



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 August 23, 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, Konwent, Marr and Koske .

Staff also in attendance: Anne Marrin, Stephanie Hannon, Donovan Day, Chief Russel Laine, David Gauger and Rocky Horvath.

I. Preliminary Audience Comments:

Amanda Munson of Studio 25 Art Creations introduced herself to the Board and thanked them for working with her on the BYOB license and that she is excited for this opportunity for our area.

II. Presentation

Trotter and Associates Inc. presented an overview of the Interconnect Project Planning Report to the board and the process by which it was formulated. There was then discussion and questions from the board. This report is available for viewing at the Village Hall.

III. Approval of Minutes

Trustee Marr made a motion to approve the Amended Village Board Meeting Minutes of August 9, 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>Abstain</i>
<i>Trustee Marr</i>	<i>Aye</i>
<i>Trustee Koske</i>	<i>Abstain</i>
<i>Motion Carried</i>	

IV. Administrator Update

Administrator Marrin informed the Village Board that the Nippersink Phase II road project is funded through our STP funding through Lake County Dot from 10-1-2016 through 9-30-2017. Presently we do not have Phase I complete as we were waiting to work in conjunction with the water department and make sure we were on the same path. We are going to ask for a year extension on Phase I and move Phase II to 2017 -2018, with construction to being in 2019-2020 so that we are all in conjunction with this project. Anne stated that on the next agenda there will be contract for the Phase I funding for the general engineering.

Anne stated that the Village has received an official letter from the IDNR regarding the PARC Grant. Staff will be meeting with the engineers and architects to continue planning and get the project back on track.

Anne thanked staff, Rocky, Donovan, Ryan and Dan for all of their hard work on the Stormwater Management Program Plan. This plan is a requirement for our new NPDES permit.

Anne then stated that the Village has partnered with Metra for an IDOT grant for the Fiscal Year 2017 and 2018 for the Local Rail/ Highway Grade Crossing Safety Programs. Metra engineers have chosen the Jefferson Street crossing off of Rollins Rd. Jefferson has been identified as a public crossing that could benefit from an upgrade from passive to active warning devices. What this project will do is get us that much closer to being compliant with Metra's requirement so that we have safety crossings everywhere in the Village and can eventually request a silent area where no whistle can be blown. Finally Metra is paying the 10 % so this will be completed with no cost to the Village.

Anne stated that the Village has received a letter from Thelen Sand and Gravel that they are constructing an underground conveyer under Route 173. This underground route will alleviate a lot of the gravel truck traffic from our area and create a safer roadway. Anne stated that we have also been informed that Mayor Donny Schmit is employed by a company that may bid on this project. Anne stated that she wanted to reiterate that this is not a Village project, it is a private project and there is no conflict of interest. Anne stated that if anyone has any questions feel free to contact her.

V. Recess to the Committee of the Whole

Trustee Konwent made a motion to recess into the Committee of the Whole Meeting at 7:11 p.m., 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>
<i>Motion Carried</i>	

VI. Committee of the Whole

A. Finance

Trustee Stochl noted that the first motion for consideration at tonight's meeting was the Warrant List.

Trustee Stochl stated that he would be asking for a few motions in regards to Double S. Ranch. Mayor Schmit then stated the following regarding the project.

After 2 ½ years of confidential negotiations, to say that the process of having the dealership come to Fox Lake was complicated would be an understatement. In addition, we were in competition with another community, where many of the complications encountered in Fox Lake would not be an issue. Mayor Schmit then went through the following history of the project.

Mayor Schmit read the following recommendation from the **BUSINESS DISTRICT DEVELOPMENT COMMISSION**:

RECOMMENDATION

The Business District Development Commission ("BDDC") has reviewed the proposed Agreement with Ray Chrysler Dodge Jeep Ram, Inc. for an Economic Incentive Agreement for development of a new dealership along U.S. Route 12 in the Village and for conveyance by the Village of an unused two foot (2') strip of real estate adjacent to an alley to be vacated by the Village so as to maximize the space available for the dealership. The BDDC confirms that the Agreement will result in improvements beneficial to the Village in accordance with the Village's Business District Development Plan, and recommends approval, but the BDDC members believe an equal split of sales tax revenues would be more appropriate.

Mayor Schmit then said the following:

History of the transaction:

- 1) The process of bringing the Dodge dealership began over two years ago
- 2) Five locations were explored for the site and each location had its own challenges.
 - a. Route 12 & Route 134
 - i. Would necessitate paying two protest fees
 - ii. Cost of land was more than could be justified
 - b. Ennessey Property
 - i. Building would require close to \$1.0 million in repairs, including asbestos abatement
 - ii. Would also require additional land acquisition
 - iii. Would require capping two wells and acquisition of right-of-way for water hook-up
 - c. Old Ford Dealership
 - i. Extensive building repairs
 - ii. Would also require additional land acquisition
 - d. Sayles property
 - i. Development of a car dealership on Route 12 would greatly deter future development of a hotel or any other retail
 - e. Existing Ray Suzuki building
 - i. Additional land acquisition
 - ii. Extensive building renovations

Factors in determining the incentive agreement

- 1) Ray is a proven businessman that supports the Village.
- 2) Due to territorial guarantees by Chrysler, a protest fee and acquisition of land had to be completed in order for Chrysler to allow a dealership in Fox Lake.
- 3) Ray would be spending over \$7.0 million to bring the dealership to Fox Lake
- 4) Another town was very interested having Ray build in their town
- 5) Ray purchased a vacant building with multiple code violations, that in all likelihood would be vacant
- 6) The vacant building had environmental issues
- 7) Amundsen Road, which is Village property, also had environmental issues
- 8) The Village currently receives \$0.0 sales tax revenue from these properties
- 9) The Village has \$0.0 risk and expends no funds
- 10) Ray would have a significant cash outlay before receiving any revenue, thus the frontloading of the incentive. An equal split of the sales tax revenues would extend the incentive.
- 11) Building expansion from 9,000 Sq. Ft. to 24,800 Sq. Ft.

Benefits to the Village

- 1) 45 permanent jobs would be created
- 2) Local businesses will benefit from increased traffic from employees and patrons
- 3) EAV will be increased by several million dollars
- 4) The Village will receive approximately \$2.0 million during the course of the agreement
- 5) The Village does not have to deal with the environmental issue
- 6) Completion of a sidewalk on Route 12, in keeping with the comprehensive plan.

B. Building and Zoning

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

C. Parks and Recreation

Trustee Koske stated that the Land and Lakes Days was a wonderful community event. Trustee Koske also thanked all the participants, sponsors, vendors and volunteers who made this event happen. Trustee Koske stated that the PARC Grant has been reinstated for Fox Lake Lakefront Park. She is thrilled to begin work again on the Lakefront Park and they have a meeting scheduled next week with staff and engineers. Trustee Koske stated that once more information is available she will let the Board know.

Trustee Koske updated the Village Board on several events involving the Parks and Recreation Department, including the following:

- Grant Township and the Fox Lake Parks and Recreation Department will be hosting their senior friends on Thursday, September 15th at the Lakefront Park.
- The Village of Fox Lake Mayor's Challenge 5K Run/ Walk will be held on Saturday, September 10, 2016. The Annual All You Can Eat Pastas dinner will be held on Friday, September 9th at the Fox Lake Volunteer Fire Department Bingo Hall. All proceeds from this event benefit the Chicagoland Affiliate of the Susan G. Komen Breast Cancer Foundation.
- Lifesource will be at the Village Hall for a blood drive on Friday, August 26th from 12:30 -6:30 pm in Council Chambers.
- Registration has begun for our Fall Sports Programs. Sign up by September 1st.
- Stanton Middle School is doing a Day of Service fundraiser on Friday, September 23, 2016. The entire student body will dispersed throughout Fox Lake and Grant Township doing a variety of service projects.

D. Planning

Trustee Marr stated that he would be asking for a motion in regards to an outdoor music variance for Live for Life at 114 Washington Street on August 28, 2016. There were no questions from the Board.

E. Public Safety

Trustee Jensen stated that the motion to approve the Intergovernmental agreement with Park City for 911 Services has been tabled for further review by Park City.

Trustee Jensen stated that his final motion will be for an amendment to the Liquor Control Ordinance by providing licensing for non-restaurant "BYOB" establishments. He asked if there were any questions. There were none.

F. Sewer and Water

Trustee Murrey stated that we had many companies come out for the open bids for the Lakewood Glen / Highwood water extension, as well as the bids for the sanitary sewer lining. He asked if there were any questions on accepting these bids. There were none.

Trustee Murrey asked if there were any questions regarding the connection fee on Woodland and were there any questions. There were none.

Trustee Murrey thanked the Board for their dedication for moving forward with the Interconnect project. Trustee Murrey asked if there were any questions regarding the motions in front of the Board this evening. There were none.

Trustee Murrey stated that he would like the Board to read the Village Administrator report and keep themselves updated on the Departments.

G. Streets

Trustee Konwent stated that she would be asking for a motion regarding the Stormwater Management Program Plan. There were no questions from the Board.

VII. 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 7:30p.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

VII. Motions for Approval

- **Finance**

Trustee Stochl made a motion to approve the total Expenditures of \$315,930.44, Externality Payment of \$0, IMRF \$0, 8/12/16 Payroll of \$232,157.64, and Police Pension payments of \$0; Dated August 23, 2016 in the total amount of \$548,088.08, 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 Resolution 2016-21, a Resolution Approving and Authorizing Execution of an Economic Incentive Agreement Between the Village of Fox Lake and Ray Chrysler Dodge Jeep Ram, Inc. and Double S Ranch, Ltd., Seconded by Trustee Konwent.

Howard stated that he was not sure if anyone had received the revised version of the Resolution. Howard stated when he drew up the resolution he assumed that the BBDC would be approving the incentive agreement so he had to change it slightly to say that they had approved it but questioned the numbers and that the Board had decided that it is in the best interest to approve it none the less. Howard stated that the agreement remains the same. There were no questions.

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 the Vacation of Amundsen Street and Alley subject to the preparation of the appropriate Ordinance, Seconded by Trustee Murrey.

Howard stated that when they do vacations, they are required to furnish certain information and one of the items that have not been completed is J.U.I.L.E the area. Donovan stated that the area had been J.U.I.L.E. Howard then stated that we will then prepare an Ordinance that establishes the vacation.

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 the Outdoor Music Variance Request for Valarie Gallegos of Live for Life at 114 Washington Street on August 28, 2016, 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

- **Public Safety**

Trustee Jensen made a motion to Table Intergovernmental Agreement for Emergency and Non-Emergency Dispatch Services with the Village of Park City, 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 Jensen made a motion to Approve Ordinance 2016-28, an Ordinance Amending the Liquor Control Ordinance of the Village of Fox Lake to Provide Licensing for Non-Restaurant BYOB Establishments, Seconded by Trustee Kownent.

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

- **Sewer and Water**

Trustee Murrey made a motion to Authorize the Sewer and Water Department to Proceed with Planning for the Interconnect, 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

Trustee Murrey made a motion to Award the Bid to Bolder Contractors Inc., in the amount of \$278,727.00 to Construct the Lakewood and Glen Water Main Replacement Project for the Local Water and Sewer Department and Authorize the Attorney to prepare the necessary Resolution, 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

Trustee Murrey made a motion to Award the Bid to SAK Contractors, in the amount of \$91,342.50 to Install Phase 2 Part A of the 2016-2017 Sanitary Sewer Lining Program for the Local Water and Sewer Department and Authorize the Attorney to prepare the necessary Resolution, 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

Trustee Murrey stated Per Section 7-4-4 of the Village Code under Financial Hardship to approve the motion to Allow Payment of Connection Fees in Installments for 27 Woodland Avenue and Authorize the Finance Department to Prepare the Necessary Agreements, 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

- **Streets**

Trustee Konwent made a motion to Adopt the Village of Fox Lake's Stormwater Management Program Plan, 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>
<i>Motion Carried</i>	

VIII. Items to be Removed from the Consent Agenda

IX. Consent Agenda

Trustee Jensen made a motion to move that items A and B be established as the Consent Agenda for this meeting by unanimous vote, 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>	

Trustee Marr 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>
<i>Motion Carried</i>	

X. Items removed for the Consent Agenda

XI. Attorney Comments

Village Attorney Teegen stated that he would like to postpone the Review of Executive Session minutes until the next Village Board meeting for further review. It was then determined to cancel the Executive Session for this meeting.

XII. President's Comments

Mayor Schmit stated that Culvers will be addressing the Planning Commission on the first Wednesday of September with their preliminary plans/ Drawings. Mayor stated that the Town Hall meeting will be held at Grant Community High School on Thursday, September 29th. Mayor then welcomed Ray Chrysler, Dodge, Jeep and Ram and Studio 25 to Fox Lake.

XIII. Audience Comments

Ray Scarpelli from Ray Chrysler, Dodge, Jeep and Ram introduced himself, his son Raymond, and Tommy Foster, the Project Manager. He then thanked the Board for their dedication as this project has had more twists and turns than a James Bond Movie. Mr. Scarpelli went on to state that had to go through a lot of issues whether it was contamination, trees and other factors. He then stated that the Village Board has worked with himself and his family and for that he is very grateful. He then stated that he has come in front of the Board and commissions several times and he knows that you do this because you love the village and you do it for the right reasons. We do our business for the right reason as well. We are able to create jobs and we give back to the community. We try to do the right things as well. Mr. Scarpelli then stated that he wanted to point out that the relationship he has with Donny Schmit and the willingness to work through all of the twist and turns that we have been challenged with. If it wasn't for Donny's helping locate properties and answering questions we might not be here today. Mr. Scarpelli then thanked the Board again and they are proud to expand their investment, job growth and the opportunities that come with it to Fox Lake.

XIV. Adjournment

Trustee Stochl made a motion to adjourn the Village Board Meeting at 7:48 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>
<i>Trustee Konwent</i>	<i>Aye</i>
<i>Trustee Marr</i>	<i>Aye</i>
<i>Trustee Koske</i>	<i>Aye</i>

Motion Carried

Meeting was adjourned at 7:48 p.m.



Niki Warden, Village Clerk

Consent Agenda

- 1. A Motion to Approve Ordinance 2016-29, an Ordinance Amending Various Sections of the Village Code of the Village of Fox Lake.**
- 2. A Motion to Approve Ordinance 2016-30, an Ordinance Amending the Zoning Ordinance of the Village of Fox Lake, by Granting a Special Use to Cecil Sharma to Operate a Daycare Center Business at the Property at 1250 S Route 12, Fox Lake, Illinois.**