



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 April 12, 2016 meeting was called to order by Mayor Schmit. The following official business was transacted:

Roll Call

Present Mayor Schmit: Village Clerk Warden, Attorney Howard Teegen; Trustees: Murrey, Jensen, Stochl, Marr, Konwent and Koske.

Staff also in attendance: Anne Marrin, Tara Semenchuk, Laura Rudkin, Donovan Day, Deputy Chief Lee, and Rocky Horvath.

I. Preliminary Audience Comments:

There were no preliminary audience comments this evening.

II. Approval of Minutes

Trustee Konwent made a motion to approve the Special Committee of the Whole Meeting of March 8, 2016, Seconded by Trustee Marr.

A roll call vote was taken as follows:

<i>Trustee Murrey</i>	<i>Aye</i>
<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 Koske</i>	<i>Abstain</i>

Motion Carried

Trustee Murrey made a motion to approve the Village Board Meeting Minutes of March 22, 2016, Seconded by Trustee Koske.

A roll call vote was taken as follows:

<i>Trustee Murrey</i>	<i>Aye</i>
<i>Trustee Jensen</i>	<i>Abstain</i>
<i>Trustee Stochl</i>	<i>Aye</i>
<i>Trustee Konwent</i>	<i>Aye</i>
<i>Trustee Marr</i>	<i>Aye</i>
<i>Trustee Koske</i>	<i>Aye</i>

Motion Carried

III. Administrator Update

Anne Marrin stated she would like to present the expenditures, warrants, and transfers for April 12, 2016. She asked if there were any questions. There were none. Anne stated if there were no questions there would be a motion to approve this evening under Finance.

Anne stated that there is transfer from BMO bank to the State Bank of the Lakes for the amount of 952,323.12. Anne stated that these are our MFT funds that were in the Illinois fund and due to the fact we do not know what Springfield is doing we are taking those monies out of those funds and placing them in our home bank. These funds are allocated for the Sayton Road project which includes patching, snow plowing and salt.

IV. Recess to the Committee of the Whole

Trustee Konwent made a motion to recess into the Committee of the Whole Meeting at 6:32 p.m., Seconded by Trustee Marr.

A roll call vote was taken as follows:

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

V. Committee of the Whole**A. Finance**

Trustee Stochl asked if there were any questions regarding the motion for the 2016-2017 budget. There were none.

B. Building and Zoning

Trustee Marr stated that he did not have anything to report from Building and Zoning.

C. Parks and Recreation

Trustee Koske went through the following events and programs in the Village. All events and programs can be found on the Village website at foxlake.org

- The Parks Department has tickets reserved for Hamilton! The date is Sunday, December 4, 2016. For more information contact the Parks and Recreation Department.
- Our senior friends will be enjoying a luncheon at Lakefront Park on Thursday, April 21st from 11:30-1:30 and costs \$8.00 per senior. Performance By: Brian Fowler. Reservations must be called into the Parks office.
- Registration has begun for our Spring Sports program! We are offering: *pee-wee sports *iceless hockey * competitive dodgeball *beginning golf *lil-pint baseball *lil-pint soccer *soccer/speed and agility training. The session runs for 6 weeks and is offered through the Parks Dept. conjunction with SPORTS R US.
- The Roadside clean-up will be held Sunday, April 17th. The Village is looking for Volunteers. If your group is interested please meet at the Jewel-

Osco parking lot at 7:30 a.m. and bring gloves and proper attire. If you have any questions contact the Village Hall.

- The Fox Lake Area Chamber of Commerce and Industry Spring Wine Walk will be held on May 14th 1:30pm-4:30 pm and tickets are \$39.00. For more information or for tickets contact 847-587-7474.

D. Planning

Trustee Marr asked if there were any questions regarding the Plan Commission's Recommendation for a Text Change to the Zoning Ordinance, Amending Section 9-1-4-2: Table 1, to include Massage Therapy as a Special Use in Districts D, B-2 and B-3. There were none.

Trustee Marr stated that he is working with the Street Department and they will be beginning the tree replacement program shortly and that all of the trees that are to be planted were donated.

E. Public Safety

Trustee Jensen presented the Village Board and the Mayor, along with the FoxComm 911 Center, their official plaque from the International Academy of Emergency Medical Dispatch officially recognizing FoxComm E911 Center for three years as an Accredited Center of Excellence Emergency Medical Dispatch. They demonstrated compliance to the highest level of standards as set forth in the Academy's Twenty Points of Accreditation.

Trustee Jensen stated that he would be asking for a motion regarding to the Highway solicitation ordinance and asked if there were any questions. Mayor Schmit asked Anne Marrin why there was a request for a 1 million dollar insurance policy in the Ordinance. Anne stated the state code requires it in order for us to do this. Anne went on to state that most non-for profits have that amount in their liability insurance; the Village is asking that they place us as an additional insured. There were no further questions.

F. Sewer and Water

Trustee Murrey stated that he would be asking for a motion in regard to the sewer and water user rate Ordinance and asked if anyone had any questions. There were none.

G. Streets

Trustee Konwent stated that she had nothing to report this evening. Trustee Marr asked Trustee Konwent if there were any updates to SWALCO's electronic recycling program. Trustee Konwent stated that the Village is going to contribute \$2,000 to the program so it will be able continue to the end of 2016.

VI. Motion to adjourn from Committee of the Whole and Reconvene Village Board Meeting

Trustee Jensen made a motion to adjourn from the Committee of the Whole and reconvene the Village Board Meeting at 6:40 p.m., Seconded by Trustee Konwent.

A roll call vote was taken as follows:

<i>Trustee Murrey</i>	<i>Aye</i>
<i>Trustee Jensen</i>	<i>Aye</i>
<i>Trustee Stochl</i>	<i>Aye</i>

Trustee Konwent Aye
 Trustee Marr Aye
 Trustee Koske Aye
Motion Carried

VII. Motions for Approval

- **Finance**

Trustee Stochl made a **motion** to approve the total Expenditures of \$970,753.88, 3 /24/16 Payroll of \$231,162.82, 4/8/16 Payroll of \$245,397.95, Externality Payment \$18,677.25, IMRF-March payment paid 4/8/16 of \$38,624.44, Transfer from BMO to State Bank of the Lakes MFT \$952,323.12, and Police Pension payments of \$0; Dated April 12, 2016 in the total amount of \$2,456,939.46, Seconded by Trustee Marr.

A roll call vote was taken as follows:

Trustee Murrey Aye
 Trustee Jensen Aye
 Trustee Stochl Aye
 Trustee Konwent Aye
 Trustee Marr Aye
 Trustee Koske Aye
Motion Carried

Trustee Stochl made a **motion** to approve Ordinance 2016-13, an Ordinance Approving the Annual Budget for Fiscal Year 2016-2017, Seconded by Trustee Koske.

A roll call vote was taken as follows:

Trustee Murrey Aye
 Trustee Jensen Aye
 Trustee Stochl Aye
 Trustee Konwent Aye
 Trustee Marr Aye
 Trustee Koske Aye
Motion Carried

- **Planning**

Trustee Marr made a **motion** to approve Ordinance #2016-14, an Ordinance Amending Section 9-1-4-2 of the Zoning Ordinance of the Village of Fox Lake by Changing the Zoning Classifications in which Massage Therapy is Permitted, Seconded by Trustee Konwent.

A roll call vote was taken as follows:

Trustee Murrey Aye
 Trustee Jensen Aye
 Trustee Stochl Aye
 Trustee Konwent Aye
 Trustee Marr Aye
 Trustee Koske Aye
Motion Carried

- **Public Safety**

Trustee Jensen made a motion to approve Ordinance 2016-15, an Ordinance Amending Section 3-4-21 of the Village Code and Adding Regulations Regarding Highway Solicitation, Seconded by Trustee Marr.

A roll call vote was taken as follows:

<i>Trustee Murrey</i>	<i>Aye</i>
<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 Koske</i>	<i>Aye</i>

Motion Carried

- **Sewer and Water**

Trustee Murrey made a motion to approve Ordinance 2016-16, 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 Koske.

A roll call vote was taken as follows:

<i>Trustee Murrey</i>	<i>Aye</i>
<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 Koske</i>	<i>Aye</i>

Motion Carried

VII. Items to be Removed from the Consent Agenda

VIII. Consent Agenda

Trustee Jensen made a motion to move that item A 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 Murrey</i>	<i>Aye</i>
<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 Koske</i>	<i>Aye</i>

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:

<i>Trustee Murrey</i>	<i>Aye</i>
<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 Koske</i>	<i>Aye</i>

Motion Carried

IX. Items removed for the Consent Agenda

X. Attorney Comments

There were no attorney comments this evening.

XI. President's Comments

Mayor Schmit read two Proclamations this evening. One was in Recognition of Arbor Day and the other was National Public Safety Telecommunicator's week. The proclamations are attached at the end of the minutes.

Mayor Schmit then read the following statement to the audience and requested that he would like the following comments to be put into the minutes verbatim.

Contrary to what is being said, this has been the most open, transparent administration that Fox Lake has ever had. I have either answered or had every phone call, e-mail and letter answered by the appropriate person. I have never turned anyone down who has wanted to meet with me. In addition to business and liquor licenses being hand delivered, town hall meetings, HOA visits and visits to the senior buildings every two months, the same packets that the Trustees receive are on line every Friday afternoon. The only items that are not made public are the items that are covered by the Open Meetings Act exceptions.

We had two referendums on the latest ballot. This was to give the residents the opportunity to give us direction on the future of the Village. We could have raised the levies on items other than Ambulance and Fire Protection, but chose rather to get direction from the residents. This was stated over and over again in the media and at Homeowners meetings.

The annexation into the Fire Protection District passed and the sales tax referendum did not. Our residents gave us direction. Following their direction, we created a balanced budget that met the GASB 54 requirements for reserves. Creating the balanced budget was challenging and the Village Board had to make several difficult decisions.

Staff made their proposals for personnel, equipment and programs for the upcoming budget year and we were unable to meet their requests in several areas. Some, but not all of the cuts the Village Board made is as follows:

- There will be no street repair program this year.
- Needed equipment for the Streets department will not be purchased.
- The police department requested five additional officers. We are only hiring four officers and doing the hiring on a staggered basis to reduce the impact on this year's budget, so the net cost will be three officers.
- The Street Department which is already two people short will lose another person when a retirement occurs this summer.
- We will no longer have a Community Service Officer.
- Certain events have been cut from the Parks and Recreation Department.
- There will be no land acquisition this year.

Each of these cuts will affect our residents and the service they receive from the Village.

There is an e-mail being circulated that is full of half-truths and misstatements. It alleges that the Village was unaware of the laws regarding the Fire Protection and Ambulance levy. As for the levy, I clearly stated at our March 22nd Board meeting, it is against the law for two entities to levy for the same service, so there will be no levy for Fire Protection and Ambulance service from the Village. I received this legal opinion many months ago, so to say and I quote "I am surprised and disappointed to realize that the Village hasn't done enough investigation to know what I discovered in one phone call to the County" is inflammatory, inaccurate and insulting.

Here is another inaccurate and misleading quote from the e-mail "The Mayor has told me that they can't agree to the resolution we request because they may need some of that money for other things". What I said was that we could not collect from the Fire and Ambulance levy; however, it would be irresponsible for the Board to pass a resolution stating we would not raise any of the levies. At this time, with the budget impasse in Springfield, we do not know what mandates will be placed on us, especially when it comes to the pension funds.

On December 10, 2014, I received a letter from the Illinois Department of Insurance. It stated that in 2011, the Village underfunded the Fox Lake Police Pension Fund by \$119,241.00, in 2012, the pension was underfunded by \$51,339.00, and in 2013, \$47,007.00. The Village was mandated to correct these deficiencies, which we over a period of three years with funds from the general fund. It is not known if any additional mandates will come from the State of Illinois. I'm not certain if another mandate from the State is coming.

The Village levies and taxes for IMRF pension fund, Police Pension, Police Protection/System, Social Security, Corporate, Audit Tax and Tort judgement & liability insurance. I am not in favor of raising any of these levies; however, since we are at GASB 54 reserve minimums, if our obligations for these items are increased, we have a fiduciary responsibility to act appropriately.

Finally, I don't respond well to ultimatums and threats. I said I would address the petition that was handed to us at the March 22nd during my President's comments on April 12th and then the Public could respond. This is the way I chose to handle this matter. Just because I chose to do it differently than it was demanded of me does not make it wrong.

I will continue to be transparent and address our residents' concerns, just as I have for the past three years. Mayor Donny Schmit.

XII. Audience Comments

Michael Lescher representing Promote Fox Lake gave the Board a picture of the Gazebo that will be placed at the Community Garden. Trustee Koske asked that they will need from the Village to build it on that property. Trustee Marr stated that they only need a permit for it.

Michael Lescher then spoke regarding the Tax Levy that is in place for the Fire and Ambulance service and wanted to hear from each of the Board members what their opinions and what they each want to happen to that levy. Trustee Jensen stated that the last Budget meeting was open to the public and this levy was only briefly spoke about since it had nothing to do with the budget. Village Attorney Howard Teegen stated that "Audience Comments" are for the audience to speak and not to interrogate the Board. Howard then advised the Board they are more than welcome to comment but that is not the purpose of Audience comments.

Dr. William Dam stated that Mayors comments were well done and he is not here to criticize but here to appreciate how much work it takes to try do deal with all the many issues a Village is confronted with and how to generate the revenues to accomplish those tasks. Dr. Dam stated that many years ago the Mayor and Village Board made a multimillion dollar bond proposal that was scheduled for the next meeting. Citizen felt that it was not appropriate and overly expensive. He and Pete Jakstus organized a petition drive that generated over 700 signatures on a binding referendum to nix the proposal for the bond. That seemed to make the decision easy for the Board as they withdrew the proposal which ultimately we ended up with the Village Hall and a state of the art police station. Dr. Dam stated that in regards to the Fire Protection District and the withdrawal of the levied amount from the Fire and Ambulance from the \$1.44 municipal tax rate, he has been working with the County Clerk Carla Wycliffe and we are drafting a binding referendum for the November election. Dr. Dam then read the proposed binding referendum that would request a .71 reduction in a tax levy. Dr. Dam stated that the amount of signature required is 237. He stated that the resolution that was requested by the group at the last meeting should be acted on.

Mayor Schmit asked if there were any other comments. There were none. Mayor Schmit then stated we will take these comments under advisement however the requested a .71 reduction would be devastating to the Village and would not serve our Village as we were only collecting .51 for the Fire and Ambulance as it is.

Trustee Marr stated that he appreciates the fact the people have a different opinion and freedom to speak those differences. However, he wished and he hopes that you all will check the facts and reduce the inflammatory language because it does not take much for certain members of this community to light it up with half-truths and misstatements. Then when individuals who are respected intelligent members of this community start leading a cause sometimes these half-truths and misstatements get credited to individuals like you. Trustee Marr then stated that so while you are out there beating the drum for whatever cause, remember who is going to jump on that wagon.

XIII. Executive Session

Trustee Jensen made a motion to retire into Executive Session at 7:06 p.m. for Personnel and Threatened Litigation to include Anne Marrin Village Administrator, and the Village Attorney, Seconded by Trustee Marr.

A roll call vote was taken as follows:

<i>Trustee Murrey</i>	<i>Aye</i>
<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 Koske</i>	<i>Aye</i>

Motion Carried

XIV. Reconvene the Village Board Meeting

Trustee Koske made a motion to reconvene the Village Board Meeting at 7:44 p.m., seconded by Trustee Marr.

A roll call vote was taken as follows:

<i>Trustee Murrey</i>	<i>Aye</i>
<i>Trustee Jensen</i>	<i>Aye</i>
<i>Trustee Stochl</i>	<i>Aye</i>

Trustee Konwent *Aye*
Trustee Marr *Aye*
Trustee Koske *Aye*
Motion Carried

XV. Adjournment

Trustee Stochl made a motion to adjourn the Village Board Meeting at 7:45 p.m., seconded by Trustee Konwent.

A roll call vote was taken as follows:

Trustee Murrey *Aye*
Trustee Jensen *Aye*
Trustee Stochl *Aye*
Trustee Konwent *Aye*
Trustee Marr *Aye*
Trustee Koske *Aye*
Motion Carried

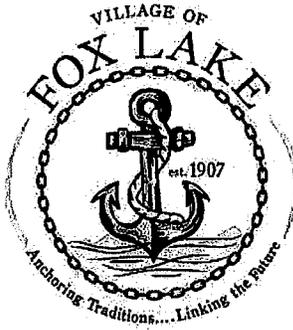
Meeting was adjourned at 7:45 p.m.



Niki Warden, Village Clerk

Consent Agenda

- A. A Motion to Approve Resolution #2016-R-15, a Resolution Supporting of the Remote Transactions Parity Act (RTPA).**



ARBOR DAY PROCLAMATION

WHEREAS, in 1872, J. Sterling Morton proposed to the Nebraska Board of Agriculture that a special day be set aside for the planting of trees, and;

WHEREAS, the holiday, called Arbor Day, was first observed with the planting of more than a million trees in Nebraska, and;

WHEREAS, Arbor Day is now observed throughout the nation and the world, and;

WHEREAS, trees can reduce the erosion of our precious topsoil by wind and water, lower our heating and cooling costs, moderate the temperature, clean the air, produce oxygen and provide habitat for wildlife, and;

WHEREAS, trees are a renewable resource giving us paper, wood for our homes, fuel for our fires and countless other wood products, and;

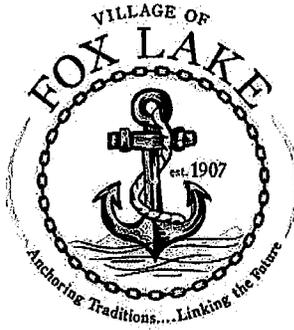
WHEREAS, trees in our village increase property values, enhance the economic vitality of business areas and beautify our community, and;

WHEREAS, trees, wherever they are planted, are a source of joy and spiritual renewal.

NOW, THEREFORE, I DONNY SCHMIT, MAYOR OF THE VILLAGE OF FOX LAKE, DO HEREBY PROCLAIM, that April 29, 2016 be declared "Arbor Day" in the Village of Fox Lake, Illinois, and I encourage all citizens to celebrate and support efforts to protect all trees and woodland areas.

FURTHER, I urge all citizens to plant and care for trees to promote the well-being of current and future generations.

Donny Schmit, Mayor
Village of Fox Lake



**NATIONAL PUBLIC SAFETY TELECOMMUNICATORS WEEK
APRIL 10 – 16, 2016**

WHEREAS, emergencies can occur at any time that require police, fire or emergency medical services; and,

WHEREAS, when an emergency occurs, the prompt response of police officers, firefighters and paramedics is critical to the protection of life and preservation of property; and,

WHEREAS, the safety of our police officers and firefighters is dependent upon the quality and accuracy of information obtained from citizens who telephone the Village of Fox Lake's FoxComm E911 Center; and,

WHEREAS, Public Safety Telecommunicators are the first and most critical contact our citizens have with emergency services; and,

WHEREAS, Public Safety Telecommunicators are the single vital link for our police officers and firefighters by monitoring their activities by radio, providing them information and ensuring their safety; and,

WHEREAS, Public Safety Telecommunicators of the Village of Fox Lake's FoxComm E911 Center have contributed substantially to the apprehension of criminals, suppression of fires and treatment of patients; and,

WHEREAS, each dispatcher has exhibited compassion, understanding and professionalism during the performance of their job in the past year;

NOW, THEREFORE, I DONNY SCHMIT, MAYOR OF THE VILLAGE OF FOX LAKE, DO HEREBY PROCLAIM, the week of April 10 through 16, 2016 to be National Public Safety Telecommunicators Week in the Village of Fox Lake in honor of the men and women whose diligence and professionalism keep our city and citizens safe.

A handwritten signature in black ink, appearing to read "Donny Schmit", is written over a horizontal line.

Donny Schmit, Mayor
Village of Fox Lake