



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 28, 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 Howard Teegen, Trustees: Ron Stochl, Jeff Jensen, Bernice Konwent, Brian Marr, Debra Vander Weit, and Clerk Michelle Runnion

Absent: Trustee Amy Driscoll

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

2. Approval of Minutes

A. Village Board Meeting Minutes for November 14, 2023

*Trustee Konwent made a **motion** to approve the Village Board Meeting Minutes for November 14, 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>Aye</i>
<i>Trustee Marr</i>	<i>Abstain</i>
<i>Trustee Driscoll</i>	<i>Absent</i>
<i>Trustee Vander Weit</i>	<i>Abstain</i>

Motion carried

3. Approval of the Warrant

A. Approval of the Warrant – November 28, 2023

*Trustee Konwent made a **motion** to approve the Expenditures/Warrants/Transfers for November 28, 2023, in the amount of \$1,203,950.93, 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>Aye</i>
<i>Trustee Marr</i>	<i>Aye</i>
<i>Trustee Driscoll</i>	<i>Absent</i>
<i>Trustee Vander Weit</i>	<i>Aye</i>

Motion carried

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

There is none.

5. Village President's Report

The mayor shared that there will be capital improvement of the water mains at Holly/Atwater/Medina. This will require by ordinance, hook up to the water by customers. There will likely be payment options for those with hardship, including payments made over 60 months. The mayor will keep everyone posted.

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)

Ken Kledzik, owner of the Beef Jerky Experience – shared that he is the owner of one of the businesses that has a billboard up on 134 and 12 and wanted to share with the Village Board how helpful it has been for his small business.

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

A. Strategic Planning Team Reports

There were no questions.

11. New Business**A. Resolution 2023-R-82: A Resolution Approving the Quote from JWC Environmental to Purchase Two (2) Muffin Monster Grinders for Use at the NWRWR**

This item is to approve the quote from JWC Environmental to Purchase Two (2) Muffin Monster Grinders for Use at the NWRWR. These are used to break down debris inside the Anaerobic Digesters. The equipment and components are sole source proprietary items available only through the manufacturers' representatives. The cost is \$55,898.00

B. Ordinance 2023-R-36: An Ordinance Providing for the Levy of Taxes for the Village of Fox Lake, Lake and McHenry Counties, State of Illinois, for the Fiscal Year Beginning May 1, 2023 and Ending April 30, 2024 (1st Reading)

This item is the first reading for the levy. The levy will be 4.98%. The total property tax levy revenue will be \$2,961, 249 which is an increase of \$140,473 over last year. However the Police Pension obligation will be \$1,163,980 so will need \$235, 040 from the General Fund. If the Board approves, it will be at the December 12th meeting.

12. Old Business**A. 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. Trustee Marr asked about the decision for a ten-year extension, with Attorney Teegen responding that the extension must be less than twenty years and the issue with the property is IDOT denying access. The extension provided time for the resolution of that issue and the development of that property. Trustee Marr also asked if changes needed to be made to the cover dates due to the item being moved to old business. Attorney Teegen reviewed and responded that the dates are still okay.

B. 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. There has been a protest letter so will need four affirmative votes for approval. Trustee Marr asked questions for clarification regarding how the wording is not clear that it would be rented to one group only. There was then a discussion of changing the wording to indicate the entire complex would be rented to a single group at a time. Attorney Teegen can include the change in wording in the ordinance.

13. Motion to Waive the Bids for the Purchase of Two (2) Muffin Monster Grinders for Use at the NWRWRF

*Trustee Konwent made a **motion** to waive the bids for the purchase of Two (2) Muffin Monster Grinders for Use at the NWRWRF, 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 Absent
 Trustee Vander Weit Aye
Motion carried

14. **Motion to Authorize the Village of Fox Lake to File the 2023 Tax Levy Ordinances by Email**
*Trustee Vander Weit made a **motion** to Authorize the Village of Fox Lake to File the 2023 Tax Levy Ordinances by Email, 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 Absent
 Trustee Vander Weit Aye
Motion carried

15. **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 Marr. All were in favor. **Motion carried.***

16. **Items to be Removed from Consent Agenda**
Trustee Stochl removed item B-1; Mayor Schmit removed items A-1 and C-1. All items were removed from the Consent Agenda and will be voted upon separately.

17. **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. ***Removed from Consent Agenda*** – Resolution 2023-R-82: A Resolution Approving the Quote from JWC Environmental to Purchase Two (2) Muffin Monster Grinders for Use at the NWRWRF

B. Ordinances

1. ***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

18. Approval of Exceptions

- A. Resolution 2023-R-82: A Resolution Approving the Quote from JWC Environmental to Purchase Two (2) Muffin Monster Grinders for Use at the NWRWRF

*Trustee Jensen made a **motion** to approve Resolution 2023-R-82: A Resolution Approving the Quote from JWC Environmental to Purchase Two (2) Muffin Monster Grinders for Use 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>Aye</i>
<i>Trustee Driscoll</i>	<i>Absent</i>
<i>Trustee Vander Weit</i>	<i>Aye</i>

Motion carried

- B. 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

*Trustee Jensen made a **motion** to approve 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, seconded by Trustee Vander Weit.*

A roll call vote was taken as follows:

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

Motion carried

- C. 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

*Trustee Konwent made a **motion** to approve 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, with the added provision that the entire complex be rented to a single group, seconded by Trustee Vander Weit.*

A roll call vote was taken as follows:

<i>Trustee Jensen</i>	<i>Aye</i>
<i>Trustee Stochl</i>	<i>Abstain</i>
<i>Trustee Konwent</i>	<i>Aye</i>
<i>Trustee Marr</i>	<i>Aye</i>
<i>Trustee Driscoll</i>	<i>Absent</i>

Trustee Vander Weit Aye
Motion carried

19. For the Good of the Order

Trustee Marr commented positively on Police Chief DeServi's skating abilities. Trustee Stochl shared that Promote Fox Lake's Great Gatsby event was a great event. Chief DeServi shared that they will have their therapy dog in service shortly. Businesses have offered many donations of supplies and services and the support is appreciated. Trustee Konwent shared how many positive comments were made about the holiday street lights.

20. Audience Comments

There were none.

21. Reconvened Hearing regarding the Special Use Permit for the Property Located at 100 S. Route 12, Fox Lake, Illinois.

Mayor Schmit opened the hearing.

22. 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.

Mayor indicated that to have adequate time to ascertain that 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 SUP Revocation Proceedings to March 12, 2024, at 6:30 pm. The Thirteenth Supplemental Village Board Findings entered on January 28, 2020, shall remain in effect. The Board may consider evidence in mitigation of the daily fines at that time.

Mayor closed the special use revocation hearing.

23. Executive Session

*Trustee Jensen made a **motion** to retire into executive session at 7:03 pm for Review of Executive Session Minutes to include Mayor Donny Schmit, Village Attorney Howard Teegen, and Assistant Village Administrator Jessica Chernich, seconded by Trustee Konwent. All were in favor. **Motion carried.***

24. Adjournment (made in Executive Session)

*Trustee Stochl made a **motion** to adjourn the meeting at 7:08 pm, seconded by Trustee Marr. All were in favor. **Motion carried.***

Meeting was adjourned at 7:08 P.M.


Michelle Runnion, Village Clerk