



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 27, 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, Village Attorney Howard Teegen, 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. Special Meeting Minutes for June 16, 2021

Trustee Moore made a motion to approve the Special Board Meeting Minutes for June 16, 2021 as presented, seconded by Trustee Marr.

A roll call vote was taken as follows:

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

B. Village Board Meeting Minutes for July 13, 2021

*Trustee Konwent made a **motion** to approve the Village Board Meeting Minutes for July 13, 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	Aye
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 27, 2021 in the amount of \$780,128.68, 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

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

A. Proclamation for Agnes Micic

Mayor Schmit recognized Agnes Micic for her years of service on the Fox Lake Police Department. She is the first female retiring in Village history. Agnes was not in attendance but Chief Lee will present her proclamation Thursday, on behalf of the Mayor. Mayor Schmit and the Board pass along their best wishes to Agnes.

5. Village President's Report

A. Illinois Municipal League

Mayor Schmit the Illinois Municipal League is being held on September 24th. There is no budget for a hotel stay. Ashley will send email invitations to the Board. There will be reimbursements for train fare.

B. Park Expansion Outline

Mayor provided the Board with the outline. He said it is a working document to get conversation started. The expansion outline will go before the Parks planning team and the Development planning team. The Board will have an opportunity to put input into the plan. The Primary is normally held in March and the General Election will be in November. However, Illinois Primaries are being pushed back to June. Mayor wants the Park Expansion to go to referendum for public to vote on it.

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)

Dr. Carol Szynal is concerned about the music permit increase to 25 permits. She purchased a home in Fox Lake with the hope of retiring there with her disabled adult daughter. She found her dream home in Fox Lake. She is pleased with the local businesses, farmers market, etc.... Carol understood she was purchasing a home near a bar, but there were ordinances in place to protect homeowners while coexisting with nearby business. By the end of Summer 2020, she was considering selling her home due to the noise coming from Fam's. She believes they disregard the 15-permit limit. There is loud and disruptive DJ music, loud crowds, drunkenness, excessive trash and boat noise. She reviewed the Village rules and contacted Donovan who directed her to Mayor Schmit and Chief Lee. Carol doesn't believe the additional permits are warranted. She requests the Board review calls for police intervention from 2020. Residents nearby don't have any weekends without music. She thanked the Board for their time.

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 said the Bloody Mary Trail ends August 1st. Participants should turn their cards in to be entered for a raffle prize.

Mayor Schmit said a vital piece of retaining wall is backordered until the middle of August. He wants to get Nippersink paved up to businesses around Prunella's. If this gets more delayed, paving will get pushed off to next year and the businesses are suffering. He wants Kealan to get working on getting at least that section paved this year.

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

A. Discussion on Lighting for Washington Street and Route 59

The County will do Grand Ave, Washington and Rte. 59 next year. This will cover traffic lights and straight east thru woods, sidewalks from Pug Mahone's to the doctor's office. The Village will be paying for installation of lighting and sidewalks to connect downtown with the bike path and Washington. This project will last an entire season. Mayor wants the Washington work being done simultaneously with the County project. Mayor wants to light up the bike path.

Kealan said he met with engineers working with the County and they provided estimates of what it will cost the Village for their portion. The Board will have to decide if they want decorative lights or Rte.

12 style cobra lights. He is looking for decision on what type of lights to install or there can also be a mixture of styles. All decorative lights will cost approximately \$631K. All cobra heads will cost an estimated \$167K. A mixture of both styles runs around \$273K. This will cover Rte. 59 around the bend to Zaza's.

Trustee Jensen suggested using decorative lights on Grand Ave and the rest using cobra lights.

Trustee Moore asked if infrastructure can be put in so lighting can be converted at a future date.

Kealan said yes. Trustee Moore said there are a lot of businesses on Washington, but the decorative option isn't really possible right now due to pricing. One day she hopes to have all cohesive lighting all the way down Washington. Moore asked where the money would come from. Mayor said this will be part of next year's budget under Capital Improvements.

Board consensus is for Grand Ave decorative and the rest cobra, costing approximately \$273K.

Kealan said these are rough estimate costs so far. Trustee Stochl doesn't see a big use for the lights there on Washington. It is a nice area but brighter light thru woods would be useful, to keep the area more secure. Kealan will let the engineers know that brighter lights are preferred. Trustee Marr asked if the decorative lights will be the style of those on Grand Ave, or those on Sayton. Kealan said the Grand Ave style. Trustee Marr thought Sayton Rd lights were at a discount. Kealan said they came right from manufacturer. Savings may not be huge since public works installed the ones on Sayton, instead of using a contractor. Trustee Marr said details are important to creating a cohesive look. Mayor decided to hold off and discuss this at the next board meeting.

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 Intergovernmental Agreement with Metra for Curb Configuration on Nippersink Blvd

There will be an expansion of the Metra train station on Nippersink next year. It will get built out towards the north and curb work needs to be done. This is an intergovernmental agreement. The Village will pay \$49K and Metra will reimburse the Village. Howard said later in the meeting the Board will be asked to waive the bid. The process will go as follows: Copenhaver will do the Metra station work. The Village will pay Copenhaver. Metra will then reimburse the Village.

C. Resolution 2021-R-48: A Resolution Authorizing the Mayor of the Village of Fox Lake to Sign and Thereby Accept the Proposal from Schroeder Asphalt Services, Inc. for the Holly Avenue Project

There were five bids ranging from \$744K to \$1.1M. Schroeder Asphalt was the low bidder at \$744,914. This came in under the engineer's estimate. Staff is recommending approval of this bid. Work will start within a month.

D. Resolution 2021-R-51: A Resolution Authorizing the Mayor to Sign and Approve a Collective Bargaining Agreement Between the Village of Fox Lake and the American Federation of State, County and Municipal Employers, Council 31, Local 3905 for the Period of May 1, 2021 – April 30, 2025

The agreement relates to the Northwest Region water reclamation facility and was talked about in Executive Session last Board Meeting. The insurance item has been fixed. Retrospective pay will be on the next payroll should the Board approve.

E. Resolution 2021-R-52: A Resolution Approving the Proposal of Evoqua Water Technologies for the Rebuild of Secondary Clarifier No. 1 at the Northwest Regional Water Reclamation Facility
Staff recommends waiving the bid and giving to Evoqua. All components are proprietary. The parts are stainless steel and will last a lot longer.

F. Resolution 2021-R-53: A Resolution Authorizing the Mayor of the Village of Fox Lake to Accept the Proposal from Copenhaver Construction for the Fox Lake Nippersink Blvd. Curb Line Revision Project

Relates to Resolution B.

G. Ordinance 2021-16: An Ordinance Amending Sections 4-1-1-2 D 1 and 4-1-1-2 D 2 of the Village Code Related to Outdoor Live Music and Outdoor Music by Electronic Means

This will increase music permits to 25 permits. This will also allow solo musicians to perform up to 80 decibels instead of the current 70 decibels. If a complaint is received and an officer finds excess of 80 decibels, a violation will be issued to the owner of the establishment. Chief Lee said that part of the Ordinance is easier to control because it's a set decibel limit. Some of the loud noise residents are concerned about are coming from boats, not business. Fam's business owner has been notified and he has been telling boats to turn music down or leave. Chief Lee said officers will continue to be diligent. Over the last year, he has been trying to get some cooperation and help from Sheriff Office. Mayor mentioned the audience concerns, and if a citation is issued, what is the penalty. Will business owners pay the \$50 ticket each week? Chief said they can stop issuing the music permits. All permits must go to Chief for approval. Violations can also go to the adjudication judge for a fine up to \$750. Trustee Moore said the 25 permits is for all businesses. Some of these businesses are in more residential areas. She is in favor of trying to promote music in the downtown area but doesn't want residents to be impacted. Chief said that sound from across the lake has caused issues where people think it is noise from businesses. If voted on and passes, the Board can give Chief Lee direction on how to handle the multiple offenders and use full amount of the law. Mayor said compliance is what the Board is after, not to be punitive. Trustee Marr asked if business owners are picking up more than one permit at a time, and if they can be limited to one at a time. Chief Lee said it is more convenient if music events are pre-planned so staff can be prepared. Trustee Marr doesn't have problem with groups of permits, but once issued, if violated, can permits be revoked if already paid for. Howard said there is nothing in the current ordinance, but a business can be shut down if in continuous violation. Chief said compared with last year, Fam's has done a good job trying to reign it in. He doesn't think they're really a problem this year, but they are in control of their own destiny. If they don't control it, he won't issue permits.

H. A Motion to Approve the Raffle License Application from Lakes Region Post 703 of the American Legion to Conduct a Gun Raffle and Waive the Bond Requirement Annual raffle.

I. A Motion to Approve the Façade Improvement Program Application for Fox River Customs located at 129 S Route 12

The total project will cost \$8,224. The Village can reimburse up to 50%, up to \$4K. This motion will be for the \$4K payment

J. A Motion to Accept the Planning and Zoning Commission's Recommendation to Approve the Special Use Permit for a Short-Term Rental at 27 N York

This single family, 3-bedroom home has room for 6 adults and off-street parking for two vehicles. Inspection has been completed by Inspector Turner. Staff recommends approval.

K. A Motion to Ratify an Equipment Lease Agreement with TechStar American Corporation for a Lanier IM C4500 Printer

Waive bid. Village hall needs printer. All other Village departments use Techstar. The Administrative Department is still on Toshiba. Laura reached out to both for quotes. \$332.85 a month with Toshiba. Techstar came in at \$208 per month.

12. Old Business

There is none.

13. Motion to Adjourn from Committee of the Whole and Reconvene Village Board Meeting

*Trustee Jensen 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:

<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>	

14. Motion to Waive the Bids for the Rebuild of Secondary Clarifier No. 1 at the NWRWRF

*Trustee Jensen made a **motion** to Waive the Bids for the Rebuild of Secondary Clarifier No. 1 at the NWRWRF, 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>	

15. Motion to Waive the Bids for the Fox Lake Nippersink Blvd Curb Line Revision Project

*Trustee Jensen made a **motion** to Waive the Bids for Fox Lake Nippersink Curb Line Revision Project, 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>	

16. Motion to Waive the Bids for the Village Hall Printer Lease and Services

*Trustee Jensen made a **motion** to Waive the Bids for the Village Hall Printer Lease and Services, 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>	

17. Items to be Removed from Consent Agenda

There are none.

18. 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 Intergovernmental Agreement with Metra for Curb Configuration on Nippersink Blvd
2. Resolution 2021-R-48: A Resolution Authorizing the Mayor of the Village of Fox Lake to Sign and Thereby Accept the Proposal from Schroeder Asphalt Services, Inc. for the Holly Avenue Project
3. Resolution 2021-R-51: A Resolution Authorizing the Mayor to Sign and Approve a Collective Bargaining Agreement Between the Village of Fox Lake and the American Federation of State, County and Municipal Employers, Council 31, Local 3905 for the Period of May 1, 2021 – April 30, 2025
4. Resolution 2021-R-52: A Resolution Approving the Proposal of Evoqua Water Technologies for the Rebuild of Secondary Clarifier No. 1 at the Northwest Regional Water Reclamation Facility
5. Resolution 2021-R-53: A Resolution Authorizing the Mayor of the Village of Fox Lake to Accept the Proposal from Copenhaver Construction for the Fox Lake Nippersink Blvd. Curb Line Revision Project

B. Ordinances

1. Ordinance 2021-14: An Ordinance Amending Sections 4-1-1-2 D 1 and 4-1-1-2 D 2 of the Village Code Related to Outdoor Live Music and Outdoor Music by Electronic Means

C. Motions

1. A Motion to Approve the Raffle License Application from Lakes Region Post 703 of the American Legion to Conduct a Gun Raffle and Waive the Bond Requirement
2. A Motion to Approve the Façade Improvement Program Application for Fox River Customs located at 129 S Route 12
3. A Motion to Accept the Planning and Zoning Commission's Recommendation to Approve the Special Use Permit for a Short-Term Rental at 27 N York
4. A Motion to Ratify an Equipment Lease Agreement with TechStar American Corporation for a Lanier IM C4500 Printer

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

19. Approval of Exceptions

There are none.

20. For the Good of the Order

Trustee Stochl thanked the residents who came out to participate in this evening's Board Meeting. Their comments are appreciated and heard. She encouraged them to keep attending.

21. Audience Comments

Larry Madison moved to Fox Lake last October. He and his wife live on North Holly. They have concern with the local establishment Hello Folks. When people drive down Holly together with the way people exit Hello Folks, they can't see each other. People walking out of Hello Folks don't look or stop, and he believes this is an accident waiting to happen. Even when he is slow driving and cautious, people step right out in front of his vehicle. He wanted to know what residents can do to seek a change for this issue. He wanted to know if then fence opening can be put at the other end of Hello Folks, creating a different walking pattern with more visibility. Mayor Schmit said it is a legit concern and he will talk with the proprietor of Hello Folks.

22. Reconvened Hearing regarding the Special Use Permit for the Property Located at 100 S. Route 12, Fox Lake, Illinois.

Mayor Schmit reconvened the Special Use Permit hearing.

He said they are still waiting for IDOT approval. IDOT has requested further documentation which will be provided. He is hoping to reach a conclusion soon.

23. Public Comment Regarding the Special Use Permit for the Property Located at 100 S. Route 12, Fox Lake, Illinois

Mayor Schmit asked for public comment and there was none.

Mayor Schmit closed the hearing and the 13th supplemental findings shall remain in effect until the September 14th Board Meeting.

24. Executive Session

There is none.

21. Adjournment

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

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>	

Meeting was adjourned at 7:41P.M.



Amy Driscoll, Village Clerk