



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 28th, 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, Donovan Day, Nazer Uddin, and Kealan Noonan.

2. Approval of Minutes

A. Trustee Konwent made a motion to approve the Village Board Meeting Minutes for April 14th, 2020 as presented, seconded by Trustee Marr.

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
Motion Carried

B. Trustee Koske made a motion to approve the Budget Hearing Meeting Minutes for April 14th, 2020 as presented, seconded by Trustee Marr. All were in favor. Motion Carried

3. Approval of the Warrant

Trustee Konwent made a motion to approve the Expenditures/Warrants/ Transfers for April 28th, 2020 in the amount of \$1,660,981.45, Seconded by Trustee Jensen.

Anne reminded the Board that a payment went out to Joel Kennedy Construction for over \$1M.

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. Arbor Day Proclamation

Mayor Schmit read the Arbor Day Proclamation and declared April 24, 2020 Arbor Day in the Village of Fox Lake and he encourages citizens to plant and protect trees and woodland areas.

5. Village President's Report

Mayor extended the State of Emergency to coincide with the Governor's State of Emergency. He will continue doing so until the Shelter in Place order is lifted. Trustee Marr asked if the Mayor had authority to extend it, and Mayor said he does have authority. Anne added that the order is extended so that when FEMA Covid grants come out for local governments, the Village can show consistent declaration with the Governor. This allows the Village to be eligible to apply for those grants when they become available. Boating restriction for two passengers only has been a big topic. The Fox Waterway is lobbying for family members being allowed in the boat, but that's not the case right now. Mayor said that marinas aren't supposed to be open right now and that it's a messy situation.

Mayor is being asked what the Village is doing to assist residents and businesses right now. His hands are tied being a non-home rule community. Some residents have reached out, asking for a mask requirement in the Village. He consulted with attorneys from the Northwest Municipal Conference and the only ones who can set those rules are home rule communities, which Fox Lake is not. The sewer late fees have been waived, extended business and liquor licenses applications and eased the sign restrictions to allow banners. The Village also sent out mass email communication about how to apply for assistance during this time. The Village doesn't have a ton of reserve funds per suggestion to keep bond rating low. Unfortunately, when it comes to situations like this there aren't financial resources like other affluent communities have. Mayor addresses this in the Village Newsletter.

Trustee Koske asked how Volo, after getting Lake Michigan water, comes up with money to give back \$200 to its residents. Mayor said he can't speak to Volo but he has received phone calls about this. If the Village were to give \$200 back to each resident, that would mean \$1M. Trustee Koske understands the Village isn't in the place to give back money to residents, but she would like Mayor Schmit to ask the Volo Mayor how he was able to do it. Mayor Schmit said he would talk to Volo's Mayor.

6. Village Administrator's Report

Anne said she is getting a lot of calls about the Community Garden and what the rules will be when it opens. Donovan is putting together communication which he will pass by the Board for approval. Liquor license renewals will be sent out and business licenses are getting worked on a case-by-case basis to assist business owners in getting through this tough time.

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

Trustee Koske asked if the committee meetings will be held through Zoom in May or in person. Laura said to plan on meeting via Zoom. Mayor confirmed that all meetings will be held via Zoom until the Shelter in Place order is lifted.

Trustee Jensen asked about the progress of the new lighting. Kealan said ComEd is getting power to the controllers and he is still waiting on the sidewalk arms to be delivered. Trustee Jensen asked if the roadside lights will hookup before sidewalk lights. That is still undecided. The controllers have power but Kealan is seeing if it's worth it to hook everything up at once.

11. New Business

A. Resolution 2020-R-14: A Resolution Authorizing Change Order No. 4 on the Fox Lake Interconnect Project.

This is for different fittings and replacing PVC with ductal pipe due to soil contamination. The total order is \$526,945.

B. Resolution 2020-R-15: A Resolution Authorizing the Mayor of the Village of Fox Lake to Sign and Thereby Accept the Proposal from Morton Salt, Inc. for Rock Salt Delivery.

Part of Lake County joint purchase and the Village got a good price joining in with the County.

C. Resolution 2020-R-16: A Resolution Authorizing Change Order No. 1 on the Fox Lake Main Lift Rehabilitation.

This is at Eagle Point Rd. One of the angular walls was thought to be an interior wall was actually an exterior wall and water was coming in. The cost of these modifications is \$74,117.

D. Ordinance 2020-13: An Ordinance Amending Various Sections of the Code of the Village of Fox Lake Related to Sewer User Service Charges and Water User Service Charges.

This is the annual rate increase on Sewer and Water to meet needs without one giant increase. The Interconnect will get paid for with these annual increases. This year, the increase will be \$3.87 a month. Trustee Stochl said the service fees are getting higher and higher. He said water bills are getting close to Lake Michigan water. He is not in favor of raising the service charge at this time. He understands that cost needs to go up, but the monthly charge is getting astronomical and needs to be reviewed. There may be different ways to apply charges based on usage and he'd be happy to be on a committee to research this. Mayor said that next year, Nazer and Scott can do a rate study. Trustee Stochl would like this Ordinance removed from the Consent Agenda for this evening.

- E. Ordinance 2020-14: An Ordinance Authorizing the Village of Fox Lake, Lake and McHenry Counties, Illinois, to Borrow Funds from the Public Water Supply Loan Program and Water Pollution Control Loan Program.

This is to increase the debt limit related to the interconnect project. The existing ordinance is for \$9M and due to some unforeseen issues which have occurred during the project, the debt ordinance will need to be increased.

Howard Teegen summarized the Ordinance by reading the 12 preambles:

- 1. Village operates combined sewer and water in accordance with municipal code.*
- 2. Village previously adopted Ordinance 2018-56 to borrow \$9M.*
- 3. Phase 1 of the project is underway and scheduled for completion on July 30th, 2020.*
- 4. Unknown conditions during Phase 1 have resulted in additional costs.*
- 5. Corporate authorities have deemed it necessary to promote public health, safety and welfare to complete Phase 2 of the project and these improvements will have useful life of 75 years.*
- 6. Will provide important benefits to Village residents.*
- 7. Estimated costs to finish Phase 1 and construct Phase 2 are \$15M which the Village does not have on hand.*
- 8. Village expects to pay for costs of project with Loans from IEPA.*
- 9. Loans will not bear interest at rates which exceed statutory maximums.*
- 10. Loans with IEPA will have terms of 20 years.*
- 11. Village is authorized by law to borrow the funds.*
- 12. Terms of the loan will be set forth in loan agreement between Village and IEPA.*

The completion date of July 30th, 2020 will need to be added to the Ordinance. Howard recommends pulling this from the Consent Agenda and voting on separate with the completion date included.

12. Old Business

- A. Ordinance 2020-11: An Ordinance Adopting the Annual Budget for Fiscal Year 2020-2021. (Final Read)

This budget is slightly different than the first reading. Due to the coronavirus there is: hiring freeze in all departments, no raises to non-union employees, 3%-5% cuts in department budgets, planned technical upgrades will not take place, removing all capital expenditures with exception of those funded with grant funds or already in progress, remove budgeted funds for land acquisition and reduction of grants by \$5.4M because new grants are not expected to be awarded.

Mayor said the budget is a leaving and breathing document which will continue to be adjusted as situations change. Updates will get made every three months until impacts of the coronavirus are understood. Trustee Jensen asked if the Village can borrow from the Capital Improvement funds in emergency circumstances. Anne said yes, those funds are used first before the reserves. There are to be 3-6 months of reserve needed to operate in case of an emergency.

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

Ordinance 2020-13: An Ordinance Amending Various Sections of the Code of the Village of Fox Lake related to Sewer User Service Charges and Water User Service Charges.

Ordinance 2020-14: An Ordinance Authorizing the Village of Fox Lake, Lake and McHenry Counties, Illinois, to Borrow Funds from the Public Water Supply Loan Program and Water Pollution Control Loan Program.

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 2020-R-14: A Resolution Authorizing Change Order No. 4 on the Fox Lake Interconnect Project.
- 2. Resolution 2020-R-15: A Resolution Authorizing the Mayor of the Village of Fox Lake to Sign and Thereby Accept the Proposal from Morton Salt, Inc. for Rock Salt Delivery.
- 3. Resolution 2020-R-16: A Resolution Authorizing Change Order No. 1 on the Fox Lake Main Lift Rehabilitation.

B. Ordinances

- 1. Ordinance 2020-11: An Ordinance Adopting the Annual Budget for Fiscal Year 2020-2021. (Final Read)

C. Motions

There are none.

Trustee Jensen made a motion to move that items, Resolutions A 1-3, and Ordinance B-1 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

Trustee Koske made a ***motion*** to pass Ordinance 2020-13: An Ordinance Amending Various Sections of the Code of the Village of Fox Lake related to Sewer User Service Charges and Water User Service Charges, seconded by Trustee Moore.

Trustee Marr said in 2013 the Board agreed upon a roadmap to pay for water and sewer improvements. He doesn't have an issue with analyzing the numbers but doesn't look fondly upon changing this agreement mid-stream and last minute. Mayor said there will be research into the numbers to come up with a decision that is best for the Village. Trustee Koske said the Village has been talking about this issue and hasn't been able to come to a conclusion that pleases everyone, for the past 20 years. It's a difficult subject matter but now is not the time to change things up.

A roll call vote was taken as follows:

Trustee Jensen	Aye
Trustee Stochl	Nay
Trustee Konwent	Aye
Trustee Marr	Aye
Trustee Moore	Aye
Trustee Koske	Aye
Motion Carried	

Trustee Jensen made a ***motion*** to pass Ordinance 2020-14: An Ordinance Authorizing the Village of Fox Lake, Lake and McHenry Counties, Illinois, to Borrow Funds from the Public Water Supply Loan Program and Water Pollution Control Loan Program with the date July 31, 2020 inserted, seconded by Trustee Konwent.

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
Motion Carried	

17. For the Good of the Order

Trustee Koske mentioned how great the signs are in the front yards of Grant High School Seniors as a way to congratulate those who will be graduating.

Trustee Konwent asked if the library will reopen soon. Trustee Koske said there is a way to register online for online library access.

18. Audience Comments

There are none.

19. Executive Session

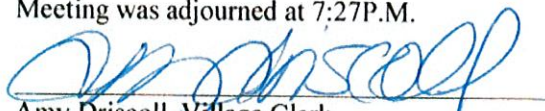
The Village Board Meeting will be adjourned directly from Executive Session.

Trustee Marr made a ***motion*** to retire into Executive Session at 7:08p.m. for Land Acquisition and Pending Litigation Pursuant to Section 2(C)11 of the Open Meetings Act; to include Village Administrator Anne Marrin, Assistant to the Village Administrator Laura Linehan, and Howard Teegen, seconded by Trustee Konwent. All were in favor. **Motion Carried.**

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

Trustee Stochl made a motion to adjourn the meeting at 7:27p.m., seconded by Trustee Konwent. All were in favor. Motion Carried.

Meeting was adjourned at 7:27P.M.



Amy Driscoll, Village Clerk