



**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 said Village and County in the State of Illinois at 6:34 p.m. on June 13, 2023 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, Village Attorney Jeff Nutschnig, Trustees: Stochl, Konwent, Marr, Driscoll, Jensen, and Vander Weit

Staff also in attendance: Jessica Chernich, Kealan Noonan, Wayde Frerichs, Ryan Kelly (*via Zoom*), Amy Whitis, Jimmy Lee, Dawn DeServi, Lindsay Szafran, Ashley Magnine, and Patricia Russell

## 2. Approval of Minutes

## A. Village Board Meeting Minutes for May 23, 2023

Trustee Konwent made a **motion** to approve the Village Board Meeting Minutes for May 23, 2023 as presented, seconded by Trustee Marr.

*A roll call vote was taken as follows:*

Trustee Jensen Ave

Trustee Jensen Aye  
Trustee Stockl Aye

*Trustee Stock*      *Aye*  
*Trustee Konwent*      *Aye*

Trustee Konwent Aye  
Trustee Marr Aye

Trustee Marr Aye  
Trustee Driscoll Abs

*Trustee Driscoll* *ADS*  
*Trustee Vander Wait* *Ave*

*Trustee under  
Motion awarded*

**3. Approval of the Warrant**

**A. Approval of the Warrant**

*Finance Director, Wayde Frerichs informed board and staff that the incorrect warrant and supplemental documents were included in the packet and summarized on the agenda. The correct warrant and supplemental documents were provided to the board for review and approval.*

*Trustee Driscoll made a **motion** to approve the corrected Expenditures/Warrants/Transfers for June 13, 2023 in the amount of \$1,665,530.82, 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 Driscoll	Aye
Trustee Vander Weit	Aye

*Motion carried*

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

*There is none.*

**5. Village President's Report**

A. Dusty Hosna is the new Community & Economic Development Director and will be introduced at the next Village Board Meeting.

B. Mayor shared possibility of placing Welcome Sign on property at Route 12 and Route 134 and asked for board direction; determined to pursue further discussion with owner around signage, piece of land and extension of billboards for 3 years, unless building is erected at which time they need to be removed.

C. Mayor will meet onsite on June 21 with Army Corp of Engineers to discuss beach at Lakefront Park and discuss concerns of sand and pier.

**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)**

*There were none.*

**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 Vander Weit. All were in favor. **Motion carried***

**A. Strategic Planning Team Reports**

*There were no questions on the reports.*

**11. New Business**

**A. Resolution 2023-R-24: A Resolution Approving Phase III Construction Engineering Services Proposal with IMEG Corp for the Lakefront Park Redevelopment Project**

*This item is to accept the proposal for the Lakefront Park Redevelopment Project to provide oversight of the project at a cost of \$284, 431.00; 3% of total project cost.*

**B. Resolution 2023-R-30: A Resolution Approving Engineering Services with Trotter and Associates, Inc. for Lead Service Line Replacement Project Planning**

*This item is to approve engineering services with Trotter and Associates to replace service lines as per unfunded state mandate, cost at \$226,500.00.*

**C. Resolution 2023-R-33: A Resolution Authorizing Contract Modification to 2022 Sanitary Sewer Lining Project Engineering Services**

*This item is to approve the resolution authorizing the contract modification to the 2022 Sanitary Sewer Lining Project engineering services for Atwater Pkwy and Lakeside Ln at cost of \$9,128.57.00.*

**D. Resolution 2023-R-34: A Resolution Authorizing the Mayor of the Village of Fox Lake to Accept the Quote through the Sourcewell Purchasing Cooperative for the Purchase of Two Polaris Rangers for the NWRWRF**

*This item is to authorize the mayor to accept the Sourcewell Purchasing Cooperative quote for the purchase of two Polaris Rangers for the NWRWRF as replacements, budgeted item at a cost of \$27,086.00.*

**E. Resolution 2023-R-35: A Resolution Authorizing the Mayor of the Village of Fox Lake to Accept the Proposal from Michaels Signs, Inc. for the 2023 Signage Program Project and Sign a Contract for the Project**

*This item is to authorize the Mayor to accept the Michaels Signs proposal for the 2023 Signage Program Project and sign a contract for the project. This is the lower bid and under budget at \$137,580.00.*

**F. Resolution 2023-R-37: A Resolution Authorizing the Amendment of the Revised Fox Lake Personnel Manual**

*This item is to approve the resolution authorizing the amendment of the revised Fox Lake Personnel Manual and will go into effect on June 27<sup>th</sup>. Changes are related to Acts to protect pregnant women and nursing mothers.*

**G. Resolution 2023-R-39: A Resolution Approving Engineering Services with Trotter & Associates, Inc. for Well No. 8 & Water Treatment Plant Well Exploration and Test Well Development**

*This item is to approve engineering services with Trotter & Associates for Well No. 8 and Water Treatment Plant Well Exploration and Test Well Development at a cost of \$44,100.*

**H. Resolution 2023-R-40: A Resolution Authorizing the Mayor of the Village of Fox Lake to Sign and Thereby Accept a Contract with Copenhaver Construction for the Lakefront Park Redevelopment Project**

*This item is to authorize the Mayor to sign and accept a contract with Copenhaver Construction for the Lakefront Park Redevelopment Project.*

**I. Resolution 2023-R-41: A Resolution Authorizing the Mayor of the Village of Fox Lake to Sign and Thereby Accept Change Order No. 1 with Copenhaver Construction for the Lakefront Park Redevelopment Project**

*This item is to authorize the Mayor to sign and accept Change Order No. 1 with Copenhaver Construction for the Lakefront Park Project to reduce the overall project costs.*

**J. Resolution 2023-R-42: A Resolution Approving Work Order No. WO069 with Trotter & Associates, Inc. for Engineering Services for the 2023 Sanitary Sewer Lining Program**

*This item is to approve the work order with Trotter and Associates for engineering services for 2023 Sanitary Sewer Lining Program, at a cost of \$10,100.*

**K. Ordinance 2023-15: An Ordinance Amending the Zoning Ordinance of the Village of Fox Lake by Granting a Special Use to HPI Management, Inc. to Operate a Cannabis Business Including Retail Sales of Cannabis and Cannabis Related Products and Apparel at the Property at 1298 Route 12, Fox Lake, Illinois**

*This item is to amend the zoning ordinance by granting a Special Use Permit to operate a Cannabis Business at 1298 Route 12.*

**L. Ordinance 2023-16: An Ordinance Amending the Zoning Ordinance of the Village of Fox Lake by Granting a Special Use to Jason & Kelly Dutmers to Operate a Short-Term Housing Rental Business at the Property at 14 North Lake Avenue, Fox Lake, Illinois**

*This item is to amend the zoning ordinance by granting a Special Use Permit to operate a Short Term Rental at 14 North Lake Avenue.*

**M. Ordinance 2023-17: An Ordinance Amending the Zoning Ordinance of the Village of Fox Lake by Granting a Special Use to Steve & Willow Jergensen to Operate a Short-Term Housing Rental Business at the Property at 3 North Maple Avenue, Fox Lake, Illinois**

*This item is to amend the zoning ordinance by granting a Special Use Permit to operate a Short Term Rental at 3 North Maple Avenue.*

**N. Ordinance 2023-18: An Ordinance Amending the Zoning Ordinance of the Village of Fox Lake by Granting a Special Use to Jonathan Sheinkop to Operate a Short-Term Housing Rental Business at the Property at 10 North Lake Avenue, Fox Lake, Illinois**

*This item is to amend the zoning ordinance by granting a Special Use Permit to operate a Short Term Rental at 10 North Lake Avenue.*

**O. Ordinance 2023-19: An Ordinance Reclassifying Property R-2 Planned Unit Development (149 Cora Avenue)**

*This item is to approve an ordinance reclassifying Property R-2 Planned Unit development at 149 Cora Avenue.*

**P. Ordinance 2023-20: An Ordinance Amending Section 8-1-5 of the Village Code Related to Exemptions from Motor Vehicle License Requirement**

*This item is to approve an ordinance amending Section 8-1-5 of the Village Code related to exemptions from Motor Vehicle License Requirements to no longer require yearly application for exemption.*

**Q. Ordinance 2023-21: An Ordinance Approving a Redevelopment and Economic Incentive Agreement (Randolph Hotel Series LLC)**

*This item is to approve a Redevelopment and Economic Incentive Agreement with Randolph Hotel Series LLC.*

**R. Motion to Approve the Raffle License Application for Promote Fox Lake and Waive the Bond Requirement**

*This item is to approve the Raffle License Application for Promote Fox Lake and waive the bond requirement.*

**S. Motion to Approve the Raffle License Application for Fox Lake Citizen Policy Academy Alumni and Waive the Bond Requirement**

*This item is to approve the Raffle License Application for Fox Lake Citizen Police Academy and waive the bond requirement.*

**T. Motion to Change the Ordinance Number from 13 to 12 for an Ordinance Extending the Time for Beginning Operation of a Cannabis Business at the Properties at 80 S. Route 12 and 90 S. Route 12, Fox Lake, Illinois, Until September 8, 2023**

*This item to approve the motion to change the Ordinance Number from 13 to 12 for an Ordinance extending the time for beginning operation of a cannabis business at the properties of 80 and 90 S. Route 12 until September 8, 2023.*

**12. Old Business**

*There was none.*

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

*Trustee Konwent made a motion to adjourn from Committee of the Whole and reconvene Village Board Meeting, seconded by Trustee Jensen. All were in favor. Motion carried.*

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

*Trustee Driscoll removed ordinances B-2, 3 and 4 and the Mayor removed ordinances B-1 and B-7, and Trustee Stochl removed Ordinance 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 2023-R-24: A Resolution Approving Phase III Construction Engineering Services Proposal with IMEG Corp for the Lakefront Park Redevelopment Project
2. Resolution 2023-R-30: A Resolution Approving Engineering Services with Trotter and Associates, Inc. for Lead Service Line Replacement Project Planning
3. Resolution 2023-R-33: A Resolution Authorizing Contract Modification to 2022 Sanitary Sewer Lining Project Engineering Services
4. Resolution 2023-R-34: A Resolution Authorizing the Mayor of the Village of Fox Lake to Accept the Quote through the Sourcewell Purchasing Cooperative for the Purchase of Two Polaris Rangers for the NWRWRF
5. Resolution 2023-R-35: A Resolution Authorizing the Mayor of the Village of Fox Lake to Accept the Proposal from Michaels Signs, Inc. for the 2023 Signage Program Project and Sign a Contract for the Project
6. Resolution 2023-R-37: A Resolution Authorizing the Amendment of the Revised Fox Lake Personnel Manual
7. Resolution 2023-R-39: A Resolution Approving Engineering Services with Trotter & Associates, Inc. for Well No. 8 & Water Treatment Plant Well Exploration and Test Well Development
8. Resolution 2023-R-40: A Resolution Authorizing the Mayor of the Village of Fox Lake to Sign and Thereby Accept a Contract with Copenhaver Construction for the Lakefront Park Redevelopment Project
9. Resolution 2023-R-41: A Resolution Authorizing the Mayor of the Village of Fox Lake to Sign and Thereby Accept Change Order No. 1 with Copenhaver Construction for the Lakefront Park Redevelopment Project
10. Resolution 2023-R-42: A Resolution Approving Work Order No. WO069 with Trotter & Associates, Inc. for Engineering Services for the 2023 Sanitary Sewer Lining Program

**B. Ordinances**

1. *Removed from Consent Agenda* - Ordinance 2023-15: An Ordinance Amending the Zoning Ordinance of the Village of Fox Lake by Granting a Special Use to HPI Management, Inc. to Operate a Cannabis Business Including Retail Sales of Cannabis and Cannabis Related Products and Apparel at the Property at 1298 Route 12, Fox Lake, Illinois
2. *Removed from Consent Agenda* - Ordinance 2023-16: An Ordinance Amending the Zoning Ordinance of the Village of Fox Lake by Granting a Special Use to Jason & Kelly Dutmers to Operate a Short-Term Housing Rental Business at the Property at 14 North Lake Avenue, Fox Lake, Illinois3. Removed from Consent Agenda - Motion to Accept the Planning and Zoning Commission's Recommendation to Approve the Petition of Steve & Willow Jergensen for a Special Use Permit to Operate a Short-term Rental at 3 N. Maple Avenue
3. *Removed from Consent Agenda* - Ordinance 2023-17: An Ordinance Amending the Zoning Ordinance of the Village of Fox Lake by Granting a Special Use to Steve & Willow Jergensen to Operate a Short-Term Housing Rental Business at the Property at 3 North Maple Avenue, Fox Lake, Illinois
4. *Removed from Consent Agenda* - Ordinance 2023-18: An Ordinance Amending the Zoning Ordinance of the Village of Fox Lake by Granting a Special Use to Jonathan Sheinkop to Operate a Short-Term Housing Rental Business at the Property at 10 North Lake Avenue, Fox Lake, Illinois
5. *Removed from Consent Agenda* - Ordinance 2023-19: An Ordinance Reclassifying Property R-2 Planned Unit Development (149 Cora Avenue)
6. Ordinance 2023-20: An Ordinance Amending Section 8-1-5 of the Village Code Related to Exemptions from Motor Vehicle License Requirement
7. *Removed from Consent Agenda* - Ordinance 2023-21: An Ordinance Approving a Redevelopment and Economic Incentive Agreement (Randolph Hotel Series LLC

**C. Motions**

1. Motion to Approve the Raffle License Application for Promote Fox Lake and Waive the Bond Requirement
2. Motion to Approve the Raffle License Application for Fox Lake Citizen Policy Academy Alumni and Waive the Bond Requirement

3. Motion to Change the Ordinance Number from 13 to 12 for an Ordinance Extending the Time for Beginning Operation of a Cannabis Business at the Properties at 80 S. Route 12 and 90 S. Route 12, Fox Lake, Illinois, Until September 8, 202

*Trustee Jensen made a motion to move that items, Resolutions A 1-10, Ordinances B 6, and Motion C 1-3, 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 Driscoll	Aye
Trustee Vander Weit	Aye

*Motion carried*

*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 Driscoll	Aye
Trustee Vander Weit	Aye

*Motion carried*

## **16. Approval of Exceptions**

*Trustee Jensen made a motion to approve item B-1, Ordinance 2023-15: An Ordinance Amending the Zoning Ordinance of the Village of Fox Lake by Granting a Special Use to Illinois Works, Inc. to Operate a Cannabis Business Including Retail Sales of Cannabis and Cannabis Related Products and Apparel at the Property at 1298 Route 12, Fox Lake, Illinois, 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 Driscoll	Aye
Trustee Vander Weit	Aye

*Motion carried*

Trustee Jensen made a **motion** to approve item B-2, Ordinance 2023-16: *An Ordinance Amending the Zoning Ordinance of the Village of Fox Lake by Granting a Special Use to Jason & Kelly Dutmers to Operate a Short-Term Housing Rental Business at the Property at 14 North Lake Avenue, Fox Lake, Illinois*, seconded by Trustee Marr.

*A roll call vote was taken as follows:*

Trustee Jensen	Aye
Trustee Stochl	Abstain
Trustee Konwent	Aye
Trustee Marr	Aye
Trustee Driscoll	No
Trustee Vander Weit	Aye

***Motion carried***

Trustee Marr made a **motion** to approve item B-3, Ordinance 2023-17: *An Ordinance Amending the Zoning Ordinance of the Village of Fox Lake by Granting a Special Use to Steve & Willow Jergensen to Operate a Short-Term Housing Rental Business at the Property at 3 North Maple Avenue, Fox Lake, Illinois*, seconded by Trustee Jensen.

*A roll call vote was taken as follows:*

Trustee Jensen	Aye
Trustee Stochl	Abstain
Trustee Konwent	Aye
Trustee Marr	Aye
Trustee Driscoll	No
Trustee Vander Weit	Aye

***Motion carried***

Trustee Jensen made a **motion** to approve item B-4, Ordinance 2023-18: *An Ordinance Amending the Zoning Ordinance of the Village of Fox Lake by Granting a Special Use to Jonathan Sheinkop to Operate a Short-Term Housing Rental Business at the Property at 10 North Lake Avenue, Fox Lake, Illinois*, seconded by Trustee Marr.

*A roll call vote was taken as follows:*

Trustee Jensen	Aye
Trustee Stochl	Abstain
Trustee Konwent	Aye
Trustee Marr	Aye
Trustee Driscoll	No
Trustee Vander Weit	Aye

***Motion carried***

Trustee Vander Weit made a **motion** to approve item B-5, Ordinance 2023-19: *An Ordinance Reclassifying Property R-2 Planned Unit Development (149 Cora Avenue)*, seconded by Trustee Konwent.

*A roll call vote was taken as follows:*

Trustee Jensen	Aye
Trustee Stochl	No
Trustee Konwent	Aye
Trustee Marr	Aye
Trustee Driscoll	Aye
Trustee Vander Weit	Aye

***Motion carried***

*Trustee Konwent made a **motion** to approve item B-7, Ordinance 2023-21: An Ordinance Approving a Redevelopment and Economic Incentive Agreement (Randolph Hotel Series LLC) as amended and with change to Page 29, removing the \$400,000 cost, seconded by Trustee Vander Weit.*

*A roll call vote was taken as follows:*

Trustee Jensen	Aye
Trustee Stochl	No
Trustee Konwent	Aye
Trustee Marr	Aye
Trustee Driscoll	Aye
Trustee Vander Weit	Aye

***Motion carried***

**17. Audience Comments**

*Frank Pavletic, 40 N. Lake, expressed concern regarding Short Term Rentals, 60 maximum in Village, but disproportionate in their neighborhood.*

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

*Trustee Marr would like to invite the Board/Staff invite to one of the Friday Night Concerts in August.*

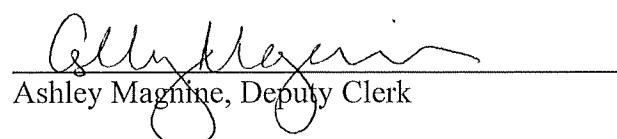
**19. Executive Session**

*Trustee Konwent made a **motion** to retire into executive session at 7:26 pm for Personnel and Land Acquisition to include Mayor Donny Schmit, Village Attorney Jeff Nutschnig, Chief of Police Jimmy Lee, Deputy Chief Dawn Deservi, Assistant to the Administrator, Jessica Chernich, and Deputy Clerk, Ashley Magnine, seconded by Trustee Driscoll. All were in favor. ***Motion carried****

**20. Adjournment (Made in Executive Session)**

*Trustee Stochl made a **motion** in executive session, to adjourn the meeting at 8:17 pm, seconded by Trustee Vander Weit. All were in favor. ***Motion carried****

**Meeting was adjourned at 8:17 P.M.**

  
\_\_\_\_\_  
Ashley Magnine, Deputy Clerk