

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 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 December 14, 2021 and held via in person and 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, Attorney Howard Teegen, Trustees: Jensen, Stochl, Marr, Moore and Driscoll.

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

2. Approval of Minutes

A. Village Board Meeting Minutes for November 23, 2021

Trustee Driscoll made a motion to approve the Village Board Meeting Minutes for November 23, 2021 as amended, seconded by Trustee Jensen.

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	Absent
Trustee Marr	Aye
Trustee Moore	Abstain
Trustee Driscoll	Aye
<i>Motion Carried</i>	

3. Approval of the Warrant

Trustee Marr made a motion to approve the Expenditures/Warrants/Transfers for December 14, 2021 in the amount of \$2,278,897.69, Seconded by Trustee Jensen.

A roll call vote was taken as follows:

Trustee Jensen	Aye
Trustee Stochl	Aye
Trustee Konwent	Absent
Trustee Marr	Aye
Trustee Moore	Aye
Trustee Driscoll	Aye

Motion Carried

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

A. Swearing in of David Gauger, Planning & Zoning Commission Chairman

David Gauger was sworn in by the Deputy Clerk, Ashley Magnine.

Trustee Jensen made a motion to approve David Gauger as Planning & Zoning Chairman, Seconded by Trustee Moore.

A roll call vote was taken as follows:

Trustee Jensen	Aye
Trustee Stochl	Aye
Trustee Konwent	Absent
Trustee Marr	Aye
Trustee Moore	Aye
Trustee Driscoll	Aye

Motion Carried

B. Swearing in of Barbara Nakanishi, Planning & Zoning Commission Member

Mayor Schmit nominated Barbara Nakanishi as a new Planning & Zoning Member, to replace Niki Warden who had resigned. Barbara will finish out Niki's remaining term through May of 2023. Barbara was sworn in by the Deputy Clerk, Ashley Magnine.

Trustee Marr made a motion to approve Mayor's nomination of Barbara Nakanishi as Planning & Zoning member, Seconded by Trustee Moore.

A roll call vote was taken as follows:

Trustee Jensen	Aye
Trustee Stochl	Aye
Trustee Konwent	Absent
Trustee Marr	Aye
Trustee Moore	Aye
Trustee Driscoll	Aye

Motion Carried

C. Anchor Award Recipient – Nancy Koske

Mayor presented Nancy Koske with the Anchor Award. Mayor said he is very proud and appreciative of all Nancy has done and given to Fox Lake and its' residents.

5. Village President's Report

A. Lakefront Park- Nippersink Blvd Discussion

Mayor Schmit shared staff is requesting Village boards input on closing Nippersink Blvd from Oak Street to Riverview Avenue which is part of the Parks and Recreation Master Plan incorporating the updates to Lakefront Park. The board was in agreement to moving forward with the plan and closing the road.

B. State of Emergency through January 8, 2022

Mayor Schmit shared the governor has extended the state of emergency through January 8th of 2022 as there are some concerns with the spread of Covid and increase in hospitalizations.

6. Village Administrator's Report

Village Administrator, Deb Waszak, shared in her last weekly written report and at the last parks strategic planning committee meeting a possible path to move forward with the Lakefront Park expansion. At the next village board meeting, Bernardi Securities will be in attendance to discuss how to finance the expansion.

Deb will be submitting a grant application for the Rebuild Downtowns and Main Streets Capital grant for the alley, parking lot at Millennium Park. There is no matching requirement. It is due January 10th. Priority is given to municipalities in a disproportionately impacted area – and we have not been designated as a DIA – but we meet some of the other criteria. But we have that parks master plan, so she is just getting a cost estimate for those amenities and submitting it.

She shared the following people are celebrating anniversaries and have over 90 years of combined experience including Kim Kunkel, Dawn Deservi, Jeff Martin, Josh Lisenby, Rick Howell, Anthony Distel, Dan Ruhnke, Todd Ebbing and TJ Pilarczyk.

7. Village Attorney Report

Attorney Howard Teegen asked if the Board has any questions on the executive session minutes that are ready to be approved. There were no questions so the motions will be read accordingly to approve them later tonight during the meeting..

8. Village Treasurer's Report

A. Police Pension's Municipal Compliance Report

Wayde presented the Police Pension's Municipal Compliance report. Per state statute, the Pension Board shall report annually to the Village Board on the condition of the pension fund at the end of its most recently completed fiscal year. The report shall be made prior to the board meeting held for appropriating and levying taxes for the year for which the report is made.

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.

A roll call vote was taken as follows:

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

Trustee Driscoll *Aye*
Motion Carried

A. Strategic Planning Team Reports
There is none.

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

A. Resolution 2021-R-93: A Resolution Authorizing Change Order No. 2 on the Holly Ave Project

This resolution is for a reduction of \$87,614.72 mostly due to less contaminated and unsuitable soils anticipated on this project.

B. Resolution 2021-R-94: A Resolution Authorizing the Execution of an Agreement between the Village Of Fox Lake and Property Registration Champions Pertaining to the Registration of Vacant and Foreclosed Properties

This resolution is to extend the current agreement for two years.

C. Ordinance 2021-30: An Ordinance Amending Various Sections of the Village Code of the Village of Fox Lake to Clarify Sewer and Water Charges Following Interconnection Between the Village's North and South Sewer and Water Systems

This ordinance is amending various sections of the Village of Fox Lake code related to sewer and water charges in preparation and requirement for the completion of the Interconnect project and updating the billing structure. This change will take effect once the Interconnect is up and running.

D. Ordinance 2021-35: An Ordinance Amending the Zoning Ordinance of the Village of Fox Lake, by Granting a Special Use to Kirk Handley to Operate a Short Term Housing Rental Business at the Property at 130 Arthur Avenue

This was discussed at the previous board meeting.

E. Ordinance 2021-36: An Ordinance Amending the Zoning Ordinance of the Village of Fox Lake, by Granting a Special Use to Frank LaMark to Operate a Short Term Housing Rental Business at the Property at 94 Lippincott Road

This was discussed at the previous board meeting.

F. Ordinance 2021-37: An Ordinance Amending the Zoning Ordinance of the Village of Fox Lake, by Granting a Special Use to Trevek Sengbusch to Operate a Short Term Housing Rental Business at the Property at 235 E. Grand Avenue

This was discussed at the previous board meeting.

G. A Motion to Return the Application for Variations of Joseph Foy at 35 Hillcrest Avenue to the Zoning Board to Identify the Standards of Section 9-1-6-8 C of the Zoning Ordinance Which Were Satisfied in the Motions to Approve Passed by the Zoning Board

The village attorney stated that the Planning Commission needs to identify the standards that were satisfied in order for the Village board to vote on this motion.

H. A Motion to Approve the Application for a Permit for an Awning Overhanging a Sidewalk at 17 E. Grand Avenue and Establishing a Permit Fee of \$50.00

This motion is regarding a request for a permit to install awnings on the facade of the building which abuts the public sidewalk on Grand Avenue. Staff is recommending approval for the installation of the awnings and establishing a permit fee of \$50.00.

I. A Motion to Approve The Façade Improvement Program Application For Fox Lake Properties, LLC For Property Located At 5 Nippersink Blvd

This façade improvement application is to replace windows, the entry door, and add a brick face to the lower band under the windows that is currently covered by broken pieces of black plastic. The total cost of the project is \$10,502.96 with reimbursement of \$4,000.00. Staff is recommending approval.

This item will be tabled until the next board meeting.

J. A Motion to Accept the Planning and Zoning Commission's Recommendations to Approve a Special Use to Operate a Tattoo and Piercing Parlor to Audrey Santiago at 208 S. Route 12

The planning commission has recommended approval of this special use contingent on completing all the corrections outlined in the inspection report.

K. A Motion Amending the Intergovernmental Agreement for Crew Facility Construction at the Fox Lake Commuter Station

This motion is to amend the IGA for crew facility construction at the Fox Lake commuter station. This amendment allows for the current plans to be constructed with eaves and bollards. Staff is requesting approval of the amendment.

L. A Motion to Approve the Raffle License Application from the National Athletic Club to Conduct a Weekly Raffle Every Friday and Waive the Bond Requirement

The National Athletic Club is renewing their weekly Friday raffle license for another year to hold meat and 50/50 raffles to raise funds for improvements and charitable contributions.

12. Old Business

A. Ordinance 2021-31: An Ordinance Providing for the Levy of Taxes for the Village of Fox Lake, Lake and McHenry Counties, State of Illinois, for Collection in the Fiscal Year Beginning May 1, 2021 and Ending April 30, 2022

Staff is requesting approval of this ordinance in its final draft after being presented to the board at the November 23rd village board meeting, at the recommended tax levy total of \$2,712,210.

B. Ordinance 2021-34: An Ordinance Amending Sections 3-3-6 A 1 e and f of the Village Code by Increasing the Allowable Number of Class A-4 Tavern Licenses and Reducing the Allowable Number of Class A-5 Package Store Liquor Licenses

This ordinance is to amend various sections of the Village of Fox Lake code related to Liquor licensing, including an increase by 1 in Class A-4 Tavern licenses and a decrease by 1 in the Class A-5 Package Store liquor licenses.

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 Marr.

A roll call vote was taken as follows:

Trustee Jensen	Aye
Trustee Stochl	Aye
Trustee Konwent	Absent
Trustee Marr	Aye
Trustee Moore	Aye
Trustee Driscoll	Aye

Motion Carried

14. Items to be Removed from Consent Agenda

Mayor Schmit removed from the consent agenda a motion to approve the façade improvement program application for Fox Lake Properties, LLC for property located at 5 Nippersink Blvd. (C-3), tabled until the next board meeting.

Trustee Stochl removed from the consent agenda Ordinance 2021-36 (B-5).

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 2021-R-93: A Resolution Authorizing Change Order No. 2 on the Holly Ave Project
2. Resolution 2021-R-94: A Resolution Authorizing the Execution of an Agreement between the Village Of Fox Lake and Property Registration Champions Pertaining to the Registration of Vacant and Foreclosed Properties

B. Ordinances

1. Ordinance 2021-30: An Ordinance Amending Various Sections of the Village Code of the Village of Fox Lake to Clarify Sewer and Water Charges Following Interconnection Between the Village's North and South Sewer and Water Systems
2. Ordinance 2021-31: An Ordinance Providing for the Levy of Taxes for the Village of Fox Lake, Lake and McHenry Counties, State of Illinois, for Collection in the Fiscal Year Beginning May 1, 2021 and Ending April 30, 2022
3. Ordinance 2021-34: An Ordinance Amending Sections 3-3-6 A 1 e and f of the Village Code by Increasing the Allowable Number of Class A-4 Tavern Licenses and Reducing the Allowable Number of Class A-5 Package Store Liquor Licenses
4. Ordinance 2021-35: An Ordinance Amending the Zoning Ordinance of the Village of Fox Lake, by Granting a Special Use to Kirk Handley to Operate a Short Term Housing Rental Business at the Property at 130 Arthur Avenue
6. Ordinance 2021-37: An Ordinance Amending the Zoning Ordinance of the Village of Fox Lake, by Granting a Special Use to Trevek Sengbusch to Operate a Short Term Housing Rental Business at the Property at 235 E. Grand Avenue

C. Motions

1. A Motion to Return the Application for Variations of Joseph Foy at 35 Hillcrest Avenue to the Zoning Board to Identify the Standards of Section 9-1-6-8 C of the Zoning Ordinance Which Were Satisfied in the Motions to Approve Passed by the Zoning Board
2. A Motion to Approve the Application for a Permit for an Awning Overhanging a Sidewalk at 17 E. Grand Avenue and Establishing a Permit Fee of \$50.00
4. A Motion to Accept the Planning and Zoning Commission's Recommendations to Approve a Special Use to Operate a Tattoo and Piercing Parlor to Audrey Santiago at 208 S. Route 12
5. A Motion Amending the Intergovernmental Agreement for Crew Facility Construction at the Fox Lake Commuter Station
6. A Motion to Approve the Raffle License Application from the National Athletic Club to Conduct a Weekly Raffle Every Friday and Waive the Bond Requirement
7. Motion to Acknowledge Receipt of the Village of Fox Lake's Police Pension Fund's Municipal Compliance Report for the Fiscal Year Ended April 30, 2021

Trustee Jensen made a **motion** to move that items, Resolutions A 1-2, Ordinances B 1-4, 6 and Motions C 1, 2, 4-7, be established as the Consent Agenda for this meeting by unanimous vote, seconded by Trustee Moore.

A roll call vote was taken as follows:

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

Trustee Driscoll 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	Absent
Trustee Marr	Aye
Trustee Moore	Aye
Trustee Driscoll	Aye
<i>Motion Carried</i>	

16. Approval of Exceptions

Ordinance 2021-36: An Ordinance Amending the Zoning Ordinance of the Village of Fox Lake, by Granting a Special Use to Frank LaMark to Operate a Short Term Housing Rental Business at the Property at 94 Lippincott Road

Trustee Moore made a **motion** to pass Ordinance 2021-36, an ordinance granting a special use to operate a short term rental at 94 Lippincott Rd, seconded by Trustee Jensen.

A roll call vote was taken as follows:

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

17. For the Good of the Order

There is none.

18. Audience Comments

There is none.

19. Executive Session

There is none.

20. Motions to Approve Executive Session Minutes

1. A Motion to approve the following executive session minutes:
January 12, 2021, Session I
January 26, 2021, Session I

February 9, 2021, Sessions I, II and III
February 17, 2021, Sessions I, II and III
February 23, 2021, Sessions I, II and III
March 9, 2021, Sessions I and II
March 23, 2021, Sessions I, II, III and IV
May 11, 2021, Sessions I, II, III and IV
May 25, 2021, Sessions I and II
July 13, 2021, Sessions I, II, III and IV
August 10, 2021, Sessions I and II

Trustee Moore made a motion to approve executive session minutes, seconded by Trustee Marr.

A roll call vote was taken as follows:

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

2. A Motion to approve the following executive session minutes:

February 1, 2021, Sessions I and II

Trustee Moore made a motion to approve executive session minutes, seconded by Trustee Jensen.

A roll call vote was taken as follows:

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

3. A Motion to approve the following executive session minutes:

April 27, 2021, Session I

June 22, 2021, Sessions I and II

Trustee Moore made a motion to approve executive session minutes, seconded by Trustee Marr.

A roll call vote was taken as follows:

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

21. Adjournment

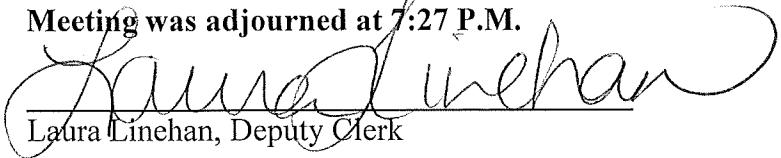
Trustee Stochl made a motion to adjourn the meeting at 7:27pm, seconded by Trustee Marr.

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>Absent</i>
<i>Trustee Marr</i>	<i>Aye</i>
<i>Trustee Moore</i>	<i>Aye</i>
<i>Trustee Driscoll</i>	<i>Aye</i>
<i>Motion Carried</i>	

Meeting was adjourned at 7:27 P.M.



Laura Linehan, Deputy Clerk