



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 July 26, 2016 meeting was called to order by Mayor Schmit. The following official business was transacted:

Roll Call

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

Staff also in attendance: Anne Marrin, Donovan Day, Stephanie Hannon, Ryan Kelly, Deputy Chief Jimmy Lee, and Chief Laine.

I. Preliminary Audience Comments:

There were no preliminary audience comments this evening.

II. Approval of Minutes

Trustee Konwent made a motion to approve the Village Board Meeting Minutes of June 28, 2016, 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

Trustee Marr made a motion to approve the Village Board Meeting Minutes of July 12, 2016, 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>

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

III. Administrator Update

Village Administrator Marrin stated that the warrant list was listed in the packet and asked if there were any questions. There were none. Anne stated that the Village has not been notified from the State on the 2016 Prevailing wage. Once that is available the Board will receive a motion at the next Village Board meeting. Finally Anne stated that Com Eds rates are still dropping and if anyone is still on the Villages aggregation plan they should jump ship. All information regarding transferring back to Com Eds rates is available on the Village website.

IV. Recess to the Committee of the Whole

Trustee Jensen made a motion to recess into the Committee of the Whole Meeting at 6:31p.m., 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

V. Committee of the Whole

A. Finance

Trustee Stochl stated that outside of the warrant list he has nothing to report in Finance this evening.

B. Building and Zoning

Trustee Marr stated he had nothing under Building and Zoning this evening however, he would like to ask if there was an update on the collection bin Ordinance. Howard stated that he had spoken with Community development Director Day and they are going to look to repeal the ordinance and only allow collection bins on municipal property. Howard stated that the Board also had to change the Zoning for the bins and will need a Public Hearing in front of the Planning Commission to amend the Zoning. Howard finally stated that if the bins have become a nuisance we can then look to immediately removing them in the meantime. Trustee Stochl asked Director Day if he has had any response from the owners of the Bins. Director Day said he has not had a single response. Howard stated that we should go ahead and advertise for a hearing on this matter.

C. Parks and Recreation

Trustee Konwent asked if everyone any questions regarding the Outdoor Music variance Request for Venetian Night. There were none.

All events and programs can be found on the Village website at www.foxlake.org

D. Planning

Trustee Marr stated he will make a motion regarding a Special use for 27 N. Route 12 from Double S. Ranch. He asked if there were any questions.

Trustee Murrey stated that he noticed that we are requiring one-year, and he ran in to Mayor and he was the first one I spoke to that had attended the Planning Board meeting. Trustee Murrey stated that he finds it cumbersome that we only added a few pages of the Compressive plan when there is quite a bit more that it entails for that footpath. Trustee Murrey stated that he is a big fan of footpaths however, but he would like a little bit more dialogue so that we know exactly what that one year requires. If it is one year for this man to move and what if they get pushed back from the State of Illinois because they don't want these on their right-a-ways. Trustee Murrey reiterated that he would like to see more of an entailed plan from the Planning board since the Planning board brought it up. He stated that this is a big pill to swallow and we had heard potential walking bridges, boxes in the middle of the highway to slow the traffic down and such. Trustee Murrey stated that he would love to see these happen as well as the other business along the route. Trustee Murrey stated that he is getting aggravated by these Special uses they get asked for granted, then they do not get applied as requested. He again stated he would like more dialog so that we are not asking the petitioner in one year for more to address a problem. He then wished the Board could receive the Planning Commission minutes so they could follow along in the thought process before the board gets these motions of request. Trustee Marr stated that he has asked for that as well. Trustee Murrey stated that his concern is that they are only addressing a portion of that entire comp plan and he realizes that it is sectored. Another big component is to change the traffic behavior pattern along Route 12 to slow it down. Trustee Murrey then discussed a history of issues of people trying to cross Route 12. Trustee Murrey stated that he would like more verbiage than just the "12-months" in the Special Use Ordinance.

Trustee Marr stated that this is the first time he is hearing of impractical demands placed on business with the Special Uses. Trustee Murrey said 'on sidewalks'. Trustee Marr asked if sidewalks are impractical. Trustee Konwent stated that you are asking the business to place a sidewalk on the eastside and where it seems all the other sidewalks are on the west side on the road. She asked, "where you are leading them, to the gas station?" Trustee Marr stated that the only place to cross Route 12 safely is at Grand Ave. Furthermore there are plenty of residents on the west side of Route 12 who cannot cross safely and get to the Lakefront Park. The though process of the Planning Commission is to get access across Route 12 at a safe intersection proceed North along Route 12 and come in Oak Street to the park. Trustee Konwent asked if he was asking for a sidewalk all the way from Thornton's to Oak. Trustee Marr stated that ideally yes, there are dirt paths long both side for people walking along Route 12. This is a liability at the very basic level is going to come back on the Business owners and the Village. It is in the Comp Plan and if you look from the bridge south to Fred's Mobil there is at least a turf buffer, sometimes landscaping with trees and sometimes very few locations with a sidewalks. If you go on the eastern side starting south of Oak, the BP has a very nice landscape buffer and at Thornton's you have a sidewalk, a turf buffer and landscape. Trustee Marr then discussed further locations on Route 12 where there were, turf buffers, sidewalks and landscape. Trustee Marr stated that we are trying to move forward in a positive way, we are not trying to point out any business and if you think about it this is the last piece of property on Route 12 in that space that has not done anything.

Trustee Murrey stated that the gas stations are represented nice and then you have a car business that has narrow property and he would jump all over some type of green space with this but where the original buildings all start it is either a parking lot or a building. So when I go up and down the Northside of 12 and I went home and looked at the Comp Plan and they talked about the bridges and there were bunch of pieces. When you are asking someone to do a street scape plan including a sidewalk

to be implemented in one year for that 75' piece of property he would like to see something more palatable and more global and look more at the comp plan hand start exercising it and what it is going to take. Trustee Marr stated that the petitioner only came in for a Special Use for this property which is in question not the other parcels. There was discussion on how the cars were position over the right a ways in some areas. Trustee Marr stated that he was a bit confused. That the Comp Plan and this is the third one he has seen, this is the first time anyone with this Comp Plan is trying to implement the plan which we by law have to spend money on and develop. If we are going to spend the money on it we should adhere to it and it does get very specific on what it is looking for. The other aspect the overlay the properties in question with the Route 12 right-a-way it is very tight on the north east side and very wide on the south west side. There is room for green space in certain locations and sidewalks in certain locations. Trustee Marr stated that another condition that they placed on there was no parking per IDOT in the right-a-way. To go further with that and this is not the property in question, but this speaks to what we are talking about on the West side of 12 Pistakee Lake Rd and Hilltop, they have vehicles parked all the way up to the curve. People that are trying to pull out of there and go southbound are having a very difficult time because the vehicles are parked up to the curbs. Trustee Marr stated that he has spoken with people in the Street Department and guys with plows that are up higher, but because of the elevated angle of the vehicle on the ramp and how far back they are set with their plows, they don't even go eastbound on Route 12. The Street Department will make two passes west bound just so they do not have to take a turn out of that street. Trustee Murrey then reiterated that he would like to see more for that entire area. Trustee Marr stated that they have brought it up before and they did place a sidewalk on that property but they park all over it. Trustee Murrey stated that again he is all for a footpath but to only look at this one piece of property and thus being the last, it is something that the Planning Board should engage in and look at the whole sector and look at always to get across. Mayor Schmit stated that you cannot do it at Oak. The railroad crossing is not pedestrian safe and would cost millions to get it safe and we would have to relocate Nippersink Road. Mayor Schmit stated that to him a sidewalk on the east side, he thinks yes they should have the cars back enough that it is not a hazard but a sidewalk is not practical, Mayor state that your best bet is to have it on the west side is more practical. Mayor then stated that Ray Chevrolet does come in and to tell us that cars are going down the road at 50 MPH and can we slow them down. So where he has a responsibility we also have a responsibility.

Trustee Murrey stated that he wanted this discussion in the minutes in case we have to come back in a year and talk street scape plan and a sidewalk. Trustee Marr asked if Trustee Murrey is asking that this petition should go back to the Planning Commission to get a more developed plan. Trustee Murrey stated that it would have been nice to have this information and the Planning Board is more behooving to take a look what would be better for the entire area. Trustee Marr stated that yes it would have been nice but are you suggestion Trustee Murrey that this go back to the Planning Commission. There was discussion that followed regarding ADA assessable grading of the area and curb cuts. Trustee Murrey stated that this is only for the one piece of property. Trustee Marr stated that is because that was before them. Trustee Murrey stated that he is all for a footpath but for a practical one. Further discussion ensued on what is practical for that area and what is not. Trustee Marr stated that you have to start somewhere and where are you going to start. Trustee Murrey stated that he had heard his opinions. Trustee Marr stated that each one of these properties require a special use and they have requested it many times and only one time has he seen it successful it has been shot down at several levels. At some point we have to sit down and say this is what we expect of business in this

town or otherwise quit spending money on a Comp Plan and disband the Planning Commission and let's quit the façade. Mayor Schmit stated that it is time to move on and the Board can vote on the motion. Trustee Marr asked, just to be clear he is making a motion to send it back to the Planning Commission for a more developed plan. Mayor Schmit stated no. Trustee Marr stated "of course not."

Trustee Marr asked if there were any questions regarding the amendment of the outdoor music regulations. There were none.

E. Public Safety

Trustee Jensen stated he would be making a motion in regards to animal care and control through an agreement with The Village of Fox Lake and Lake County Health Department. He asked if there were any questions. There were none.

Trustee Marr asked if there were any plans for the National Night Out this year. Chief Laine stated there were no plans at this time.

F. Sewer and Water

Fratellos:

Trustee Murrey asked Attorney Teegen to speak regarding Fratellos Restaurant connection to the NW Sewer system. Howard stated Fratellos is not in the NWFPFA and as a result, an agreement is required in order for us to serve them at the treatment plant. We have been approached by the County to approve this agreement as it is fine through them. It would go through Lakes Region trunk lines into the County trunk lines and up into the treatment plant. In looking at the agreement, the only issue that he saw was it becomes apparent that there have been variety of agreements down in that area among Lakes Region, Village of Volo, Northern Moraine Wastewater Reclamation district, Lakemoor is party of some of them and finally the County is party to some of these agreements. Howard stated that he is suggesting that we modify the agreement to indicate that the Village is not acquiescing or accepting that any of those agreements are binding on the Village. He went on to state that he spoke with Peter Kolb at Lake County this morning and advised him of this and he did not think this would be an issue because that wasn't changing the substance of the agreement with the County. With that said we are asking for a motion to authorize the Mayor and the Village Attorney to negotiate that agreement. We should be only adding one section to the original agreement. The County has already approved this in substance and so we would be doing the same thing tonight and then we would be hammering out the language of it. Howard asked if there were any questions. Trustee Koske stated that she was very unhappy to hear about this agreement. Once again she felt that the County and Lakes Region are forcing something down our throat and she does not like it. Trustee Koske stated that she wants to see Fratellos succeed and that is not the issue. Trustee Koske stated it is the way that these two entities go about doing this. Trustee Koske stated that a lot is going on down in that area and that she wants to make sure if they are going to be coming to us again it is covered in the language. Howard stated that that is what we are going to be adding is that this is not setting precedent. Trustee Koske stated that Lakes Regions has never been a friend of the Village of Fox Lake in the twelve years that she knows and she thinks everyone should be aware of that. Trustee Koske stated that she would vote for it as long as everyone is aware of how she feels about this matter. Trustee Jensen asked if this would be adding any extra strain on our infrastructure. Trustee Murrey said that it would not and detailed the route the waste would travel.

VOLO:

Attorney Teegen stated that the other motion this evening has to do with the Village of Volo's water system on the south end that has certain barium and radium components in their backwash. They discharge barium and radium and what they have to do now is to convert it to liquid form and have to land apply it and have to haul it out. This is a very expensive process for them and so what they have requested is a temporary connection so that they would be able to discharge it into our plant. Howard stated that it used to be a problem because we had stringent barium and radium restrictions on our plant. However, they have readjusted those restrictions so they are no longer as stringent as well as there is a different regulatory agency that covers it. In any event, there is no problem under the present circumstances for the Village to accept this waste. The Village would be receiving a portion of a connection fee. The Village of Volo has requested that that connection fee be paid over a period of several years in equal installments. Howard stated that this would be only a temporary connection because when they hook into Lake Michigan water in a few years they would no longer require that backwash and doing away with wells. Trustee Koske asked what kind of fees Fox Lake would realize out of this. Howard stated that the total that the Northwest Region would receive over a period of the several years is \$60,000. The County would receive \$35,000 and Lakes Region would receive \$132,000. Trustee Koske asked how Lakes Region get so lucky. Howard stated that you would have to request that information from them. Mayor Schmit stated that Fox Lake would also get a monthly fee of \$1,700 and this fee would be only when they are using our plant. Howard stated that it is no secret that the Village of Fox Lake has had its issues with the Village of Volo over the years and in addition to its disputes with Lakes Region. The Mayor, Trustee Murrey, Village Administrator Anne Marrin and himself met with Volo's Mayor and Village Administrator last week and we actually had an air clearing session with them in which we discussed this agreement and brought to their attention various issues in the not too distant past where the Village of Volo when the shoe was on the other foot did not see fit to do anything favorable for Fox Lake. Howard stated that they discussed their displeasure with that and they naturally would like to move things along on a different basis at this time. Howard stated that the Village of Fox Lake could say no, however if another several months go by there would be no economic in Volo even doing it anymore because they have cost involved in putting in a connection to accomplish this. Howard stated that in reflecting on this, Mayor and Trustee Murrey had a position of as long as we have let them know that people have long memories and that these come back the other way and if the shoe is on the other foot in the future we expect that they do not go out their way to do what they have in the past instead of helping us out. Howard stated that there are a few changes he would like to make to the agreement and they are as follows.

- We need to have a clear inspection and sampling rights in the event any standards change.
- Fees should be paid in full whether they stop discharging or not. We should also have the ability to enjoin them from discharging through court action if in fact necessary to do that. Provisions for attorney fees in the event we are required to do the above.
- Clarification that the Village of Fox Lake would receive all connection fees (\$60,000) even if service was discontinued. Monthly fees are a user fee and would stop immediately after discontinuation.

Mayor Schmit stated that if the EPA standards change and it is going to start costing us we have in this agreement we have the right to shut them off in fourteen (14) days. Trustee Koske stated that she liked the idea of seeing the

communities working together, as it says on the water tower, we should be helping each other and she is thankful that staff has been able to clear the stale air because it has not always been this way. Trustee Koske stated that she thanks Howard and all involved and she is trying to be strong and brave about this, however she is a little sketchy but if you are all recommending it with these provision she is okay with its approval. There was discussion amongst the board over the fees the Village would be receiving, discontinuation of service if needed and how the Northwest Region would dispose of the radium and barium. Howard stated for the record we do not have to dispose of the product we can discharge it as it is within our discharge standards. There were no further questions.

Engineering:

Trustee Murrey stated that the water tower to the north and the sanitary lining are still moving forward. He stated that staff would give another update in the next month on the progress.

G. Streets

Trustee Konwent stated she had nothing under Streets this evening.

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

Trustee Konwent made a motion to adjourn from the Committee of the Whole and reconvene the Village Board Meeting at 6:15p.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>

Motion Carried

VII. Motions for Approval

• Finance

Trustee Stochl made a motion to approve the total Expenditures, Warrants, Transfers as presented. Total Expenditures of \$1,094,854.05, Police Pension Payment of \$58,775.33, and the Payroll from July 15, 2016 of \$281,599.37 for a Total of \$1,435,228.75, 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

- **Parks and Recreation**

Trustee Koske made a motion to approve the Outdoor Music Variance Request for the Village of Fox Lake, to Allow Outdoor Music at 33 E Grand Avenue, on August 6, 2016, for Venetian Night 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 Koske stated that it is not often at a Board meeting we get to recognize someone and tonight there is someone that she would like the Board recognize. This gentleman is the General Manager of Ala Carte Entertainment which owns Moretti's and Famous Freddie's. His name is Jim Early. Trustee Koske stated that the reason she would like to recognize him is that it is important for everyone in this community to know that last summer when we had the police emergency here in Fox Lake, Jim Early opened up Moretti's Restaurant early in the morning and served all of the responders for two days. These responders were given food, drinks and use of their facilities to get out of the heat and nourish themselves. Ala Carte / Moretti's did that on their own because they are a business in the community that wanted to aid us at the time. Trustee Koske stated not until now have we been able to personally see them to thank this group for their wonderful acts in person, so thank you from all of us in Fox Lake.

- **Planning**

Trustee Marr made a motion to approve the Plan Commission Recommendation for a Special Use to Allow Sale, Storage, Detail and Service of Motor Vehicles on the Property Commonly known as 27 N. Route 12 in Accordance with Section 9-1-6-10C, Items 1-6 of the Village of Fox Lake Zoning Ordinance, with conditions, 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

- **Public Safety**

Trustee Jensen made a motion Authorizing the Village President and Village Clerk to Sign a Contract for Animal Care and Control Between the Lake County Health Department and the Village of Fox Lake, 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>

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

- **Sewer and Water**

Trustee Murrey made a ***motion*** to Authorizing the Village President and Village Attorney to enter into an Agreement for Sewage Disposal Allowing Fratellos Restaurant to Connect to the NW Sewer System, 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

Trustee Murrey made a ***motion*** to Authorizing the Village President and Village Attorney to enter into an Intergovernmental Agreement for Sanitary Sewer Service with the Lakes Region Sanitary District, Lake County, and the Village of Volo for Connection of the South Water Treatment Facility, Seconded by Trustee Jensen.

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

VII. Consent Agenda

There was no consent agenda this evening.

VIII. Attorney Comments

There were no attorney comments this evening.

IX. President's Comments

Mayor Schmit stated there is a local Scout who would like to build a permanent volleyball court at Veterans Park. Anne will be looking into insurance liability and if anyone has any ideas to let us know. At this time the Village puts out the net if the area is booked for a party. Mayor stated that Culvers will be coming before the Planning Commission the first Wednesday in September. He suggested the Board attend to keep up to date on their progress. Mayor stated that the Village website is full of information on upcoming events for the Village. He stated that the Chamber of Commerce said these extra events are not only helping local residents but also the businesses in the area. Mayor stated that last year we had to cancel the Town Hall meeting due to the Police activity in the area. He is working with Grant Community High School to set a date for the 2016 Town Hall meeting as he feels it is very important that the community is aware of what is happening in the area. Finally, Mayor stated that he feels it is important that we work with government entities and

surrounding municipalities. Sometimes it is easier than others. Mayor stated that we did have a spirited discussion but it needed to be done. Mayor stated that it comes to a point when we all need to move on and do what is best for your community and neighboring communities. This is the reason for these two agreements tonight and we certainly hope that it is going to be reciprocated and we are brought into the loop much earlier in the future.

X. Audience Comments

Lou Carvelli, owner of Fratellos Hotdogs stated that he would like to thank the Board for their cooperation in solving the problem of the failed septic system they have over there. He stated that not only is it good for him, it is also the right thing to do environmentally.

Fox Lake Police Chief Laine apologized that he might be out of order on this topic, he would like the Board to be aware that the current Ordinances regarding "Outdoor music allowance" are conflicting with the existing "Nuisance/ noise Ordinances" and how to enforce them at their current state. He stated that he will be working with staff to clarify and update these Ordinances and have them available for the Board for their review.

Bob Pilz, 514 Park Ave. stated that he is here in regards to the noise. There was some discussion on the Ordinance that was changed he didn't know what that entailed. However, if the Board is going to have further discussion on the issue of noise, he lives in a mixed neighborhood where there is business and residential and some of the business noise can be pretty extensive. He stated that he has been at the location for 15 years and has adjusted over that time to the noise. He stated that you had discussed how you enforce something like that; he suggested that you shouldn't have to listen to something from your bedroom or in the privacy of your own home from your neighbor. He stated that it pretty tough and he was sure any business would take issue, but at 11 pm to 3 am, and there is outdoor music and I can hear it 100' away he feels that is excessive. He stated that he does not know how to make it fair but it has been an issue for some time now. He stated that recently the Ordinance was given to him, what it entailed and he realized that this should not have been happening. He finally stated that he hopes that this Board can come up with a good alternative than having them have to call the police each day.

Jim Early, GM of Ala Carte Entertainment stated that he had opened Famous Freddie's and has created a good rep with all the neighbors on Park and King Ave. and to this day we are good neighbors. He stated that he has given each of them his cell phone under and he has not had any complaints in the 15 years we have been neighbors. Mr. Early stated that suddenly after 15 years with zero complaints, Bay View Marina and the house that comes with it is all of sudden up for sale and now all of sudden we need an Ordinance changed. He stated that he does not know why, the two just seem pretty relevant to him. He stated that he believes that someone who is selling a house next to a place like Famous Freddie's has a right to make a certain amount of noise as a business and who always has and never having a complaint in those 15 years and now they are selling the house and but now you want to enforce the Ordinance. Mr. Pilz asked if he could respond. Mayor Schmit stated that we are only listening to the comments. Mr. Early stated that this just seems a little off and has happened to him in the past and they wanted to change the commercial Ordinance for the benefit of someone who is "just moving in." He stated that he has always had a good relationship with Mr. Pilz, who has always had his cell number, who even called to ask if we wanted to purchase the property. He stated that they have even purchased the four houses on the other side of the restaurant so not to have any complaints. Mayor Schmit stated that we will take everyone's comments into consideration and try to come up with something that benefits

everyone. Mr. Pilz stated that these complaints are not coming up just because we are selling the property; the property has been for sale for over three years and that the problems seem to be insurmountable as of late. There were no further audience comments.

XI. Adjournment

Trustee Stochl made a motion to adjourn the Village Board Meeting at 7:36 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 7:36 p.m.



Niki Warden, Village Clerk