



**VILLAGE OF FOX LAKE
VILLAGE BOARD MEETING MINUTES**

STATE OF ILLINOIS, }
 Lake and McHenry Counties, } SS.

Village of Fox Lake

This meeting is held in accordance with State of Illinois Executive Order 2020-07 Section 6, held in said Village and County in the State of Illinois at 6:30 p.m. on April 14th, 2020, held 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 Schmit; Village Attorney Howard Teegen; Trustees: Jensen, Stochl, Konwent, Koske, Marr and Moore.

Staff also in attendance via call in: Anne Marrin, Laura Linehan, Ryan Kelly, Jimmy Lee Jr., Donovan Day, Nazar Uddin, Jim Ferolo, Lindsay Stroberg and Kealan Noonan.

2. Approval of Minutes

- A. *Trustee Koske made a **motion** to approve the Special COW Board Meeting Minutes for March 17th, 2020 as presented, seconded by Trustee Marr. Trustee Jensen and Trustee Konwent abstain. All other Trustees were in favor. **Motion Carried***

- B. *Trustee Marr made a **motion** to approve the Special Village Board Meeting Minutes for March 20th, 2020 as presented, seconded by Trustee Koske. Trustee Konwent abstains. All other Trustees were in favor. **Motion Carried***

- C. *Trustee Jensen made a **motion** to approve the Village Board Meeting Minutes for March 24th, 2020 as presented, seconded by Trustee Koske. Trustee Konwent abstains. All other Trustees were in favor. **Motion Carried***

3. Approval of the Warrant

Trustee Konwent made a motion to approve the Expenditures/Warrants/ Transfers for March 24th, 2020 in the amount of \$1,578,715.65, 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>	

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

A. Telecommunicator’s Week Proclamation

Mayor Schmit read the Telecommunicator’s Week Proclamation and declared April 12th – 18th National Safety Telecommunicator’s Week. Mayor thanked Lindsay Stroberg for the great job her and her team do for the Village.

5. Village President’s Report

Mayor Schmit said he had two conference calls with other local councils of government to try and figure out assistance from the Federal Government for small businesses. The coronavirus curve is supposed to reach its peak, locally, in the next 10 days or so. The Mayor encourages social distancing. Everyone will have to do things they are uncomfortable with during this time but this is the only way to protect everyone and get past this. Condell, Vista and Lake Forest hospital beds now have some vacancies which is a good sign. The Mayor hopes the situation lightens up around Memorial Day but that may be wishful thinking.

6. Village Administrator’s Report

A. Interconnect Update

Phase 1 update from Scott Trotter – The current ongoing projects are the Main Lift Station, the Bridge Lift Station and Interconnect Piping. There have been site conditions with contaminated soils. Scott presented Change Order #4 which will be presented for approval at the next Village Board Meeting. The amount of this Change Order is \$512K, bringing the contract price to \$7.9M. This will change the material from PVC pipe to ductal iron pipe due to contaminated soil near the Baske property. When the contaminated soil was discovered, there was a stop work order on the project. Because of this, the contractor is owed additional time which covers the day drilling began, to the day the contractor is allowed to start drilling again.

Trustee Marr asked about wording in the Change Order saying the galvanized pipe is getting installed will “minimize impact to pedestrians”. Scott said the piping ended up getting extended away from the sidewalk.

Mayor Schmit asked for a substantial completion date. Scott said it will be sometime around August. He is hoping three weeks from now, all drilling will be done and in four weeks, all the piping will be connected. Mayor shared concern that this may overlap with Trinski’s busy season but Scott said the work should be done and tested in time, to avoid any overlap. Any time after May 1st, the Trinski island property can get hooked up for services.

Because of the additional Change Orders, Scott discussed reapplying with the IEPA for an additional \$900K loan. With the original contract, the Village is eligible for reimbursement on design and construction engineering in the amount of \$10.4M. The current loan was capped at \$9M because of the Debt Authorization Ordinance. This is made up of a loan for water improvements \$3.9, and a loan for waste water improvements \$5.1 (totaling \$9M). There is anticipated debt forgiveness of \$1.5M (max amount available) for the water loan a little over \$750K on the waste water loan. Once the projects are

complete, the debt will be reducing from \$9M, to 6.7M. The new balance, which includes the Change Orders, will be \$7.4M. The balance to complete the work is \$3.2M.

In order to borrow more funds against the loans, a new Debt Authorization Ordinance will need to be passed. The IEPA funding year ends July 1st. The IEPA funds are available but the Village should apply as soon as possible with July 1st approaching. This will require a new submittal of the financial audit and 5-year projections. The Village can borrow as much as \$11M but there is no additional principal forgiveness because those are maxed out under existing loans. The options are to: fund none of it, fund it out of reserves, fund only Change Orders, or fund the maximum. Scott said the recommendation is to fund the \$900K Change Orders only, to gain maximum loan forgiveness on Phase 2 of the Interconnect Project.

If the Board agrees, Scott can proceed in getting paperwork together to send to the IEPA. Anne said it's staff's recommendation to proceed in applying for the additional \$900K and the proposal can be on the Agenda for approval during the April 28th Board Meeting and into the IEPA thereafter. Trustee Marr asked if there will be more costs because of the contaminated soils. Scott said no to the contaminated soil but he does anticipate one additional Change Order stemming from a structural issue at the Main Lift Station. It will not be close to the large dollars discussed in Change Order #4. Mayor Schmit agreed with staff's recommendation but will like to be included in these discussions going forward.

7. Village Attorney Report

There is none.

8. Village Treasurer's Report

There is none.

9. Preliminary Audience Comments (on Agenda Items Only)

There are 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

Mayor asked for comments from the Strategic Planning Teams and there were none.

11. New Business

- A.** Ordinance 2020-09: An Ordinance Reclassifying Property R-2 Planned Unit Development. (153 Cora Avenue)

This will subdivide the yard into parcels. This had been discussed at a previous Board Meeting.

- B.** Ordinance 2020-11: An Ordinance Adopting the Annual Budget for Fiscal Year 2020-2021. (First Reading)

- C.** Ordinance 2020-12: An Ordinance Amending Section 5-2-1A of the Village Code of the Village of Fox Lake Regarding Leaf Burning.

The Fire Protection District will be banning leaf burning. This will update the Village ordinance to ban leaf burning in April and May. In the fall, a decision can be made to once again allow leaf burning or to extend the ban. Trustee Marr asked for clarification on if this applies to open wood fires (fire pits) since it's one of the few things families can do right now. This ordinance does not apply to open wood fires but Mayor asks that people use common sense and not burn wet logs that will blow smoke into neighbor's homes.

12. Old Business

There is none.

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

Trustee Marr made a motion to adjourn from Committee of the Whole and reconvene Village Board Meeting, seconded by Trustee Konwent. All were in favor. Motion carried.

14. Items to be Removed from Consent Agenda

There are 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 none.

B. Ordinances

1. Ordinance 2020-09: An Ordinance Reclassifying Property R-2 Planned Unit Development. (153 Cora Avenue)
2. Ordinance 2020-11: An Ordinance Adopting the Annual Budget for Fiscal Year 2020-2021. (First Reading)
3. Ordinance 2020-12: An Ordinance Amending Section 5-2-1A of the Village Code of the Village of Fox Lake Regarding Leaf Burning.

C. Motions

There are none.

Trustee Jensen made a motion to move that items, Ordinances B 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>

Trustee Marr Aye
Trustee Moore Aye
Trustee Koske Aye
Motion Carried

16. Approval of Exceptions

There are none.

17. For the Good of the Order

There are none.

18. Audience Comments

There are none.

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 reconvene the Hearing regarding the Special Use Permit for the Property Located at 100 S. Rte 12, seconded by Trustee Moore. All were in favor. Motion Carried

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

*The Mayor asked for public comment and there was none.
It has been recommended to extend the Hearing until May 12th.*

21. Executive Session


Mayor Schmit and Howard will be recusing themselves from Executive Session. Since there will be no action stemming from Executive Session, the Village Board Meeting will be adjourned directly from Executive Session.

Trustee Konwent made a motion to retire into Executive Session at 7:06p.m. for Pending, Probable or Imminent Litigation Pursuant to Section 2(C)11 of the Open Meetings Act; to include Attorney Ferolo, Scott Trotter, Village Administrator Anne Marrin, Assistant to the Village Administrator Laura Linehan, and Kealan Noonan, seconded by Trustee Marr. All were in favor. Motion Carried.

22. Adjournment (Made in Executive Session)

Trustee Stochl made a motion to adjourn the meeting at 7:36p.m., seconded by Trustee Jensen. All were in favor. Motion Carried.

Meeting was adjourned at 7:36P.M.



Amy Driscoll, Village Clerk