



## 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 February 8, 2022, 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 Jeff Nutschnig, Trustees: Jensen, Stochl, Konwent, Moore and Driscoll.

Staff also in attendance: Deb Waszak, Laura Linehan, Donovan Day, Wayde Frerichs, Kealan Noonan, Ryan Kelly, Jimmy Lee Jr., Susan from Trotter

Staff in attendance via Zoom: Trustee Marr

### 2. Public Hearing Pursuant to the Requirements of Sections 10 and 20 of the Bond Issuance Notification Act of the State of Illinois, as amended on the Plans to Issue Series 2022A and Series 2022B General Obligation Bonds.

Donny Schmit, Mayor, as Hearing Officer read the following statement: Good evening, ladies and gentlemen. This hearing will come to order. Let the record reflect that this is a public hearing being held pursuant to the requirements of Sections 10 and 20 of the Bond Issue Notification Act of the State of Illinois, as amended (the "Act"). Notice of this hearing was published on January 21, 2022, in the Daily Herald newspaper, being a newspaper of general circulation in the Village. This is a hearing regarding a plan to issue (A) not to exceed \$12,500,000 in aggregate principal amount of the Village's General Obligation Bonds (Alternate Revenue Source), Series 2022A and (B) not to exceed \$2,190,000 in aggregate principal amount of the Village's General Obligation Bonds (Alternate Revenue Source), Series 2022B, in one or more series, on a taxable or tax-exempt basis. The proceeds of the Series 2022A Bonds will be used to (i) finance various park improvements to align with the Village's Lakefront Improvement Plan (together with all necessary land acquisition and rights in land) and other costs incidental thereto, and (ii) pay certain

costs of issuance of the Series 2022A Bonds. The proceeds of the Series 2022B Bonds will be used to (i) refund certain outstanding obligations of the Village, a portion of which were initially issued to finance the costs of various capital improvements, including police software, a new parking lot, a new salt dome, and new fuel storage tanks, and (ii) pay certain costs of issuance of the Series 2022B Bonds. The Series 2022A Bonds will be issued by the Village in accordance with the provisions of Section 15 of the Local Government Debt Reform Act of the State of Illinois, as amended (the “Debt Reform Act”), and shall constitute a general obligation of the Village, payable from (i) all externality fees deposited into the General Fund of the Village, (ii) receipts of video gaming revenues imposed under the Local Government Video Gaming Distributive Fund (30 ILCS 105/5.724 of the Illinois Compiled Statutes), (iii) Telecommunications Taxes, Electric Utility Taxes and Gas Utility Taxes, (iv) all collections distributed to the Village from Retailer’s Occupation Taxes, Service Occupation Taxes, Use Taxes and Service Use Taxes, and (v) ad valorem taxes of the Village for which its full faith and credit have been irrevocably pledged, unlimited as to rate or amount. The Series 2022B Bonds will be issued, in one or more series, on a taxable or tax-exempt basis, by the Village in accordance with the provisions of Section 15 of the Debt Reform Act and shall constitute a general obligation of the Village, payable from (i) the Net Revenues of the waterworks and sewerage system of the Village, (ii) receipts of 911 surcharges imposed under the Emergency Telephone System Act (50 ILCS 750/15.3 of the Illinois Compiled Statutes), (iii) general fund revenues of the Village, and (iv) ad valorem taxes of the Village for which its full faith and credit have been irrevocably pledged, unlimited as to rate or amount. This public hearing is required by Sections 10 and 20 of the Act. At the time and place set for the public hearing, residents, taxpayers and other interested persons will be given the opportunity to express their views for or against the proposed plan of financing, the issuance of the Series 2022A Bonds and Series 2022B Bonds and the purpose of the issuance of the Series 2022A Bonds and Series 2022B Bonds. The Hearing Officer asked if there was anyone who wished to submit written comments.

*There were no written comments submitted.*

The Hearing Officer asked all residents, taxpayers or other interested persons attending the hearing and desiring an opportunity to express their views for or against the proposed Bonds, to please stand so that they may have an opportunity to make those comments or statements.

*Resident Glenn Close questioned why the salt dome is included in the bonds because it was replaced only a few years ago. The Mayor explained that the salt dome was paid for by the issuance of a bond and that bond is being retired and the funds incorporated into the new bond so that we will lower the interest rates.*

The Hearing Officer concluded the public hearing regarding a plan to issue (A) not to exceed \$12,500,000 in aggregate principal amount of the Village’s General Obligation Bonds (Alternate Revenue Source), Series 2022A and (B) not to exceed \$2,190,000 in aggregate principal amount of the Village’s General Obligation Bonds (Alternate Revenue Source), Series 2022B, in one or more series, on a taxable or tax exempt basis. Let the Record further reflect this public hearing was concluded at the hour of 6:39 p.m., February 8, 2022.

Respectfully Submitted, By: \_\_\_\_\_ Donny Schmit, Mayor

**The Public Hearing was closed at 6:39PM.**

### **3. Approval of Minutes**

#### **A. Village Board Meeting Minutes for January 25, 2022**

*Trustee Konwent made a motion to approve the Village Board Meeting Minutes for January 25, 2022, as presented, seconded by Trustee Driscoll.*

*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 Driscoll	Aye

***Motion Carried***

#### **4. Approval of the Warrant**

*Trustee Moore made a motion to approve the Expenditures/Warrants/Transfers for February 8, 2022 in the amount of \$1,207,769.17, 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 Driscoll	Aye

***Motion Carried***

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

##### **A. Appointment of Police Pension Board Trustee**

Mayor Schmit asked for a motion to approve the appointment of Roy Lucke as Police Pension Board Trustee.

*Trustee Konwent made a motion to approve the appointment of Roy Lucke to the position of Police Pension Board Trustee, 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 Driscoll	Aye

***Motion Carried***

##### **B. Appointment of Village Clerk**

Mayor Schmit asked for a motion to approve the appointment of Desyi Moya as Village Clerk.

*Trustee Moore made a motion to approve the appointment of Desyi Moya to the position of Village Clerk, seconded by Trustee Driscoll*

*A roll call vote was taken as follows:*

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

*Roy Lucke and Deysi Moya were both sworn in for their respective positions by Laura Linehan, Assistant Village Administrator.*

**6. Village President's Report**

**7. Village Administrator's Report**

*Deb corrected the warrant total stated on the January 25, 2022 minutes, the supplemental information was correct but the total was missstated in the packet; it should have been \$792,141.61.*

**8. Village Attorney Report**

*There is none.*

**9. Village Treasurer's Report**

*There is none.*

**10. Preliminary Audience Comments (on Agenda Items Only)**

*There is none.*

**11. 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 Driscoll	Aye
<b><i>Motion Carried</i></b>	

**A. Strategic Planning Team Reports**

**12. New Business (the information below taken from Agenda)**

**A. Resolution 2022-R-11: A Resolution Approving Motor Fuel Tax Funds for Maintenance Under the Illinois Highway Code for the Year 2022.**

*Form showing what the funds are spent on. This is required by IDOT annually.*

**B. Resolution 2022-R-12: A Resolution Authorizing Change Order No. 5 on The Fox Lake Interconnect Phase II Project**

*Interconnect Project Phase II is drawing to a close. There have been several change orders – some additions, some deductions. Overall effect, we will be a little over the*

*contracted price but, with all the challenges we have had with this project, the total is within reason.*

**C. Resolution 2022-R-13: A Resolution Approving Design Engineering and Surveying Services Proposal with Trotter And Associates, Inc. for The 2022 Roadway Improvement Project**

*Total amount \$229,700.00. Included are Lakeside Lane, Glenview Place, Lincoln Avenue, Garfield Road, Jefferson Street and Adams Street. Some of the water mains will be upgraded and/or replaced prior to the roads being paved.*

**D. Ordinance 2022-07: An Ordinance Amending the Zoning Ordinance of The Village of Fox Lake, By Granting A Special Use To Betty Jarvi To Operate A Therapeutic Massage Wellness Center Business at The Property at 62 East Grand Avenue, Fox Lake, Illinois.**

*This was discussed at a previous meeting and the attorney was authorized to draw up the necessary papers.*

**E. A Motion to approve a Raffle License for 50-50 Raffles at the American Legion Post 703 at 703 N US Highway 12 in Fox Lake, IL every Thursday evening from 2/24/2022 thru 2/23/2023 and Waive the Bond Requirement.**

*This raffle is for their roof and projects for the children.*

**13. Old Business**

*There is none.*

**14. 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:*

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

*Motion Carried*

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

*There were 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 2022-R-11: A Resolution Approving Motor Fuel Tax Funds for Maintenance Under the Illinois Highway Code for the Year 2022.**

2. **Resolution 2022-R-12: A Resolution Authorizing Change Order No. 5 on The Fox Lake Interconnect Phase II Project**
3. **Resolution 2022-R-13: A Resolution Approving Design Engineering and Surveying Services Proposal with Trotter And Associates, Inc. for The 2022 Roadway Improvement Project**

**B. Ordinances**

1. **Ordinance 2022-07: An Ordinance Amending The Zoning Ordinance of The Village of Fox Lake, By Granting a Special Use To Betty Jarvi To Operate a Therapeutic Massage Wellness Center Business at The Property at 62 East Grand Avenue, Fox Lake, Illinois.**

**C. Motions**

1. **A Motion to approve a Raffle License for 50-50 Raffles at the American Legion Post 703 at 703 N US Highway 12 in Fox Lake, IL every Thursday evening from 2/24/2022 thru 2/23/2023.**

*Trustee Jensen made a motion to move that items, Resolutions A 1-3, Ordinances B 1 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 Driscoll	Aye
<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:*

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

**17. Approval of Exceptions**

*There are none.*

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

*There is none.*

**19. Audience Comments**

*There is none.*

**20. Executive Session**

*Trustee Jensen made a motion to go into Executive Session for purpose of:*

*Session 1: Land Acquisition, to include the Village Board, Village Administrator, Assistant Village Administrator, Attorney Nutschmig, and Director of Economic Development;*

*Session 2: Pending Litigation, to include the Village Board, Village Administrator, Assistant Village Administrator, and Attorney Herman: this motion was 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 Driscoll                    Aye*

***Motion Carried***

*The Executive Session was called to order at 7:01 PM*

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

*There will be no motions coming out of the Executive Session.*

**22. Adjournment**

*The meeting was adjourned from the Executive Session.*

**Meeting was adjourned at 7:33 P.M.**



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Deysi Moya, Village Clerk