



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 January 23, 2024, 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 Nutschnig, Trustees: Ron Stochl, Jeff Jensen, Brian Marr, Amy Driscoll (via Zoom), Bernice Konwent (via Zoom), Debra Vander Weit and Clerk Michelle Runnion.

Trustee Konwent was present via Zoom but due to technical difficulties was unable to verbally participate/vote, therefore her vote is indicated as unable to vote and not counted.

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

2. Approval of Minutes

A. Village Board Meeting Minutes for January 9, 2024

*Trustee Marr made a **motion** to approve the Village Board Meeting Minutes for January 9, 2024, 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>Unable to vote</i>
<i>Trustee Marr</i>	<i>Aye</i>

Trustee Driscoll Aye
Trustee Vander Weit Abstain
Motion carried

3. Approval of the Warrant

A. Approval of the Warrant – January 23, 2024

*Trustee Vander Weit made a **motion** to approve the Expenditures/Warrants/Transfers for January 23, 2024, in the amount of \$1,365,112.30, seconded by Trustee Driscoll.*

A roll call vote was taken as follows:

Trustee Jensen Aye
Trustee Stochl Aye
Trustee Konwent Unable to vote
Trustee Marr Aye
Trustee Driscoll Aye
Trustee Vander Weit Aye
Motion carried

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

There was none.

5. Village President's Report

A. Discussion of Lakefront Park Development Project

Harlan Doland of IMEG, the selected engineer to provide construction oversight of the Lakefront Park project, provided an update on the status of the overall construction, a review of the budget of the park, and a discussion of recommendations needed for park completion. The roads, underground utility work, parking lots, and south playground are complete or substantially begun. He indicated the start of the shoreline stabilization would begin within the next few days weather permitting. He shared the status of the finances and reviewed the tracking form showing costs both above and below the estimates. There was a review of the North Hill items and estimated costs. Input and recommendations for the park amenities, particularly in the North Hill playground area were requested. The mayor would like to meet with the planning team for a final review before ordering the rest of the equipment. The project is on target for completion on May 24, 2024.

6. Village Administrator's Report

There was none.

7. Village Attorney Report

There was none.

8. Village Treasurer's Report

There was none.

9. Preliminary Audience Comments (on Agenda Items Only)

There were none.

10. Motion to Recess to Committee of the Whole Meeting

Trustee Jensen 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. The mayor shared there is a developer interested and this will be discussed further in the Economic Development committee meeting.

11. New Business

A. Resolution 2024-R-05: A Resolution Amending the Intergovernmental Agreement with the Village of Volo Related to Cooperation in Billing of Customers for Sewer and Water Service and Discontinuance of Service

This item provides changes to the agreement including a timeline for written notice to the customer for a shutoff date; that if the Village of Volo is unable to physically turn off the water service they have no obligation to take any further actions; that the Village of Fox Lake will notify the Village of Volo immediately when a customer is eligible for restoration of services, establishment of fees, and effective date and term of agreement.

B. Ordinance 2024-01: An Ordinance Amending the Zoning Ordinance of the Village of Fox Lake, Illinois, by Granting a Variation to Justen Realty, Inc. at 92 E. Grand Avenue, Fox Lake, Illinois

This item is to amend the zoning ordinance by granting a variation to Justen Realty, Inc. at 92 E. Grand Avenue. This variance is requested for the secondary structure to be residential. There will be a requirement for separate water services.

C. Ordinance 2024-02: An Ordinance Amending Sections 8-7-1 and 8-7-12 of the Village Code Related to Administrative Adjudication

This item will allow an order issued by the hearing officer to act as and be enforced in the same manner as a judgment entered by a court.

D. Ordinance 2024-03: An Ordinance Amending Sections 7-4-3 and 7-4-4 of the Village Code Related to Connections to the Village Water System

This item will allow community associations to petition the Village Board to repair or install a well that is to be used strictly for irrigation purposes.

E. Motion to Accept the Planning and Zoning Commission's Recommendation to Approve Rezoning of 44 S. Route 12 from B-4 Resort Business District & B-5 Marina District to all B-4 Resort Business District and to Authorize the Attorney to Prepare the Ordinance

This item is to approve the rezoning of 44 S. Route 12 from B-4 Resort Business District & B-5 Marina District to all B-4 Resort Business District.

F. Motion to Accept the Planning and Zoning Commission's Recommendation to Approve a Special Use Permit to Operate a Cannabis Dispensary at 44. S. Route 12 and Authorize the Attorney to Prepare the Ordinance

This item is to approve a special use permit to operate a cannabis dispensary at 44. S. Route 12.

G. Motion to Accept the Planning and Zoning Commission's Recommendation to Approve a Special Use Permit to Operate a Short-Term Housing Rental at 16 N. Pistakee Lake Road #2 and Authorize the Attorney to Prepare the Ordinance

This item is to approve a special use permit to operate a short-term housing rental at 16 N. Pistakee Lake Road #2.

H. Motion to Approve a Raffle License Application from the Lakes Region American Legion Auxiliary Unit 703 to Conduct a 50/50 Raffle Every Thursday evening and Waive the Bond Requirement

This is an ongoing raffle the Legion has held every Thursday at their establishment.

I. Motion to Approve the Raffle License Application from Grant Township to Conduct their Annual Fish Fry and Waive the Bond Requirement

This is an annual event hosted by Grant Township.

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 the 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>Unable to vote</i>
<i>Trustee Marr</i>	<i>Aye</i>
<i>Trustee Driscoll</i>	<i>Aye</i>
<i>Trustee Vander Weit</i>	<i>Aye</i>
<i>Motion carried</i>	

14. Items to be Removed from Consent Agenda

Trustee Driscoll removed item C -3 from the agenda.

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 2024-R-05: A Resolution Amending the Intergovernmental Agreement with the Village of Volo Related to Cooperation in Billing of Customers for Sewer and Water Service and Discontinuance of Service

B. Ordinances

1. Ordinance 2024-01: An Ordinance Amending the Zoning Ordinance of the Village of Fox Lake, Illinois, by Granting a Variation to Justen Realty, Inc. at 92 E. Grand Avenue, Fox Lake, Illinois
2. Ordinance 2024-02: An Ordinance Amending Sections 8-7-1 and 8-7-12 of the Village Code Related to Administrative Adjudication
3. Ordinance 2024-03: An Ordinance Amending Sections 7-4-3 and 7-4-4 of the Village Code Related to Connections to the Village Water System

C. Motions

1. Motion to Accept the Planning and Zoning Commission's Recommendation to Approve Rezoning of 44 S. Route 12 from B-4 Resort Business District & B-5 Marina District to all B-4 Resort Business District and to Authorize the Attorney to Prepare the Ordinance
2. Motion to Accept the Planning and Zoning Commission's Recommendation to Approve a Special Use Permit to Operate a Cannabis Dispensary at 44. S. Route 12 and Authorize the Attorney to Prepare the Ordinance
3. ***Removed from Consent Agenda*** - Motion to Accept the Planning and Zoning Commission's Recommendation to Approve a Special Use Permit to Operate a Short-Term Housing Rental at 16 N. Pistakee Lake Road #2 and Authorize the Attorney to Prepare the Ordinance
4. Motion to Approve a Raffle License Application from the Lakes Region American Legion Auxiliary Unit 703 to Conduct a 50/50 Raffle Every Thursday evening and Waive the Bond Requirement
5. Motion to Approve the Raffle License Application from Grant Township to Conduct their Annual Fish Fry and Waive the Bond Requirement

*Trustee Jensen made a **motion** to move that Resolutions A 1, Ordinances B 1,2, and 3 and Motions C 1,2,4, and 5 be established as the Consent Agenda for this meeting by unanimous vote, 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>Aye</i>
<i>Trustee Konwent</i>	<i>Unable to vote</i>
<i>Trustee Marr</i>	<i>Aye</i>
<i>Trustee Driscoll</i>	<i>Aye</i>
<i>Trustee Vander Weit</i>	<i>Aye</i>
<i>Motion carried</i>	

Trustee Jensen made a ***motion*** that the consent agenda as established by the prior motion be passed, seconded by Trustee Vander Weit.

A roll call vote was taken as follows:

Trustee Jensen	Aye
Trustee Stochl	Aye
Trustee Konwent	Unable to vote
Trustee Marr	Aye
Trustee Driscoll	Aye
Trustee Vander Weit	Aye

Motion carried

16. Approval of Exceptions

Trustee Vander Weit made a Motion to Accept the Planning and Zoning Commission's Recommendation to Approve a Special Use Permit to Operate a Short-Term Housing Rental at 16 N. Pistakee Lake Road #2 and Authorize the Attorney to Prepare the Ordinance, seconded by Trustee Marr.

A roll call vote was taken as follows:

Trustee Jensen	Aye
Trustee Stochl	Abstain
Trustee Konwent	Unable to vote
Trustee Marr	Aye
Trustee Driscoll	No
Trustee Vander Weit	Aye

Motion carried

17. For the Good of the Order

There were none.

18. Audience Comments

There were none.

19. Executive Session

Trustee Jensen made a ***motion*** to retire into executive session at 7:03 pm for Personnel and Threatened Litigation, seconded by Trustee Vander Weit and to include: Session 1 - Mayor Donny Schmit, Village Attorney Jeff Nutschnig, Attorney Yvette Heintzelman, Assistant Village Administrator Jessica Chernich, and Chief of Police Dawn DeServi; Session 2 – Mayor Donny Schmit, Village Attorney Jeff Nutschnig, and Assistant Village Administrator Jessica Chernich; Session 3 - Mayor Donny Schmit, Village Attorney Jeff Nutschnig, Assistant Village Administrator Jessica Chernich, and Public Works Director Susan Novak.

A roll call vote was taken as follows:

Trustee Jensen	Aye
Trustee Stochl	Aye
Trustee Konwent	Unable to vote
Trustee Marr	Aye

Trustee Driscoll Aye
Trustee Vander Weit Aye
Motion carried

20. Adjournment (*made in Executive Session*)

*Trustee Stochl made a **motion** to adjourn the meeting at 8:05 pm, seconded by Trustee VanderWeit. All were in favor. **Motion carried.***

Meeting was adjourned at 8:05 P.M.



Michelle Runnion, Village Clerk