



**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 23rd, 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 Teegen; Trustees: Jensen, Stochl, Konwent, Marr, Moore and Koske.

Staff also in attendance: Anne Marrin, Laura Linehan, Kealan Noonan, Jimmy Lee, Jr., Ryan Kelly, Stephanie Eisner, Phillip Love and Donovan Day.

**2. Approval of Minutes**

*Trustee Konwent made a motion to approve the Village Board Meeting Minutes for July 9, 2019 as presented, seconded by Trustee Jensen. Trustee Koske abstained. The remaining Trustees were all in favor. Motion Carried*

**3. Approval of the Warrant**

*Trustee Moore made a motion to approve the Expenditures/Warrants/ Transfers for July 23, 2019 in the amount of \$879,682.55, 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*

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

**A. Swearing In of Patrol Officer Austin VanBuren**

*Commissioner Mike Trinski swore in Austin VanBuren who recently finished the police academy and is currently in field training as the Village's newest police officer.*

**B. Swearing In of Sergeant Joseph Martin**

*Commissioner Mike Trinski swore in Joseph Martin who is being promoted to Sergeant.*

*Chief Lee closed by saying the Village had 82 people test last Saturday for open spots in the Police Department. Next steps will be background checks on the top 30 applicants with the best test results.*

**5. Village President's Report**

**A. Fox Water Shed**

*There is a plan to create a Fox Water Shed as the Village does not currently have one. This will make the Village eligible for 319 grants, where IEPA will pay 60% and the Village will pay 40%. This will require a financial commitment of \$5K for two years (\$2,500 a year).*

**B. Update on Strategic Planning Teams**

*The Mayor still has not received feedback on Strategic Planning Team volunteers. He would like four teams and he will make assignments in his next report. The Mayor would like feedback from the Board on these assignments.*

**C. Land Bank**

*Through the Land Bank, there is a \$250K reimbursable grant. However, the Village has to purchase properties to get money from the grant. The Village is going out to banks to get land and cash donations. As an example, the Mayor discussed a home on Pistakee Lake Rd, with liens and back taxes. The Village can acquire the property for \$10K and the Land Bank will sell it for \$15K, leaving \$5K in the Land Bank.*

**6. Village Administrator's Report**

*Anne Marrin said staff is working on future projects and grants. They will also be reviewing the Parks Master Plan and the OSLAD grants. Anne is looking for prioritization from the Strategic Planning Teams in order to publish the plans by end of August.*

**7. Village Attorney Report**

*There is none.*

**8. Village Treasurer's Report**

*There is none.*

**9. Preliminary Audience Comments (on Agenda Items Only)**

*Glenn Close of Fox Lake questioned machine guns the Village is selling for \$300 each. He researched the internet and found starting bids on these types of guns for around \$30K. Glenn wants to know why the Village is only asking \$300.*

*Chief Lee said they are MP5 Rifles and they are very old. The guns will be sold for parts only and will not be in service as rifle. He believes the price found online is ridiculous.*

**10. Motion to Recess to Committee of the Whole Meeting**

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

## A. Strategic Planning Team Reports

### 1. Infrastructure

Kealan Noonan, Director of Public Works

- Nippersink – Retaining wall moorings installed. Shooting for an April 2020 letting.
- Lighting Project – Working on getting everything ordered. Lights are about 12-16 weeks out.
- Grace Ave – Engineers got feedback from only one contractor, while others wanted more time. Bid has been extended until Thursday at 10am.
- Grand Ave – Concrete work continues and there has been a lot of positive feedback so far.
- Roadway Analysis – Assessing and ranking roads (worst to best) is due to be complete mid-August.

### 2. Marketing

Laura Linehan, Assistant to the Village Administrator

- The Village mobile app has been released. 123 page views and 26 downloads so far.
- Continuing to work with Visit Lake County to get Village information published.

### 3. Communication/Public Outreach

Jimmy Lee, Jr. Police Chief

Chief Lee obtained a Ring Doorbell to give away at National Night Out. That information will be out on Facebook tomorrow. Make sure to acquire a Passport in order to be eligible for the Ring raffle.

### 4. Economic Development

Donovan Day, Director of Community Development

- Los Magueyes – No opening date yet. Owners were setback by underground plumbing that needed to be redone.
- 13 Nippersink Restaurant – Taking shape as tile and drywall is in. They plan to open this year.
- Economic Strategic Planning Team – Meeting July 24<sup>th</sup> at 4pm to go over the Hotel Feasibility Study draft. Study shows the town can support an 80 room hotel.
- Anchor Art Installation – These are almost complete and turned into the Village.
- Pelican Mural – This mural is taking shape. The next mural will most likely be near the 13 Nippersink restaurant by the train station.

### 5. Recreation

Laura Linehan, Assistant to the Village Administrator

- Bloody Mary Fest – Laura thanked everyone who participated in the Fest. 1,300 tickets were sold and there was a lot of good feedback.
- Farmers Market – The Christmas and July theme seems to be a success as the Market is very busy today.

Trustee Moore said she has received good feedback on moving the Farmers Market back to the road. It's more ADA compliant for those who are handicap. Trustee Marr mentioned there seems to be the same individuals under the misting tents every week.

## 6. Technology

Jimmy Lee, Jr. Police Chief

There will be a meeting on August 6<sup>th</sup> at 9:30pm to schedule projects for the upcoming year. Chief Lee asked the Board to visit the Ring App on their phones and see what the application has to offer. Trustee Jensen asked if users of the Ring App can set the parameter around his/her property for video surveillance. Based on a user's addresses, Ring sets the radius for capturing video.

## 11. **New Business**

- A.** Resolution 2019-R-54: A Resolution Authorizing the Mayor of the Village of Fox Lake, to Sign and Thereby Accept the Proposal from Thomas Engineering Group for Professional Engineering Services for Reclassification of FAU Routes.  
*It will cost \$22,332 to designate roads as FAU Routes (Federal Assistant Urban Routes). Thirteen roads in town have been selected to become FAU routes which will allow for grants and federal funds. This contract is separate from the road study currently taking place. The roads are: Forest Ave, Riverview Ave, Rte 12 Frontage Rd (3 sections), Kings Rd / Park Ave, Holly Ave, Hillcrest Ave, Highview Ave, Hickory Ave, Devlin Ave, Washington St and West Grand Ave.*
- B.** Resolution 2019-R-56: A Resolution Accepting the Bid and Awarding the Contract for Construction of a Bridge Lift Station for the Interconnect Project to Berger Excavating Contractors.  
*Bid accepted for \$1,344,000. This was the low bidder.*
- C.** Resolution 2019-R-57: A Resolution Accepting the Bid and Awarding the Contract for Construction of the Pipeline Portions of Phase I of the Interconnect Project to Joel Kennedy Construction of Waukegan, Illinois.  
*Bid accepted for \$7,020,600. The Mayor has additional comments on this Resolution later in the meeting.*
- D.** Resolution 2019-R-58: A Resolution Accepting the Bid and Awarding the Contract for the Rehabilitation of the Main Lift Station for the Interconnect Project to Keno & Sons Construction Company.  
*Bid accepted for \$698,900.*
- E.** Resolution 2019-R-59: A Resolution Authorizing the Mayor and Village Clerk of the Village of Fox Lake to Sign and Thereby Accept the Proposal from Currie Motors, Frankfort, Illinois for Three New 2020 Ford Utility Police Interceptor Vehicles for Use By the Police Department.  
*This will replace 3 police vehicles that have over \$100K miles and one vehicle that was totaled in a recent accident. Trustee Stochl asked if these vehicles come through the motor pool. Chief Lee said these will be Village of Fox Lake vehicles and they come out of the annual budget. The Police Department now handles all monitoring and analysis of fleet in-house.*
- F.** Resolution 2019-R-61: A Resolution Authorizing the Demolition of the Garage Structure Located at 30 E. Grand Avenue, Fox Lake, Illinois.  
*This will authorize demolition of a garage which is detached structure. The current structure has holes in the roof and boards are falling off. Attempted to contact the owners many times but have been unsuccessful.*

- G. Resolution 2019-R-62: A Resolution Approving the Loan Agreements for IEPA Wastewater Project L173974 and Drinking Water Project L175581 and Ratifying the Execution of the Loan Agreements By the Mayor of the Village of Fox Lake.  
*This will allow the Village to borrow \$9M from the IEPA.*
- H. Ordinance 2019-30: An Ordinance Directing the Disposal of Surplus Property by Transfer/Sale.  
*Guns are being sold for parts only: \$800 for the rifles and \$200 for the pistols.*
- I. Ordinance 2019-31: An Ordinance Amending the Zoning Ordinance of the Village of Fox Lake, By Granting a Special Use to Ray Chevrolet, Inc. to Allow Motor Vehicle Storage and Parking at the Property at 128 Honing Road, Fox Lake, Illinois.  
*This will authorize Ray Chevrolet to store vehicles at the Northwest Regional Water Reclamation facility. Lease will be for \$1,700 a month.*
- J. A Motion to Accept the Planning and Zoning Commission’s Recommendation to Approve a Variance on the Maximum Size for an Accessory Structure at 27253 W. Nippersink Rd.  
*This is for a 3-car garage on a one acre lot and will replace an existing garage. The Planning Commission saw no issue with this and is seeking approval.*
- K. A Motion to Accept the Planning and Zoning Commission’s Recommendation to Approve Rezoning 702 Rollins Rd. to B-3 and Approve a Special Use Permit for Automobile Sales at 702 Rollins Rd.  
*Motion for a Special Use Permit to allow auto sales at Dan’s auto body. The owner plans to purchase autos from auction to work on during slow season, and then resell the vehicles back at auction. Donovan said the owner will acquire 3-4 vehicles at a time. There is a screened enclosure where the vehicles will be housed, out of sight from the surrounding neighbors.*

**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**

Resolution 2019-R-57: A Resolution Accepting the Bid and Awarding the Contract for Construction of the Pipeline Portions of Phase I of the Interconnect Project to Joel Kennedy Construction of Waukegan, Illinois.

**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-54: A Resolution Authorizing the Mayor of the Village of Fox Lake, to Sign and Thereby Accept the Proposal from Thomas Engineering Group for Professional Engineering Services for Reclassification of FAU Routes.
- 2. Resolution 2019-R-56: 2019-R-56: A Resolution Accepting the Bid and Awarding the Contract for Construction of a Bridge Lift Station for the Interconnect Project to Berger Excavating Contractors.

4. Resolution 2019-R-58: A Resolution Accepting the Bid and Awarding the Contract for the Rehabilitation of the Main Lift Station for the Interconnect Project to Keno & Sons Construction Company.
5. Resolution 2019-R-59: A Resolution Authorizing the Mayor and Village Clerk of the Village of Fox Lake to Sign and Thereby Accept the Proposal from Currie Motors, Frankfort, Illinois for Three New 2020 Ford Utility Police Interceptor Vehicles for Use By the Police Department.
6. Resolution 2019-R-61: A Resolution Authorizing the Demolition of the Garage Structure Located at 30 E. Grand Avenue, Fox Lake, Illinois.
7. Resolution 2019-R-62: A Resolution Approving the Loan Agreements for IEPA Wastewater Project L173974 and Drinking Water Project L175581 and Ratifying the Execution of the Loan Agreements By the Mayor of the Village of Fox Lake.

**B. Ordinances**

1. Ordinance 2019-30: An Ordinance Directing the Disposal of Surplus Property by Transfer/Sale.
2. Ordinance 2019-31: An Ordinance Amending the Zoning Ordinance of the Village of Fox Lake, By Granting a Special Use to Ray Chevrolet, Inc. to Allow Motor Vehicle Storage and Parking at the Property at 128 Honing Road, Fox Lake, Illinois.

**C. Motions**

1. A Motion to Accept the Planning and Zoning Commission's Recommendation to Approve a Variance on the Maximum Size for an Accessory Structure at 27253 W. Nippersink Rd.
2. A Motion to Accept the Planning and Zoning Commission's Recommendation to Approve Rezoning 702 Rollins Rd. to B-3 and Approve a Special Use Permit for Automobile Sales at 702 Rollins Rd.

*Trustee Jensen made a **motion** to move that items Resolutions A-1,2,4-7, Ordinances B 1-2, 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>
<b><i>Motion Carried</i></b>	

*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>
<b><i>Motion Carried</i></b>	

#### **16. Approval of Exceptions**

*Mayor Schmit read a letter from Joe Kennedy Constructing Corp, stating that Procision Boring, Inc. will not be part of the Interconnect Project. The Mayor has a relationship with Procision Boring, Inc. and under the Prohibitive Activities Act; the Mayor is exercising caution by not allowing direct or indirect contact during this project.*

*Trustee Jensen made a **motion** to award the Contract for Construction of the Pipeline Portions of Phase 1 of the Interconnect Project to Joel Kennedy Construction of Waukegan, Illinois, seconded by Trustee Konwent.*

#### **17. For the Good of the Order**

*Mayor Schmit met with the Lions Club who will be making a substantial donation towards a band shell in Lakefront Park. The location and structure will be picked out by November / December. The Lions Club is requesting a plaque by the structure. Mayor thanks the Lions Club and says the band shell will be a very welcome structure in town.*

#### **18. Audience Comments**

*Peter Ivy, a resident of Hickory Cove is trying to get plans in order to hook up Jackson Park to Hickory Cove sewer line. Peter has contacted Kealan's team to get a survey. Mayor asked if homes in the area want to be hooked up to the sewer line and 15 homes want to be hooked up. A majority of the homes are against it. Mayor said he can meet with Peter and the residents of Hickory St. in order to find out who will be involved and who will pay for the work. Peter said the residents will pay. Peter also asked about moving the road over, which is up to his lot line. Mayor Schmit said the road will most likely be moved when the street is redone. If sewers will be put in, it makes sense to hold off on the road work until the sewer work is complete.*

#### **19. Reconvene the Hearing regarding the Special Use Permit for the Property located at 100 S. Route 12, Fox Lake, Illinois**

*Mayor Schmit reconvened the Hearing regarding the Special Use Permit at 100 S. Route 12 and asked for public comments.*

#### **20. Public Comment**

*Donovan Day spoke on behalf of Zach from Culvers as he could not attend the meeting. Zach is still working towards a reasonable outcome with the owner of the 100 S Route 12 property. His lawyer has contacted IDOT for paperwork and IDOT has requested 5 more business days.*

**21. Executive Session**

*Trustee Jensen made a motion to retire into executive session at 7:20 p.m. for land acquisition and discussion on pending litigation 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 Teegen, Donovan Day and Ben Jacobi, seconded by Trustee Marr. All were in favor. Motion Carried.*

**22. Reconvene the Village Board Meeting**

*Trustee Konwent made a motion to reconvene the Village Board meeting at 8:16pm, seconded by Trustee Jensen. All were in favor. Motion Carried.*

**23. Possible Motion Coming out of Executive Session**

*Trustee Jensen made a motion to accept the tenth 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:*

<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>	

**24. Adjournment**

*Trustee Stochl made a motion adjourn the meeting at 8:17 p.m., seconded by Trustee Marr. All were in favor. Motion Carried.*

Meeting was adjourned at 8:17 P.M.

  
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Amy Driscoll, Village Clerk