



**VILLAGE OF FOX LAKE**  
**VILLAGE BOARD MEETING MINUTES**

STATE OF ILLINOIS, }  
Lake and McHenry Counties, }  
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## 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 March 12, 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 Nutschning, Trustees: Ron Stochl, Jeff Jensen, Brian Marr, Amy Driscoll, Debra Vander Weit and Clerk Michelle Runnion

Absent: Trustee Bernice Konwent

Staff also in attendance: Jessica Chernich, Jodi Luka, Mary Locher, John Thompson, and Dawn DeServi

## 2. Approval of Minutes

## A. Village Board Meeting Minutes for February 27, 2024

Trustee Marr made a **motion** to approve the Village Board Meeting Minutes for February 27, 2024, seconded by Trustee Jensen. All were in favor. **Motion carried.**

### 3. Approval of the Warrant

## A. Approval of the Warrant – March 12, 2024

Trustee Driscoll made a **motion** to approve the Expenditures/Warrants/Transfers for March 12, 2024, in the amount of \$1,264,711.95, seconded by Trustee Vander Weit.

*A roll call vote was taken as follows:*

Trustee Jensen	Aye
Trustee Stochl	Aye
Trustee Konwent	Absent
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**

*The mayor shared information regarding the welcome signs to be established near Route 12 and Route 134, which will utilize BDD funds. Trustee Driscoll indicated she would prefer a monument sign to a digital sign. Trustee Stochl suggested a digital sign inside a monument and to consider other sites such as near Hartigan Road. Jodi Luka will gather some samples and provide these to the appropriate committees and have Trotter complete a site survey considering different locations.*

*The mayor shared that during the Legislative Breakfast meeting topics discussed were the 9-1-1 Consolidation and that the County Board is on board, the elimination of the grocery tax which would result in a loss of about \$250,000 of revenue, and changes to the state income tax. The mayor explained some of the history of the changes in income tax revenue.*

*Appreciation was expressed for all who attended and participated in the budget meeting.*

*The mayor shared that on April 27th he will be providing a Senior Dinner of lasagna at the Lakefront Park.*

**6. Village Administrator's Report**

*Jessica Chernich expressed appreciation to Mary Locher for her work on the budget.*

**7. Village Attorney Report**

*There was none.*

**8. Village Treasurer's Report**

*Mary Locher thanked the Department Heads for all the prep work necessary for the Budget Workshop and the Board for their time and questions.*

**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**

*The mayor shared pictures of Lakefront Park on Facebook and most comments were positive with residents expressing excitement. There were no questions on the reports.*

**11. New Business**

**A. Resolution 2024-R-11: A Resolution Authorizing the Mayor and Village Clerk of the Village of Fox Lake to Sign and Thereby Accept the Revised Contract Renewal from Mark 1 Landscaping, Inc. for 2024 Landscaping and Bed Maintenance Services**

*This item authorizes the Mayor and Village Clerk to Sign and Thereby Accept the Revised Contract Renewal from Mark 1 Landscaping, Inc. for 2024 Landscaping and Bed Maintenance Services. The cost for roadside mowing for 2024 is \$80,686 and the alternate bid for Lakefront Park costing \$6,300, for a total contract cost of \$86,986. Trustee Marr questioned some of the specifics around what and when flowers are planted and offered to meet and discuss further.*

**B. Resolution 2024-R-12: A Resolution Authorizing the Mayor and Village Clerk of the Village of Fox Lake to Sign and Thereby Accept the Contract Renewal from Superior Paving, Inc. for Snowplowing and Ice Control Services at all Metra Parking Lots**

*This item is to authorize the Mayor and Village Clerk of the Village of Fox Lake to Sign and therefore accept the Contract Renewal from Superior Paving, Inc. for Snowplowing and Ice Control Services at all Metra Parking Lots. Due to the increase in gas prices, Superior Paving has increased their hourly wage by \$10.*

**C. Resolution 2024-R-13: A Resolution Authorizing a Customer Work Agreement with ComEd for Relocation of Two Poles and Secondary Line on Hillside Court**

*This item is to authorize a Customer Work Agreement with ComEd for the Relocation of Two Poles and a Secondary Line on Hillside Court. The total cost is \$15,404.69.*

**D. Resolution 2024-R-14: A Resolution Authorizing Village Staff to Accept a Proposal from GovHR/MGT in the Amount of \$26,700 to Perform a Classification and Compensation Study**

*This item is to accept a Proposal from GovHR/MGT of \$26,700 to Perform a Classification and Compensation Study. This study would cover 49 union positions and help address the reasons for 36 resignations in the last two years. It is best practice to complete such a study every five years.*

**E. Resolution 2024-R-15: A Resolution of the Village of Fox Lake to Induce the Redevelopment of Certain Property Within the Route 12 Redevelopment**

### **Project Area**

*This item is to Induce the Redevelopment of Certain Property Within the Route 12 Redevelopment Project Area. Due diligence site studies indicate property contamination at 89 S. Rt 12. This item is intended to allow JNK of Fox Lake, LLC to incur eligible costs including the purchase of properties, site studies, and development at properties commonly known as 89 S. Rt 12 and 91 S. Rt 12 and will include site remediation in the development of this new project. Currently, the costs of this project are projected at approximately \$10 Million. Trustee Marr questioned whether the site was big enough to avoid the need to expand across the street for further space; the car dealership attorney indicated that the 91 site itself would be enough space but that they do hope to close on the other property in the near future.*

### **F. Ordinance 2024-07: An Ordinance Approving a Redevelopment Agreement and Economic Incentive Agreement with Fox Lake Retail, LLC - Aroma Hill**

*This item is to approve a Redevelopment Agreement and Economic Incentive Agreement with Fox Lake Retail, LLC - Aroma Hill. The cost of the project was not to exceed \$3,035,100.00; the applicant requested \$607,020 (An amount under the BDD Allocation Funds allowed may not exceed 20% of the total Project Cost.) The Total incentive is a limited obligation of the Village payable solely from 75% of the 1% additional sales tax.*

### **G. Ordinance 2024-08: An Ordinance Approving a Redevelopment Agreement and Economic Incentive Agreement with JV Sushi**

*This item is to approve a Redevelopment Agreement and Economic Incentive Agreement with JV Sushi. The Redevelopment Agreement proposes the incentive structure: 50% of eligible reimbursements be paid in 2024 (\$38,778.00), 25% of eligible reimbursements be paid in 2025 (\$19,389.00), 25% of eligible reimbursements be paid in 2026 (\$19,389.00).*

### **H. Motion to Approve the Raffle License Application from Sons of the American Legion to Conduct a 50/50 Raffle for St. Baldrick's and Waive the Bond Requirement**

*This item is to approve the Raffle License Application from Sons of the American Legion to Conduct a 50/50 Raffle for St. Baldrick's on March 17th and Waive the Bond Requirement.*

### **I. Motion to Approve the Raffle License Application from Promote Fox Lake to Conduct a One Day Meat Raffle and 50/50 Raffle and Waive the Bond Requirement**

*This item is to approve the Raffle License Application from Promote Fox Lake to Conduct a One Day Meat Raffle and 50/50 Raffle on April 7 and Waive the Bond Requirement.*

### **J. Motion to Approve the Raffle License Application from American Legion to Conduct a One Day 50/50 Raffle and Waive the Bond Requirement**

*This item is to approve the Raffle License Application from the American Legion to Conduct a One Day 50/50 Raffle on April 20 and Waive the Bond Requirement.*

**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.*

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

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

*Trustee Driscoll indicated item B-2 be removed from the consent 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-11: A Resolution Authorizing the Mayor and Village Clerk of the Village of Fox Lake to Sign and Thereby Accept the Revised Contract Renewal from Mark 1 Landscaping, Inc. for 2024 Landscaping and Bed Maintenance Services

2. Resolution 2024-R-12: A Resolution Authorizing the Mayor and Village Clerk of the Village of Fox Lake to Sign and Thereby Accept the Contract Renewal from Superior Paving, Inc. for Snowplowing and Ice Control Services at all Metra Parking Lots

3. Resolution 2024-R-13: A Resolution Authorizing a Customer Work Agreement with ComEd for Relocation of Two Poles and Secondary Line on Hillside Court

4. Resolution 2024-R-14: A Resolution Authorizing Village Staff to Accept a Proposal from GovHR/MGT in the Amount of \$26,700 to Perform a Classification and Compensation Study

5. Resolution 2024-R-15: A Resolution of the Village of Fox Lake to Induce the Redevelopment of Certain Property Within the Route 12 Redevelopment Project Area

## B. Ordinances

1. Ordinance 2024-07: An Ordinance Approving a Redevelopment Agreement and Economic Incentive Agreement with Fox Lake Retail, LLC - Aroma Hill
2. *Item was removed from the Agenda* - Ordinance 2024-08: An Ordinance Approving a Redevelopment Agreement and Economic Incentive Agreement with JV Sushi

## C. Motions

1. Motion to Approve the Raffle License Application from Sons of the American Legion to Conduct a 50/50 Raffle for St. Baldrick's and Waive the Bond Requirement
2. Motion to Approve the Raffle License Application from Promote Fox Lake to Conduct a One Day Meat Raffle and 50/50 Raffle and Waive the Bond Requirement
3. Motion to Approve the Raffle License Application from American Legion to Conduct a One Day 50/50 Raffle and Waive the Bond Requirement

*Trustee Jensen made a motion to move that Resolutions A – 1,2,3,4,5, Ordinances B 1 and Motions C 1,2,3 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:*

Trustee Jensen	Aye
Trustee Stochl	Aye
Trustee Konwent	Absent
Trustee Marr	Aye
Trustee Driscoll	Aye
Trustee Vander Weit	Aye

*Motion carried*

*Trustee Driscoll 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	Absent
Trustee Marr	Aye
Trustee Driscoll	Aye
Trustee Vander Weit	Aye

*Motion carried*

**16. Approval of Exceptions**

*Trustee Jensen made a motion to approve Ordinance 2024-08: An Ordinance Approving a Redevelopment Agreement and Economic Incentive Agreement with JV Sushi, seconded by Trustee Vander Weit.*

*A roll call vote was taken as follows:*

Trustee Jensen	Aye
Trustee Stochl	Aye
Trustee Konwent	Absent
Trustee Marr	Aye
Trustee Driscoll	Abstain
Trustee Vander Weit	Aye

*Motion carried*

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

*Mayor Schmit opened the hearing.*

**18. Public Comment regarding the Special Use Permit for the Property Located at 100 S. Route 12, Fox Lake, Illinois.**

*The mayor asked for audience comments and there were none.*

*The mayor stated that in order to have adequate time to ascertain that proper easements exist between the owners of the Culvers property and the adjacent property and to verify the issuance of the IDOT permit, the Village is continuing this SUP Revocation Proceeding to June 11, 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.*

*The mayor closed the SUP Revocation Hearing.*

**19. For the Good of the Order**

*There were none.*

**20. Audience Comments**

*There were none.*

**21. Executive Session**

*Trustee Jensen made a motion to retire into executive session at 7:07 pm for Personnel Matters, seconded by Trustee Vander Weit, and to include Village Attorney Jeff Nutschning, Police Chief Dawn DeServi, and Assistant Administrator Jessica Chernich.*

*A roll call vote was taken as follows:*

Trustee Jensen	Aye
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*Trustee Stochl*      *Aye*  
*Trustee Konwent*      *Absent*  
*Trustee Marr*      *Aye*  
*Trustee Driscoll*      *Aye*  
*Trustee Vander Weit* *Aye*  
***Motion carried***

22. **Adjournment (made in Executive Session)**

*Trustee Stochl made a motion to adjourn the meeting at 7:23 pm, seconded by Trustee Driscoll, All were in favor. Motion carried.*

Meeting was adjourned at 7:23 P.M.

Michelle Runnion  
Michelle Runnion, Village Clerk