



VILLAGE OF FOX LAKE VILLAGE BOARD MEETING MINUTES

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

Village of Fox Lake

This meeting is held in accordance with State of Illinois Executive Order 2020-07 Section 6, held in said Village and County in the State of Illinois at 6:30 p.m. on July 13, 2021, and held via Zoom conference. The meeting was called to order by Mayor Schmit. The following official business was transacted:

1. Call to Order

Roll Call

Present Mayor Schmit; Trustees: Jensen, Stochl, Konwent, Marr and Moore.

Staff also in attendance: Laura Linehan, Donovan Day, Kealan Noonan, Ryan Kelly, Wayde Frerichs, and Jimmy Lee Jr.

2. Approval of Minutes

A. Village Board Meeting Minutes for June 22, 2021

*Trustee Marr made a **motion** to approve the Village Board Meeting Minutes for June 22, 2021 as presented, seconded by Trustee Moore.*

New guidelines state that all votes must be taken via roll call vote in order to record all individual responses.

A roll call vote was taken as follows:

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

Motion Carried

3. Approval of the Warrant

*Trustee Konwent made a **motion** to approve the Expenditures/Warrants/Transfers for July 13, 2021 in the amount of \$1,530,280.73, 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

Motion Carried

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

There are none.

5. Village President's Report

A. Village Liquor Licenses

Mayor Schmit said he has been bombarded with requests for liquor licenses. Most of the requests are coming from video gaming establishments. He has reduced the number of licenses since becoming Mayor: 17 tavern licenses are in use and 2 are available. There are 27 establishments with video gaming, and 48 machines. The past few months have seen the highest revenues from video gaming. Income from gaming was \$270K last fiscal year. Mayor thinks there are enough video gaming establishments in town, but is looking for the Boards feedback. Major restaurants are those with 60 seats or more. Food must be prepared on premises and there must be a full menu to meet restaurant requirements. Fifty percent of revenues must come from the sale of foods. Trustee Konwent says she is in agreement that there are enough gaming establishments. Trustee Stochl says this has been discussed in the past and he doesn't believe anyone on the Board is looking to add more gaming. Trustee Moore is also in agreement but is curious if legal has any input.

B. Town Hall Meeting Discussion

Mayor asked the Board if they'd like to hold a Town Hall Meeting this year. Trustee Moore said it is nice to have transparency but they are not well attended. Trustee Marr agreed. Trustee Jensen asked if the meeting can be held via Zoom. He also asked if the new Administrator will be up to speed in time for a Town Hall Meeting in September. He suggested possibly postponing the meeting. The Board agreed to postpone and revisit in the Fall.

C. Village Board Meeting Format Update

Mayor Schmit inquired about public comment for those attending Board Meetings remotely. Requirements state that if a Board Meeting is hybrid, public comments have to be made available so someone can write in their questions and comments a head of time, or have time allowed during the meeting to read their questions and comments. Comments have to be received from the public and to not do so will be in violation of the Public Meetings Act.

6. Village Administrator's Report

There is none.

7. Village Attorney Report

There is none.

8. Village Treasurer's Report

There is none.

9. Preliminary Audience Comments (on Agenda Items Only)

Steve from Fam's inquired about the amount of music permits allowed. He said his season is only four months long and he is allowed 15 music permits. This doesn't allow for music outside each weekend during boating season. Steve asked if the Village is willing to extend the number of permits to 25. He said when he has live music and DJ's, his business doubles or triples. He is hoping the Board will take his request into consideration.

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.*

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

Motion Carried

A. Strategic Planning Team Reports

Laura thanked the Parks and Rec, and Public Works teams for such a great job on Celebrate Fox Lake. Mayor said it was the most attended he has seen.

11. New Business (the information below taken from Agenda)

A. Discussion on Outdoor Music Permits

This will amend Village code so that music permits are not required for a musician under 80 decibels. 80 decibels are comparable to a garbage disposal or dishwasher. Trustee Marr said it is about time. Donovan said that Fam's asked the Board to consider expanding the number of permits for music over 80 decibels. Trustee Jensen asked if it is loud over by Fam's. Trustee Marr said last year it was a problem, this year it has not been a problem. Trustee Marr understands where Steve is coming from, and if he wants to hold events during the summer months that he is open, it is worth being discussed. Trustee Moore asked about solo artists that get loud and go above the 80 decibels. Mayor said Chief Lee is the one who gives final approval on the outdoor music permits. If someone is in violation, he can refuse issuance of the permit. Chief Lee said for those who don't need a permit, there are nuisance laws that will keep the noise from becoming an issue. The owner of the establishment will be subject to a violation ticket – from \$150 to \$750. Trustee Stochl asked how many callbacks the Chief gets. Chief said not many at all. Trustee Moore is fine with allowing 25 permits. Donovan doesn't foresee a lot of establishments asking for 25. The Board agrees to allow for up to 25 licenses. Howard will draft a resolution to increase the number of permits. Chief Lee said to add verbiage about how late a show can go on a Sunday evening, as well as a violation structure where the owner is liable for violations.

B. Resolution 2021-R-45: A Resolution Authorizing the Mayor and Village Clerk of the Village of Fox Lake to Sign and Thereby Accept the Proposal from Concentric Integration for the 2021 SCADA Software Upgrades

This upgrade will cost \$22,500, which is over the \$20K limit, so Howard asked to waive the bid process before voting. Staff is recommending approval. There are two companies the Village works with on the

SCADA system. One did the hardware upgrade last year. Kealan said the Village couldn't update software last year, so this is something they knew was coming this year. The system is currently running on old software and starting to run into issues. Kealan said he will make sure there is a warranty so that if there is an issue, Concentric will come out and fix. It should be 5-8 years until the next update.

C. Resolution 2021-R-46: A Resolution Authorizing the Purchase of Wetland Credits Through Lake County Stormwater Management for the Fox Lake Interconnect Phase II Project

There has been a pond jack and bore proposed. There is evidence of boulders in the soil boring by the pond. This will help avoid getting stuck in the middle and having to cut it open. Wetland mitigation has a bank to buy credits for a disturbed area. The cost is \$150K/acre, and this space is only .22 acres, so the amount will be \$33K.

D. Ordinance 2021-14: An Ordinance Amending the Zoning Ordinance of the Village of Fox Lake, Illinois, By Granting Variations to Steven Michael Gedemer at 23 Rushmore Road, Fox Lake, Illinois

This variation was discussed at the last board meeting. Howard wrote up an ordinance.

E. Ordinance 2021-15: An Ordinance Amending the Zoning Ordinance of the Village of Fox Lake, by Granting a Special Use to John Burgess to Operate an Offsite 19 Space Parking Lot at the Property at 264 East Grand Avenue, Fox Lake, Illinois

This was the Pug Mahone's property discussed at the last board meeting.

F. A Motion to Extend the Façade Improvement Program Grant for Vichy Salon at 17 E. Grand Avenue

Vichy is looking for a three-month extension. Total cost is \$7,255, and the Village reimbursement will be \$3,670.50.

12. Old Business

Mayor Schmit asked the Economic Development Team where they are at with the TIF. Donovan said the property description for the TIF is the next step. He talked to GHA and they are coming out this week to walk the site. The work will continue to December. The plan will be brought back to the Strategic Planning Team one more time, and then to the Board for final approval. Trustee Marr reminded the Trustees that they are welcome at the committee meetings, to hear the presentations and ask questions.

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.*

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

Motion Carried

14. Motion to Waive the Bid for the Purchase of the SCADA Software Upgrades

*Trustee Jensen made a **motion** to Waive the Bid for the Purchase of the SCADA Software Upgrades, seconded by Trustee Marr.*

A roll call vote was taken as follows:

Trustee Jensen	Aye
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<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>
<i>Motion Carried</i>	

15. Items to be Removed from Consent Agenda

There are none.

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 2021-R-45: A Resolution Authorizing the Mayor and Village Clerk of the Village of Fox Lake to Sign and Thereby Accept the Proposal from Concentric Integration for the 2021 SCADA Software Upgrades
2. Resolution 2021-R-46: A Resolution Authorizing the Purchase of Wetland Credits Through Lake County Stormwater Management for the Fox Lake Interconnect Phase II Project

B. Ordinances

1. Ordinance 2021-14: An Ordinance Amending the Zoning Ordinance of the Village of Fox Lake, Illinois, By Granting Variations to Steven Michael Gedemer at 23 Rushmore Road, Fox Lake, Illinois
2. Ordinance 2021-15: An Ordinance Amending the Zoning Ordinance of the Village of Fox Lake, by Granting a Special Use to John Burgess to Operate an Offsite 19 Space Parking Lot at the Property at 264 East Grand Avenue, Fox Lake, Illinois

C. Motions

1. A Motion to Extend the Façade Improvement Program Grant for Vichy Salon at 17 E. Grand Avenue

*Trustee Jensen made a **motion** to move that items, Resolutions A 1-2, 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:

<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>
<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:

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

17. Approval of Exceptions

There are none.

18. For the Good of the Order

Trustee Stochl asked who residents should report to when homes are foreclosed. He was talking to a resident who was going to purchase a foreclosed home and wanted to make sure everything was done properly. The deal didn't go through and someone ended up buying it back, but if they would have bought the property, they would want a point of contact to know how to handle. Mayor said it would be Brian with Community Development, and the Land Bank. Mayor said that it doesn't sound like a Village issue.

Trustee Stochl said this circumstance is more about the way the situation was handled with the resident. This person kept getting fined for not filing with the Village. Donovan said ProChamp sends notice to the bank about what needs to be paid. It is possible that something may have fallen through the cracks. Mayor said this happens several times throughout the year and it needs to be looked into and fixed.

Trustee Marr said great job on the fireworks. However, driving in and out of the Village, we need to put on our best face as a Village. Someone needs to look at the entry signage. The areas are overgrown and weedy. Something needs to be done about it. That is not our best face for those coming into the Village.

19. Audience Comments

There is none.

20. Executive Session

*Trustee Jensen made a **motion** to retire into Executive Session at 7:16pm, for discussion on Personnel and Collective Bargaining to include Mayor Schmit, Laura Linehan, Ryan Kelly and Kealan Noonan, 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
<i>Motion Carried</i>	

21. Reconvene the Village Board Meeting

*Trustee Konwent made a **motion** to reconvene the Village Board Meeting at 7:40pm, seconded by Trustee Marr.*

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
Motion Carried	

22. Motion Coming out of Executive Session

Trustee Jensen made a **motion** to approve Resolution 2021-R44, a Resolution Approving a Letter of Agreement and Conditions of Employment with Deborah Waszak as Village Administrator, 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
Motion Carried	

23. Adjournment

Trustee Stochl made a **motion** to adjourn the meeting at 7:41pm, seconded by Trustee Marr.

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
Motion Carried	

Meeting was adjourned at 7:41P.M.



Amy Driscoll, Village Clerk