



**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 28, 2021, 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, Marr, Moore and Driscoll.

Staff also in attendance: Deb Waszak, Laura Linehan, Donovan Day, Kealan Noonan, Wayde Frerichs, Jimmy Lee Jr. and Ashley Magnine

**2. Approval of Minutes**

**A. Village Board Meeting Minutes for September 14, 2021**

*Trustee Konwent made a **motion** to approve the Village Board Meeting Minutes for September 14, 2021 as presented, seconded by Trustee Marr.*

*New guidelines state that all votes must be taken via roll call vote in order to record all individual responses.*

*A roll call vote was taken as follows:*

- Trustee Jensen            Aye*
- Trustee Stochl            Aye*
- Trustee Konwent         Aye*
- Trustee Marr             Aye*
- Trustee Moore            Aye*
- Trustee Driscoll         Aye*
- Motion Carried***

**3. Approval of the Warrant**

Trustee Moore made a ***motion*** to approve the Expenditures/Warrants/Transfers for September 28, 2021 in the amount of \$1,044,452.65, 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 Driscoll	Aye

***Motion Carried***

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

**A. Swearing in of Kalie Sadowski, Fire and Police Commissioner**

*Mayor Schmit nominated Kalie Sadowski as the new Fire and Police Commissioner. She was sworn in by the Deputy Clerk, Ashley Magnine.*

**B. Introduction of new officer, Nick Alopogianis**

*Mayor Schmit and Police Chief Jimmy Lee introduced one of the Police Department's new officers, Nick Alopogianis. Nick introduced himself and shared he is honored to be working for the Fox Lake Police Department.*

**5. Village President's Report**

**A. Testing Site Location**

*There is a Covid testing site located at 1390 South Route 12. It is a free rapid and PCR Covid testing site right across from Menard's in the front strip mall on Route 12. Mayor wanted to note that you are in and out in about 5 minutes. You do the swab yourself and by the time you are done filling out the required paperwork, your results are back. No insurance is required.*

**6. Village Administrator's Report**

*Village Administrator, Deb Waszak shared the Village is expecting \$1,420,752.93 in ARPA funding and we recently received our first payment of approximately \$710,000.*

*The Lake County Stormwater Management Commission announced the first round of funding for the DCEO Capital Improvement Program Projects. Congratulations to Mayor Schmit and Fox Lake as the Village will receive its funding request of \$2.1-million for Knollwood subdivision. This is the total cost of the project. There are 10 projects in the county that received funding.*

*The budget book will be submitted to the GFOA on Thursday for the excellence in budgeting award. Thank you to Wayde Frerichs, Laura Linehan and all department heads for your hard work.*

*Today we submitted a Safe Routes to School grant for a sidewalk and safety improvement on Hawthorn so the Stanton Middle school students and others can enjoy the benefits of walking and biking to school. This helps the Village meet the state and national goals of ending traffic deaths on roads. This is a \$295,000 project and the Village contribution is \$58,000.*

*On Friday four staff members and a trustee attended the Illinois Municipal League conference which was excellent. Thank you to the board for allowing us this professional development opportunity.*

**7. Village Attorney Report**

*Howard announced to the board that an additional 17 amnesty notices were served last week and just dropped off the last 9 that will have to go out. We have a 60 day waiting period after the notices go out. We have at least one so far we know of that is working on getting hooked up.*

*Howard introduced Jeffrey Nutschig, an attorney in Libertyville who previously worked with his firm. While working with Howard he did a considerable amount of work for the Village. After consulting with the Mayor, Howard has asked Jeff if he would assist in coverage at the Village Board meetings while he is out of the state until next Spring and Jeff has accepted.*

**8. Village Treasurer's Report**

*Village Treasurer, Wayde Frerichs shared some quick updates and highlights to the board. He informed the board that he is still making some additional journal entries for service fees between funds, restricted fund balance entries, capitalization of projects and equipment, reclassifying some revenues and expenses and confirming work papers tie. He noted FY21 started right when stay at home mandates went in to affect so if revenue and expense numbers were negative it would not have come as a surprise. However, revenues were surprisingly strong and we made a concerted effort to slash expenditures and it worked. He also informed board and staff that Sikich should be out in late November to present the audit.*

**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.*

*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 Driscoll</i>	<i>Aye</i>

***Motion Carried***

**A. Strategic Planning Team Reports**

*Infrastructure –*

*Nippersink Blvd. – The Mayor is very glad that we decided to have it paved. Mayor asked if the green space will be completed before the first snow. Kealan replied that yes this should be completed.*

*Interconnect Phase II – Mayor noted that this project is moving along good. It is about 65% completed. We had anticipated connection in November but due to some issues with ComEd and Nicor the connections at the treatment plant are not going as quickly as we would like. It will be January or February before it is connected.*

*TIF District Sidewalk – Mayor shared that the project is starting on Friday.*

*TIF Dredging Work – The Mayor wanted to note that we are waiting on the US Army Corp. of Engineers for permit review.*

*South Holly – Mayor shared that the project work began this week.*

*Hickory Cove – The Mayor noted that this project should be completed by the end of November.*

*Washington Street – This street is in dire need of repair. This project is one that will have to be budgeted for to be completed along with the Lake Counties portion of the project.*

**11. New Business (the information below taken from Agenda)**

**A. Resolution 2021-R-66: A Resolution Authorizing Change Order No. 1 on the US Route 12 Sidewalk Project**

*This resolution is to authorize a change order to add in an insertion valve and two line stops. The line stops will prevent shut down of other businesses while the work is being completed. The total cost is \$29,900.*

**B. Resolution 2021-R-68: A Resolution Authorizing the Mayor of the Village of Fox Lake to Sign and Thereby Accept a Contract with Municipal Well & Pump for the Well 5 Replacement Project**

*This resolution is to authorize the Mayor to sign and accept the contract for the Well 5 Replacement project with Municipal Well and Pump. This was a project that was budgeted for in 2019 but due to Covid we had to cut back on our expenditures. We received 2 bids, the low bid was \$84,492.00 and it was a budgeted item for \$110,000.00.*

**C. Resolution 2021-R-69: A Resolution Authorizing the Mayor to Sign the Loan Repayment Amendment with the IEPA for Wastewater Project L173974 and Directing Payment of the First Installment Payment due on the Loan on October 9, 2021**

*This resolution is to allow the Mayor to sign the loan repayment amendment with the IEPA for the Phase I of the Interconnect project. The total loan amount is \$2,284,685.00 which exceeded the original loan amount. The IEPA has accepted the additional amount and the Village will be able to pay the loan back over the span of 19 ½ years with an interest rate of 1.3% and is eligible for loan forgiveness.*

**D. Resolution 2021-R-70: A Resolution Authorizing Execution of an Agreement Between the Village of Fox Lake and Placer.ai to Provide Economic Development Software**

*This resolution is to enter into an agreement with Placer.ai to provide Economic Development software to the Village. Placer.ai is a location analytics company. This software allows for the Village to have visibility into consumer foot-traffic and get real-time insight for an event, a business, restaurant or a specific place or area visited during a specific time period or event. The total cost of the software is \$15,000 for the first year.*

*Jim Walsh, a salesman with Placer.ai provided a brief overview of how we can utilize this software and how we as a Village can benefit as well as the businesses in our town including obtaining foot traffic data, how long people stay at one place or location, where they go place to place as well as view of census data.*

*Howard questioned some of the provisions in the agreement regarding disclaiming any warranties about the products or services they are rendering and asked that at least they can give the Village warranty that what they provide to the Village is not going to get the Village in trouble because of some of these privacy concerns.*

*Mayor Schmit pulled this item from the Consent Agenda for it to be voted on separately pending the changes requested are made to the agreement.*

**E. Ordinance 2021-26: An Ordinance Amending the Zoning Ordinance of the Village of Fox Lake, by Granting a Special Use to Joshua Krish, to Operate a Short Term Housing Rental Business at the Property at 21 Lakeside Lane, Fox Lake, Illinois**

*This was discussed at the previous board meeting.*

- F. Ordinance 2021-27: An Ordinance Amending the Zoning Ordinance of the Village of Fox Lake, Illinois, by Granting Variations to Ann Roberts at 162 Eagle Point Road, Fox Lake, Illinois**  
*This was discussed at the previous board meeting.*

**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.*

*A roll call vote was taken as follows:*

*Trustee Jensen           Aye*

*Trustee Stochl           Aye*

*Trustee Konwent       Aye*

*Trustee Marr           Aye*

*Trustee Moore          Aye*

*Trustee Driscoll       Aye*

***Motion Carried***

**14. Items to be Removed from Consent Agenda**

*Mayor Schmit removed item A-4.*

**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 2021-R-66: A Resolution Authorizing Change Order No. 1 on the US Route 12 Sidewalk Project
2. Resolution 2021-R-68: A Resolution Authorizing the Mayor of the Village of Fox Lake to Sign and Thereby Accept a Contract with Municipal Well & Pump for the Well 5 Replacement Project
3. Resolution 2021-R-69: A Resolution Authorizing the Mayor to Sign the Loan Repayment Amendment with the IEPA for Wastewater Project L173974 and Directing Payment of the First Installment Payment due on the Loan on October 9, 2021

**B. Ordinances**

1. Ordinance 2021-26: An Ordinance Amending the Zoning Ordinance of the Village of Fox Lake, by Granting a Special Use to Joshua Krish, to Operate a Short Term Housing Rental Business at the Property at 21 Lakeside Lane, Fox Lake, Illinois
2. Ordinance 2021-27: An Ordinance Amending the Zoning Ordinance of the Village of Fox Lake, Illinois, by Granting Variations to Ann Roberts at 162 Eagle Point Road, Fox Lake, Illinois

**C. Motions**

Trustee Jensen made a **motion** to move that items, Resolutions A 1-3 and Ordinances B 1-2, 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 Jensen           Aye  
Trustee Stochl           Aye  
Trustee Konwent         Aye  
Trustee Marr             Aye  
Trustee Moore           Aye  
Trustee Driscoll         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 Jensen           Aye  
Trustee Stochl           Aye  
Trustee Konwent         Aye  
Trustee Marr             Aye  
Trustee Moore           Aye  
Trustee Driscoll         Aye

**Motion Carried**

**16. Approval of Exceptions**

Resolution A-4: A Resolution Authorizing Execution of an Agreement Between the Village of Fox Lake and Placer.ai to Provide Economic Development Software

Trustee Driscoll made a **motion** to pass the agreement with Placer.ai pending the changes recommended by Attorney Teegen, 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 Driscoll         Aye

**Motion Carried**

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

Trustee Moore shared that she volunteers with Promote Fox Lake to work on the Wild Flower Garden on Rollins. She said they have not had much success; they have put down a lot of seed but the plants that have come up have not survived and she believes it is due to climate change. Grant Woods will be conducting a multiyear project with planting different plant species from Kentucky because of the plants we have here are no longer surviving due to the climate change.

She also addressed down power lines due to storms and trees falling down on them. If we want to be more business friendly she believes we should start working with our utility companies and begin the discussion of placing power lines underground.

**18. Audience Comments**

Edward Des Rosiers at 41 Riverview Ave. addressed his concerns regarding the retaining wall issue at 43 Riverview Ave. and asked how the Village can help him with this issue. The Mayor addressed his concerns

and since he has filed a suit with his neighbor it is a current civil matter and until the civil matter has been settled the Village is limited on what it can do. Village Administrator shared that the neighbor is working on fixing the issues and should be done by November 1<sup>st</sup>. Mayor informed Mr. Des Rosiers that if he would like to discuss further to contact the Village Administrator.

**19. Executive Session**

Trustee Jensen made a **motion** to retire into Executive Session at 7:30pm, for discussion on Land Acquisition to include Mayor Schmit, Howard Teegen, guest Attorney Jim Nutschnig, Deb Waszak, Laura Linehan and Kealan Noonan, 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 Driscoll</i>	<i>Aye</i>

***Motion Carried***

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

Trustee Stochl made a **motion** to adjourn the meeting at 7:44pm, seconded by Trustee Driscoll.

*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 Driscoll</i>	<i>Aye</i>

***Motion Carried***

**Meeting was adjourned at 7:44 P.M.**

*Ashley Magnine*  
\_\_\_\_\_  
Ashley Magnine, Deputy Clerk