



**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 25th, 2019 meeting was called to order by Mayor Schmit. The following official business was transacted:

**1. Call to Order**

**Roll Call**

Present Mayor Schmit; Village Attorney Howard Teegan; Trustees: Jensen, Stochl, Konwent, Marr, Moore and Koske.

Staff also in attendance: Anne Marrin, Laura Linehan, Kealan Noonan, Jimmy Lee, Jr., Phillip Love, Ryan Kelly and Donovan Day.

**2. Approval of Minutes**

*Trustee Konwent made a motion to approve the Village Board Meeting Minutes for June 11, 2019 as presented, seconded by Trustee Koske. All were in favor. Motion Carried*

**3. Approval of the Warrant**

*Trustee Jensen made a motion to approve the Expenditures/Warrants/ Transfers for June 25, 2019 in the amount of \$749,213.24, Seconded by Trustee Marr.*

*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 Moore</i>	<i>Aye</i>
<i>Trustee Koske</i>	<i>Aye</i>
<b><i>Motion Carried</i></b>	

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

**A. Parade Marshalls**

*There has been a glitch and nothing to comment on at this time. The Mayor said this will be worked on during the upcoming week.*

**5. Village President's Report**

**A. Land Bank Update**

*There was a \$250K reimbursable grant given to the Land Bank. Properties must be obtained in order to be reimbursed. The Lake County Community Foundation will handle the funding so no staff will need to be hired. However, the only drawback will be the Village having to apply for money from its own account. This account will accrue interest. Within this year, properties will be acquired.*

**B. Strategic Planning Teams Discussion**

*The Mayor has not heard much from the Board about which Planning Teams they'd like to join. He plans to have only four planning teams. These are covered by the Open Meetings Act, so anyone can attend.*

*In conclusion, Mayor Schmit extended his condolences to Anne Marrin, Village Administrator, who is not in attendance due to the loss of her sister.*

**6. Village Administrator's Report**

*Laura Linehan, Assistant to the Village Administrator, spoke on behalf of Anne Marrin.*

*In town on June 29<sup>th</sup>:*

- *Promote Fox Lake parade lineup will be 3pm at Grant High school. The parade will kick off at 4pm.*
- *Fox Lake Library's 80<sup>th</sup> Birthday Celebration will be from 11am – 3pm.*

*Trustee Koske mentioned on Sunday, June 30<sup>th</sup>, the Historical Society is having their High Social for those who would like to attend. They are always looking for donations of pies.*

**7. Village Attorney Report**

*There is none.*

**8. Village Treasurer's Report**

*There is none.*

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

*There is none.*

**10. Motion to Recess to Committee of the Whole Meeting**

*Trustee Marr made a **motion** to recess to the Committee of the Whole, seconded by Trustee Konwent. All were in favor. **Motion Carried.***

## A. Strategic Planning Team Reports

### 1. Infrastructure

Kealan Noonan, Director of Public Works

- Frontage Road – Open to two lane traffic. Looking to mill Hartigan tomorrow and lay down the surface after that. This will go out toward 134.
- Grand Ave – Pre-construction meeting with IDOT has been scheduled.
- Grace Ave – Unilock will be donating close to 50% of the pavers for the permeable surface. Kealan thanked Trustee Marr and the Mayor for attending the meeting with Unilock.
- Road Survey – Survey is underway with measuring and analyzing. Results are expected to come in August.

### 2. Marketing

Laura Linchan, Assistant to the Village Administrator

The Village Mobile App is live. There will be a meeting to demo the app before it is released. It is technically live in the app stores now but there hasn't been a 'push' yet to advertise the new application. This will occur after the demo.

### 3. Communication/Public Outreach

Jimmy Lee, Jr. Police Chief

Chief Lee has been working with Ring in order to implement a virtual neighborhood watch. He will be holding a webinar on August 2<sup>nd</sup> from 3-4pm at the Police Station. This will allow the Village to link all local residents Ring systems in order to pull video for investigations. This can also be used to send information to all subscribers such as alerts for car burglars or vandals in the area. Ring is a big sponsor of National Night Out and Chief Lee hopes to give away a Ring system as a raffle item that evening. He is also trying to get a discount code for the first wave of residents who sign up. The cost of service is \$6/month or \$30 for the whole year. This will be a good way for Village Police to reach out to residents and residents of Fox Lake to reach out to the Police.

### 4. Economic Development

Donovan Day, Director of Community Development

- Murals – The first mural is complete and the second is underway next to the PNC Bank. The third mural of a pelican will begin next at Lake Group Realty.
- CMAP Grant – The Village won a grant to assist in building a form-based code that will strip away typical zoning regulations. Instead it will provide a regulation on the type of product the Village will like to see in the Route 12 business area. Examples of these specific regulations are the look of buildings, size of buildings, types of sidewalks, trees, planters, etc...The value of the grant has not yet been provided. Trustee Koske asked if this will go into the Village's Master Plan. Donovan said it isn't as much of a plan as it is an amendment to the zoning book.
- Mexican Restaurant on State Park Rd – Almost done with the interior but no opening date as of yet.

## 5. Recreation

Laura Linehan, Assistant to the Village Administrator

- Bloody Mary Fest – This Friday there will be an appearance on 95 WIIL Rock to promote the fest. Joining will be Olive Black and Famous Freddie's. There are 336 tickets sold so far.
- Busy Marketing Week:
  - Lake County Journal – Covered the Summer Art Series and Farmers Market.
  - Shaw Media – Mentioned Fox Lake in their Independence Day Guide.
  - Visit Lake County– Included Fox Lake in their 'Things to do on Independence Day' blog.
  - Lake County News Sun – Did a write up about the Bloody Mary Fest.
- Splash Pad - Now open on weekends.

Trustee Marr asked if attendance is being taken at the Farmer's Market because it appears as though attendance is up. Laura said that attendance is up this year and there are rough counts taking place with certain vendors by counting how many visitors come to their booths. A new crystal jewelry vendor will be joining next week. Trustee Koske would like to see more food vendors (i.e. cheese).

## 6. Technology

Mayor asked for comments from Technology and there was none.

## 11. **New Business**

- A.** Resolution 2019-R-48: A Resolution Authorizing The Mayor And Village Clerk of The Village of Fox Lake, To Sign And Thereby Accept The Proposal from Hoerr Construction, Inc. for the 2019 Sanitary Sewer Lining Project.  
*There are 40 miles of sewers in the lining program and this project can give old sewers new life. This project will meet the budgeted amount of \$140K.*
- B.** Resolution 2019-R-49: A Resolution Authorizing The Mayor Of The Village Of Fox Lake To Award The Contract For The Grand Avenue Street Lighting Project To Utility Dynamic Corporation.  
*The budget for this project was \$667K and the bid came in much lower at \$544K.*
- C.** Resolution 2019-R-50: A Resolution Authorizing the Mayor of the Village of Fox Lake to Sign and Thereby Accept the Proposal from Thomas Engineering for Engineering Services for Phase III Engineering for Grand Avenue Street Lighting Project.  
*This will oversee the construction of 30 lights and is not to exceed the budget of \$54K. This will cover about half a mile from Route 12 to York.*
- D.** Resolution 2019-R-51: A Resolution Authorizing the Mayor of the Village of Fox Lake to Accept the Quote from Burris Equipment Company for the Purchase of a Utility Tractor.  
*This tractor will be used to mow larger areas and it came in right at the budgeted amount of \$45K.*
- E.** Resolution 2019-R-52: 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 for the Public Facility-Water Main Replacement.  
*PVC line will replace pipe by the public works building that has needed four repairs within the last five years. The total project is \$200K and included in that amount is Trotter's contact, not to exceed \$16,500. The remainder of the project will not be done in-house; it will go out to bid.*

- F. Ordinance 2019-25: An Ordinance Amending Sections 3-10-6 and 3-10-6.5 of Title 3 , Chapter 2 of Title 4 and Section 1-4-3-1 of Title 1 of the Fox Lake Village Code regarding the Purchase, Sale and Possession of Tobacco Products.  
*The legal age to purchase tobacco products is going up to 21 years of age and older. This will update the Village's ordinance to reflect that law change.*
- G. A Motion to Approve the Raffle License request from Sons of the American Legion, to conduct a raffle and waive the bond requirement.  
*This is for the gun raffle which has happened the past 6-7 years with no issues.*
- H. A Motion to Approve the Facade Improvement Program Application for Whistle Stop Café, 15 E. Grand Ave.  
*This motion will wait until next meeting when pictures of the proposed sign can be provided.*
- I. A Motion to Approve the Facade Improvement Program Application for Fox Lake Liquor & Tobacco, 19 S. Route 12.  
*This is for the purchase of an aluminum awning at the drive-up window. Façade improvements will be \$1,342 and the application is asking the Village for \$671.*

## 12. Old Business

### **Ordinance 2019-14: An Ordinance Amending Section 9-1-4-3-B-3 of the Zoning Ordinance of the Village of Fox Lake Related to Contiguous Non-Conforming Lots.**

*Current ordinance states that, in order to build a structure on contiguous lots (two lots that are next to each other); owners must combine those two properties. This amendment will allow for new construction or expansion without the unnecessary burden of making property owners combine both lots, especially if one may be a vacant lot. The vacant lot can be left open for future expansion or construction. This ordinance was created back in the day when people were concerned about small cabins on small lots. Donovan doesn't see this as a concern any more with current regulation and codes that prohibit small, unattractive, poor-quality homes from being built. Trustee Marr added this ordinance makes it possible for families to expand and upgrade their homes, even if they don't have vacant lots next door. Trustee Stochl mentioned the smaller lots will result in the smaller, low-end homes. Fox Lake has many high-end homes and low-end homes, but what the Village needs is the mid-range homes. This ordinance may not achieve that.*

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 Village Board Meeting, seconded by Trustee Jensen. All were in favor. Motion carried.*

## 14. Items to be Removed from Consent Agenda

Motion C-2: A Motion to Approve the Facade Improvement Program Application for Whistle Stop Café, 15 E. Grand Ave.

## 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 2019-R-48: A Resolution Authorizing The Mayor And Village Clerk of The Village of Fox Lake, To Sign And Thereby Accept The Proposal from Hoerr Construction, Inc. for the 2019 Sanitary Sewer Lining Project.

- 2. Resolution 2019-R-49: A Resolution Authorizing The Mayor Of The Village Of Fox Lake To Award The Contract For The Grand Avenue Street Lighting Project To Utility Dynamic Corporation.
- 3. Resolution 2019-R-50: A Resolution Authorizing the Mayor of the Village of Fox Lake to Sign and Thereby Accept the Proposal from Thomas Engineering for Engineering Services for Phase III Engineering for Grand Avenue Street Lighting Project.
- 4. Resolution 2019-R-51: A Resolution Authorizing the Mayor of the Village of Fox Lake to Accept the Quote from Burris Equipment Company for the Purchase of a Utility Tractor.
- 5. Resolution 2019-R-52: 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 for the Public Facility-Water Main Replacement.

**B. Ordinances**

- 1. Ordinance 2019-14: An Ordinance Amending Section 9-1-4-3 B 3 of the Zoning Ordinance of the Village of Fox Lake Related to Contiguous Nonconforming Lots.
- 2. Ordinance 2019-25: An Ordinance Amending Sections 3-10-6 and 3-10-6.5 of Title 3, Chapter 2 of Title 4 and Section 1-4-3-1 of Title 1 of the Fox Lake Village Code regarding the Purchase, Sale and Possession of Tobacco Products.

**C. Motions**

- 1. A Motion to Approve the Raffle License request from Sons of the American Legion, to conduct a raffle and waive the bond requirement.
- 3. A Motion to Approve the Facade Improvement Program Application for Fox Lake Liquor & Tobacco, 19 S. Route 12.

*Trustee Jensen made a motion to move that items Resolutions A 1-5, Ordinances B 1-2, and Motions C 1 & 3 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 Moore</i>	<i>Aye</i>
<i>Trustee Koske</i>	<i>Aye</i>
<b><i>Motion Carried</i></b>	

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 Jensen	Aye
Trustee Stochl	Aye
Trustee Konwent	Aye
Trustee Marr	Aye
Trustee Moore	Aye
Trustee Koske	Aye
<b>Motion Carried</b>	

**16. Approval of Exceptions**

*There is none.*

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

*There is none.*

**18. Audience Comments**

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

**19. Reconvene the Hearing regarding the Special Use Permit for the Property located at 100 S. Route 12, Fox Lake, Illinois**

*Mayor Schmit opened the Hearing regarding the Special Use Permit at 100 S. Route 12 and asked for public comments.*

**20. Public Comment**

*Zach Steffens from Culvers said there has finally been email communication from Alex Marks since he went to IDOT six weeks ago. Zach has plans for the encroachment removal, with exception of the curb cut, that he needs to bring to the Village. This plan bid is for \$94K. The owner of 90 S. Route 12 doesn't believe they need to go to IDOT since IDOT wants to keep the curb cut as is. Zach reminded the Board that he continues to work on getting these issues resolved and with a court appearance this Friday, he asks that fines be delayed until that hearing takes place. He hopes the issues will be resolved prior to the next Board Meeting. Attorney Teegan paraphrased an email from June 25, 2019 from Mr. Steffens Attorney, asking for no fines assessed at this time since they are actively seeking to resolve the issue. It was followed by an email from Alex Marks, attorney for the owners of 90 S. Route 12. This email states that unless the Village takes some action, it will be a mockery by not forcing Mr. Steffens to resolve the issue. Donovan stated that Zach applied for the work to remediate the encroachment back in January 2019. These plans were sent to the Village Engineer for review, who then provided comments on February 8<sup>th</sup>, 2019. Donovan is still waiting for revisions from Zach based on those comments.*

*Mayor Schmidt closed the hearing at 7:14pm.*

**21. Executive Session**

*Trustee Jensen made a **motion** to retire into executive session at 7:15 p.m. for discussion on Acquisition of real estate, threatened litigation and discussion pursuant to 5 ILCS 120/2(c)11; Deliberations on the Reconvened Hearing regarding the Special Use Permit for the Property located at 100 S. Route 12, Fox Lake, IL to include Mayor Donny Schmit, Village Administrator Anne Marrin, Assistant to the Village Administrator Laura Linehan, Attorney Howard Teegan and Ben Jacobi, seconded by Trustee Konwent. All were in favor. **Motion Carried.***

**22. Reconvene the Village Board Meeting**

*Trustee Konwent made a motion to reconvene the Village Board meeting, seconded by Trustee Jensen. All were in favor. Motion Carried.*

**23. Possible Motion Coming out of Executive Session**

*Trustee Marr made a motion to accept the ninth supplemental Village Board findings for the matter at 100 S. Route 12 Fox Lake, IL, seconded by Trustee Moore.*

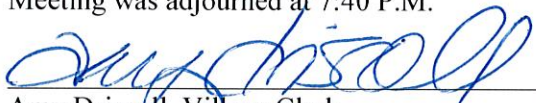
*A roll call vote was taken as follows:*

<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 Moore</i>	<i>Aye</i>
<i>Trustee Koske</i>	<i>Aye</i>
<b><i>Motion Carried</i></b>	

**24. Adjournment**

*Trustee Stochl made a motion adjourn the meeting at 7:40 p.m., seconded by Trustee Marr. All were in favor. Motion Carried.*

Meeting was adjourned at 7:40 P.M.




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Amy Driscoll, Village Clerk