



**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 November 12th, 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 Caryn Barone; Trustees: Jensen, Stochl, Konwent, Marr, Moore and Koske.

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

2. Approval of Minutes

*Trustee Marr made a **motion** to approve the Village Board Meeting Minutes for October 22, 2019 as presented, seconded by Trustee Konwent. All were in favor. **Motion Carried***

3. Approval of the Warrant

*Trustee Marr made a **motion** to approve the Expenditures/Warrants/ Transfers for November 12, 2019 in the amount of \$1,278,892.34, Seconded by Trustee Koske.*

Anne Marrin reminded the Board there were three weeks between the meetings which is why the warrant is higher. In addition, a batch went out for all contractual agreements; the first payment was made to Joel Kennedy Construction for the Interconnect project for \$348K and a payment was made for the Sewer Lining project for \$122K.

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>

Trustee Marr Aye
 Trustee Moore Aye
 Trustee Koske Aye
Motion Carried

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

There will be a motion this evening to reappoint Fred Loffredo and Walter Kubalanza to the Police Pension Board. If this motion is passed, they will be sworn in at the next Village Board Meeting.

5. Village President's Report

The owners of the Plaza contacted Mayor Schmit about their water service. There is one water service for four different businesses in the Plaza. One of the tenants hasn't made a water payment since April of 2018. The owners of the Plaza asked Mayor if he can do something. They owe over \$35K and if it isn't paid, they will get taken to court. The water can't be shut off because it will turn off water to those other businesses in the Plaza. Mayor asked the Board if they had any input. Trustee Koske asked if, going forward, there is a way to split the water bill so this doesn't happen again. The Mayor agreed there should be a policy that each tenant has their own service. Trustee Jensen asked when the lease is up and Mayor said there are a few years left on the lease. Mayor said the Plaza owner wanted the Village to install a separate water meter for this tenant but he isn't sure that's something the Board will want to do. Trustee Stochl asked if the water bill is the responsibility of the land owner because that who has to ultimately pay for it. No matter how many meters all installed, the responsibility comes down to the land owner. Donovan said that Trustee Stochl is correct. Trustee Moore added the building where she resides has one meter and the bill is split amongst tenants and built into the Association fee.

Promote Fox Lake has asked for a donation. In past years, the Village has donated funds. Mayor said they are great for town with their mural and plantings. Trustee Koske asked if it's legal to give money to Promote Fox Lake since they are now a 501c3. Anne will find out if it's legal to give them a donation. In conclusion, Mayor Schmit said there will be no Village Board Meeting on Christmas Eve.

6. Village Administrator's Report

A. Liability Insurance Renewal Proposal

Anne Marrin talked about the Villages workers compensation and liability insurance. There will be a present a resolution at the net Village Board Meeting to be voted on. The overall renewal premium is \$438,468 which is 15% decrease from the current plan, saving the Village \$76,832. There is a line out for bids to make sure the Village gets the best pricing. Anne recommends the Board reviews the information and give feedback prior to the next Board Meeting on November 26th.

Anne said they are also in the process of reviewing health insurance and the tax levy.

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 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

1. Public Outreach and Technology

Mayor asked for comments from Public Outreach and there was none.

2. Economic Development

Donovan Day, Community Development Director

- Los Magueyes – Set to open on Saturday if they pass fire inspection.
- Planning and Zoning Commission will have a public hearing tomorrow to recommend zoning districts allow recreational cannabis. This meeting will be tomorrow at 6:30pm.

3. Infrastructure

Kealan Noonan, Public Works Director

- Interconnect – Casing pipe under the railroad tracks is done. There will be directional drilling under the lake to install water main.
- Bridge Lift – Starting to dig pit and plan to have it all dug out by the beginning of December.
- Well 4&5 – Starting work tomorrow.
- Backup Generators – Sent in paperwork to Nicor and the generators are expected to be in the second week of January.
- Storm Water Pollution Inspection – Inspector was impressed with what the Village is doing. They will be writing a report about what the Village is doing well and what can be done better.

4. Recreation

Laura Linehan, Director of Human Resources / Assistant to the Village Administrator

- The next meeting will be Thursday at 3pm in the Village Board Room.
- Discussing the 2020 calendar and coming close to the big release.

11. New Business

A. Motion to Approve the 2020 Village Board Meeting Calendar

Meetings are the 2nd and 4th Tuesday of each month, except December.

B. Motion to Reappoint Police Pension Board Member, Fred Loffredo

C. Motion to Reappoint Police Pension Board Member, Walter Kubalanza

12. Old Business

There is none.

13. **Motion to Adjourn from Committee of the Whole and reconvene Village Board Meeting**
Trustee Koske 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**
There is none.

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
There are no Resolutions.

B. Ordinances
There are no Ordinances.

- C. Motions**
1. *Motion to Approve the 2020 Village Board Meeting Calendar*
 2. *Motion to Reappoint Police Pension Board Member, Fred Loffredo*
 3. *Motion to Reappoint Police Pension Board Member, Walter Kubalanza*

Trustee Jensen made a motion to move that 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>
<i>Motion Carried</i>	

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

16. Approval of Exceptions

There are no exceptions.

17. For the Good of the Order

There is none.

18. Audience Comments

Michael Polka of 67 Eagle Point Rd said he purchased his home in April 2018 when Studio Hotrods was still under construction. He had no idea they would have live amplified music acts on the open second floor, four nights a week during the summer. There is a dragster that revs and goes off six times a day, seven days a week. He can hear it clear as day from his home. There are burnouts that he would like to show video to the Mayor and Board. He is getting ready to sell his home. He said the Fox Lake Police Department has been very respectful and helpful but he believes what going on is a crime. The Mayor said Michael can make an appointment with him and the Police Chief where he can share his video and they can discuss his concerns.

19. Reconvened Hearing regarding the Special Use Permit for the Property Located at 100 S. Route 12, Fox Lake, Illinois.

Trustee Jensen made a motion to reopen the hearing for the Special Use Permit on 100 S. Route 12, seconded by Trustee Marr. Mayor Schmit asked if anyone would like to speak on the matter.

20. Public Comment Regarding the Special Use Permit for the Property Located at 100 S. Route 12, Fox Lake, Illinois.

Donovan Day read an email from Zach Steffins saying he is still in active negotiations with the owner of 90 S. Route 12. They are closing the gap between the asking price and offer. There is still a plan in place if the negotiations fall through.

21. Executive Session: Deliberations on the Reconvened Hearing Regarding the Special Use Permit for the Property Located at 100 S. Route 12, Fox Lake, Illinois, and Threatened Litigation.

*Trustee Koske made a motion to retire into executive session at 6:56p.m. for discussion on pending litigation 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, review of Executive Minutes and threatened litigation to include Mayor Donny Schmit, Village Administrator Anne Marrin, Assistant to the Village Administrator Laura Linehan, Attorney Caryn Barone and Donovan Day, seconded by Trustee Konwent. All were in favor. **Motion Carried.***

22. Reconvene the Village Board Meeting

*Trustee Marr made a motion to reconvene the Village Board meeting at 7:09p.m., seconded by Trustee Konwent. All were in favor. **Motion Carried.***

23. Possible Motion Coming out of Executive Session

Trustee Jensen made a motion to approve the twelfth supplemental Village Board findings related to the Special Use Permit for the Property located at 100 S. Route 12, Fox Lake, IL, seconded by Trustee Koske.

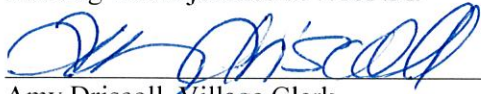
A roll call vote was taken as follows:

<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>
<i>Motion Carried</i>	

24. Adjournment

*Trustee Stochl made a **motion** adjourn the meeting at 7:10 p.m., seconded by Trustee Marr. All were in favor. **Motion Carried.***

Meeting was adjourned at 7:10P.M.



Amy Driscoll, Village Clerk