



**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 November 14, 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 Donny Schmit, Village Attorney Jeff Nutschig, Trustees: Ron Stochl, Jeff Jensen, Bernice Konwent, and Amy Driscoll and Clerk Michelle Runnion

Absent: Trustee Brian Marr and Trustee Debra Vander Weit

Staff also in attendance: Jessica Chernich, Mary Locher, John Thompson, Susan Novak, Dawn DeServi, Lindsay Szafran, and Amy Whitis

2. Public Hearing for the Purpose of Considering and Hearing Testimony as to an Ordinance Authorizing the Execution of an Amendment to an Annexation Agreement ("Amendment") Between the Village of Fox Lake and Karl Smutney Regarding the Property at the Northeast Corner of Illinois Route 134 and U.S. Route 12

Mayor Schmit opened the public hearing.

Public Comment

Karl Smutney shared his experience for the site including history of use and attempts to get IDOT to consider changing the current designation as FAP (Federal Assist Primary) that have not been successful even with support of the Mayor. There currently is no Route 12 access, so though interest in property has been made the lack of access makes the property less desirable. He is

requesting the continued use of the property for advertising until such a time as the property is built upon.

3. Adjournment from Public Hearing

*Trustee Jensen made a **motion** to adjourn from the public hearing, seconded by Trustee Driscoll. All were in favor. **Motion carried.***

4. Approval of Minutes

A. Village Board Meeting Minutes for October 24, 2023

*Trustee Driscoll made a **motion** to approve the Village Board Meeting Minutes for October 24, 2023, 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>Abstain</i>
<i>Trustee Marr</i>	<i>Absent</i>
<i>Trustee Driscoll</i>	<i>Aye</i>
<i>Trustee Vander Weit</i>	<i>Absent</i>

Motion carried

5. Approval of the Warrant

A. Approval of the Warrant – November 14, 2023

*Trustee Konwent made a **motion** to approve the Expenditures/Warrants/Transfers for November 14, 2023, in the amount of \$2,562,714.13, seconded by Trustee Driscoll.*

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>Aye</i>
<i>Trustee Marr</i>	<i>Absent</i>
<i>Trustee Driscoll</i>	<i>Aye</i>
<i>Trustee Vander Weit</i>	<i>Absent</i>

Motion carried

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

A. Village of Fox Lake Santa – *Santa attended the meeting and encouraged those present to participate in the many holiday activities offered through the Village of Fox Lake.*

B. Parade Grand Marshal – *The Mayor shared that this year's parade Grand Marshal will be DJ Bob.*

C. Appoint Building Commissioner, Wayne Wehde

*Trustee Konwent made a **motion** to appoint Wayne Wehde as Building Commissioner, seconded by Trustee Stochl.*

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>Aye</i>
<i>Trustee Marr</i>	<i>Absent</i>
<i>Trustee Driscoll</i>	<i>Aye</i>
<i>Trustee Vander Weit</i>	<i>Absent</i>

Motion carried

7. Village President's Report

The mayor stated he will pull the annexation agreement ordinance 2023-35 and the motion regarding the special use permit for 94 Lippincott Lane off the consent agenda and move these items to old business for the next village board meeting.

8. Village Administrator's Report

Leah Cozad of Alliant presented the workers compensation and liability insurance package. The carrier would be keeping the increase under 10%.

9. Village Attorney Report

There is none.

10. Village Treasurer's Report

There is none.

11. Preliminary Audience Comments (on Agenda Items Only)

There were none.

12. 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. All were in favor. **Motion carried.***

A. Strategic Planning Team Reports

There were no questions.

13. New Business

A. Resolution 2023-R-76: A Resolution Authorizing the Mayor of the Village of Fox Lake to Accept the Quotes Through the Suburban Purchasing Cooperative for the Purchase and Up-Fitting of One (1) 2024 Ford F550 for the NWRWRF

This item is to authorize the mayor to accept the quotes for purchasing and up-fitting of a 2024 Ford F550 for a cost of \$103,071. This will replace the 2002 F450 truck. This is a budgeted item.

B. Resolution 2023-R-77: A Resolution Authorizing the Mayor of the Village of Fox Lake to Sign and Thereby Enter into an Intergovernmental Agreement Between the Village of Fox Lake and the Village of Lake Villa for the Usage of the Fox Lake Temporary Holding Cells

This item is to authorize the mayor to sign and enter into an intergovernmental agreement between the Village of Fox Lake and the Village of Lake Villa for the usage of the fox lake temporary holding cell. Fox Lake will hold Lake Villa prisoners on a temporary basis. If the cells are needed by Fox Lake, Lake Villa prisoners will not be taken. No additional manpower is needed as Lake Villa will provide the manpower including checks and meals. There are no incurred costs or payment for this agreement.

C. Resolution 2023-R-78: A Resolution Authorizing the Mayor of the Village of Fox Lake to Sign and Thereby Accept a Quote from Exciting Windows to Provide Automatic Shades for the Lakefront Park Gym Windows

This item is to authorize the mayor to sign and accept the quote from Exciting Windows to provide automatic shades for the Lakefront Park gym windows. The cost will be \$14,749, the lower of the two quotes received.

D. Resolution 2023-R-79: A Resolution Authorizing the Mayor and Village Clerk to Sign and Approve the Proposal Submitted by Alliant Insurance Services for 2023-2024 Workers Compensation and Liability Insurance Renewal with ICRMT

This item is to authorize the mayor and clerk to sign and approve the proposal submitted by Alliant Insurance Services for 2023-2024 Workers Compensation and Liability Renewal with ICRMT as presented in the village administrator's report. The cost of the insurance package is \$562,178.

E. Resolution 2023-R-80: A Resolution Approving the Quote from Aerzen to Provide Parts and Technical Assistance to Replace One (1) and Rehabilitate One (1) Aerzen Blower Core at the NWRWRF

This item is to approve the quote from Aerzen to provide parts and technical assistance to replace one and rehabilitate one Aerzen blower core at the NWRWRF. These items are proprietary and single source. As this item was not budgeted, the cost of \$149,360.63 will be transferred from land improvements to equipment in the budget. There will be a motion to waive the bids for this item prior to the consent agenda.

F. Resolution 2023-R-81: A Resolution Approving AT&T Change Order No. 1 for Additional Costs for Utility Pole Removal at Lakefront Park

This item is to approve the AT&T change order no. 1 for additional costs for the utility pole removal at Lakefront Park. The prior approval given was capped at \$32,000 and the final cost was \$33,623.28.

G. Ordinance 2023-34: An Ordinance Amending the Zoning Ordinance of the Village of Fox Lake by Rezoning Property at 117 Nippersink Blvd, Fox Lake, Illinois from R-2 to B-4

This item is to amend the zoning ordinance of the Village of Fox Lake by rezoning property at 117 Nippersink Blvd, Fox Lake, Illinois from R-2 to B-4.

H. Ordinance 2023-35: An Ordinance Authorizing and Directing the Execution of a Second Amendment to an Annexation Agreement Between the Village of Fox Lake and the Berbilis Heirs and Karl Smutney

This item is to authorize a second amendment to an annexation agreement between the Village of Fox Lake and the Berbilis Heirs and Karl Smutney. The mayor indicated that the request is to continue to allow advertising billboards on the property as presented in the public hearing. This agreement would be in effect for ten years or until the property is fully developed. The Village of Fox Lake welcome sign may be placed there also.

The mayor pulled this item from the agenda and a motion was made to table this item until the next Village Board Meeting.

*Trustee Jensen made a **motion** to table this item until the next village board meeting, seconded by Trustee Driscoll.*

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>Aye</i>
<i>Trustee Marr</i>	<i>Absent</i>
<i>Trustee Driscoll</i>	<i>Aye</i>
<i>Trustee Vander Weit</i>	<i>Absent</i>

Motion carried

I. Motion to Accept the Planning and Zoning Commission's Recommendation to Approve the Petition of Susan Romans for a Special Use Permit to Operate a Short-Term Rental at 94 Lippincott Lane

This item is to approve the petition of Susan Romans for a special use permit to operate a short-term rental at 94 Lippincott Lane. The mayor requested to pull this item until the next village board meeting so the full board is in attendance as there was a letter of protest and a super majority vote is needed on this item.

Trustee Jensen made a motion to table this item until the next village board meeting, seconded by Trustee Konwent.

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

Motion carried

J. Motion to Approve the Raffle License Application from National Athletic Club for a 50/50 and Gun Raffle and to Waive the Bond Requirement

This item is to approve the raffle license application from National Athletic Club for a 50/50 and gun raffle and to waive the bond requirement.

K. Motion to Approve the Village Board of Trustees Calendar for 2024

This item is to approve the Village Board of Trustees Calendar for 2024.

14. Old Business

There is none.

15. Motion to Waive the Bids for the Purchase and Up-Fitting of One (1) 2024 Ford F550 for the NWRWRF

Trustee Jensen made a motion to waive the bids for the purchase and up-fitting of one (1) 2024 Ford F550 for the NWRWRF, seconded by Trustee Konwent.

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

16. Motion to Waive the Bids for the Replacement of One (1) and the Rehabilitation of One (1) Aerzen Blower Core at the NWRWRF

Trustee Driscoll made a motion to waive the bids for the replacement of one (1) and the rehabilitation of one (1) Aerzen blower core at the NWRWRF, seconded by Trustee Konwent.

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

17. 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

Mayor Schmit removed Ordinance B-2 and Motion C-1.

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-76: A Resolution Authorizing the Mayor of the Village of Fox Lake to Accept the Quotes Through the Suburban Purchasing Cooperative for the Purchase and Up-Fitting of One (1) 2024 Ford F550 for the NWRWR
2. Resolution 2023-R-77: A Resolution Authorizing the Mayor of the Village of Fox Lake to Sign and Thereby Enter into an Intergovernmental Agreement Between the Village of Fox Lake and the Village of Lake Villa for the Usage of the Fox Lake Temporary Holding Cells
3. Resolution 2023-R-78: A Resolution Authorizing the Mayor of the Village of Fox Lake to Sign and Thereby Accept a Quote from Exciting Windows to Provide Automatic Shades for the Lakefront Park Gym Windows
4. Resolution 2023-R-79: A Resolution Authorizing the Mayor and Village Clerk to Sign and Approve the Proposal Submitted by Alliant Insurance Services for 2023-2024 Workers Compensation and Liability Insurance Renewal with ICRMT
5. Resolution 2023-R-80: A Resolution Approving the Quote from Aerzen to Provide Parts and Technical Assistance to Replace One (1) and Rehabilitate One (1) Aerzen Blower Core at the NWRWRF
6. Resolution 2023-R-81: A Resolution Approving AT&T Change Order No. 1 for Additional Costs for Utility Pole Removal at Lakefront Park

B. Ordinances

1. Ordinance 2023-34: An Ordinance Amending the Zoning Ordinance of the Village of Fox Lake by Rezoning Property at 117 Nippersink Blvd, Fox Lake, Illinois from R-2 to B-4
2. ***Removed from Consent Agenda*** - Ordinance 2023-35: An Ordinance Authorizing and Directing the Execution of a Second Amendment to an Annexation Agreement Between the Village of Fox Lake and the Berbilis Heirs and Karl Smutney

C. Motions

1. ***Removed from Consent Agenda*** – Motion to Accept the Planning and Zoning Commission’s Recommendation to Approve the Petition of Susan Romans for a Special Use Permit to Operate a Short-Term Rental at 94 Lippincott Lane
2. Motion to Approve the Raffle License Application from National Athletic Club for a 50/50 and Gun Raffle and to Waive the Bond Requirement
3. Motion to Approve the Village Board of Trustees Calendar for 2024

*Trustee Jensen made a **motion** to move that Resolutions A 1-6, Ordinance B-1, and Motions C 2 and 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	Absent
Trustee Driscoll	Aye
Trustee Vander Weit	Absent

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	Absent
Trustee Driscoll	Aye
Trustee Vander Weit	Absent

Motion carried

16. Approval of Exceptions

There were none.

17. For the Good of the Order

There was none.

18. Audience Comments

There were none.

19. Executive Session

*Trustee Jensen made a **motion** to retire into executive session at 7:27pm for Personnel Matters and Collective Bargaining to include Mayor Donny Schmit, Village Attorney Jeff Nutschnig, Assistant Village Administrator Jessica Chernich, and Lindsay Szafran 911 Director, seconded by Trustee Konwent. All were in favor. **Motion carried.***

20. Adjournment (made in Executive Session)

*Trustee Stochl made a **motion** to adjourn the meeting at 7:52 pm, seconded by Trustee Konwent. All were in favor. **Motion carried.***

Meeting was adjourned at 7:52 P.M.


Michelle Runnion, Village Clerk