



## 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 April 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, and Clerk Michelle Runnion

Absent: Trustees Bernice Konwent and Debra Vander Weit

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

#### 2. Approval of Minutes

##### A. Budget Hearing Meeting Minutes for April 9, 2024

Trustee Marr made a ***motion*** to approve the Budget Hearing Meeting Minutes from April 9, 2024, seconded by Trustee Jensen.

*A roll call vote was taken as follows:*

Trustee Jensen	Aye
Trustee Stochl	Aye
Trustee Konwent	Absent
Trustee Marr	Aye

**6. Village President's Report**

*The mayor presented a power point on the prior week's Lobby Days with some updated information. This included: 1) information on the Grocery Tax which will end on January 31, 2025, eliminating \$250,000 for the Village budget and the Village Board will need to decide by summer if a replacement tax will be implemented in which the state would collect a 1.5% fee; 2) the LGDF (Local Government Distributive Fund) will not be returning to the prior 10% and is currently at 6.47% resulting in a loss to the Village of Fox Lake of \$10,485.694 since 2017; 3) Pension Funding increases will be occurring as need to be 90% funded; 4) Hotel/Motel tax for Short Term Rentals may be allowed to use for funding of the Pension Fund; currently can only use for tourism; 5) IML will be providing videos to help in municipal recruitment; 6) Mayor Schmit appointed to the 2024 Resolutions Committee.*

**7. Village Administrator's Report**

*Sunni Butler, Management Analyst for the Village of Fox Lake was introduced and shared some of her background with those present.*

**8. Village Attorney Report**

*There was none.*

**9. Village Treasurer's Report**

**A. Treasurer's Report March 2024**

*The mayor noted that interest income has increased as the Treasurer identified improved bank options. Treasurer Mary Locher shared that the Hotel/Motel Tax currently brings in an estimated \$20,000 but with STRs expects that to go up considerably.*

**10. Preliminary Audience Comments (on Agenda Items Only)**

*There were none.*

**11. 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 Driscoll. All were in favor, Motion carried.*

**A. Strategic Planning Team Reports**

*There were no questions or comments.*

**12. New Business**

**A. Resolution 2024-R-22: A Resolution Approving Change Order No. 1 on the Screw Pump Rehabilitation Project at the NWRWRF**

*This item is to approve Change Order No. 1 on the Screw Pump Rehabilitation Project at the NWRWR. This change order will extend the contract for 82 days for completion of the project.*

**B. Resolution 2024-R-23: A Resolution Ratifying the Waiver of Bids, Entry into a Contract for Demolition of the House at 30 Riverview Avenue, Fox Lake,**

**Illinois, and Authorizing Payment to Hellios Construction Company, Inc. for \$32,500 for the Cost of Demolition**

*This item is to ratify the Waiver of Bids, Entry into a Contract for Demolition of the House at 30 Riverview Avenue, Fox Lake, Illinois, and Authorize Payment to Hellios and Construction Company, Inc. for \$32,500 for the Cost of Demolition. This property has been boarded up since 2011 and the Economic and Community Development Director has applied for reimbursement through a grant.*

**C. Resolution 2024-R-29: A Resolution Approving a Proposal for Professional Security Services with Gamma Team Security, Inc. at the Lakefront Park**

*This item is to approve a Proposal for Professional Security Services with Gamma Team Security, Inc. at Lakefront Park. This is for services May-September at a cost of \$31,320.*

**D. Ordinance 2024-15: An Ordinance Repealing Ordinance 2024-09**

*This item is to repeal Ordinance 2024-09. Due to the Ordinance not being signed and publicly posted within the ten (10) day timeline required by the Illinois Environmental Protection Agency, Ordinance 2024-09 needs to be repealed and reapproved.*

**E. Ordinance 2024-16: An Ordinance Authorizing the Village of Fox Lake, Lake and McHenry Counties, Illinois to Borrow Funds from the Public Water Supply Loan Program for the Lead Service Line Replacement Program, Phase I**

*This item is to authorize the Village of Fox Lake, Lake and McHenry Counties, Illinois to Borrow Funds from the Public Water Supply Loan Program for the Lead Service Line Replacement Program, Phase I. The estimated cost for this project is \$2,755,000. This loan will be repaid from distribution of the revenue of the public water supply system.*

**F. Ordinance 2024-18: An Ordinance Amending the Zoning Ordinance of the Village of Fox Lake, by Granting a Special Use to Sandy J. Arneson to Operate a Short-Term Housing Rental Business at the Property at 156 Eagle Point Road, Fox Lake, Illinois**

*This item is to amend the zoning ordinance by Granting a Special Use to Sandy J. Arneson to Operate a Short-Term Housing Rental Business at the Property at 156 Eagle Point Road, Fox Lake, Illinois.*

**G. Ordinance 2024-19: An Ordinance Adopting the Annual Budget for Fiscal Year 2024-2025**

*This item is to An Ordinance Adopting the Annual Budget for Fiscal Year 2024-2025. A budget workshop was held on March 29, 2024, and a Public Hearing was held on April 9, 2024.*

**H. Motion to Accept the Planning and Zoning Commission's Recommendation to Approve a Special Use Permit to Operate a Motor Vehicle Sales and Repair Center at 89 & 91 S. Rt 12 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 Motor Vehicle Sales and Repair Center at 89 & 91 S. Rt 12 and Direct the Attorney to Prepare the Ordinance. Krystal Roberts, Managing Operator with Honda dealership, introduced herself and expressed appreciation and the Mayor welcomed the dealership to the Village.*

**I. Motion to Accept the Planning and Zoning Commission's Recommendation to Approve a Special Use Permit to Operate a Short-Term Rental at 188 Howard Court 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 188 Howard Court and Direct the Attorney to Prepare the Ordinance. Currently three-bedroom home but can only use two of the bedrooms and will need to still pass inspection.*

**J. Motion to Accept the Planning and Zoning Commission's Recommendation Granting a Variation at 144 Eagle Point Road to Maintain its Legal Non-Conforming Status and Direct the Attorney to Prepare the Ordinance**

*This item is to Accept the Planning and Zoning Commission's Recommendation Granting a Variation at 144 Eagle Point Road to Maintain its Legal Non-Conforming Status and Direct the Attorney to Prepare the Ordinance. There was discussion on this item with Trustee Marr stating that "legal nonconforming" should be revisited and revised. Jodi Luka will look into it and check with the attorney and the Planning and Zoning Board can also check into it further.*

**K. Motion to Accept the Planning and Zoning Commission's Recommendation to Amend Ordinance 2015-45, a Planned Unit Development Located at 0 Manor and Direct the Attorney to Prepare the Ordinance**

*This item is to accept the Planning and Zoning Commission's recommendation to Amend Ordinance 2015-45, a Planned Unit Development Located at 0 Manor and Direct the Attorney to Prepare the Ordinance. There was discussion on the various modifications presented over the years. Currently looking at 18 additional units for a total of 22 units. Trustee Marr brought up concerns about stormwater issues. Jodi Luka stated that the report is not yet complete. Trustee Marr stated he would like answers to some of these concerns and how the developer is addressing issues/concerns. Trustee Stochl stated he considers the plans to be too highly dense and would like to see one building removed. This item will be tabled to Old Business at the next Village Board Meeting.*

**13. Old Business**

*There is none.*

**14. Motion to Waive the Bids for Professional Security Services at Lakefront Park**

*Trustee Marr made a motion to waive the bids for Professional Security Services at Lakefront Park, 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>Absent</i>
<i>Trustee Marr</i>	<i>Aye</i>
<i>Trustee Driscoll</i>	<i>Aye</i>
<i>Trustee Vander Weit</i>	<i>Absent</i>
<b><i>Motion carried</i></b>	

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

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

*Trustee Stochl requested items C-2 and C-3 be removed from the consent agenda. Item C-4 was tabled to Old Business.*

**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. Resolution 2024-R-22: A Resolution Approving Change Order No. 1 on the Screw Pump Rehabilitation Project at the NWRWRF

2. Resolution 2024-R-23: A Resolution Ratifying the Waiver of Bids, Entry into a Contract for Demolition of the House at 30 Riverview Court Fox Lake, Illinois, and Authorizing Payment to Hellios Construction Company, Inc. for \$32,500 for the Cost of Demolition

3. Resolution 2024-R-29: A Resolution Approving a Proposal for Professional Security Services with Gamma Team Security, Inc. at the Lakefront Park

**B. Ordinances**

1. Ordinance 2024-2024-15: An Ordinance Repealing Ordinance 2024-09

2. Ordinance 2024-16: An Ordinance Authorizing the Village of Fox Lake, Lake and McHenry Counties, Illinois to Borrow Funds from the Public

Water Supply Loan Program for the Lead Service Line Replacement  
Program, Phase I

3. Ordinance 2024-18: An Ordinance Amending the Zoning Ordinance of the Village of Fox Lake, by Granting a Special Use to Sandy J. Arneson to Operate a Short-Term Housing Rental Business at the Property at 156 Eagle Point Road, Fox Lake, Illinois Ordinance 2024-14: An Ordinance Clarifying the Assessment of Penalties on the Late Payment of Certain Municipal Taxes
4. Ordinance 2024-19: An Ordinance Adopting the Annual Budget for Fiscal Year 2024-2025

**C. Motions**

1. Motion to Accept the Planning and Zoning Commission's Recommendation to Approve a Special Use Permit to Operate a Motor Vehicle Sales and Repair Center at 89 & 91 S. Rt 12 and Direct the Attorney to Prepare the Ordinance
2. ***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 188 Howard Court and Direct the Attorney to Prepare the Ordinance
3. ***Removed from Consent Agenda*** - Motion to Accept the Planning and Zoning Commission's Recommendation Granting a Variation at 144 Eagle Point Road to Maintain its Legal Non-Conforming Status and Direct the Attorney to Prepare the Ordinance
4. ***Removed from Consent Agenda*** - Motion to Accept the Planning and Zoning Commission's Recommendation to Amend Ordinance 2015-45, a Planned Unit Development Located at 0 Manor and Direct the Attorney to Prepare the Ordinance

*Trustee Jensen made a motion to move that Resolutions A – 1,2,3 Ordinances B 1,2,3,4 and Motion C 1 be established as the Consent Agenda for this meeting by unanimous vote, seconded by Trustee Driscoll.*

*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	Absent
<b><i>Motion carried</i></b>	

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	Absent

***Motion carried***

**18. Approval of Exceptions**

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 188 Howard Court and Direct the Attorney to Prepare the Ordinance, seconded by Trustee Jensen.

*A roll call vote was taken as follows:*

Trustee Jensen	Aye
Trustee Stochl	Abstain
Trustee Konwent	Absent
Trustee Marr	Aye
Trustee Driscoll	No
Trustee Vander Weit	Absent
Mayor Schmit	Aye

***Motion carried***

Trustee Jensen made a ***motion*** to Accept the Planning and Zoning Commission's Recommendation Granting a Variation at 144 Eagle Point Road to Maintain its Legal Non-Conforming Status and Direct the Attorney to Prepare the Ordinance, seconded by Trustee Driscoll.

*A roll call vote was taken as follows:*

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

***Motion carried***

Trustee Driscoll made a ***motion*** to Table the Planning and Zoning Commission's Recommendation to Amend Ordinance 2015-45, a Planned Unit Development Located at

*0 Manor and Direct the Attorney to Prepare the Ordinance, seconded by Marr. All were in favor. **Motion carried.***

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

*Trustee Stochl confirmed that there are currently 44 Special Use Permits for Short-Term Rentals, and the Board should consider increasing the total number from 50. The plans for various hotels have not been realized to date. This could be an additional source of revenue.*

**20. Executive Session**

*Trustee Jensen made a **motion** to retire into executive session at 7:29 pm for Land Acquisition and Threatened Litigation, to include Administrator Jessica Chernich, Attorney Nutschig, Sunni Butler, Management Analyst, and Finance Director Mary Locher, seconded by Trustee Marr. All were in favor. **Motion carried.***

**21. Reconvene the Village Board Meeting**

*Trustee Marr made a **motion** to reconvene the Village Board Meeting at 7:50 pm, seconded by Trustee Jensen. All were in favor. **Motion carried.***

**22. Resolution Coming Out of Executive Session**

*Trustee Marr made a **motion** to approve Resolution 2024-R-30, Authorizing and Ratifying the Village's acquisition of the real estate at 123 Nippersink, Fox Lake, Illinois, and Authorizing Village Staff and the Village Attorney to complete the purchase and closing, 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>Absent</i>
<i>Trustee Marr</i>	<i>Aye</i>
<i>Trustee Driscoll</i>	<i>Aye</i>
<i>Trustee Vander Weit</i>	<i>Absent</i>

**Motion carried**

- 23.** *Trustee Stochl made a motion to adjourn the meeting at 7:51 pm, seconded by Trustee Jensen. All were in favor. **Motion carried.***

**Meeting was adjourned at 7:51 P.M.**

  
Michelle Runnion, Village Clerk