



## VILLAGE OF FOX LAKE VILLAGE BOARD MEETING MINUTES

STATE OF ILLINOIS,  
Lake and McHenry Counties,

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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 April 9, 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, Bernice Konwent, and Clerk Michelle Runnion

Absent: Trustees Amy Driscoll and Debra Vander Weit

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

#### 2. Approval of Minutes

##### A. Village Board Meeting Minutes for March 26, 2024

*Trustee Konwent made a motion to approve the Village Board Meeting Minutes for March 26, 2024, seconded by Trustee Vander Marr. All were in favor. Motion carried.*

#### 3. Approval of the Warrant

##### a. Approval of the Warrant – April 9, 2024

*Trustee Jensen made a motion to approve the Expenditures/Warrants/Transfers for April 9, 2024, in the amount of \$926,762.02, 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>Absent</i>
<b><i>Motion carried</i></b>	

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

**A. Telecommunicator's Week Proclamation**

*The mayor read the proclamation stating that the week of April 14th through 20th, 2024 to be National Public Safety Telecommunicators Week in the Village of Fox Lake in honor of the men and women whose diligence and professionalism keep our Village and citizens safe. He expressed appreciation on behalf of the Village. Lindsay Szafran thanked the Village Board members for their support.*

**5. Village President's Report**

*The mayor stated that there would be a Lakefront Park update at the next meeting. He also spoke of the first flood of this year and areas that were affected. The Knollwood Project was successful, and that subdivision had only minimal flooding.*

**6. Village Administrator's Report**

*Jessica Chernich shared that Sunni Butler has been hired as the Management Analyst for the Village. She also said that the Program and Events position would hopefully be filled by early May.*

**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 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 or comments.*

**11. New Business**

**A. Resolution 2024-R-24: A Resolution Authorizing an Electric Supply Agreement with Constellation Energy for the NWRWRF and Local Sewer**

**and Water Department Facilities**

*This item is to authorize an electric supply agreement with Constellation Energy. The current agreement expires in May of 2024. The savings on electric bills over the course of the contract are predicted to amount to \$67,613.*

**B. Resolution 2024-R-25: A Resolution Authorizing the Mayor of the Village of Fox Lake to Sign and Thereby Accept a Contract with J&F Chiattello Construction, Inc. for the Tall Oaks Roof Overlay**

*This item is to authorize and accept the contract with J&F Chiattello Construction, Inc. This is the lowest bid of \$48,410 and bids ranged to \$56,142. Trustee Stochl requested information on what use is being made of the building and Susan Novak responded and explained what vehicles and supplies were still being kept at the site.*

**C. Resolution 2024-R-26: A Resolution Approving an Engineering Service Agreement with GeWalt Hamilton Associates, Inc. for Consulting Services to Assist with the NPDES MS4 Permit Requirements**

*This item is to approve an engineering service agreement with GeWalt Hamilton Associates, Inc. for consulting services to assist with the NPDES MS4 permit requirements at a cost of \$10,200.*

**D. Resolution 2024-R-27: A Resolution Authorizing the Mayor and Village Clerk of the Village of Fox Lake to Accept the Quote through the Sourcewell Government Contract for the Purchase of One Elgin Pelican Street Sweeper**

*This item is to authorize and accept a quote for the purchase of one Elgin Pelican Street Sweeper at a cost of \$325,960. There have been \$37,071.80 in repairs since 2022 on the current street sweeper.*

**E. Resolution 2024-R-28: A Resolution Authorizing the Mayor of the Village of Fox Lake to Sign and Thereby Accept the Proposal from Trotter and Associates, Inc. for Engineering Services Related to Perform a Formal Rate Study at the NWRWRF**

*This item is to authorize and accept the proposal from Trotter and Associates, Inc. for engineering services related to perform a formal rate study at the NWRWRF. The cost to operate and maintain NWRWRF is paid for through sewer user rates. The rates have not been analyzed or updated in over 20 years. Given changes in regulation, inflation, and aging infrastructure, it is anticipated that the current rates may no longer be adequate to fully fund the operation, maintenance, and capital improvement projects. The cost of the study is \$65,011.*

**F. Ordinance 2024-10: An Ordinance Amending the Zoning Ordinance of the Village of Fox Lake, Illinois by Granting a Special Use to Good Real Estate Holding, LLC to Operate a Short-Term Housing Rental Business at the Property at 16 N. Pistakee Lake Road, Unit's 4 & 5**

*This item is to amend the zoning ordinance by granting a special use to Good Real Estate Holding, LLC to operate a short-term housing rental business at 16 N. Pistakee Lake Road, Unit's 4 & 5.*

**G. Ordinance 2024-11: An Ordinance Amending the Zoning Ordinance of the Village of Fox Lake, Illinois by Granting a Special Use to The Chain of Lakes, LLC to Operate a Short-Term Housing Rental Business at 4. N. Pistakee Lake Road**

*This item is to amend the zoning ordinance by granting a special use to The Chain of Lakes, LLC to operate a short-term housing rental business at 4. N. Pistakee Lake Road. There is a condition that any residential development on 2 N. Pistakee Lake Rd would revoke the special use permit. Trustee Marr stated he would like to also amend the ordinance to say include revocation of the special use permit should the property be sold.*

**H. Ordinance 2024-12: An Ordinance Clarifying that the Village's Hotel and Motel Room Rental Tax Applies to Short Term Housing Rentals**

*This item is to clarify that the village's hotel and motel room rental tax applies to short term housing rentals as well. There was a short discussion on how those taxes would be collected going forward.*

**I. Ordinance 2024-13: An Ordinance Amending the FY2023-2024 Budget Beginning May 1, 2023, and Ending on April 30, 2024**

*This item is to amend the FY2023-2024 Budget beginning May 1, 2023, and ending on April 30, 2024. Adjustments were made to allow for preliminary work incurred and costs that are not yet known at this time as no budget was originally created for the four new TIF funds. Thus, the amendment includes budgets for all these items.*

**J. Ordinance 2024-14: An Ordinance Clarifying the Assessment of Penalties on the Late Payment of Certain Municipal Taxes**

*This item is to clarify the assessment of penalties for the late payment of certain municipal taxes. In Section I – the stated requirement for the establishment to engage an independent auditor is not practical and should be deleted. In Section II & III – modifying/adding these sections would make these tax collection processes similar to other municipalities and to the other village tax noted in this ordinance.*

**K. Motion to Accept the Planning and Zoning Commission's Recommendation to Approve a Special Use Permit to Operate a Short-Term Rental at 156 Eagle Point Rd and Direct the Attorney to Prepare the Ordinance**

*This item is to accept the Planning and Zoning Commission's recommendation to approve a special use permit to operate a short-term rental at 156 Eagle Point Rd. There was one protest letter received; however, it was not from a contiguous property owner.*

**L. Motion to Approve a Professional Services Agreement with Fire Safety Consultants, Inc to Provide Plan Reviews and Inspections as Required by the Building Department and to Terminate the Existing Agreement with Safebuilt**

*This item is to approve a PSA with Fire Safety Consultants, Inc. and to terminate the existing agreement with Safebuilt. This agreement should help streamline the process and allow more in- house reviews and reduce the need for 3<sup>rd</sup> party service consultants. There was discussion on this clarifying that the County is always a backup for reviews. The Fire Safety Consultants Inc. 's fee schedule is structured differently and is a better fit for the Village.*

**M. Motion to Approve a Professional Services Agreement with MuniReg to Provide and Maintain a Registry of Vacant Properties within the Village of Fox Lake Jurisdiction**

*This item is to approve a PSA with MuniReg. The prior agreement was with ProChamps who went out of business.*

**N. Motion to Correct the Duplication of Resolution Number 2024-R-15 by Assigning Resolution Number "2024-R-15A" to the Resolution to Induce the Redevelopment of Certain Property within the Route 12 Redevelopment Project Area passed on March 12, 2024, and by assigning Resolution number "2024-R-15B" to the Resolution Authorizing the Mayor of the Village of Fox Lake to Sign and Enter into an IGA between the Village of Fox Lake and the Northeastern Illinois Regional Crime Laboratory for the Usage of their Forensic Services passed on March 26, 2024**

*This item is to correct the duplication of resolution number 2024-R-15.*

**12. Old Business**

*There is none.*

**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 the Village Board meeting, seconded by Trustee Marr. All were in favor. **Motion carried.***

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

*The mayor removed item B- 2 and Stochl requested items B-1 and C-1 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-24: A Resolution Authorizing an Electric Supply Agreement with Constellation Energy for the NWRWRF and Local Sewer and Water Department Facilities

2. Resolution 2024-R-25: A Resolution Authorizing the Mayor of the Village of Fox Lake to Sign and Thereby Accept a Contract with J&F Chiattello Construction, Inc. for the Tall Oaks Roof Overlay
3. Resolution 2024-R-26: A Resolution Approving an Engineering Service Agreement with GeWalt Hamilton Associates, Inc. for Consulting Services to Assist with the NPDES MS4 Permit Requirements
4. Resolution 2024-R-27: A Resolution Authorizing the Mayor and Village Clerk of the Village of Fox Lake to Accept the Quote through the Sourcewell Government Contract for the Purchase of One Elgin Pelican Street Sweeper
5. Resolution 2024-R-28: A Resolution Authorizing the Mayor of the Village of Fox Lake to Sign and Thereby Accept the Proposal from Trotter and Associates, Inc. for Engineering Services Related to Perform a Formal Rate Study at the NWRWRF6. Resolution 2024-R-20: A Resolution Authorizing Change Order No. 1 on the Main Lift Force Main Extension Project

#### **B. Ordinances**

1. *Removed from Consent Agenda - Ordinance 2024-10: An Ordinance Amending the Zoning Ordinance of the Village of Fox Lake, Illinois by Granting a Special Use to Good Real Estate Holding, LLC to Operate a Short-Term Housing Rental Business at the Property at 16 N. Pistakee Lake Road, Unit's 4 & 5*
2. *Removed from Consent Agenda - Ordinance 2024-11: An Ordinance Amending the Zoning Ordinance of the Village of Fox Lake, Illinois by Granting a Special Use to The Chain of Lakes, LLC to Operate a Short-Term Housing Rental Business at 4. N. Pistakee Lake Road*
3. Ordinance 2024-12: An Ordinance Clarifying that the Village's Hotel and Motel Room Rental Tax Applies to Short Term Housing Rentals
4. Ordinance 2024-12: An Ordinance Clarifying that the Village's Hotel and Motel Room Rental Tax Applies to Short Term Housing Rentals
5. Ordinance 2024-14: An Ordinance Clarifying the Assessment of Penalties on the Late Payment of Certain Municipal Taxes

#### **C. Motions**

1. *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 Rental at 156 Eagle Point Rd and Direct the Attorney to Prepare the Ordinance*
2. Motion to Approve a Professional Services Agreement with Fire Safety

Consultants, Inc to Provide Plan Reviews and Inspections as Required by the Building Department and to Terminate the Existing Agreement with Safebuilt

3. Motion to Approve a Professional Services Agreement with MuniReg to Provide and Maintain a Registry of Vacant Properties within the Village of Fox Lake Jurisdiction
4. Motion to Correct the Duplication of Resolution Number 2024-R-15 by Assigning Resolution Number “2024-R-15A” to the Resolution to Induce the Redevelopment of Certain Property within the Route 12 Redevelopment Project Area passed on March 12, 2024, and by assigning Resolution number “2024-R-15B” to the Resolution Authorizing the Mayor of the Village of Fox Lake to Sign and Enter into an IGA between the Village of Fox Lake and the Northeastern Illinois Regional Crime Laboratory for the Usage of their Forensic Services passed on March 26, 2024.

*Trustee Jensen made a **motion** to move that Resolutions A – 1-5 Ordinances B 3,4,5 and Motiosn C 2,3,4 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>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>Absent</i>

***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:*

<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>Absent</i>

***Motion carried***

## **16. Approval of Exceptions**

*Trustee Marr made a **motion** to Accept Ordinance 2024-10: An Ordinance Amending the Zoning Ordinance of the Village of Fox Lake, Illinois by Granting a Special Use to Good*

*Real Estate Holding, LLC to Operate a Short-Term Housing Rental Business at the Property at 16 N. Pistakee Lake Road, Unit's 4 & 5, seconded by Trustee Konwent.*

*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>
<i>Trustee Vander Weit</i>	<i>Absent</i>

***Motion carried***

*Trustee Jensen made a **motion** to Accept Ordinance 2024-11: An Ordinance Amending the Zoning Ordinance of the Village of Fox Lake, Illinois by Granting a Special Use to The Chain of Lakes, LLC to Operate a Short-Term Housing Rental Business at 4. N. Pistakee Lake Road as amended to state sell and develop, seconded by Trustee Konwent.*

*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>
<i>Trustee Vander Weit</i>	<i>Absent</i>

***Motion carried***

*Trustee Marr made a **motion** to Accept the Planning and Zoning Commission's Recommendation to Approve a Special Use Permit to Operate a Short-Term Rental at 156 Eagle Point Rd and Direct the Attorney to Prepare the Ordinance, seconded by Trustee Konwent.*

*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>
<i>Trustee Vander Weit</i>	<i>Absent</i>

***Motion carried***

**17. For the Good of the Order**

*There were none.*

**18. Audience Comments**

*There were none.*



**21. Executive Session**

*Trustee Jensen made a **motion** to retire into executive session at 7:10 pm for Collective Bargaining, seconded by Trustee Konwent, and to include Assistant Administrator Jessica Chernich, Attorney Nutschnig and Lindsay Szafran 911 Director, seconded by Trustee Konwent. All were in favor. **Motion carried.***

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

*Trustee Stochl made a **motion** to adjourn the meeting at 7:28 pm, seconded by Trustee Konwent. All were in favor. **Motion carried.***

**Meeting was adjourned at 7:28 P.M.**



Michelle Runnion, Village Clerk