



**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 June 11th, 2019 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 Howard Teegan; Trustees: Jensen, Stochl, Konwent, Marr, Moore and Koske.

Staff also in attendance: Anne Marrin, Laura Linehan, Kealan Noonan, and Jimmy Lee, Jr.

2. Approval of Minutes

*Trustee Konwent made a **motion** to approve the Village Board Meeting Minutes for May 28, 2019 as presented, seconded by Trustee Marr. Trustee Koske Abstains. All other Trustees were in favor. **Motion Carried***

3. Approval of the Warrant

*Trustee Jensen made a **motion** to approve the Expenditures/Warrants/ Transfers for June 11, 2019 in the amount of \$840,982.13, Seconded by Trustee Moore.*

A roll call vote was taken as follows:

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

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

There is none.

5. Village President's Report

Mayor Schmit discussed three billboards located near the intersection of Route 12 & 134. IDOT did an inventory on their billboards and the original permit was issued in 1972. They found that these signs are in violation because there can only be two-facing billboards and a 300-foot separation between the next sign. Munson Marine would like to move their sign 300 feet up the hill, closer to their building. The sign will remain the same size. Attorney Teegan suggested giving the owner of these signs a letter that proves these changes will bring him into compliance with IDOT regulation.

Beginning July 1st, tobacco sales will be age 21 and over. This is a state law and the Village will need to update its ordinance before July 1st.

Mayor Schmit has been approached by three people about marijuana dispensaries. The Mayor will get guidance from the IL Municipal League who will provide some sample ordinances. There can be a municipal tax imposed in increments of .025%, which can go up to 3.0%. Discussions will take place to decide how many licenses will be issued and where dispensaries will be located. The Village will continue to look for guidance since the law was just passed last week.

Strategic planning teams were started three years ago, and they have worked well. The Mayor provided some ideas for changes to these teams in his weekly update. He has asked the Board for their input as well. Trustee Koske is on the Parks and Rec planning team which consists of two trustees and four employees. She says this is a lot of people and conversations get dragged out. The meetings can be very long because there are so many people with input.

6. Village Administrator's Report

Anne Marrin said the Village is ratifying an agreement with Govtemp for an Interim Treasurer/Finance Director. Susan Griffin, who will be sworn into this role, introduced herself and shared her background with the Board.

The Mayor asked if the agreement is for six months or three months. Anne said the agreement is for three months with an option to extend if needed. The resolution on tonight's agenda will be amended to reflect three months instead of six.

Anne also mentioned that HGTV will be coming to Fox Lake as part of the Lakefront Bargain series. They will be in town filming July 6th-9th.

7. Village Attorney Report

There is none.

8. Village Treasurer's Report

There is none.

9. Preliminary Audience Comments (on Agenda Items Only)

There is none.

10. Motion to Recess to Committee of the Whole Meeting

Trustee Koske made a motion to recess to the Committee of the Whole, seconded by Trustee Konwent. All were in favor. Motion Carried.

A. Strategic Planning Team Reports

1. Infrastructure

Kealan Noonan, Director of Public Works

- Sayton Road – Some curb replacement is needed which will be at no cost to the Village since it occurred during construction. Upcoming items include signage, pavement markings prior to the railroad opening and the final surface coat. The plan is to be complete in about two weeks.
- Frontage Road – Phase two will shift traffic from the west lane to the east lane.
- Village Lighting – The bid opening was today and there were two bids. The low bid came in under the engineer's estimate. A recommendation will be coming at the next Board Meeting.
- Sewer Lining – Kealan's team is putting together a recommendation for this project.

2. Marketing

Laura Linehan, Assistant to the Village Administrator

The Village mobile application is in the process of being reviewed at the Apple Store. Hopefully, it will go live in the next few days.

Communication/Public Outreach

3. Jimmy Lee, Jr. Police Chief

There has been a lot of positive feedback about the murals in town.

Chief Lee is recommending that National Night Out be located in the same spot as the Farmers Market. He is thinking of a way to combine the two events.

The Mayor said the Fire Chief gave an okay to shutdown School Street as needed for these events.

Chief Lee also discussed Ring system, which acts as a community watch. It has been effective in solving several crimes. That will be the next big project coming down the pipeline.

4. Economic Development

Anne Marrin spoke for Donovan Day who was not in attendance.

- The planning team met on April 18th and recommended approval from the Village Board for the hotel feasibility study and that study is currently in progress.
- Ben Watts Marina is moving along on their pier and sea wall replacement.
- Two murals are underway, and one is almost complete. They look colorful and beautiful and there will be two more coming soon.
- Gyrogos Café has re-opened and a ribbon cutting ceremony will be held in the near future.
- A new restaurant, Los Magueyes, is moving along with renovations and they started installing custom booths.
- Staff is working on corrections to the Zoning Map for final adoption in the upcoming weeks.
- This year's art installation will be Anchors. There have been seven submissions so far.

5. Recreation

Laura Linehan, Assistant to the Village Administrator

The Splash Pad had 15 attendees and they were all new people. There are two potential applicants that can help out over the weekends.

Father's Day Fish Frenzie will be from 8am-noon on June 15th. No licenses are required. Fox Lake bobbers will be distributed.

Celebrate Lake County is coming up and supplies have been ordered.

Trustee Koske said she spoke with someone from the historical society who asked if they can put up a booth and sell food. Laura said they are encouraged to be food vendors and she will reach out to the Historical Society.

6. Technology

Jimmy Lee, Jr., Police Chief

The camera project has been working and recording for a few weeks. One of the cameras has resulted in an arrest.

The Mayor met with two residents near the Grace Street closure and one of them thinks the buildings should have cameras. Chief Lee said he'd need to see if a signal is available for a wi-fi connection. Another option is lighting with motion sensors.

11. **New Business**

- A.** Resolution 2019-R-44: A Resolution Approving the Final Plat of the Berg Subdivision.
Property is currently 7.1 acres and will be split into two sections, one at 3.7 acres and another at 3.4 acres.
- B.** Resolution 2019-R-45: A Resolution Accepting the Village of Fox Lake Parks and Recreation Master Plan.
There is no budget impact at this time but there are some action items to get done this year: Engineering to close Nippersink, additional funds for events at the Farmers Market and additional fitness programs for adults. Trustee Koske mentioned that this plan is a comprehensive, living plan that will change as resources come available or not available. She wanted to remind everyone that because of that, plans will change over time. The Mayor agrees and is glad to have a plan in place.
- C.** Resolution 2019-R-46: A Resolution Ratifying the Execution by the Mayor of the Employee Leasing Agreement with GOVTEMPSUSA, LLC for an Acting Treasurer/Finance Director.
This contract is for three months at \$84/hour.
- D.** Resolution 2019-R-47: A Resolution Authorizing the Mayor to Sign and Thereby Accept an Agreement Klein, Thorpe & Jenkins, LTD. for Legal Services.
This resolution will update Village code as laws are changing (i.e. new tobacco law). The budget for this item was \$10K and the bid that staff recommends is \$53K. This will require a budget adjustment in December.
- E.** Ordinance 2019-14: An Ordinance Amending Section 9-1-4-3-B-3 of the Zoning Ordinance of the Village of Fox Lake Related to Contiguous Non-Conforming Lots.
This item will be pulled until Donovan is in attendance to explain the ordinance.
- F.** Ordinance 2019-22: An Ordinance Amending the Zoning Ordinance of the Village of Fox Lake, By Rezoning Property at 27519 Chris Larkin Road, Fox Lake, Illinois, From B-3 to R-2.
This property has two lots; one has a house on it and the other lot will mirror the existing zoning district at Duck Lake crossing.

- G. Ordinance 2019-23: An Ordinance Amending Section 3-3-13 C of the Liquor Control Ordinance of the Village of Fox Lake.
This will be for a vendor at the Farmers Market. There were no local providers that wanted to do this. This ordinance will allow for a vendor during the 17 weeks of the Farmers Market. The hope is next year, someone local will do it. This will need to be amended again for Blazing Ceramics. Attorney Teegan pointed out this is a Special Events License that is for one specific vendor at one specific location.
- H. Ordinance 2019-24: An Ordinance Amending Section 7-4-3 A of the Code of the Village of Fox Lake Related to Required Connections to the Village Water System.
The Village set up an Amnesty Program that will allow residents to apply for a variance if they can prove hardship.
- I. A Motion to Approve the Raffle License request from Fox Lake Round Lake Rotary Club, to conduct a raffle and waive the bond requirement.
This will be for a trivia event at the American Legion.
- J. A Motion to Authorize the Administrator and Attorney to Sign the Federal Transit Administration (FTA) Fiscal year 2019 Certifications and Assurances.
This is an annual agreement with PACE where the Village agrees to meet their obligations set by PACE.

12. Old Business

There is none.

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

14. Items to be Removed from Consent Agenda

- 1. Ordinance B-1, 2019-14 An Ordinance Amending Section 9-1-4-3-B-3 of the Zoning Ordinance of the Village of Fox Lake Related to Contiguous Non-Conforming Lots will be removed 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

- 1. Resolution 2019-R-44: A Resolution Approving the Final Plat of the Berg Subdivision.
- 2. Resolution 2019-R-45: A Resolution Accepting the Village of Fox Lake Parks and Recreation Master Plan.
- 3. Resolution 2019-R-46: A Resolution Ratifying the Execution by the Mayor of the Employee Leasing Agreement with GOVTEMPUSA, LLC for an Acting Treasurer/Finance Director.
- 4. Resolution 2019-R-47: A Resolution Authorizing the Mayor to Sign and Thereby Accept an Agreement Klein, Thorpe & Jenkins, LTD. for Legal Services.

B. Ordinances

- 2. Ordinance 2019-22: An Ordinance Amending the Zoning Ordinance of the Village of Fox Lake, By Rezoning Property at 27519 Chris Lark Road, Fox Lake, Illinois, From B-3 to R-2.
- 3. Ordinance 2019-23: An Ordinance Amending Section 3-3-13 C of the Liquor Control Ordinance of the Village of Fox Lake.
- 4. Ordinance 2019-24: An Ordinance Amending Section 7-4-3 A of the Code of the Village of Fox Lake Related to Required Connections to the Village Water System.

C. Motions

- 1. A Motion to Approve the Raffle License request from Fox Lake Round Lake Rotary Club, to conduct a raffle and waive the bond requirement.
- 2. A Motion to Authorize the Administrator and Attorney to Sign the Federal Transit Administration (FTA) Fiscal year 2019 Certifications and Assurances.

Trustee Jensen made a motion to move that items Resolutions A 1-4, Ordinances B 2-4, and Motions C 1-2 be established as the Consent Agenda for this meeting by unanimous vote, seconded by Trustee Konwent.

A roll call vote was taken as follows:

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

Trustee Konwent made a motion that the consent agenda as established by the prior motion be passed, seconded by Trustee Jensen.

A roll call vote was taken as follows:

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

16. Approval of Exceptions

There is none.

17. **Swearing in of Susan Griffin, Acting Treasurer/Finance Director pursuant to a contract with GOVTEMPSUSA, LLC.**
Trustee Marr made a motion to appoint Susan Griffin as the acting Treasurer / Finance Director, seconded by Trustee Jensen.

Susan Griffin was sworn in by Amy Driscoll, Village Clerk.
18. **For the Good of the Order**
There is none.
19. **Audience Comments**
The Mayor asked for audience comments and there were none.
20. **Reconvene the Hearing regarding the Special Use Permit for the Property located at 100 S. Route 12, Fox Lake, Illinois**
Mayor Schmit opened the Hearing regarding the Special Use Permit at 100 S. Route 12 and asked for public comments.
21. **Public Comment**
Zach Stebbins, from Culvers, said he reached out to the owners of 90 S. Rte 12, again. IDOT and Zach have asked for a meeting with these owners and they have refused. IDOT wants to keep the entrance as it is right now. They won't put anything in paper but IDOT will be summoned to a court of law if needed. The owners of 90 S. Rte 12 don't feel a meeting is necessary. For any work to be done on this property, the owners will need to submit for a permit from IDOT, Zach cannot do this for them. Zach offered \$40K for the land and he has not heard back from the landowners or their lawyer. Zach received a bid for the construction work which came it at \$90K. He is looking for one more bid before submitting plans to the Village. Zach asks that the Village hold off with any fines until at least August 15th which will give him time to purchase that portion of land or to get the construction work underway. Attorney Teegan read an email from the attorney for the owners of 90 S. Rte 12. It was received on June 10th, from attorney Alex Marks, addressed to Ben Jacobi. Marks said the original deadline was for the work to be done by June 14th and it will obviously not be met. Marks mentioned that Zach has not attempted to reach out to his client. The court date is set for June 28th in order to report if the encroachment has been fixed. Because it has not, there will be nothing new to report. Marks says his client continues to receive damages while Zach drags his feet. He also says the offer of \$40K is not realistic to the value of the land or the damages incurred. Zach commented that he has done many scopes of land value, as has IDOT, and they came up with a value of \$6,500 for that piece of land.
22. **Executive Session**
*Trustee Stochl made a motion to retire into executive session at 7:21 p.m. for discussion on Acquisition of real estate, threatened litigation and discussion pursuant to 5 ILCS 120/2(c)11; Deliberations on the Reconvened Hearing regarding the Special Use Permit for the Property located at 100 S. Route 12, Fox Lake, IL to include Mayor Donny Schmit, Village Administrator Anne Marrin, Assistant to the Village Administrator Laura Linehan, Attorney Howard Teegan and Ben Jacobi, seconded by Trustee Marr. All were in favor. **Motion Carried.***

Reconvene the Village Board Meeting
*Trustee Koske made a motion to reconvene the Village Board meeting, seconded by Trustee Konwent. All were in favor. **Motion Carried.***

23. Possible Motion Coming out of Executive Session

Trustee Marr made a **motion** to accept the eighth supplemental Village Board findings for the matter at 100 S. Route 12 Fox Lake, IL, seconded by Trustee Koske.

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 Moore made a **motion** to approve the variance for the mandatory water connection at the property located at 509 Deer Run, Spring Grove, IL and authorize the Mayor to sign a letter approving the variance, seconded by Trustee Konwent.

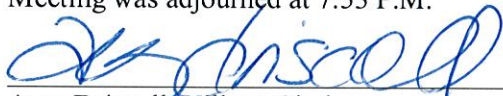
A roll call vote was taken as follows:

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

24. Adjournment

Trustee Stochl made a **motion** adjourn the meeting at 7:53 p.m., seconded by Trustee Marr. All were in favor. **Motion Carried.**

Meeting was adjourned at 7:53 P.M.



Amy Driscoll, Village Clerk