



**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 6:30 p.m. on September 26, 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 Nutschig, Trustees: Stochl, Konwent, Driscoll and Vander Weit and Clerk Runnion

Absent: Trustees Jensen and Marr

Staff also in attendance: Jessica Chernich, Dusty Hosna, Mary Locher, Susan Novak, Dawn DeServi and Amy Whitis

2. Approval of Minutes

A. Village Board Meeting Minutes for September 12, 2023

*Trustee Konwent made a **motion** to approve the Village Board Meeting Minutes for September 12, 2023, seconded by Trustee Driscoll. All were in favor. **Motion carried.***

3. Approval of the Warrant

A. Approval of the Warrant – September 26, 2023

*Trustee Konwent made a **motion** to approve the Expenditures/Warrants/Transfers for September 26, 2023, in the amount of \$2,640,083.69, seconded by Trustee Driscoll.*

A roll call vote was taken as follows:

Trustee Jensen Absent

Trustee Stochl Aye

Trustee Konwent Aye

Trustee Marr Absent

Trustee Driscoll Aye

Trustee Vander Weit Aye

Motion carried

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

The Mayor thanked the local Boy Scout Troop for visiting the Village Hall and leading the Pledge of Allegiance.

5. Village President's Report

The Mayor indicated that there would be a Special Meeting held on Monday, October 2, 2023 at 4p.m.

6. Village Administrator's Report

There is none.

7. Village Attorney Report

There is none.

8. Village Treasurer's Report

Mary Locher, Village Treasurer indicated that the FY2022 DRAFT Audit Report would be presented. Martha Trotter, partner with Sikich, LLP presented the outcome of the DRAFT audit report including the Village of Fox Lake Annual Financial Report, the Village of Fox Lake Single Audit, the Village of Fox Lake Tax Increment Financing District Report, and the Village of Fox Lake Auditor's Communication to the Village Board of Trustees. The net position was reported to have increased over the past year. Once the audits drafts are finalized, the required agency findings will be filed. The Mayor thanked Mary Locher and Martha Trotter for their efforts in completing the audit.

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

The Mayor shared that Trustee Marr had been asking about the status of the signage. Susan Novak, Public Works Director, is following up and a meeting has been scheduled. The Village is waiting on IDOT approval. Signs may not go in until Spring.

11. New Business

A. Discussion on Vacant Properties, Status of ProChamps LLC

This item is to provide an update on the vacant property registration program. The Village of Fox Lake had adopted regulations for vacant property registration and contracted with ProChamps LLC to maintain the registry. In August of 2023, ProChamps LLC filed for bankruptcy and ceased operations. The Village will now be handling this in house.

B. Resolution 2023-R-69: A Resolution Appointing Director and Alternate Delegate to the Solid Waste Agency of Lake County

This item is to authorize the Mayor to appoint Jessica Chernich, Assistant Village Administrator, and Susan Novak, Director of Public Works, as the Solid Waste Agency of Lake County, Illinois, as director and alternate delegate, respectively, for the Village of Fox Lake.

C. Resolution 2023-R-71: A Resolution Approving a Customer Work Agreement with ComEd for 3-Phase Power Installation to the Lakefront Park Building

This item is to approve the customer work Agreement with ComEd for 3-Phase Power Installation to the Lakefront Park Building. This agreement includes moving of the power pole. The cost is \$25,266.85 and was a budgeted item.

D. Ordinance 2023-31: An Ordinance Amending the Zoning Ordinance of the Village of Fox Lake, By Granting a Special Use to Red-Tailed Enterprises, LLC to Operate a Short-Term Housing Rental Business at the Property at 21 West Grand Avenue, Fox Lake, Illinois

This item is to amend the zoning ordinance by granting a special use to Red-Tailed Enterprises, LLC to operate a short-term housing rental business at the property at 21 West Grand Avenue, Fox Lake, Illinois

E. Motion to Approve the Draft 2022 Audit

This item is to approve the draft 2022 audit as presented.

F. Motion to Accept the Planning and Zoning Commission's Recommendation to Approve the Petition of Jeannine Graff for a Special Use Permit to Operate a Short-term Rental at 525 Circle Drive

This item is to accept the Planning and Zoning Commission's recommendation to approve the petition of Jeannine Graff for a special use permit to operate a short-term rental at 525 Circle Drive

G. Motion to Accept the Planning and Zoning Commission's Recommendation to Approve the Petition of Mark Matcazk for a Special Use Permit to Operate a Short-term Rental at 153 Arthur Drive

This item is to accept the Planning and Zoning Commission's recommendation to approve the petition of Mark Matcazk for a special use permit to operate a short-term rental at 153 Arthur Drive

12. Old Business

A. Resolution 2023-R-65: A Resolution Approving Engineering Services with Trotter and Associates, Inc. for the NWRWRF Excess Flow Facilities Concept Design and IEPA Project Planning Report

This item is to approve engineering services with Trotter and Associates, Inc. for concept design and IEPA project planning report preparation for the excess flow facilities at the Northwest Regional Water Reclamation Facility. This would provide an analysis to assess options to rehabilitate the existing pipe and /or replace the pipe with a new outfall sewer installed along the lake bottom. There was some discussion and explanation of why this is necessary at this time to identify the best and most cost effective option. There will be an October meeting to review the results of the analysis.

B. Motion to Approve the Façade Improvement Program Grant Request for Property at 6817 State Park Road, Tammy's Pizza

This item is to approve the façade improvement program grant request for property at 6817 State Park Road, Tammy's Pizza in the amount of \$1350.00.

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

14. Items to be Removed from Consent Agenda

Trustee Driscoll requested removal of items B-1, C-2 and C-3.

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-65: A Resolution Approving Engineering Services with Trotter and Associates, Inc. for the NWRWRF Excess Flow Facilities Concept Design and IEPA Project Planning Report
2. Resolution 2023-R-69: A Resolution Appointing Director and Alternate Delegate to the Solid Waste Agency of Lake County
3. Resolution 2023-R-71: A Resolution Approving a Customer Work Agreement with ComEd for 3-Phase Power Installation to the Lakefront Park Building

B. Ordinances

1. ***Removed from Consent Agenda*** - Ordinance 2023-31: An Ordinance Amending the Zoning Ordinance of the Village of Fox Lake, By Granting a Special Use to Red-Tailed Enterprises, LLC to Operate a Short-Term Housing Rental Business at the Property at 21 West Grand Avenue, Fox Lake, Illinois

C. Motions

1. Motion to Approve the Draft 2022 Audit
2. ***Removed from Consent Agenda*** - Motion to Accept the Planning and Zoning Commission's Recommendation to Approve the Petition of Jeannine Graff for a Special Use Permit to Operate a Short-term Rental at 525 Circle Drive
3. ***Removed from Consent Agenda*** - Motion to Accept the Planning and Zoning Commission's Recommendation to Approve the Petition of Mark Matcazk for a Special Use Permit to Operate a Short-term Rental at 153 Arthur Drive
4. Motion to Approve the Façade Improvement Program Grant Request for Property at 6817 State Park Road, Tammy's Pizza

*Trustee Driscoll made a **motion** to move that items, Resolutions A 1,2,3 and Motion C 1 and 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>Absent</i>
<i>Trustee Stochl</i>	<i>Aye</i>
<i>Trustee Konwent</i>	<i>Aye</i>
<i>Trustee Marr</i>	<i>Absent</i>
<i>Trustee Driscoll</i>	<i>Aye</i>
<i>Trustee Vander Weit</i>	<i>Aye</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 Driscoll.*

A roll call vote was taken as follows:

<i>Trustee Jensen</i>	<i>Absent</i>
<i>Trustee Stochl</i>	<i>Aye</i>
<i>Trustee Konwent</i>	<i>Aye</i>
<i>Trustee Marr</i>	<i>Absent</i>
<i>Trustee Driscoll</i>	<i>Aye</i>
<i>Trustee Vander Weit</i>	<i>Aye</i>
<i>Motion carried</i>	

16. Approval of Exceptions

- A. Ordinance 2023-31: An Ordinance Amending the Zoning Ordinance of the Village of Fox Lake, By Granting a Special Use to Red-Tailed Enterprises, LLC to Operate a Short-Term Housing Rental Business at the Property at 21 West Grand Avenue, Fox Lake, Illinois

*Trustee Konwent made a **motion** to amend the Zoning Ordinance of the Village of Fox Lake, by granting a special use to Red-Tailed Enterprises, LLC to operate a short-term*

housing rental business at the property at 21 West Grand Avenue, Fox Lake, Illinois, seconded by Trustee Vander Weit.

A roll call vote was taken as follows:

Trustee Jensen Absent

Trustee Stochl Aye

Trustee Konwent Aye

Trustee Marr Absent

Trustee Driscoll No

Trustee Vander Weit Aye

Motion carried

- B. Motion to Accept the Planning and Zoning Commission's Recommendation to Approve the Petition of Jeannine Graff for a Special Use Permit to Operate a Short-term Rental at 525 Circle Drive

*Trustee Vander Weit made a **motion** to accept the Planning and Zoning Commission's recommendation to approve the petition of Jeannine Graff for a special use permit to operate a short-term rental at 525 Circle Drive.*

There was no second; Motion dies.

- C. Motion to Accept the Planning and Zoning Commission's Recommendation to Approve the Petition of Mark Matcazk for a Special Use Permit to Operate a Short-term Rental at 153 Arthur Drive

*Trustee Vander Weit made a **motion** to accept the Planning and Zoning Commission's recommendation to approve the petition of Mark Matcazk for a Special Use Permit to Operate a Short-term Rental at 153 Arthur Drive*

There was no second; Motion dies.

17. For the Good of the Order

There was none.

18. Reconvened Hearing Regarding the Special Use Permit for the Property Located at 100 S. Route 12, Fox Lake, IL.

Mayor Schmit opened the hearing.

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

Mayor asked for audience comment and there were none.

The Mayor indicated that in order to have adequate time to ascertain the proper easements exist between the owners of the Culvers property and the adjacent property and to verify issuance of the

IDOT permit, the Village is continuing the hearing to November 28, 2023, at 6:30 pm. The 13th Supplemental Findings entered on January 28, 2020, shall remain in effect. The Board may consider evidence in mitigation of the daily fines at that time.

The Mayor then closed the revocation hearing.

20. Audience Comments

Mark Matcazk, of 153 Arthur requested the reasoning for outcome of not accepting the recommendation of the Planning and Zoning Commission to approve his special use permit.

The Mayor responded that Mr. Matcazk's request may be brought back to the board again for review as two of the Trustees were absent tonight.

Richard Parker, of 48 Ernest, requested to know who is responsible for the sidewalks. He utilizes a handicap chair and reported it is hard to maneuver when not in the business district.

The Mayor explained the standards for sidewalks and requested an email from the resident with a request and specifics of which sidewalks and he will have it checked into.

21. Executive Session

There is none.

22. Adjournment

*Trustee Stochl made a **motion** to adjourn the meeting at 7:11 pm, seconded by Trustee Konwent. All were in favor. **Motion carried.***

Meeting was adjourned at 7:11 P.M.



Michelle Runnion, Village Clerk