



**VILLAGE OF FOX LAKE  
VILLAGE BOARD MEETING MINUTES**

STATE OF ILLINOIS, }  
Lake and McHenry Counties, } SS.

**Village of Fox Lake**

**This meeting is held in accordance with State of Illinois Executive Order 2020-07 Section 6**, held in said Village and County in the State of Illinois at 6:30 p.m. on February 9, 2021, held via Zoom conference. The 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, Konwent, Stochl, Koske, Marr and Moore.

Staff also in attendance via Zoom conference: Laura Linehan, Kealan Noonan, Ryan Kelly, Susan Griffin, Wayde Frerichs, and Jimmy Lee Jr.

**2. Approval of Minutes**

**A. Village Board Meeting Minutes for January 26, 2021**

*Trustee Koske made a motion to approve the Village Board Meeting Minutes for January 26, 2021 as presented, seconded by Trustee Konwent.*

*New guidelines state that all votes must be taken via roll call vote in order to record all individual responses.*

*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*

**B. Special Meeting Minutes for February 1, 2021**

*Trustee Jensen made a motion to approve the Special Meeting Minutes for February 1, 2021 as presented, seconded by Trustee Moore.*

*A roll call vote was taken as follows:*

<i>Trustee Jensen</i>	<i>Aye</i>
<i>Trustee Stochl</i>	<i>Abstain</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>	

**3. Approval of the Warrant**

*Trustee Konwent made a motion to approve the Expenditures/Warrants/ Transfers for February 9, 2021 in the amount of \$1,001,483.37, Seconded by Trustee Marr.*

*Included in this warrant amount is a \$507K payment for Phase 2 of the Interconnect project.*

*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>	

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

**A. Swearing in of new Finance Director/Treasurer Wayde Frerichs**

*The Village Clerk swore in Wayde Frerichs to his new position as Finance Director/Treasurer.*

**B. Proclamation – Esther Schuerr**

*Mayor Schmit honored Esther Schuerr, a long-time resident of Fox Lake who celebrated her 100<sup>th</sup> birthday on February 3<sup>rd</sup>. Mayor proclaimed February 3<sup>rd</sup> to be Esther Schuerr day in the Village of Fox Lake.*

**5. Village President’s Report**

*Mayor discussed building inspections for business licenses. In the past, the Village performed these inspections along with the Fire Department. To maintain an ISO rating for insurance, they must continue doing these inspections. The question is if the Village should perform all the inspections or continue performing them alongside the Fire Department. The Building Department has some concern with Covid exposure by performing all the inspections in a short timeframe, but ultimately, they are okay with whatever the Board decides. Trustee Jensen asked if there are enough people to perform all the inspections and Mayor said yes. Trustee Stochl said that business inspections belong to the village and the Fire Department shouldn’t be doing these on their own. He suggested, to prevent confusion, make sure the Village’s business are inspected by the Building Department, and the Fire Department can come along. Trustee Stochl asked if both the Village and Fire Department each charge a fee. Howard said there are two fees, but they are different: one is a building inspection, and one is a safety inspection. Trustee Moore said she’d hate to unnecessarily send additional people out and expose them. Maybe wait about a month or so. Mayor said the vaccine process is slow, but the hope is Fire Departments will eventually be able to*

administer vaccinations. They are currently trying to work it out with the Health Department to administer vaccines at a Fox Lake site.

Mayor Schmit also discussed inspections and permits for elected officials and relatives. The idea was brought forth to have a third party do inspections and issue permits. Mayor wanted the Board's input on if this should be a policy going forward. Trustee Marr thinks it's unnecessary because there are ordinances in place and the Board is aware to follow the rules. He hasn't had a problem with the inspection department in Fox Lake, whether it be for business or additions to his home.

**6. Village Administrator's Report**

*There is none.*

**7. Village Attorney Report**

*There is none.*

**8. Village Treasurer's Report**

*Martha Trotter, Senior Manager on the audit, will discuss audit results during the "New Business" portion of the meeting.*

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

*There are none.*

**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.*

*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>

***Motion Carried***

**A. Strategic Planning Team Reports**

*The Mayor asked for comments and there were none.*

**11. New Business**

**A. Discussion of Business Licenses and Business Inspection Fees**

*Mayor Schmit said that 80 businesses haven't paid 2020 fees. Of those 80, some went out of business. In 2019, \$13,400 was collected from business licenses. In 2020, \$11,500 was collected. It is time to send out applications for business licenses and Mayor is looking for direction from the Board to see if this is a time to assist businesses. The plan is to send out application fees to businesses unless directed otherwise. Trustee Marr says to let up on the fee. Trustee Koske wanted to know if this meant the fee was being waived permanently, or only this year. Trustee Jensen said this is a time to give back to businesses. Since this Village hasn't had an opportunity to do much for local businesses, he is okay waiving the fee this year. Next year, fees should return to normal. Trustee Konwent was also okay waiving the fees until next year. Howard Teegen asked about those businesses that haven't paid last year's fees; that it isn't fair to those who did pay. Trustee Moore understands that businesses are hurting and wants to help but the Village is limited in ways to raise revenue. \$11K may not be a lot, but in these times, any money the Village can keep, and use is important. Trustee Marr said that so*

many programs and events have been cancelled already, as much as owed to residents, something should be given back to businesses too.

Mayor Schmit said that Wauconda, Antioch, and Lake Villa have all given back to businesses. He has heard feedback from Fox Lake businesses, asking if something will be given out. Mayor said it's a small token, but it's something. Trustee Koske is alright with waiving the fee for this year but wants to know about the people who didn't pay last year. Trustee Jensen said maybe those who didn't pay last year will still have to pay this year. Mayor asked if there needs to be a change to the ordinance. Howard said there can be a motion to waive fees for 2021 and the ordinance can be left as is. Trustees Jensen, Marr, Koske, Stochl and Konwent agree to make a motion that will waive the fee. Trustee Moore was not in agreement.

**B. Resolution 2021-R-07: A Resolution Authorizing the Mayor of the Village of Fox Lake to Sign and Thereby Accept a Contract with Bedco Mechanical for HVAC Services**

The low bid was \$4K. Staff is recommending awarding the contract. Trustee Stochl said the pricing was so different from bid to bid. Kealan said the contract with Bedco was thoroughly reviewed and staff called several contractors for references. Bedco has worked with municipalities in the area and he is confident in going with this service provider.

**C. A Motion to Accept the Fiscal Year 2019-2020 Audit Report Presentation**

Martha Trotter, from Sikich, presented the Audit Report by going over some key components. The Village was given an unmodified, or clean, opinion on the financial statements.

**12. Old Business**

**A. Motions to Approve Executive Session Minutes**

**1. A Motion to approve the following executive session minutes:**

- May 26, 2020, Session I**
- July 14, 2020, Sessions I and II**
- August 25, 2020, Sessions I, II and III**
- October 13, 2020, Session I**
- October 27, 2020, I, II and III**

Trustee Koske made a *motion* to approve executive session minutes, 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
<b>Motion Carried</b>	

**2. A Motion to approve the following executive session minutes:**

- August 11, 2020, Sessions I, II and III**
- September 22, 2020 Sessions 1 and II**

Trustee Jensen made a *motion* to approve executive session minutes, seconded by Trustee Koske.

A roll call vote was taken as follows:

Trustee Jensen	Aye
Trustee Stochl	Aye
Trustee Konwent	Abstain
Trustee Marr	Aye
Trustee Moore	Aye

Trustee Koske Aye  
**Motion Carried**

- 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.**

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
<b>Motion Carried</b>	

- 14. **Items to be Removed from Consent Agenda**  
There are none.

- 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 2021-R-07: A Resolution Authorizing the Mayor of the Village of Fox Lake to Sign and Thereby Accept a Contract with Bedco Mechanical for HVAC Services

**B. Ordinances**

There are none.

**C. Motions**

- 1. A Motion to Accept the Fiscal Year 2019-2020 Audit Report Presentation

Trustee Jensen made a **motion** to move that items, Resolutions A-1, and Motions C-1, 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
<b>Motion Carried</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:

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

**16. Approval of Exceptions**

*There are none.*

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

*Trustee Stochl said that, as a Village, Fox Lake operated and kept moving. The Village also received \$400K towards PPE, which could have been used towards businesses without feeling like they ‘gave away the farm’. He thinks overall, the Village has been very fortunate during this time.*

**18. Audience Comments**

*Ryan Kennedy from Kennedy Construction said they are still in a lawsuit with the Village seeking funds for work they have yet to be compensated for. He assumes the Village Attorney is telling the Board that everything is alright and to move forward with the lawsuit. Ryan has been present for all the depositions and he has heard consistent testimony about the differing site conditions. He said only one person will be making money through this, and that is the Village Attorney. Ryan said there are two very important depositions this Friday and he encourages someone from the Village to be present. Kennedy’s attorney is willing to meet with the Board and discuss what is going on. The Village and Kennedy are about \$250K apart from finding a resolution. He thinks it is beneficial that someone from the Village is present.*

**21. Executive Session**

*Trustee Marr made a **motion** to retire into Executive Session at 7:39pm, for discussion on Land Acquisition and Pending Litigation; to include Mayor Schmit, Howard Teegen, Kealan Noonan and Laura Linehan for Executive Session 1, and to include Jim Ferolo in Executive Session 2 where Mayor and Howard will recuse themselves, 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**

*Mayor forgot to mention that Scott Trotter should be included in Executive Session 2.*

*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**

**22. Adjournment (made from Executive Session)**

*Trustee Stochl made a motion to adjourn the meeting at 8:45pm, 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>	

Meeting was adjourned at \_\_\_\_\_ P.M.

  
\_\_\_\_\_  
Amy Driscoll, Village Clerk