



## 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 September 13, 2016 meeting was called to order by Mayor Schmit. The following official business was transacted:

#### Roll Call

Present Mayor Schmit: Village Clerk Warden; Attorney Teegen; Trustees: Murrey, Jensen, Stochl, Konwent, Marr and Koske.

Staff also in attendance: Anne Marrin, Stephanie Hannon, Donovan Day, Deputy Chief Jimmy Lee, and Rocky Horvath.

#### I. Preliminary Audience Comments:

#### II. Recognition of American Legion Post 703 Bulldogs – Robert Gabriel, Commander

Mayor Schmit recognized the American Legion Post 703 Bulldogs baseball team for their 2nd place finish in state this year in the American Legion Baseball League. Mayor Schmit then presented a plaque to the Legion and team from the Village of Fox Lake.

#### III. Presentation by ESC Consultants for Strategic Planning

Mike Thompson, Tim Thompson and Bill Kessler from ESC Consultants introduced themselves to the Board and laid out their timeline and goals for creating a strategic plan for the Village. They stated that a SWOT analysis means Strengths, Weaknesses, Opportunities and Threats. This analysis is prepared to review all areas of the organization and will help focus on the Villages strengths, minimize threats and incorporate them into our budgetary process for the next fiscal year. They asked the Board if there were any questions. Trustee Marr asked if this strategic plan would take all of the existing plans we have and create a roadmap with those items. The group stated that yes that was correct and as well they would speak to work groups such as officials and staff and create action plans to accomplish each these priorities. There were no further questions.

#### IV. Culver's Updated – Zach Steffens

Zach Steffens of Culver's introduced himself to the Board and stated that he looked forward to working with the Village and becoming a part of the community and not just a business in the community. Mr. Steffens acknowledged this is the beginning of the process and again looked forward to being in Fox Lake.

**V. Approval of Minutes**

*Trustee Konwent made a motion to approve the Village Board Meeting Minutes of August 23, 2016, Seconded by Trustee Marr.*

*A roll call vote was taken as follows:*

<i>Trustee Murrey</i>	<i>Aye</i>
<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 Koske</i>	<i>Aye</i>
<i>Motion Carried</i>	

**VI. Administrator Update**

Administrator Marrin stated that the Village has received word that our Fox Lake Police Department was awarded a Step Grant from IDOT for the amount of \$10,944.00. This grant will assist the Police Department in enforcing seatbelt laws and other laws during the holidays. The PD has also received a grant on the bullet proof vest, which is a 50% reimbursable grant.

***Road Project Grant updates:***

Administrator Marrin stated that in the packet this evening is an engineering agreement regarding the Nippersink Blvd project. Marrin stated that we will have to pay Phase I engineering for the project out of pocket which is standard for any IDOT project or similar project. The Village has been told that for the Engineering II phase on Nippersink will be \$150,000.00. However, the Village has been awarded a \$120,000 in Federal grant and funding on phase II.

Sayton Road project will be going out to bid March 2017. This an entire reconstruction project with draining. That project total was \$2,081,026.00. The Village of Fox Lake was awarded Federal funding of \$1,476,536.00. We also have but in a Phase II on Sayton Rd. from Industrial Avenue to Rand Road. This project is slated for 2017-2018 season with a project cost of \$600,000 and we have been awarded Federal funding of \$480,000.

Rollins Road to Route 59/ Grand Ave has been slated for the 2019-2020 construction season. The total cost of this resurfacing project is \$1,353,000 with a Federal grant of \$1,082,400.

Nippersink, Oak St. to Grand Ave. for reconstruction portion; this is aside from the engineering that the Board will be voting on this evening. This includes curb and drainage. The total cost is \$1.6 million and we received a Federal grant for \$1.3 million. Mayor Schmit asked if this project included the Lions Club hill. Anne stated yes, that is reconstruction and the staircase.

In closing, Administrator Marrin stated that we continue to work on a lot of different projects and plans. She went on to state that it was difficult this year due to the State of Illinois and IDOT pretty much shut down and this put projects further out. We are very excited about these projects and we continue to stay on top of these and meet with all of our elected officials from State to Federal and hopefully we will find ways get some streetscape and beautification plans along with these Federal funds.

**VII. Recess to the Committee of the Whole**

*Trustee Jensen made a motion to recess into the Committee of the Whole Meeting at 6:57 p.m., Seconded by Trustee Marr.*

*A roll call vote was taken as follows:*

*Trustee Murrey           Aye*  
*Trustee Jensen           Aye*  
*Trustee Stochl           Aye*  
*Trustee Konwent        Aye*  
*Trustee Marr            Aye*  
*Trustee Koske           Aye*  
***Motion Carried***

**VIII. Committee of the Whole**

**A. Finance**

Trustee Stochl noted that the first motion for consideration at tonight's meeting was the Warrant List.

Trustee Stochl stated that he would be asking for a few motions for Fox Lake Chamber of Commerce and Industry in regards for several raffle licenses requests. He asked if there were any questions. There were none.

Trustee Stochl stated that he would be asking for a motion tonight in regards to ESC agreement with the Village of Fox Lake for Strategic Planning Consultants. He asked if there were any questions. There were none.

**B. Building and Zoning**

Trustee Marr stated that he did not have anything to report regarding Building and Zoning.

**C. Parks and Recreation**

Trustee Koske stated that the PARC Grant is moving right along and she, Mayor Schmit and Anne have met the engineers and they will be working quickly on this project. They are hoping for some renderings to be available by mid-October. Trustee Koske stated that once more information is available she will let the Board know.

Trustee Koske updated the Village Board on several events involving the Parks and Recreation Department, including the following:

- Grant Township and the Fox Lake Parks and Recreation Department will be hosting their senior friends on Thursday, September 15th at the Lakefront Park.
- The Village of Fox Lake Mayor's Challenge 5K Run/ Walk will and the Annual All You Can Eat Pasts dinner was successful. All proceeds from this event benefit the Chicagoland Affiliate of the Susan G. Komen Breast Cancer Foundation.
- Trustee Koske stated that the Parks and Recreation Director, Amy Serafin has resigned from her position with the Village and we wish her the best of luck with her future endeavors.
- Trustee Koske stated that she spoke with the Fox Lake Chamber of Commerce this morning and they had some great ideas that could be given to

the residents in our Newsletters and online. She stated that she would like to work with staff on some of those ideas.

#### **D. Planning**

Trustee Marr stated he has a petition for a Special Use for 80- 100 S. Route 12. He stated that when this came forward to the Planning Commission meeting there were several items that were added on the petition that had not been on the petition when it was present to the Planning Commission and as such these were not published and on the agenda. Trustee Marr stated that Chairman Gauger did a great job navigating the open meeting requirements and guiding the petitioner back to what could be addressed that that meeting. There were also several neighboring property owners that attended and voiced concerns and Chairman Gauger did a very nice job of keep the meeting on point and only addressing those issues that which could be addressed per the published agenda. Trustee Marr stated that he brings this up in case anyone hears anything from disgruntled residents or through social media grape vine. There were issues but they were handled properly per open meetings requirements.

#### **E. Public Safety**

Trustee Jensen stated that he would be asking for a motion to approve the Intergovernmental agreement with Park City for 911 Services. He asked the board if they had any questions. There were none.

Trustee Jensen stated that his final motion will be for an amendment to the Liquor Control Ordinance by providing licensing for non-restaurant "BYOB" establishments. He asked if there were any questions. There were none.

#### **F. Sewer and Water**

Trustee Murrey stated that he had a couple of motions this evening for the North Water tower and the booster Station. He asked the board if there were any questions. There were none.

Trustee Murrey stated that he attended the recent wholesale policy meeting and that the tech group is looking into investing in cost saving tools and creates a 5 year assessment on the infrastructure.

#### **G. Streets**

Trustee Konwent stated that she would be asking for a motion for approval of an agreement with Gewalt Hamilton for Phase I engineering for Nippersink Blvd and IDOT resolution to expend the MFT funds. She asked the board if there were any questions. There were no questions from the Board.

#### **IX. Motion to adjourn from Committee of the Whole and Reconvene Village Board Meeting**

*Trustee Jensen made a motion to adjourn from the Committee of the Whole and reconvene the Village Board Meeting at 7:08p.m., Seconded by Trustee Konwent.*

*A roll call vote was taken as follows:*

<i>Trustee Murrey</i>	<i>Aye</i>
<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 Koske</i>	<i>Aye</i>
<i>Motion Carried</i>	

**VII. Motions for Approval**

• **Finance**

*Trustee Stochl made a motion to approve the total Expenditures of \$926,758.03, Externality Payment of \$0, IMRF \$36,485.66, 8/26/16 Payroll of \$237,842.81, 9/09/16 Payroll of \$231,143.53 and Police Pension payments of \$56,892.57; Dated August 23, 2016 in the total amount of \$1,489,122.60, Seconded by Trustee Marr.*

*A roll call vote was taken as follows:*

*Trustee Murrey           Aye  
Trustee Jensen           Aye  
Trustee Stochl           Aye  
Trustee Konwent           Aye  
Trustee Marr           Aye  
Trustee Koske           Aye  
**Motion Carried***

*Trustee Stochl made a motion to approve a Raffle License Request from the Fox Lake Chamber of Commerce & Industry for a Super Raffle on Saturday, December 3rd, 2016, with a Provision to Waive the Bond Requirement for the Raffle Manager in Accordance with the Municipal Code, Seconded by Trustee Koske.*

*A roll call vote was taken as follows:*

*Trustee Murrey           Aye  
Trustee Jensen           Aye  
Trustee Stochl           Aye  
Trustee Konwent           Aye  
Trustee Marr           Aye  
Trustee Koske           Aye  
**Motion Carried***

*Trustee Stochl made a motion to approve a Raffle License Request from the Fox Lake Chamber of Commerce & Industry for Meat Raffles on Sunday October 9th, 2016 and Sunday November 13th, 2016, with a Provision to Waive the Bond Requirement for the Raffle Manager in Accordance with the Municipal Code, Seconded by Trustee Konwent.*

*A roll call vote was taken as follows:*

*Trustee Murrey           Aye  
Trustee Jensen           Aye  
Trustee Stochl           Aye  
Trustee Konwent           Aye  
Trustee Marr           Aye  
Trustee Koske           Aye  
**Motion Carried***

*Trustee Stochl made a motion to approve an Agreement with ESC for Strategic Planning Consultants and Authorize the Mayor to sign, Seconded by Trustee Koske.*

*A roll call vote was taken as follows:*

*Trustee Murrey           Aye  
Trustee Jensen           Aye  
Trustee Stochl           Aye*

Trustee Konwent Aye  
Trustee Marr Aye  
Trustee Koske Aye  
**Motion Carried**

- **Planning**

Trustee Marr made a ***motion*** to Approve the Plan Commission recommendation for the petition of Stephen Emerson amending the preliminary PUD to include a Special Use to allow a restaurant with a drive through on property commonly known as 80 and 100 S. US Hwy 12, Fox Lake, IL in accordance with section 9-1-6-10C, items 1-6 of the Zoning Ordinance and to have the attorney prepare the appropriate Ordinance. , Seconded by Trustee Jensen.

*A roll call vote was taken as follows:*

Trustee Murrey Aye  
Trustee Jensen Aye  
Trustee Stochl Aye  
Trustee Konwent Aye  
Trustee Marr Aye  
Trustee Koske Aye  
**Motion Carried**

Trustee Marr made a ***motion*** to Approve the Plan Commission recommendation for the petition of the Village of Fox Lake, for a text change amending sections 9-1-2 and 9-1-4-2 of the Zoning Ordinance, relative to Collection Bins and to have the attorney prepare the appropriate Ordinance, Seconded by Trustee Koske.

*A roll call vote was taken as follows:*

Trustee Murrey Aye  
Trustee Jensen Aye  
Trustee Stochl Aye  
Trustee Konwent Aye  
Trustee Marr Aye  
Trustee Koske Aye  
**Motion Carried**

- **Public Safety**

Trustee Jensen made a ***motion*** Authorizing the Mayor and Village Clerk to Sign and thereby Accept an Intergovernmental Agreement for Emergency and Non-Emergency Dispatch Services with the Village of Park City, Seconded by Trustee Marr.

*A roll call vote was taken as follows:*

Trustee Murrey Aye  
Trustee Jensen Aye  
Trustee Stochl Aye  
Trustee Konwent Aye  
Trustee Marr Aye  
Trustee Koske Aye  
**Motion Carried**

Trustee Jensen made a ***motion*** to Approve Ordinance 2016-31, an Ordinance Amending Village Code and Clarifying Ordinance 2016-28 Regarding Non-Restaurant BYOB Establishments, Seconded by Trustee Konwent.

*A roll call vote was taken as follows:*

Trustee Murrey           Aye  
 Trustee Jensen           Aye  
 Trustee Stochl           Aye  
 Trustee Konwent         Aye  
 Trustee Marr             Aye  
 Trustee Koske            Aye  
**Motion Carried**

- **Sewer and Water**

Trustee Murrey made a ***motion*** to Award the Bid for the North Water System-Contract "A"-Elevated Storage Tank Project to Macquire Iron for the amount of \$1,648,000 and to have the attorney draft the necessary resolution, Seconded by Trustee Koske.

*A roll call vote was taken as follows:*

Trustee Murrey           Aye  
 Trustee Jensen           Aye  
 Trustee Stochl           Aye  
 Trustee Konwent         Aye  
 Trustee Marr             Aye  
 Trustee Koske            Aye  
**Motion Carried**

***Clerk Warden stated that there is already a Resolution that has been drafted. Trustee Marr then asked the Village Attorney if another motion would need to be made with the correct language. Howard Teegen stated that the Board Trustee Murrey could read the correct motion. Trustee Murrey then stated the following motion.***

Trustee Murrey made a ***motion*** to Award the Bid for the North Water System-Contract "A"-Elevated Storage Tank Project to Macquire Iron for the amount of \$1,648,000 and Authorize the Mayor to sign the necessary Resolution, Seconded by Trustee Koske.

*A roll call vote was taken as follows:*

Trustee Murrey           Aye  
 Trustee Jensen           Aye  
 Trustee Stochl           Aye  
 Trustee Konwent         Aye  
 Trustee Marr             Aye  
 Trustee Koske            Aye  
**Motion Carried**

Trustee Murrey made a ***motion*** to Award the Bid for the North Water System-Contract "B"- Booster Station Rehabilitation Project to Dahme Mechanical Industries in the amount of \$418,888 and Authorize the Mayor to sign the necessary Resolution, Seconded by Trustee Konwent.

*A roll call vote was taken as follows:*

Trustee Murrey           Aye  
 Trustee Jensen           Aye  
 Trustee Stochl           Aye  
 Trustee Konwent         Aye  
 Trustee Marr             Aye

*Trustee Koske*            *Aye*  
***Motion Carried***

• **Streets**

*Trustee Konwent made a motion to Approve an Agreement with Gewalt Hamilton for Phase I Engineering for Nippersink Blvd and IDOT Resolution to Expend MFT Funds and Authorize the Mayor and Village Clerk to sign, Seconded by Trustee Marr.*

*A roll call vote was taken as follows:*

*Trustee Murrey*            *Aye*  
*Trustee Jensen*           *Aye*  
*Trustee Stochl*           *Aye*  
*Trustee Konwent*         *Aye*  
*Trustee Marr*             *Aye*  
*Trustee Koske*            *Aye*

***Motion Carried***

**X. Items to be Removed from the Consent Agenda**

**XI. Consent Agenda**

*Trustee Jensen made a motion to move that items A and B be established as the Consent Agenda for this meeting by unanimous vote, seconded by Trustee Konwent.*

*A roll call vote was taken as follows:*

*Trustee Murrey*            *Aye*  
*Trustee Jensen*           *Aye*  
*Trustee Stochl*           *Aye*  
*Trustee Konwent*         *Aye*  
*Trustee Marr*             *Aye*  
*Trustee Koske*            *Aye*

***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:*

*Trustee Murrey*            *Aye*  
*Trustee Jensen*           *Aye*  
*Trustee Stochl*           *Aye*  
*Trustee Konwent*         *Aye*  
*Trustee Marr*             *Aye*  
*Trustee Koske*            *Aye*

***Motion Carried***

**XII. Items removed for the Consent Agenda**

**XIII. Attorney Comments**

There were no attorney comments this evening.

**XIV. President's Comments**

- Mayor stated that the Town Hall meeting will be held at Grant Community High School at 6:00 p.m. on Thursday, September 29<sup>th</sup>.



- Mayor Schmit stated that there was some sort of Microburst that hit parts of Eagle Point which affected around 200 residents. Mayor stated that we have received many notes of thanks to the Fox Lake Fire Protection District, the Streets, Sewer and Water and Building Department and ComEd for stepping up to the plate and truly coming together as a community.
- Mayor Schmit stated that he has spoken with the new owners of the Plaza and they are having an issue with foot traffic. Mayor stated that we have over 30,000 cars going up and down Route 12 each day and we need to find a way to bring them into town and frequent our local businesses. Mayor Schmit stated that he would like for the board and staff to look at our offsite signage Ordinance and task the Planning Commission on this. Mayor discussed to the Board options that may be available. Trustee Konwent stated that many towns place a sign that reads "Business District" this way or with an arrow pointing into town. Trustee Koske stated the problem that she has is with off-site signage is that we create these Ordinances such as the sandwich boards/ sidewalk signs, and some businesses now have several of those signs on their property. Trustee Koske stated that when we create an Ordinance like these it seems not to work and we need to keep this in mind as we move forward. The Board gave the Mayor a consensus to have the Planning Commission look into these ordinances. Mayor Schmit then stated that we have four different organizations going in different directions on how to "promote" Fox Lake. There was discussion on possibly having them as a part of the strategic plan so they are not working against each other but working with each other with the same goals in mind and going in the same directions.

#### **XV. Audience Comments**

#### **XVI. Executive Session - Personnel and Threatened Litigation**

*Trustee Jensen made a motion to retire into executive session at 7:32 P.M. for Review of Executive Session minutes, Contact Negotiations and Pending Litigation and to include Village Administrator Anne Marrin, Deputy Chief Jimmy Lee and Village Attorney, Howard Teegen, Seconded by Trustee Marr.*

*A roll call vote was taken as follows:*

*Trustee Murrey Aye*

*Trustee Jensen Aye*

*Trustee Stochl Aye*

*Trustee Konwent Aye*

*Trustee Marr Aye*

*Trustee Koske Aye*

***Motion Carried***

#### **XVII. Reconvene the Village Board Meeting**

*Trustee Konwent made a motion to reconvene to the Village Board Meeting at 8:16 p.m., seconded by Trustee Jensen.*

*A roll call vote was taken as follows:*

*Trustee Murrey Aye*

*Trustee Jensen Aye*

*Trustee Stochl Aye*

Trustee Konwent      Aye  
 Trustee Marr          Aye  
 Trustee Koske        Aye  
**Motion Carried**

Trustee Jensen made a **motion** to Approve the Collective bargaining Agreement between the Village of Fox Lake and the FOP Lodge No. 90 and Authorize the Mayor to sign the agreement, seconded by Trustee Konwent.

A roll call vote was taken as follows:

Trustee Murrey        Aye  
 Trustee Jensen        Aye  
 Trustee Stochl        Aye  
 Trustee Konwent      Aye  
 Trustee Marr          Aye  
 Trustee Koske        Aye

**Motion Carried**

Trustee Marr made a **motion** to Approve the settlement agreement for Case # 16CV3472 in the U.S. District Court for the Northern District of Illinois, Substantially in the form of the Release of Claims, Seconded by Trustee Koske.

A roll call vote was taken as follows:

Trustee Murrey        Aye  
 Trustee Jensen        Aye  
 Trustee Stochl        Aye  
 Trustee Konwent      Aye  
 Trustee Marr          Aye  
 Trustee Koske        Aye

**Motion Carried**

Trustee Murrey made a **motion** to approve and keep closed Executive Session Minutes Dating:

- November 10, 2015
- November 24, 2015
- December 8, 2015 – Sessions 1, 2, 3 and 4
- April 12, 2016 – Sessions 1 and 2
- April 26, 2016
- May 10, 2016 – Sessions 1 and 2
- June 14, 2016 – Sessions 1-5
- June 28, 2016

, Seconded by Trustee Stochl.

A roll call vote was taken as follows:

Trustee Murrey        Aye  
 Trustee Jensen        Aye  
 Trustee Stochl        Aye  
 Trustee Konwent      Aye  
 Trustee Marr          Aye  
 Trustee Koske        Aye

**Motion Carried**

Trustee Murrey made a ***motion*** to approve and keep closed Executive Session Minutes

Dating:

- December 18, 2015 – Sessions 1 and 2
- February 23, 2016 – Sessions 1, 2 and 3 (1 and 2 are both personnel)
- May 24, 2016 – Sessions 1 and 2

, Seconded by Trustee Jensen.

A roll call vote was taken as follows:

Trustee Murrey	Aye
Trustee Jensen	Aye
Trustee Stochl	Aye
Trustee Konwent	Aye
Trustee Marr	Aye
Trustee Koske	Abstain

**Motion Carried**

Trustee Murrey made a ***motion*** to approve and keep closed Executive Session Minutes

Dating:

- August 9, 2016

, Seconded by Trustee Stochl.

A roll call vote was taken as follows:

Trustee Murrey	Aye
Trustee Jensen	Aye
Trustee Stochl	Aye
Trustee Konwent	Abstain
Trustee Marr	Aye
Trustee Koske	Abstain

**Motion Carried**

#### **XVIII. Adjournment**


Trustee Stochl made a ***motion*** to adjourn the Village Board Meeting at p.m., seconded by Trustee

A roll call vote was taken as follows:

Trustee Murrey	Aye
Trustee Jensen	Aye
Trustee Stochl	Aye
Trustee Konwent	Aye
Trustee Marr	Aye
Trustee Koske	Aye

**Motion Carried**

Meeting was adjourned at p.m.

  
Niki Warden, Village Clerk

**Consent Agenda**

- A. A Resolution Authorizing the Mayor and Village Clerk to Sign and Thereby Accept the Proposal from SAK Construction, LLC For Part A of the 2016 Sanitary Sewer Cleaning and Lining Phase 2 Project.**
  
- B. A Resolution Authorizing the Mayor and Village Clerk of the Village of Fox Lake, to Sign and Thereby Accept the Proposal from Bolder Contractors, Inc. for the Lakewood, Highland and Glen Water Main Improvement Project.**