



## 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 June 25, 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, Debra Vander Weit and Clerk Michelle Runnion

Absent: Trustee Bernice Konwent

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

### 2. Approval of Minutes

#### A. Village Board Meeting Minutes for June 11, 2024

Trustee Marr made a *motion* to approve the Village Board Meeting Minutes for June 11, 2024, seconded by Trustee Jensen. All were in favor. **Motion carried.**

### 3. Approval of the Warrant

#### A. Approval of the Warrant – June 25, 2024

Trustee Vander Weit made a *motion* to approve the Expenditures/Warrants/Transfers for June 25, 2024, in the amount of \$913,691.46, 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>Aye</i>

***Motion carried.***

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

*There was none.*

**5. Village President's Report**

**A. Watershed Plan**

*The Mayor and Pat Smarto from the Fox Waterway Agency provided information on the Watershed Plan as the Village Board will be considering a resolution to adopt this plan. The plan encompasses shoreline restoration and failed septic. If adopted, there is no financial impact and there is the opportunity to apply for grants. It is an opportunity to bring money into the area to address the watershed issue and best practices to improve the watershed.*

**B. Grand Marshal- Chris Johnson, Fox Lake Cinemas**

*The mayor announced that Chris Johnson would be the Grand Marshal for the Celebrate Fox Lake Parade. He was introduced and shared information about the history and new additions to the Fox Lake Cinemas.*

**6. Village Administrator's Report**

*Jessica Chernich shared that Celebrate Fox Lake would be this Saturday with the parade at 10:00 am, music starting at 5:00 pm, and fireworks at dusk.*

**7. Village Attorney Report**

*There was none.*

**8. Village Treasurer's Report**

*There were no questions. Mary Locher did state that expenses may be higher as some 2023 budget year expenses are included in this month's report.*

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

*There were many comments in opposition to the approval of a special use permit for a short term rental at 707 Kingston.*

*Donna Plazynski of 625 Kingston commented on concerns about strangers in the neighborhood, increased traffic on roads with no sidewalks, concerns for EMS access, and changing the natural environment. She stated that the questions in the application were not adequately answered. She stressed the points made in the petition already provided.*

*Jim Plazynski stated his opposition to the special use permit not being in the best interest and welfare of the residents.*

*Donald Tebbens, 715 Kingston stated his opposition to the special use permit- Neighborhood already has some, and those who visit don't support our local businesses.*

*Doreen Kohn, 901 Fortress shared her opposition to issues around the short-term rental at 501 Kingston such as a large number of people there last week, there was a stabbing among the visitors, garbage is overflowing, and there has been police contact. She also asked if they pay commercial taxes.*

*Frank Bortko, 504 Castle shared his opposition and additionally pointed out increased sales of homes in the neighborhood. Police are rarely patrolling, the roads are in poor condition, and it is zoned residential and would like to see it remain that way.*

*Steve Swedberg, 709 Kingston also expressed opposition indicating the home isn't maintained and that there are safety concerns that affect everyone and water safety issues for those not familiar with the area. He also wanted to stress he never agreed to and never spoke with anyone about being okay with it being a short-term rental.*

*Mariella Swedberg, 709 Kingston also expressed her opposition to approval of this short-term rental. The applicant did not gain approval of her and husband as he stated on the application.*

*Brian Mull of 711 Kingston stated his opposition in agreement of what had already been stated by his neighbors.*

*Keith Abbott of 1003 Hooks expressed his opposition to short term rentals in general though not from the Kingston neighborhood.*

*Kimberly Fugates of 101 Hooks also expressed her opposition.*

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

**A. Strategic Planning Team Reports**

*There were no questions or comments.*

**11. New Business**

- A. Resolution 2024-R-43: A Resolution Authorizing the Mayor to Sign and Thereby Approve the Intergovernmental Agreement Establishing Lake Consolidated Emergency Communications (LakeComm)**

*This item is to authorize the mayor to sign and thereby approve the Intergovernmental Agreement establishing Lake Consolidated Emergency Communications (LakeComm)*

**B. Resolution 2024-R-44: A Resolution Authorizing and Approving the Appointment of a Representative and Alternate Representative to the LakeComm Member Board of Directors**

*This item is to authorize and approve the Appointment of a Representative and Alternate Representative to the LakeComm Member Board of Directors. Village Administrator Jessica Chernich will serve as Representative and Mayor Schmit as Alternate.*

**C. Resolution 2024-R-48: A Resolution Ratifying Execution of a Contract for Professional Security Services at Lakefront Park with Signal Security Services**

*This item is to ratify the contract for Professional Security Services at Lakefront Park with Signal Security Services. This contract is for July 1- September 30, 2024, at an estimated \$8,526.00/month.*

**D. Resolution 2024-R-49: A Resolution Authorizing Change Order No. 2 on the Main Lift Force Main Extension Project**

*This item is to authorize Change Order No. 2 on the Main Lift Force Main Extension Project. This order balances the contract based on the final quantities and reduces the contract by \$84,221.05.*

**E. Ordinance 2024-27: An Ordinance Amending Section 8-6-1 of the Village Code of the Village of Fox Lake to Prohibit Parking on Riverview Avenue and Roadways in Lakefront Park**

*This item is to amend Section 8-6-1 of the Village Code of the Village of Fox Lake to Prohibit Parking on Riverview Avenue and Roadways in Lakefront Park. This ordinance is to address safety concerns and traffic flow.*

**F. Ordinance 2024-28: An Ordinance of the Village of Fox Lake Suspending the Operations and Dissolving the Village of Fox Lake Emergency Telephone System Board**

*This item is to suspend the Operations and Dissolving of the Village of Fox Lake Emergency Telephone System Board.*

**G. Ordinance 2024-29: An Ordinance of the Village of Fox Lake Authorizing the Approval of the Intergovernmental Agreement of the Joint Emergency Telephone System Board of Lake County and Approving Membership in the Joint Emergency Telephone System Board of Lake County**

*This item is to authorize the Approval of the Intergovernmental Agreement of the Joint Emergency Telephone System Board of Lake County and Approving Membership in the Joint Emergency Telephone System Board of Lake County. The current ETSB will dissolve pending approval of the State.*

**H. Ordinance 2024-31: An Ordinance Amending Section 8-2-2 of the Village Code of the Village of Fox Lake Related to Prohibited Conduct in Village Parks**

*This item is to amend Section 8-2-2 of the Village Code of the Village of Fox Lake Related to Prohibited Conduct in Village Parks. This amendment includes rules on no glass in the park and no closed structures to improve safety.*

**I. Motion to Accept the Planning and Zoning Commission's Recommendation to Approve a Special Use Permit to Operate a Short-Term Rental at 707 Kingston Blvd and Authorize the Attorney to Prepare the Ordinance**

*This item is to accept and approve the Planning and Zoning Commission's Recommendation to Approve a Special Use Permit to Operate a Short-Term Rental at 707 Kingston Blvd and Authorize the Attorney to Prepare the Ordinance. A petition in opposition to this permit was filed requiring a super majority. Four yes votes will be needed, and the mayor will not vote.*

**J. Motion to Accept the Planning and Zoning Commission's Recommendation to Approve a Special Use Permit to Operate a Short-Term Rental at 160 E. Grand Ave and Authorize 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 160 E. Grand Ave and Authorize the Attorney to Prepare the Ordinance. This was a unanimous recommendation from the Planning and Zoning Commission.*

**K. Motion to Accept the Planning and Zoning Commission's Recommendation to Approve a Special Use Permit to Operate a Short-Term Rental at 6 S. Pistakee Lake Rd and Authorize 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 6 S. Pistakee Lake Rd and Authorize the Attorney to Prepare the Ordinance. This was a unanimous recommendation from the Planning and Zoning Commission.*

**L. Motion to Authorize the Attorney to Prepare an Ordinance Placing a Moratorium on Short-Term Rentals**

*This item is to authorize the Attorney to prepare an Ordinance placing a moratorium on Short-Term Rentals. This would include accepting no new applications for six months and revising the policy on Short Term Rentals during the moratorium time.*

**M. Motion to Approve a Raffle License for the Sons of the American Legion to Operate their Annual Gun Raffle and Waive the Bond Requirement**

*This item is to approve a Raffle License for the Sons of the American Legion to operate their Annual Gun Raffle and Waive the Bond Requirement.*

**12. Old Business**

*There was none.*

**13. Motion to Adjourn from Committee of the Whole and Reconvene Village Board Meeting**

*Trustee Vander Weit made a **motion** to adjourn from Committee of the Whole and reconvene the Village Board meeting, seconded by Trustee Jensen. All were in favor. **Motion carried.***

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

*Trustee Driscoll removed items C-1, 2, and 3 from the consent agenda.  
Trustee Stochl removed item C-4 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-43: A Resolution Authorizing the Mayor to Sign and Thereby Approve the Intergovernmental Agreement Establishing Lake Consolidated Emergency Communications (LakeComm)
2. Resolution 2024-R-44: A Resolution Authorizing and Approving the Appointment of a Representative and Alternate Representative to the LakeComm Member Board of Directors
3. Resolution 2024-R-48: A Resolution Ratifying Execution of a Contract for Professional Security Services at Lakefront Park with Signal Security Service
4. Resolution 2024-R-49: A Resolution Authorizing Change Order No. 2 on the Main Lift Force Main Extension Project

**B. Ordinances**

1. Ordinance 2024-27: An Ordinance Amending Section 8-6-1 of the Village Code of the Village of Fox Lake to Prohibit Parking on Riverview Avenue and Roadways in Lakefront Park
2. Ordinance 2024-28: An Ordinance of the Village of Fox Lake Suspending the Operations and Dissolving the Village of Fox Lake Emergency Telephone System Board
3. Ordinance 2024-29: An Ordinance of the Village of Fox Lake Authorizing the Approval of the Intergovernmental Agreement of the Joint Emergency Telephone System Board of Lake County and Approving Membership in

the Joint Emergency Telephone System Board of Lake County

4. Ordinance 2024-31: An Ordinance Amending Section 8-2-2 of the Village Code of the Village of Fox Lake Related to Prohibited Conduct in Village Parks

**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 707 Kingston Blvd and Authorize 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 160 E. Grand Ave 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 Rental at 6 S. Pistakee Lake Rd and Authorize the Attorney to Prepare the Ordinance
4. ***Removed from Consent Agenda*** - Motion to Authorize the Attorney to Prepare an Ordinance Placing a Moratorium on Short-Term Rentals
5. Motion to Approve a Raffle License for the Sons of the American Legion to Operate their Annual Gun Raffle and Waive the Bond Requirement

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

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

*A roll call vote was taken as follows:*

<i>Trustee Jensen</i>	<i>Aye</i>
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*Trustee Stochl           Aye*  
*Trustee Konwent       Absent*  
*Trustee Marr           Aye*  
*Trustee Driscoll       Aye*  
*Trustee Vander Weit   Aye*  
***Motion carried.***

**16. Approval of Exceptions**

- A.** *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 707 Kingston Blvd and Authorize the Attorney to Prepare the Ordinance, seconded by Trustee Vander Weit.*

*A roll call vote was taken as follows:*

*Trustee Jensen       No*  
*Trustee Stochl       Abstain*  
*Trustee Konwent     Absent*  
*Trustee Marr        Aye*  
*Trustee Driscoll     No*  
*Trustee Vander Weit No*  
***Motion did not carry.***

- B.** *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 160 E. Grand Ave and Authorize 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 Aye*  
***Motion carried.***

- C.** *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 6 S. Pistakee Lake Rd and Authorize the Attorney to Prepare the Ordinance, seconded by Trustee Vander Weit.*

*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   Aye  
**Motion carried.**

- D.** *Trustee Driscoll made a Motion to Authorize the Attorney to Prepare an Ordinance Placing a Moratorium on Short-Term Rentals, seconded by Trustee Marr.*

*Trustee Stochl stated that a moratorium is not needed as the rules on Short Term Rentals can be changed at any time without a moratorium; Trustee Marr stated that the moratorium would allow for the time needed to update the rules.*

*A roll call vote was taken as follows:*

Trustee Jensen      Aye  
Trustee Stochl      No  
Trustee Konwent      Absent  
Trustee Marr      Aye  
Trustee Driscoll      Aye  
Trustee Vander Weit   Aye  
**Motion carried.**

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

*There was none.*

**18. Audience Comments**

*Kim Fugates asked about what happens with permits when a Short-Term Rental is sold. Many in the audience said thank you.*

**19. Executive Session**

*Trustee Driscoll made a **motion** to retire into executive session at 7:26 pm for Land Acquisition, to include Village Administrator Jessica Chernich, Economic and Community Development Director Jodi Luka and Attorney Jeff Nutschnig, seconded by Trustee Jensen. All were in favor. **Motion carried.***

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

*Trustee Stochl made a **motion** to adjourn the meeting at 8:02 pm, seconded by Trustee Vander Weit. All were in favor. **Motion carried.***

**Meeting was adjourned at 8:02 P.M.**

  
Michelle Runnion, Village Clerk