



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 24, 2018 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; Trustees: Jensen, Stochl, Konwent, Marr, Moore and Koske.

Staff also in attendance: Anne Marrin, Laura Linehan, Jimmy Lee Jr., Donovan Day, Dawn Deservi, Julie McManus and Kealan Noonan.

2. Approval of Minutes

Trustee Koske made a ***motion*** to approve the Village Board Meeting Minutes of July 10, 2018 as presented, 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 Koske Aye

Motion Carried

3. Approval of the Warrant

Trustee Marr made a ***motion*** to approve the Expenditures/Warrants/ Transfers for July 24, 2018 in the amount of \$654,388.86 Seconded by Trustee Konwent.

A roll call vote was taken as follows:

Trustee Jensen Aye

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

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

A. Illinois Law Enforcement Alarm System (ILEAS) Agency Preparedness Award Presented to the Fox Lake Police Department

Jim Hutton from the Illinois Law Enforcement Alarm System (ILEAS) presented the Fox Lake Police Department with the Agency Preparedness Award. Chief Jimmy Lee Jr. and Commander Dawn DeServi were congratulated on all the hard work put forth in order to receive the award.

5. Village President's Report

Mayor Donny Schmit asked if we could reduce the package liquor licenses from 25 to 20. We have 19 packaged liquor licenses active to date. Trustee Koske asked if this could be increased in the future if need be, Mayor Schmit said it could. Village Attorney Howard Teegen can write up the Ordinance. All were in agreement.

6. Village Administrator's Report

Anne Marrin stated that a public open house was held at Lakefront Park regarding the Nippersink design done by Gewalt Hamilton. The project does have a time constraint to work in conjunction with the Interconnect Project. Trustees will be given a packet on Wednesday, July 25, 2018 and Gewalt Hamilton will be at the next meeting to discuss the Village's options. Mayor Schmit stated that there will also be financial decisions to be made for the Lions Club hill.

7. Village Attorney Report

None

8. Village Treasurer's Report

None

9. Preliminary Audience Comments (on Agenda Items Only)

Ginger Delabarza brought up concerns about Ray Chevrolet parking cars in the golf course off State Park Road. Ginger lives in McHenry County, across the street from the golf course in a residential area. Ginger is concerned about crime it may bring to the area with cars parked in a dark area and the theft spilling over into their neighborhood across the street. She also has concerns about putting her house up for sale in the near future; this may affect her property value. Ginger does not want to see cars parked in the grassy areas or box trucks and construction trucks being parked there. Ginger does not want any unwanted activity coming into her neighborhood.

Gary Schneiderman from Fox Lake thought the parking issue had been rejected by the Planning Commission. He understands that this is a parking lot but not a permanent parking lot and this will

be an eyesore. If the parking permit is granted to Ray Chevrolet he feels there should be a time limit for 1 year and not be granted a second year. The cars should only be new, family cars, no used cars and parked only in existing spaces. He feels this is not the place to park the cars in this beautiful residential place.

Kathy Munro a homeowner from Woodland Green stated the homeowners there are not in favor of this parking arrangement. She purchased her home approximately 13 or 14 years ago and was under the impression that the golf course was zoned residential. They do not want trucks moving around the property and there have been discrepancies in the amount of cars being parked there. She, along with her neighbors, are not in favor of this.

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. All were in favor. **Motion Carried.***

A. Strategic Planning Team Reports

1. Infrastructure

Kealan Noonan, director of Public Works stated that The Infrastructure Strategic Planning Team last met on July 11, 2018. They are as follows:

- TIF District
Silt fence was installed to help with erosion control and sediment. Thomas Engineering sent in the initial environmental survey request for the sidewalks to IDOT, usually takes about 6 to 8 weeks.
- Interconnect Project
Phase I documents were finalized for submittal to the IEPA
- Sewer Lining
Waiting for Visu-Sewer final documents for insurance
- Street Painting
Grand Ave has been painted; just finished white paint will now start yellow paint
- Sayton Road
More testing on the solid is required before a landfill will accept it, IDOT says we can move forward and start moving ground next week

2. Marketing

None

3. Communication/Public Outreach

Police Chief Jimmy Lee Jr. updated the Board on the following:

- The Lake County News Sun did an article on the Farmer's Market
- Bloody Mary Fest was featured in the Daily Herald
- The Bike Rodeo had an article in the Northwest Herald
- National Night Out will be held August 7, 2018. Police Chief Lee brought fliers for anyone interested. Jewel will be one of the sponsors for the event.
- Website pages are being cleaned up.

4. Economic Development

Community Development Director, Donovan Day, stated that the Economic Development Strategic Planning team last met on June 27, 2018. Director Day gave an update of the projects in process and new business. They are as follows:

- Fox Lake Liquor and Tobacco
Ribbon cutting ceremony will be Thursday, July 26, 2018 at 11 am
- Working with developers for businesses on Route 12
- ARTirondack Chairs
Most have been installed, waiting for two more chairs. We have received \$3,300.00 in bids so far. Bids open until September 12, 2018. Many positive comments on the chairs so far.

5. Recreation

Assistant to the Village Administrator, Laura Linehan, stated that the Recreation Strategic Planning Team last met in July 20, 2018. Ms. Linehan gave an update of the projects in process and new business. They are as follows:

- Laura thanked all who attended and volunteered to help with Bloody Mary Fest. A total of 1384 tickets were sold and 1332 people were in attendance.
- Cardboard Cup and the Fox Lake Fish Fest which will feature the Mayor's Fish Fry and Fishing Derby, 2 day event
- Wednesday, July 25, 2018 will be the parks Master Plan and site design
- Launched "GO Fox Lake" Facebook page to promote a healthy lifestyle through walking, kickoff event will be August 11, 2018 at 10 am at Lakefront Park, FREE T-Shirts will be available

6. Technology

Police Chief Jimmy Lee Jr. has been focusing on video security throughout the Village. The Village Board was asked to provide locations that may benefit from video surveillance. The next meeting will be August 6, 2018 to organize the locations and set

priorities. There are also policy concerns because we will have to comply with FOIA requests etc. and request can overburden staff.

11. New Business

A. Foxconn/Upstream Development concerns

Storm Water Management and Lake County Municipal League have asked the Village to pass a resolution to ensure our watersheds and lakes remain pollution free with the project being conducted in Wisconsin. Congressman Schneider, Senator Duckworth and Senator Kirk oppose waiving the environmental regulations. The development is going to fill in 26 acres of wetlands with no retention and drawing 7 million gallons of water from Lake Michigan and only returning 4 million. It will directly impact the DesPlaines Watershed. We are asking the State of Wisconsin to mitigate the environmental impact. All in agreement.

B. 2018-33, an Ordinance providing for the regulation of and application for Small Wireless Facilities in the Village of Fox Lake.

Ordinance must be passed by August 1, 2018. The State of Illinois decided the fees for the permit and the Village wants to be able to charge certain fees and exercise minimal controls within the law. The law was passed against the wishes of almost all municipalities.

C. 2018-34, an Ordinance amending various sections of the Village Code in order to confirm those sections to the provisions of the ordinance regulating Small Wireless Facilities.

D. Temporary Use Permit for Motor Vehicle Storage at 7220 State Park Road

Mayor Schmit explained to the audience that the Planning Commission is a recommending body and the Village board makes the final decision. He addressed Gary's concern that Ray did not participate in the second meeting and Ray answered the questions the Village had and Ray was told he did not have to be at that second meeting. The permit states that only new cars can be parked in the lot and the Village took the recommendations from the Planning Board and audience restricting parking to the paved lot only. The fire lanes will remain open, parking one car per spot and no unloading of cars on State Park Road. Cars will not be parked on the grass. Ray does provide security to help prevent any crime or theft.

The Mayor has also received many emails from residents of Woodland Green stating he does not care about their community. The Mayor states this could not be further from the truth. The current Board took in Woodland Green's roads, which was a \$2 million dollar liability, reducing Woodland Green's association fees by \$50,000.00 to \$60,000.00 a year just in snowplowing and street lights.

The Mayor presented a power point presentation showing an aerial view of State Park Road showing how many parking lots are in full view of the street and the golf course parking lot is more secluded compared to the other lots. The golf course parking lot has been in existence since 1917. The pictures presented showed that the parking lot cannot be seen from the Woodland

Green community. The Mayor addressed one of the audience members comments on purchasing a home in a wooded setting explaining that in 1957 his family owned 2 acres of land (in this area) and then in the early 70's developers came and mowed down 300 acres of land near Lotus School. This brought more traffic and in the 90's two children were killed; this impacted a community more than parking cars being parked in a parking lot. This is a temporary situation because Ray was evicted from the Dominick's property. Ray just made a \$6 Million Dollar investment and he needs a temporary fix. The golf course property cannot be used for development for at least two years because it does not have the sewer capacity. This provides the golf course with some income to help keep up with maintenance on the property and provides a temporary fix for Ray Chevrolet.

Trustee Marr asked about the number of cars being parked on the property. He would also like to know that Ray has a long term plan. He appreciates, as a Trustee and a citizen that Ray has invested so much money in our community and it's important that we help our business owners. We should try to help him but also have a long term plan in place. The permit should have a benchmark that at a certain number of violations the permit is revoked. The cars should only be parked on pavement and not the golf cart path, and be specific.

The Mayor stated Ray will need 2 years to rent and he will establish a long term plan. Trustee Stochl wants the Board to help Ray as he prepares his long term plan, and help him find another spot in the Village for a permanent solution. Trustee Stochl hopes that the Village can find a place for his inventory where it won't impact other residential and business areas, but we will need more time. Trustee Stochl feels we must work together as a Board and a Community with our business owners.

Ray Chevrolet's Attorney Jason Christopoulos spoke to the audience to clarify some items brought up. Jason state that the cars will only be parked on the paved area and have no intention of parking cars in the grass. This is not an ideal situation for Ray either, but the rent money will help the golf course with maintenance costs. He wants the Board to help with the long term plan. The parking lot will not have box trucks; Ray does not sell box trucks. The golf course lot will be intended for new cars and they prefer to keep the used cars closer to the dealership. There is speculation about crime going up but Ray does provide a security force. A resident also mentioned her property value would go down yet there is no evidence to support that. Jason stated that at this point Ray needs help from the Village and hoping to get a more permanent fix.

Trustee Moore expressed concern about the maintenance to the property. Attorney Jason Chrisopoulos stated that fixed maintenance is part of the lease and if the landlord breaches it then that is the responsibility of the property owners. Trustee Moore assured the audience that they will do all in their power to be sure the property is maintained.

The Mayor will remove this from the consent agenda.

E. Sign Ordinance Text Amendment Discussion

Language clean-up on current text. All in agreement

F. District 114 Collections Bins Discussion

Creators of Angels Closet were unable to attend meeting, it will be addressed at next meeting. They are seeking a waiver of the \$200.00 permit fee for a collection bin at the school.

G. Raffle License Requests – American Legion Picnic and End of Season Party

The American Legion would like to waive the bond for their raffle license. All in agreement

H. Raffle License Request – National Athletic Club

The National Athletic Club will be holding raffles to benefit the Grant High School's Athletic Program on Saturdays from August to December. All in agreement

12. Old Business

None

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

Trustee Koske made a **motion** to adjourn from Committee of the Whole and reconvene Village Board Meeting, seconded by Trustee Konwent. All were in favor. **Motion carried.**

14. Items to be Removed from Consent Agenda

Remove C1 from the consent agenda

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 items below taken from agenda

1. **2018-R-42, a Resolution urging the State of Wisconsin to reconsider actions that waive enforcement of or compliance with regulations and laws for the Foxconn/Upstream Development in the headwaters of the Des Plaines River.**

B. Ordinances

1. **2018-33, an Ordinance providing for the regulation of and application for Small Wireless Facilities in the Village of Fox Lake.**
2. **2018-34, an Ordinance amending various sections of the Village Code in order to confirm those sections to the provisions of the ordinance regulating Small Wireless Facilities.**

C. Motions

1. **Board Consensus to Remove C1 from Consent Agenda**
2. **A Motion to Approve the Raffle License Request from American Legion Post 703 to conduct a raffle on August 12, 2018 at 703 N Route 12 in Fox Lake IL.**
3. **A Motion to Approve the Raffle License Request from American Legion Post 703 to conduct a raffle on September 15, 2018 at 703 N Route 12 in Fox Lake IL.**

4. A Motion to Approve the Raffle License Request from the National Athletic Club to conduct raffles on Saturdays at 264 Lippincott Lane in Fox Lake IL, August 4, 2018 through December 28, 2018 and waive the Raffle Manager Bond requirement.

*Trustee Jensen made a **motion** to move that items A 1 and B 1- 2 and C 2, 3, 4 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 Koske	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 Koske	Aye
Motion Carried	

16. Approval of Exceptions

Trustee Jensen made a motion to approve a temporary use permit for Ray Chevrolet allowing motor vehicle storage at 7220 State Park Road within the specified paved boundary areas for the period of one year with the option to extend in one year increments and direct the Village Attorney to prepare the necessary ordinance and to include the Planning Board recommendations on page 61 of the packet. 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 Koske	Aye
Motion Carried	

17. For the Good of the Order

Trustee Moore thanks all the residents who attended and shared their thoughts and their voices have been heard. Trustee Moore passed out a flyer for the Environmental Forum to be held

Sunday, July 29, 2018 at Lakefront Park at 2 p.m. The forum will cover recycling, composting and waste reduction.

Mayor Donny Schmit also thanked the residents who attended and said the Village will do their best to be sure all codes are enforced.

18. Audience Comments

None

19. Executive Session

None

20. Reconvene the Village Board Meeting.

21. Possible Motion Coming out of Executive Session

22. Adjournment

*Trustee Stochl made a **motion** adjourn the meeting at 7:40 p.m., seconded by Trustee Marr. All were in favor. **Motion Carried.***

Meeting was adjourned at 7:40 P.M.



Debra Dolis, Village Clerk

Village of Fox Lake Board Meeting

Meeting Sign In

Date 7/24/18

Printed Name

Ginger Delabarza
Gary Schneiderman
Kathy Munro
JASON CHRISTOPoulos