



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 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 January 25, 2022, and held via in person and 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, Attorney Jeff Nutschnig, Trustees: Jensen, Stochl, Marr, Moore and Driscoll.

Staff also in attendance: Deb Waszak, Laura Linehan, Donovan Day, Wayde Frerichs, Ryan Kelly, Jimmy Lee Jr., Susan from Trotter

Staff in attendance via Zoom: Kealan Noonan, Trustee Konwent

2. Approval of Minutes

A. Village Board Meeting Minutes for January 11, 2022

The minutes need to be amended: The work "Reclused" should be "Recused" and regarding the Executive Session, where Trustee Konwent is marked as "absent" it should be "Aye". Trustee Moore made a motion to approve the Village Board Meeting Minutes for January 11, 2022 as amended, 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 Marr made a **motion** to approve the Expenditures/Warrants/Transfers for January 25, 2022 in the amount of \$1,873,985.22, 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

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

We have none tonight. We will have two at the next meeting; the Police Pension Commissioner and the Village Clerk will be appointed.

5. Village President's Report

A. *Karolina Cho of GHA gave an excellent presentation regarding the Municipal Separate Storm Sewer System, commonly referred to as MS4. The presentation is part of our discharge permit and is required by the State. Karolina presented her educational materials by shared screen over zoom and showed how the system works to make sure that all the water falling on impervious surfaces that enters into our water bodies stays clean. This is under a 2016 permit and will remain so until the EPA comes out with new permits.*

B. *We are planning to have a Town Hall Meeting at the Lake Front Park in conjunction with the Parks Plan when the Parks Committee has decided on the final design, probably in March or April. If anyone has any suggestions, give them to the Mayor.*

6. Village Administrator's Report

Deb is pleased to report that we have been awarded the Homes for Changing Region Technical Grant from CMap. They will come in and look at the future demand and housing trends in the region and report and supply best practices for us. Deb has suggested that they look specifically at short term rental for Fox Lake.

7. Village Attorney Report

There is none.

8. Village Treasurer's Report

Wayde supplied written materials for October, November and December, 2021. He spoke about the December reports: we are now current on the Treasurer's reports. The cash balances are \$8 million higher than they were this time last year. Tax revenues are higher, also we have received more IPEA loans. Also, the expenses are lagging (50%) compared to budget and revenues are higher (66%) than budgeted. We have a lot of bills that have not been received yet from projects that are being done and some bond payments are coming up.

Mayor questioned if some of the increased tax is a result of 100 – 135 new homes we have in the north section. Wayde feels that their impact is not yet reflected at this time. Some of the increase is due to the property tax extensions given last year, people didn't have to pay until later.

9. Preliminary Audience Comments (on Agenda Items Only)

There is none.

10. Motion to Recess to Committee of the Whole Meeting

Trustee Jensen made a motion to recess to the Committee of the Whole, 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 Driscoll</i>	<i>Aye</i>
<i>Motion Carried</i>	

A. Strategic Planning Team Reports

No questions or comments from the Trustees or staff. Mayor feels the reports are very good and self-explanatory.

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

A. Resolution 2022-R-09: A Resolution Authorizing a Pace Bus Municipal Vehicle Program Agreement

Pace is adopting a new drug and alcohol policy, \$500 security deposit and \$100 per month rental for the van. Agreement must be signed by January 31st. We are not running the bus right now because of COVID but Omicron variant is expected to peak mid-February. We will start the program back up as soon as we can. Also, because the program was paused, we now have to go through the entire process to restart – all new training for the driver, screening, etc. Must be a certified driver in order to operate the vehicle.

B. Resolution 2022-R-10: A Resolution Appointing a Representative and Alternate to the Governing Board of the North Suburban Employee Benefit Cooperative

Deb is appointed as our representative and Laura Linehan will be the Alternate. There is no budget impact and the staff recommends that these appointments be made.

C. Ordinance 2022-02: An Ordinance Directing the Disposal of Surplus Property by Various Means

Some items will be scrapped, some will go to auction. A complete list was provided to the Board in the packet. Everything has passed its useful life and/or been replaced.

D. Ordinance 2022-05: An Ordinance Amending the Zoning Ordinance of the Village of Fox Lake, Illinois by Granting Variations to Joseph Foy at 35 Hillcrest Avenue

This has already been approved by the Board but the standards to be met were not included in the packet that was voted on. Those standards are now included in the packet to grant the variance.

E. Ordinance 2022-06: An Ordinance Amending Chapter 3-1-6 b of the Village Code to Increase the Fee Per Terminal for Video Gaming

Increase from \$25 to \$250 per machine. This will take effect July 1, 2022.

F. Motion to approve a Raffle License for a 50-50 Raffle and Dance at the American Legion Post 703 at 703 N US Highway 12 in Fox Lake, IL, on February 12, 2022.

Funds to be used to fix their roof.

G. Motion to move certain Cellular Services from Verizon Cellular to AT&T First Net, on to the Public Safety Network.

Public Safety has been experiencing a lot of dropped calls and service interruptions during peak times. FirstNet is nationwide and was developed by the 9-11 Commission. It is secure, it is on a private band, and during a major event First Net would take priority. Also, this service is a little less expensive than what we currently have and they will replace most of our equipment and will have no impact on the budget. There is no contract with Verizon and no penalty for changing. First Net also has no contract requirement for us, it goes through the State of Illinois. Some specialized equipment will have to continue on Verizon.

H. Motion to Accept the Planning and Zoning Commission's Recommendation to Approve the Petition for a Special Use Permit for a Therapeutic Massage Wellness Center at 62 E. Grand Avenue

This company is established as it has been in business in Johnsburg for 11 years. The owner, Betty Jarvi was introduced and addressed the Board. She explained what the business does and that part of the building is being rented to a salon.

12. Old Business

Mayor spoke about snow removal concerns at Leisure Village. Kealan, Trustee Konwent and the Mayor met with them and explained why the Village cannot plow the snow off of their roads: because they are private streets we can't legally provide such a service unless we are compensated, also our trucks are too heavy and will destroy the roads. We do provide other services for them that we are not obligated to do. The president of the HOA subsequently sent a letter to all the residents indicating that even though they pay taxes to the Village, it is not considered to be important enough to be eligible for this small request for help that they seemingly have already paid for with their taxes.

Trustee Moore asked about the Infrastructure Bill, this provided some funding for associations and had the mayor heard anything more about that. The management has asked for help with obtaining grants and the Mayor has sent them information several times as it comes in to him or when it is appropriate. He also offered to assist them to apply for grants for storm water issues. They identified one issue but have not gotten back to the Mayor about it.

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

Trustee Jensen made a motion to adjourn from Committee of the Whole and reconvene Village Board Meeting, 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>

Trustee Moore *Aye*
Trustee Driscoll *Aye*
Motion Carried

14. Items to be Removed from Consent Agenda

There were 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

1. Resolution 2022-R-09: A Resolution Authorizing a Pace Bus Municipal Vehicle Program Agreement
2. Resolution 2022-R-10: A Resolution Appointing a Representative and Alternate to the Governing Board of the North Suburban Employee Benefit Cooperative

B. Ordinances

1. Ordinance 2022-02: An Ordinance Directing the Disposal of Surplus Property by Various Means
2. Ordinance 2022-05: An Ordinance Amending the Zoning Ordinance of the Village of Fox Lake, Illinois by Granting Variations to Joseph Foy at 35 Hillcrest Avenue
3. Ordinance 2022-06: An Ordinance Amending Chapter 3-1-6 b of the Village Code to Increase the Fee Per Terminal for Video Gaming

C. Motions

1. Motion to approve a Raffle License for a 50-50 Raffle and Dance at the American Legion Post 703 at 703 N US Highway 12 in Fox Lake, IL, on February 12, 2022.
2. Motion to move certain Cellular Services from Verizon Cellular to AT&T First Net, on to the Public Safety Network.
3. Motion to Accept the Planning and Zoning Commission's Recommendation to Approve the Petition for a Special Use Permit for a Therapeutic Massage Wellness Center at 62 E. Grand Avenue

Trustee Jensen made a motion to move that items, Resolutions A 1-2, Ordinances B 1-3 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:

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

There are none.

17. For the Good of the Order

Trustee Moore thanked Director Ryan Kelly for the tour of the Treatment Plant. It was very interesting and informative.

18. Audience Comments

There is none.

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

Opened at 7:12PM. No public comments were presented. We are awaiting a decision from IDOT and cannot move forward without their decision. The Special Use Permit Revocation Proceedings is continued until April 12, 2022, at 6:30PM. The 13th supplemental Village Board Findings entered into on July 28, 2020, shall remain in effect. The Village Board may consider evidence and mitigation of the daily fines at that time.

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

None. Closed at 7:14PM

21. Executive Session

None.

22. Possible Motion Coming out of Executive Session

None

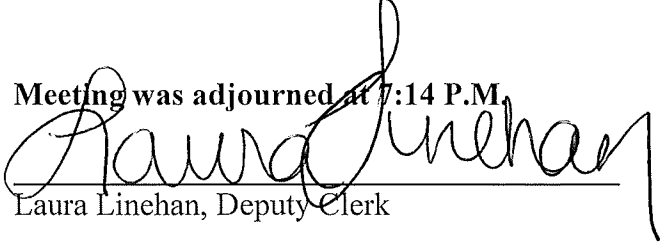
23. Adjournment

Trustee Stochl made a motion to adjourn the meeting at 7:14pm, 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

Meeting was adjourned at 7:14 P.M.



A handwritten signature in cursive script, reading "Laura Linehan", is written over a horizontal line. The signature is fluid and extends slightly above and below the line.

Laura Linehan, Deputy Clerk