

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 August 9, 2022 and held via in person and via Zoom conference, the meeting was called to order at 7:24 p.m. 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 and Moore

Absent Trustees: Konwent, Driscoll and Clerk Deysi Moya

Staff also in attendance: Deb Waszak, Jessica Chernich, Donovan Day, Kealan Noonan, Wayde Frerichs, Ryan Kelly, Jimmy Lee Jr., Dawn Deservi and Ashley Magnine

2. Approval of Minutes

A. Village Board Meeting Minutes for July 26, 2022

*Trustee Marr made a **motion** to approve the Village Board Meeting Minutes for July 26, 2022 as presented, 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:

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

3. Approval of the Warrant

Trustee Marr made a motion to approve the Expenditures/Warrants/Transfers for August 9, 2022 in the amount of \$611,362.05, 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>Absent</i>
<i>Trustee Marr</i>	<i>Aye</i>
<i>Trustee Moore</i>	<i>Aye</i>
<i>Trustee Driscoll</i>	<i>Absent</i>

Motion Carried

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

There is none.

5. Village President's Report

Mayor Schmit shared a reminder of the upcoming weekend events including the Friday Night Fish Fry, Saturday Fishing Derby and Sunday Cardboard Boat Races.

He also provided a Knollwood Project update, starting the project as early as Monday, August 15, 2022. There will be a public meeting at 6pm Monday evening with the residents to address the project plans and answer questions.

Thursday August 11, 2022 will be the second Lakefront Park Expansion meeting with residents.

6. Village Administrator's Report

A. Presentation from Race Productions

Parks and Recreation Manager, Matt Trujillo, introduced Trudy Wakeman from Race Productions. This was the 5th year of the Triathlon that was held on June 12th and 214 people participated. Trudy presented the Village with a check, for every participant over 100 the village received \$10 a head.

7. Village Attorney Report

Attorney Howard Teegen requested direction from the board regarding the ordinance on short term housing rentals and what changes or additions they want to be made.

8. Village Treasurer's Report

There is none.

9. Preliminary Audience Comments (on Agenda Items Only)

Thomas Weathers lives on Atwater Pkwy and side by side to a short term rental, he would like to see some density restrictions implemented to not ruin the family fabric of the neighborhood.

Steve Jergensen a permitted short term rental owner in Fox Lake as well as in other cities. He commented on a few items including the license fee, and would like to know what it is for, what will the fee be used for. Second, he believes there are short term rentals operating that are not permitted in the village which is frustrating that he, like other owners that are permitted, are following the rules, paying the fees, which puts them at a disadvantage to those who are not and what can the village do about this. Third, he addressed the distance between the houses, he believes that a constriction like that would prevent him from being able

to purchase a house next door that may be dilapidated, that he would be able to fix up which helps overall both the neighborhood and the village. Steve agrees with the board on the restrictions of parking on the streets. And lastly, he requested that he would like to be invited to attend these types of meetings regarding planning or discussion of the short term rentals to provide feedback on things that may or may not be working for him as well as other owners.

10. Motion to Recess to Committee of the Whole Meeting

Trustee Marr made a motion to recess to the Committee of the Whole, 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>Absent</i>
<i>Trustee Marr</i>	<i>Aye</i>
<i>Trustee Moore</i>	<i>Aye</i>
<i>Trustee Driscoll</i>	<i>Absent</i>
<i>Motion Carried</i>	

A. Strategic Planning Team Reports

There is none.

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

A. Resolution 2022-R-54: A Resolution Approving a Pilot Program to Allow Shared Kitchen Facility Use Agreements at the Lakefront Park

This resolution is for a one year pilot program to allow approved users to rent and utilize the kitchen facility space at the Lakefront Park building for their “food” business. Currently there are 2 interested users.

B. Resolution 2022-R-55: A Resolution Authorizing the Mayor of the Village of Fox Lake to Sign and Thereby Accept the Proposal from G.O. Painters for Fire Hydrant Painting

This resolution is to allow the Mayor to sign and accept the proposal, for the fall hydrant painting; the village owns 600 fire hydrants and the company repaints them. The total contract would be \$11,214.00 to paint 126 of them.

C. Resolution 2022-R-56: A Resolution Authorizing the Mayor and Village Clerk of the Village of Fox Lake to Sign and Thereby Accept the Proposal from Hoerr Construction, Inc. for the 2022 Sanitary Sewer Lining Project

This resolution is for lining approximately 2,400 linear feet of Lincoln, Garfield, Adams and Lakeside Lane. The low bid came in at \$113,135.00.

D. Resolution 2022-R-57: A Resolution Authorizing the Mayor to Sign and Thereby Enter into the Flock Safety Government Agency Agreement with Flock Group Inc

This resolution is for installation of stationary cameras, license plate readers, strategically placed that video record the roadway and store vehicle images for 30 days. This allows law enforcement to receive real time alerts for vehicles involved in criminal activity entering a specific area or searching for vehicles after criminal activity is discovered and reported to the police.

E. Ordinance 2021-37: An Ordinance Amending the Zoning Ordinance of the Village of Fox Lake By Granting a Special Use to Connie Loeff to Operate a Short Term Housing Rental Business at the Property at 509 Whitten Street, Fox Lake, Illinois

This was discussed at the previous board meeting.

- F. Ordinance 2022-38: An Ordinance Amending the Zoning Ordinance of the Village of Fox Lake By Granting a Special Use to Maria Metzler to Operate a Short Term Housing Rental Business at the Property at 127 Cora Avenue, Fox Lake, Illinois**
This was discussed at the previous board meeting.
- G. Ordinance 2022-39: 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 514 Park Avenue, Fox Lake, Illinois**
This was discussed at the previous board meeting.
- H. Ordinance 2022-40: 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 27 Rushmore Road, Fox Lake, Illinois**
This was discussed at the previous board meeting.
- I. Ordinance 2022-41: An Ordinance Amending the Zoning Ordinance of the Village of Fox Lake By Granting a Special Use to Igor Khotimskiy to Operate a Short Term Housing Rental Business at the Property at 21 Atwater Parkway, Fox Lake, Illinois**
This was discussed at the previous board meeting.
- J. Ordinance 2022-42: An Ordinance Amending the Zoning Ordinance of the Village of Fox Lake By Granting a Special Use to Daniel Rippel to Allow a Multi-family Dwelling within a B2 Zoning District in the Washington Street Business District at 130 Washington Street**
This was discussed at the previous board meeting.
- K. A Motion to Ratify the Signing of the Federal Transit Administration (FTA) Fiscal Year 2022 Certifications and Assurances for PACE by the Village Administrator and Village Attorney**
This is an annual certification item for our PACE bus service.

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 Marr.

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

14. Motion to Waive the Bids for the Flock Safety Government Agency Agreement with Flock Group Inc. for License Plate Recognition Equipment

Trustee Moore made a motion to waive the bids for license plate recognition equipment, seconded by Trustee Marr.

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>Absent</i>

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

15. Items to be Removed from Consent Agenda

There is 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-54: A Resolution Approving a Pilot Program to Allow Shared Kitchen Facility Use Agreements at the Lakefront Park
2. Resolution 2022-R-55: A Resolution Authorizing the Mayor of the Village of Fox Lake to Sign and Thereby Accept the Proposal from G.O. Painters for Fire Hydrant Painting
3. Resolution 2022-R-56: A Resolution Authorizing the Mayor and Village Clerk of the Village of Fox Lake to Sign and Thereby Accept the Proposal from Hoerr Construction, Inc. for the 2022 Sanitary Sewer Lining Project
4. Resolution 2022-R-57: A Resolution Authorizing the Mayor to Sign and Thereby Enter into the Flock Safety Government Agency Agreement with Flock Group Inc

B. Ordinances

1. Ordinance 2022-37: An Ordinance Amending the Zoning Ordinance of the Village of Fox Lake By Granting a Special Use to Connie Loef to Operate a Short Term Housing Rental Business at the Property at 509 Whitten Street, Fox Lake, Illinois
2. Ordinance 2022-38: An Ordinance Amending the Zoning Ordinance of the Village of Fox Lake By Granting a Special Use to Maria Metzler to Operate a Short Term Housing Rental Business at the Property at 127 Cora Avenue, Fox Lake, Illinois
3. Ordinance 2022-39: 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 514 Park Avenue, Fox Lake, Illinois
4. Ordinance 2022-40: 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 27 Rushmore Road, Fox Lake, Illinois
5. Ordinance 2022-41: An Ordinance Amending the Zoning Ordinance of the Village of Fox Lake By Granting a Special Use to Igor Khotimskiy to Operate a Short Term Housing Rental Business at the Property at 21 Atwater Parkway, Fox Lake, Illinois
6. Ordinance 2022-42: An Ordinance Amending the Zoning Ordinance of the Village of Fox Lake By Granting a Special Use to Daniel Rippel to Allow a Multi-family Dwelling within a B2 Zoning District in the Washington Street Business District at 130 Washington Street

C. Motions

1. A Motion to Ratify the Signing of the Federal Transit Administration (FTA) Fiscal Year 2022 Certifications and Assurances for PACE by the Village Administrator and Village Attorney

*Trustee Jensen made a **motion** to move that items, Resolutions A 1-4, Ordinances B 1-6 and Motions C 1, be established as the Consent Agenda for this meeting by unanimous vote, 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>Absent</i>
<i>Trustee Marr</i>	<i>Aye</i>
<i>Trustee Moore</i>	<i>Aye</i>
<i>Trustee Driscoll</i>	<i>Absent</i>
<i>Motion Carried</i>	

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

17. Approval of Exceptions

There were none.

18. For the Good of the Order

Trustee Marr said hats off to the public works department for adding a bunch of new trees to the village.

Trustee Moore shared a great job to all who were involved in implementing National Night Out, she heard it was a great success and people really liked it.

19. Audience Comments

Thomas Weathers asked for clarification regarding the moratorium and when it was passed and for the Planning & Zoning meeting Wednesday evening there are a few short term rentals on the agenda if they will be considered due to the moratorium; it was clarified that the moratorium was passed at the last board meeting and the short term rentals on the agenda were sent in prior to the passing of the moratorium so if approved, will be allowed to be permitted.

20. Executive Session

*Trustee Jensen made a **motion** to retire into Executive Session at 8:49 p.m., for discussion on Land Acquisition to include Mayor Schmit, Attorney Howard Teegen, Village Administrator Deb Waszak, Assistant to the Administrator Jessica Chernich and Community and Economic Development Director Donovan Day, seconded by Trustee Marr.*

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>Absent</i>

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


21. Adjournment (Made in Executive Session)

Trustee Stochl made a motion to adjourn the meeting at 8:56 p.m., seconded by Trustee Marr.

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

Meeting was adjourned at 8:56 P.M.



Ashley Maghine, Deputy Clerk