

VILLAGE OF FOX LAKE VILLAGE BOARD MEETING MINUTES

STATE OF ILLINOIS,

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Lake and McHenry Counties,

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 June 14, 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, Tara Semenchuk, Donovan Day, and Chief Layne.

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 May 24, 2016, 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 Abstain
Motion Carried

III. Treasurer's Report

Finance Director Stephanie Hannon stared that the Village is currently \$1,213,839 behind last year in net income due to a bond issuance of \$2,041,815 and additional public safety legal and professional services of \$355,631, offset by additional revenues from the Food and Beverage Tax of \$349,399, Income Tax of \$107,848, Sales Tax of \$32,938, Court Fines related to the Vehicle enforcement program and other initiatives of \$170,765, and the road improvement program expense of \$662,330.

The Village is currently \$435,683 ahead of the amended budget due to the timing of revenues and lag of payment from the State of Illinois. The Village's net income is

expected to be budgeted levels by the end of the fiscal year. Finance Director Hannon asked the Board if they had any questions there were none.

IV. NPDES Presentation

Village Administrator, Anne Marrin gave a summary of the National Pollutant Discharge Elimination System (NPDES) to the Board. The NPDES is the permitting program established under the Federal Clean Water Act (CWA). This presentation is available at the Village Hall and are included at the end of these minutes.

V. Administrator Update

Village Administrator Marrin stated the Village Hall will extend their hours starting on Monday, June 27th through Thursday, June 30th until 6:00 p.m. for residents to purchase their Annual vehicle sticker. Anne stated that if residents have any questions please contact the Village Hall.

VI. Recess to the Committee of the Whole

Trustee Jensen made a motion to recess into the Committee of the Whole Meeting at 6:44 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

VII. Committee of the Whole

A. Finance

Trustee Stochl stated that he would be asking for a motion for the expenditures, warrants and transfers for June 14, 2016. He asked if there were any questions. There were none.

Trustee Stochl then asked Finance Director Stephanie Hannon to address the Board on the FY 2017-2021 Village of Fox Lake Proposed Capital Improvement Plan (CIP). Director Hannon stated that the Village of Fox Lake has prepared its first Capital Improvement Plan. This plan includes capital expenditures and projects projected to be expensed or have funds assigned so improvements may be made for future periods. Director Hannon reviewed the CIP with the Board and asked if they had any questions. There were none. Director Hannon then stated that it is recommended that the Board approve the funds requested for the Capital Improvement Plan.

B. Building and Zoning

Trustee Marr stated he will be making a motion to approve the Zoning Board of Appeal's recommendation for the variation increase for the property commonly known as 35 Atwater Parkway with an amendment of the motion that requested submit a final plat of survey as well as Architectural drawings. He asked the Board if they had any questions. There were none.

C. Parks and Recreation

Trustee Koske updated the Village Board on the following events:

- Senior Friends have a trip planned for Thursday, July 13th.
- Concert in the Park will be Saturday, June 18th, 7:00 p.m. 10:00 p.m.

- Life Source will be at the Fox Lake Village Hall on Friday, June 17 from 12:30 p.m. until 6:30 p.m. and appointments are suggested.
- Celebrate Fox Lake will be on Saturday, July 2nd from 3:00 p.m. until 11 p.m. at the Lakefront Park. Fireworks will begin around 9:30 p.m.
- Celebrate Fox Lake Parade which is sponsored by the Chamber of Commerce will begin at 2 p.m. at Grant High school.
- Youth Summer Sports programs are still accepting reservations and classes can be found on the Village of Fox Lake website.

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 two Outdoor Music Variance requests for the Village of Fox Lake. One for the Concert by the Lake which will be held on Saturday, June 18, 2016 and the other for Celebrate Fox Lake which is being held on Saturday, July 2, 2016. He asked if there were any questions. There were none.

Trustee Marr asked that Community Development Director Donovan Day update the Board and audience on the events happening around the Village through Art.

Community Development Director Day stated that the Village is tapping into their 'Creative economy." He went on to state that the Village held a contest of drawings for 12 retired fire hydrants that will be installed at various locations in the downtown with walking tour brochures directing people to the hydrants and will also include information about the individual artists and why they chose their specific design. Director say asked the audience and Board to Save the Date for Saturday, June 18th at 9 a.m. for the Grand Opening Ceremony for the Community Garden of Fox Lake.

E. Public Safety

Trustee Jensen stated he had nothing under Public Safety this evening.

F. Sewer and Water

Trustee Murrey asked if there were any questions regarding Ordinance 2016-21, and Ordinance amending the Village Code to clarify the responsibility of Sewer and Water users to notify the Village of errors in billing. He asked if there were any questions. There were none.

Trustee Murrey stated that last months they ran the fire pumps and he wanted to mention that at 1 ½ times their flowage at Menards and there was zero deflection in the south system. Trustee Murrey stated that the water tower is up and it helps balance our system as well and is working above the efficiency than they expected.

Trustee Murrey closed with a reminder that back in February the Board passed the sewage cleaning and lining on Hawthorn and is due to begin soon. Trustee Murrey stated that the streets will not be tore up and can be conducted by borings and manhole covers.

G. Streets

Trustee Konwent stated asked the Board if they had any questions regarding the Resolution for Woodland Green subdivision. There were none. Village Attorney stated that the total value of the improvements for Village accounting is incorrect on the Resolution is incorrect will corrected to reflect the amount of \$328,234.00.

Trustee Konwent stated that she would be asking for a motion in regards to the Intergovernmental Agreement with the Lake County Stormwater Management Commission regarding access to the property at 98 Keystone Ave. She asked if there were any questions regarding the agreement. There were none. Mayor Schmit stated that this agreement allows the Village access to the property for landscape maintenance.

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

Trustee Koske made a **motion** to adjourn from the Committee of the Whole and reconvene the Village Board Meeting at 7:02 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

VII. Motions for Approval

• Finance

Trustee Stochl made a motion to approve the total Expenditures, Warrants, Transfers as presented. Total Expenditures of \$838,754.71, Police Pension Payment of \$0, Externality Payment of \$18,677.25, IMRF payment of \$38,664.88, June 3, 2016 Payroll \$246,039.16 for a Total of \$1,142,136.00, Seconded by Trustee Murrey.

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 2016-20 Establishing a Capital Improvement Program for the Village of Fox Lake, Illinois, 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

• Building and Zoning

Trustee Marr made a motion to Approve the amended Zoning Board of Appeal's Recommendation for a Variation to Increase the Maximum Lot Coverage by Ten Percent for Total Lot Coverage of Forty Percent, and a Reduction of 5.96 ft., for a Total Side Yard Setback of 7.04 ft., on Property Commonly Known as 35 Atwater Parkway, in Accordance with Zoning Standard 9-1-6-8, Items 3, 5 and 6 contingent upon receipt of final plat of survey and architectural drawings for review by the Community Development Director., 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

Planning

Trustee Marr made a motion to approve an Outdoor Music Variance Request to Allow Music at Lakefront Park for the Concert by the Lake on June 18, 2016, from 7:00 p.m. to 10:00 p.m., 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 Marr made a motion to approve an Outdoor Music Variance Request to Allow Music at Lakefront Park for Celebrate Fox Lake on July 2, 2016, from 6:00 p.m. to 9:00 p.m., 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

• Sewer and Water

Trustee Murrey made a motion to approve Ordinance 2016-21, and Ordinance Amending the Village Code to Clarify the Responsibility of Sewer and Water Users to Notify the Village of Errors in Billing, 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	•

Streets

Trustee Konwent made a motion to approve Resolution 2016-R-17, a Resolution accepting Certain Public Improvements in Woodland Green Subdivision, Seconded by Trustee Murrey.

A roll call vote was	s taken as follows
Trustee Murrey	Aye
Trustee Jensen	Aye
Trustee Stochl	Aye
Trustee Konwent	Aye
Trustee Marr	Aye
Trustee Koske	Ave

Motion Carried

Trustee Konwent made a motion to approve the Intergovernmental Agreement with the Lake County Stormwater Management Commission Regarding Access to the Property at 98 Keystone Avenue, Seconded by Trustee Marr.

A roll call vote was t	aken as follows:
Trustee Murrey	Aye
Trustee Jensen	Aye
Trustee Stochl	Aye
Trustee Konwent	Aye
Trustee Marr	Aye
Trustee Koske	Aye
Motion Carried	·

IX. Consent Agenda

Trustee Jensen made a motion to move that items 1 through 3 be established as the Consent Agenda for this meeting by unanimous vote, seconded by Trustee Konwent.

A roll call vote was	taken as follow.
Trustee Murrey	Aye
Trustee Jensen	Aye
Trustee Stochl	Aye
Trustee Konwent	Aye
Trustee Marr	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 wa	s taken as follows:
Trustee Murrey	Aye
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Trustee Jensen Aye Trustee Stochl Aye Trustee Konwent Aye
Trustee Marr Aye
Trustee Koske Aye
Motion Carried

X. Items removed from the Consent Agenda

None

XI. Attorney Comments

Attorney Teegen stated he did not have any updates this evening.

XII. President's Comments

Mayor Schmit read the following updates on The State of Illinois and the Village of Fox Lake to the audience.

State updates:

- 1) Proposals from Rahm Emanuel
 - a. Changes to the Police and Fire pension are to have the participants contribute 11% rather than the current 8%.
 - b. The state of Illinois is 48th of 50 states in school funding.
 - c. Pass a budget.
- 2) End of session report:
 - a. May 31st and still no budget. A budget will now require a super majority.
 - b. LGDF reduction still no change, however it is still on the Governor's turn around agenda. During my visit downstate, the legislators told me to expect anywhere from a 5% to 30% reduction.
 - c. While a two year property tax freeze may be enacted, the effect is that most individual property taxes will not go down.
 - d. Education has an August 10th deadline for the state to pass a budget. Without funding, many schools will not start on time. Chicago, even with funding is facing drastic lay-offs which will result in class sizes of 45 or more per teacher.
 - e. The government is being run by law suits. Appropriations are not being paid until they are being ordered by the courts to do so.
 - f. Lead in water. Schools are being required to test for lead in the water. In non-home rule communities, it is up to the supplier (in our case the Village) to correct the situation.
 - g. There is a study of state mandates being conducted.
 - h. An amendment is being proposed regarding funding for roads. If the amendment is passed, appropriations will not be needed and federal dollars can go straight to funding of the roads.
- 3) Working groups met 18 months ago for 4 months. They resumed meeting recently again. The Senate refused to pass the latest Madigan bill
- 4) The proposed new revenues to make up for the seven billion dollar deficit budget are as follows
 - a. A 4.8% raise in the personal income tax
 - b. A soda and sugar tax
 - c. A new gaming bill
 - d. A cut of LGDF of 5%
- 5) Use tax, which includes 911 tax, gaming tax, motor fuel tax and use tax will not be paid after July 1st.
- 6) Tom Weisner from Aurora gave a talk on the importance of water conservation. We are especially susceptible to contamination from salt. High concentrations of chloride

are being found in systems such as ours. Some fixtures built outside the country are using a brass alloy that is high in lead content.

- 7) There is a program called inourcommunity.com. It is currently in 400 communities and 14 states. It is a free program and it takes all the businesses, activities, properties for sale, events and many other items and lists it on their website. This is a free service and it also has a rewards program. If you go on the website, search Palatine or Orland Park.
- 8) I will be passing along some literature regarding vacant and abandoned building to the Community Development Department. This information is also available on the Metropolitan Mayors Conference website. This is an issue that I want to address in the coming months.
- 9) Crime Free Enforcement. There have been some changes in the law that we are going to need to review.
 - a. 99-441 eliminates many restrictions that were in place..
 - b. In addition, a Supreme Court Case decision also changed many of the conditions that apply to Crime-Free Enforcement.
 - i. Must not discriminate against any group. Two classes that are protected are race and gender.
 - ii. It must be a last gasp effort
 - iii. Nuisance calls do not apply; there must be a distinction between crime and nuisance.
 - iv. Domestic violence in the number of calls. You do not want to discourage calls
 - v. A training program should be attended. We have an officer attending a program now.

vi.

Mayor Schmit stated that this week he spoke to the property owner at the Sayles property. He has interest from four different hoteliers. He has assured me that he needs to break ground on the project this summer. If he can't cut a deal with any of the four hoteliers, he will build it on his own. I have put him in touch with a Culvers operator who is interested in building on his site also. We were approached by a developer who wants to build 480 homes in the northern part of town. We currently cannot meet the sewer and water need of the project. The developer is willing to work with the Village to meet these needs.

It seems that during the past three years, we have been putting out fires. I want to be more proactive and address some issues. Trustee Murrey, Anne and I have discussed an amnesty program for people with water available that are not hooked up to our water system. Trustee Marr and Donovan are looking at restructuring our Building and Planning Boards. Trustee Jensen, Anne, Annette and I have been looking to expand our 911 center. Trustee Koske and Amy have many exciting events planned for the summer. I spoke to Senator Althoff and asked her to make sure that we were still on track for the PARC Grant. She assured me that we will be at the top of the list once a budget is passed. Trustees Stochl and Konwent are also working on projects that are forward looking for the betterment of the Village.

Mayor Schmit ended by stating that because we want to meet the needs of developers and many items are time sensitive, we may need to meet more often than every two weeks if needed. Mayor stated that if a need arises for additional meetings we will give the public and the Board the mandatory 48 hour notice or even sooner notice if possible.

XIII. Audience Comments

There were no audience comments this evening.

XIV. Executive Session

Trustee Jensen made a motion to retire into Executive Session at 7:27 p.m. for Personnel, and Possible Litigation and to include Anne Marrin Village Administrator, and the Village Attorney, 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

XV. Reconvene the Village Board Meeting

Trustee Konwent made a motion to reconvene the Village Board Meeting at 8:07 p.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

XVI. Adjournment

Trustee Stochl made a motion to adjourn the Village Board Meeting at 8:07 p.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

Meeting was adjourned at 8:07 p.m.

Niki Warden, Village Clerk

Consent Agenda

- 1. A Motion to Approve Resolution #2016-R-18, a Resolution Authorizing the Mayor of the Village of Fox Lake to Sign and Thereby Accept the Proposal from Mad Bomber Fireworks Productions for the Fireworks Display on July 2, 2016.
- 2. A Motion to Approve the Purchase of UV Bulbs from UV Superstore in an Amount Not to Exceed \$38,324.
- 3. A Motion to Approve the Purchase of 4 Watson 9-1-1 Dispatch Consoles from the Village of Wauconda in an Amount Not to Exceed \$25,000.



To: Mayor Donny Schmit, Village of Fox Lake Village Board

From: Anne Marrin, Village Administrator

Date: June 14, 2016

Re: National Pollutant Discharge Elimination Systems (NPDES) Report Year 12 (2015)

As authorized by the Clean Water Act, the National Pollutant Discharge Elimination System (NPDES) permit program controls water pollution by regulating point sources that discharge pollutants into waters of the United States. Point sources are discrete conveyances such as pipes or man-made ditches. Individual homes that are connected to a municipal system, use a septic system, or do not have a surface discharge do not need an NPDES permit; however, industrial, municipal, and other facilities must obtain permits if their discharges go directly to surface waters. Since its introduction in 1972, the NPDES permit program is responsible for significant improvements to our Nation's water quality. All municipalities that hold an MS4 permit must report their yearly programming in June.

Highlights of last year's program (YEAR 13) include:

- In year 13 staff evaluated all paper materials for updates and introduction of new brochures and pamphlets for distribution to the public. Also staff has worked closely with our HOA's to ensure their BMP's are in place and were available to meet with them and answer any questions.
- The Village provides SMC announcements on the Village's website, at Village Hall and will continue to provide information via the Village's Facebook page and Village Newsletter.
- The SMPP will be reviewed and incorporated in Year 14.
- The Village continued to work with our HOA's on stormwater management and assists them through public meetings and working with Lake County Storm Water Management to obtain grants for their plans.
- Village representatives attended all Municipal Advisory Committee (MAC) meetings in Year 13.
- Staff attends all meetings regarding our regional storm water planning. The Village participates in various groups such as the Upper Fox River Discovery meetings. We have worked closely with Lake County Storm Water Management and FEMA regarding programs and tools that are available for mitigation plans and forecasting. Staff continues to provide flood prone areas according to the FEMA maps and currently have 2 homes set for demolition in Year 14 at 98 Keystone and 37 Medinah.
- The Village hosted a meeting for the Chain-O-Lakes with the Lake County Health Department for presentation of their Water Quality Report which was well attended. The Village will continue to work with other agencies to hold informational public hearings in Year 14.

- The Village is preparing a Public Outreach program to continue to educate HOA's, schools and flood prone areas within the Village on stormwater issues and BMP's. We currently have a phone number to call for reporting stormwater compliance issues or concerns and they are investigated and tracked by our Community Development Department. The number is listed on our website.
- The Village reviewed the current outflow maps and made no changes in Year 13. The village purchased a GIS system in Year 12 and has completed mapping of the water and sewer system. The stormwater maps will be converted to the GIS system in Year 14.
- The Village passed an Ordinance in Year 12 prohibiting illicit discharges and connections giving authority to the Village for appropriate enforcement procedures and actions. (Ordinance 2014-17). The village also adopted an Ordinance in Year 13 prohibiting the use of fertilizer containing phosphorus. (Ordinance 2015-13). In addition, the Village adopted the Amended Lake County WDO in Year 13 (Ordinance 2016-13).
- The Village enforced all ordnances in Year 13 and there were 81 inspections completed where 16 were WDO code violations. These violations were reported to the Community Development Department and were investigated by our WDO Enforcement Officer and remedied immediately in full compliance.
- In Year 13 the Village inspected all drainage basins including the cleaning and clearing of debris, all catch basins were checked and cleaned; all outlets were checked and cleaned all detention ponds were checked, mowed and all debris cleared out. All stormwater structures were inspected and repairs of all failures were completed. Dry weather screening was completed during this time and staff inspects all outflows after a 1-inch rainfall for flow and debris. All inspection records are kept at the Village's Public Works Facility.
- The WDO was enforced in Year 13. Construction sites were inspected for ordinance compliance. Fox Lake has a full-time inspector for erosion control enforcement on construction sites to ensure all controls such as silt fencing are being observed. Additionally, the Village contracts and certified plumbing inspector for all plumbing services and inspection on all sites. The following construction took place in Year 13:
- WDO Permits-23
- Demolition-5
- New Commercial-1
- New Residential-4
- Commercial Addition-1
- Residential Addition-2
- Code Enforcement Violations-16 (Erosion Control, Illegal Fill, and Drainage). All were inspected and made to be in compliance.
- The Village's Brush Collection Program continued in Year 13 and the Village continues to work with SWALCO on the Electronic Recycling Program for required e-waste disposals and other disposal programs.
- The Village continues to track complaints received. In Year 13 there was 1 public initiated sediment and erosion control complaint received. The Village worked with LCSMC to review and inspect the issue. Any noted violations were resolved and tracked by our enforcement officer and inspectors in the Community Development Department until compliance was reached.
- The Village sends employees to all training as time permits. In Year 13 employees received

• the following certifications:

Hazardous Materials Training and Testing (All Public Works employees attended).

- Street sweeping was performed on all streets in Year 13 at the beginning of spring and major street and storm sewered streets are regularly swept and vacuumed through spring, summer and fall.
- In Year 13 the Village inspected all drainage systems including the cleaning and clearing of all debris; all catch basins were checked and cleaned; all outlets were checked and cleaned;
- All detention ponds were checked, mowed and debris cleared out. All storm sewer structures were inspected and repairs made as needed. Dry weather screening was completed during this time and staff inspects all outflows after a 1-inch rainfall for flow and debris. All inspection records are kept at the Public Works Facility.
- In Year 13 staff inspected 33 outfalls and 287 storm sewer structures were cleaned and inspected.
- The Village conducted a large road project on South and North Pistakee Lake Road, Meade and a portion of West Grand Avenue. This included new storm sewers and additional green space along the roadway. The relocation of water mains was conducted to allow for the proper drainage offset between stormwater and water mains. The Village worked closely with our enforcement officer and submitted all required NOI paperwork and closed it out at the end of the project.

The IEPA has issued a new permit for all MS4's and we must reach compliance in 2016. This program includes, water testing, Environmental Impact Program, Climate Control Program, measurable testing and much more. Staff is working on creating a Stormwater Management Plan Program as required by the new permit. This is no small undertaking to meet all of the new requirements and unfunded mandates from the IEPA. All departments will be involved and staff will continue to provide the best program for stormwater management in our Village.

As per the NPDES requirements the entire report is available on the Fox Lake website at www.foxlake.org.