.S. EPA Region 5 for Review and Potential Approval.

5. Resolution 2019-R-66: A Resolution Authorizing the Mayor and Village Clerk of the Village of Fox Lake to Sign an Interlocal Agreement with the Interlocal Purchasing System (TIPS).
6. Resolution 2019-R-67: A Resolution Authorizing the Mayor To Sign and Accept the Proposal from Gewalt Hamilton Associates, Inc. for Phase III Engineering Construction Oversight for Grace Avenue Community Gathering Area.
7. Resolution 2019-R-68: A Resolution Ratifying Acceptance of an Electricity Supply Agreement with AEP Energy, Inc. for the Northwest Regional Water Reclamation Facility and Local Sewer and Water Department Facilities.
8. Resolution 2019-R-69: A Resolution Authorizing the Mayor to Sign and Thereby Accept an Agreement with Emeric Facility Services.
9. Resolution 2019-R-70: A Resolution Establishing the 2019 Strategic Planning Team Members and Chairs.

B. Ordinances

1. Ordinance 2019-32: An Ordinance Amending the Zoning Ordinance of the Village of Fox Lake by Granting a Variance on the Maximum Size for an Accessory Structure at 27253 W. Nippersink Rd.
2. Ordinance 2019-33: An Ordinance Amending the Zoning Ordinance of the Village of Fox Lake by Rezoning Property at 702 Rollins Rd. from M-1 to B-3 and Granting a Special Use Permit for Automobile Sales.

C. Motions

1. A Motion to Approve the Raffle License Request from Promote Fox Lake, to Conduct a Raffle and Waive the Bond Requirement.

Trustee Jensen made a motion to move that items Resolutions A-1,3-9, Ordinances B 1-2, and Motions 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:

Trustee Jensen	Aye
Trustee Stochl	Aye
Trustee Konwent	Aye
Trustee Marr	Aye
Trustee Moore	Aye
Trustee Koske	Aye

Motion Carried

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:

Trustee Jensen	Aye
Trustee Stochl	Aye
Trustee Konwent	Aye
Trustee Marr	Aye
Trustee Moore	Aye
Trustee Koske	Aye

Motion Carried

15. Approval of Exceptions

Resolution 2019-R-63: A Resolution Authorizing the Chief of Police of the Village of Fox Lake to Sign and Thereby Enter into a Memorandum of Understanding with Ring, LLC.

Trustee Konwent made a motion to pass Resolution 2019-R-63: A Resolution Authorizing the Chief of Police of the Village of Fox Lake to Sign and Thereby Enter into a Memorandum of Understanding with Ring, LLC, 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	No
Trustee Koske	Aye
<i>Motion Carried</i>	

16. For the Good of the Order

Mayor Schmit said there will be a few B&Bs in the Short Terms Rentals and he's been getting quite a bit of commentary on these rentals. Although he isn't aware of any complaints, he's been getting some concerned comments and wants to discuss if these should be limited throughout the Village.

Yesterday, Mayor had a meeting with Senator Duckworth and she brought up a warehouse in Springfield, IL with surplus items that are free to municipalities. This warehouse has anything from Police and Fire Vehicles to office furniture and computers. Mayor would like to take a look at this warehouse next time he is in Springfield.

Trustee Marr asked if the Town Historian has been discussed. The Historical Society has not come forth with a candidate, so the Mayor and the Board agree to appoint Paul Jakstas.

17. Audience Comments

Glenn Close of Fox Lake said that a few years back, his car was broken into and he gave police video. The Police used this video to convince the person to plead guilty instead of going to a trial.

18. Executive Session

*Trustee Jensen made a motion to retire into executive session at 7:30 p.m. for discussion on land acquisition and personnel matters to include Mayor Donny Schmit, Village Administrator Anne Marrin, Assistant to the Village Administrator Laura Linehan, Attorney Howard Teegen, Donovan Day and Kedan Noonan, seconded by Trustee Konwent. All were in favor. ***Motion Carried.****

19. Reconvene the Village Board Meeting

*Trustee Konwent made a motion to reconvene the Village Board meeting at 7:37pm, seconded by Trustee Koske. All were in favor. ***Motion Carried.****

20. Possible Motion Coming out of Executive Session

Trustee Konwent made a motion to accept the Mayor's appointments for the Planning Commission and the Zoning Board, Rick LaPiana and Stephen Legge, 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
Motion Carried.	

Trustee Konwent made a motion to approve Resolution 2019-R-71, authorizing the Mayor to sign various contracts for easements and accept various easement grants related to Phase 1 of the Interconnect Water and Sewer Improvement Project, seconded by Trustee Moore.

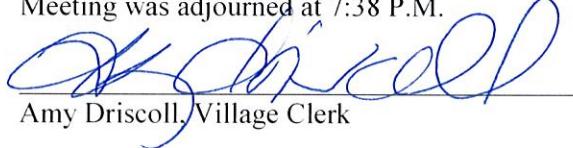
A roll call vote was taken as follows:

Trustee Jensen	Aye
Trustee Stochl	Aye
Trustee Konwent	Aye
Trustee Marr	Aye
Trustee Moore	Aye
Trustee Koske	Aye
Motion Carried.	

21. Adjournment

*Trustee Stochl made a **motion** adjourn the meeting at 7:38 p.m., seconded by Trustee Marr. All were in favor. **Motion Carried.***

Meeting was adjourned at 7:38 P.M.



Amy Driscoll, Village Clerk