



**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 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 March 28, 2023 and held via in person and 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, Stochl, Konwent, Marr, and Driscoll

Absent Trustee Moore

Staff also in attendance: Jessica Chernich, Donovan Day, Kealan Noonan, Jimmy Lee, Dawn Deservi, Lindsay Szafran, Patricia Russell and Michelle Runnion

2. Approval of Minutes

A. Village Board Meeting Minutes for March 14, 2023

*Trustee Konwent made a **motion** to approve the Village Board Meeting Minutes for March 14, 2023 as presented, seconded by Trustee Jensen.*

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:

<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>

Trustee Moore Absent
Trustee Driscoll Aye
Motion Carried

3. Approval of the Warrant

Trustee Konwent made a **motion** to approve the Expenditures/Warrants/Transfers for March 28, 2023 in the amount of \$787,889.97, 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 Absent
Trustee Driscoll Aye
Motion Carried

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

A. Telecommunicator’s Week Proclamation

Mayor Schmit read the proclamation and offered thanks for their service to the community.

5. Village President’s Report

Mayor Schmit shared a reminder of the Easter Egg Hunt this weekend, Saturday, April 1st, with the Lions Club.

6. Village Administrator’s Report

There is none.

7. Village Attorney Report

There is none.

8. Village Treasurer’s Report

There is none.

9. Preliminary Audience Comments (on Agenda Items Only)

There are none.

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.

A roll call vote was taken as follows:

Trustee Jensen Aye
Trustee Stochl Aye
Trustee Konwent Aye
Trustee Marr Aye
Trustee Moore Absent
Trustee Driscoll Aye
Motion Carried

- A. Strategic Planning Team Reports**
There were no comments or additions.

11. New Business (the information below taken from Agenda)

- A. Resolution 2023-R-11: A Resolution Authorizing and Ratifying a Contract with Ganziano Sewer & Water, Inc. for an Emergency Sewer Lining Repair between Atwater Parkway and Lakeside Lane**
This item is to award the Emergency Sewer Lining Repair Contract to Ganziano Sewer & Water Inc. in the amount of \$139,144.
- B. Resolution 2023-R-12: A Resolution Authorizing the Mayor of the Village of Fox Lake to Sign a Contract for Easement and Accept an Easement Grant Related to Roadway and Drainage Improvements to the Intersection of Grand Avenue and Lakeside Lane**
This item is to authorize the contract for Easement and accept the related grant for roadway and drainage improvements.
- C. Resolution 2023-R-13: A Resolution Authorizing the Mayor of the Village of Fox Lake to Sign and Thereby Accept the Proposal from UV Doctor to Purchase Components for the 2 Year Maintenance on the NWRWRF UV System**
This item is to accept the proposal from UV Superstore to purchase components for 2 year maintenance on the NWRWRF system. Note the correction made for the name of the company from UV Doctor to UV Superstore.
- D. Motion to Authorize the Village Administrator and Attorney to Sign the Federal Transit Administration (FTA) Fiscal Year 2023 Certifications and Assurances**
This item is to approve authorization of the Federal Transit Administration (FTA) Fiscal Year 2023 Certifications and Assurances.
- E. Motion to Accept the Planning and Zoning Commission's Recommendation to Approve the Petition of Mike Bell for a Special Use Permit for a Fitness Center/Pod at 112 Lakeview Avenue**
This item is to approve the special use permit at 112 Lakeview Avenue for a fitness center/pod where customers can work out for up to an hour at a time while having the pod to themselves while looking over the lake.
- F. Motion to Accept the Planning and Zoning Commission's Recommendation to Approve the Petition of Good Real Estate Holdings LLC for a Special Use Permit to Operate a Short-term Rental at 16 N. Pistakee Lake Road**
This item is to approve a special use permit to operate a short-term rental at 16 N. Pistakee Lake Road for one unit of the five units located at this property at this time. It has been request that the petitioner appear before the commissioners when the other units are ready to be occupied for approval. The planning commission has recommended approval and the property has passed inspection.
- G. Motion to Accept the Planning and Zoning Commission's Recommendation to Approve the Petition of Josh Simmons for a Special Use Permit to Operate a Short-term Rental at 46 N. Lake Avenue**

This item is to approve a special use permit to operate a short-term rental at 46 N. Lake Avenue. The planning commission has recommended approval with conditions and has passed inspection.

H. Motion to Accept the Planning and Zoning Commission’s Recommendation to Approve the Petition for a Special Use Permit for a Short-term rental at 9 Atwater Parkway

This item is to approve a special use permit to operate a short-term rental at 9 Atwater Parkway. The planning commission has recommended approval and property has passed inspection.

I. Motion to Accept the Planning and Zoning Commission’s Recommendation to Approve the Petition of Javier Montes for a Special Use Permit for a Meeting Hall at 81 E. Grand Avenue

This item is to approve a special use permit for a meeting hall at 81 E. Grand Avenue. The planning commission has recommended approval and property has passed inspection.

J. Motion to Approve the Agreement with Gewalt Hamilton Associates, Inc. for Professional Engineering Services

This item is to approve an agreement with Gewalt Hamilton Associates, Inc. for professional engineering services.

K. Motion to Authorize the Mayor to Sign an Amendment Letter with Evoqua Water Technologies LLC Clarifying the Contract Terms

This item is to approve an amendment letter with Evoqua Water Technologies clarifying the contract.

L. Motion to Ratify the Mayor Engaging Baxter & Woodman for Consultation at the NWRWRF and Signing a Letter of Agreement

This item is to ratify a letter of agreement for professional assistance at the NWRWRF.

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.*

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>Absent</i>
<i>Trustee Driscoll</i>	<i>Aye</i>

Motion Carried

14. Motion to Waive the Bids for an Emergency Sewer Lining Repair between Atwater Parkway and Lakeside Lane

*Trustee Konwent made a **motion** to waive the bids for an Emergency Sewer Lining Repair between Atwater Parkway and Lakeside Lane, 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>Absent</i>
<i>Trustee Driscoll</i>	<i>Aye</i>
<i>Motion Carried</i>	

15. Items to be Removed from Consent Agenda

Mayor Schmit removed A-3, C-6 and C-7 from the Consent Agenda.

16. 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 2023-R-11: A Resolution Authorizing and Ratifying a Contract with Ganziano Sewer & Water, Inc. for an Emergency Sewer Lining Repair between Atwater Parkway and Lakeside Lane
2. Resolution 2023-R-12: A Resolution Authorizing the Mayor of the Village of Fox Lake to Sign a Contract for Easement and Accept an Easement Grant Related to Roadway and Drainage Improvements to the Intersection of Grand Avenue and Lakeside Lane
3. **Removed from Consent Agenda** -*Resolution 2023-R-13: A Resolution Authorizing the Mayor of the Village of Fox Lake to Sign and Thereby Accept the Proposal from UV Doctor to Purchase Components for the 2 Year Maintenance on the NWRWRF UV System*

B. Ordinances

C. Motions

1. Motion to Authorize the Village Administrator and Attorney to Sign the Federal Transit Administration (FTA) Fiscal Year 2023 Certifications and Assurances
2. Motion to Accept the Planning and Zoning Commission's Recommendation to Approve the Petition of Mike Bell for a Special Use Permit for a Fitness Center/Pod at 112 Lakeview Avenue
3. Motion to Accept the Planning and Zoning Commission's Recommendation to Approve the Petition of Good Real Estate Holdings LLC for a Special Use Permit to Operate a Short-term Rental at 16 N. Pistakee Lake Road
4. Motion to Accept the Planning and Zoning Commission's Recommendation to Approve the Petition of Josh Simmons for a Special Use Permit to Operate a Short-term Rental at 46 N. Lake Avenue

5. Motion to Accept the Planning and Zoning Commission's Recommendation to Approve the Petition for a Special Use Permit for a Short-term rental at 9 Atwater Parkway
6. **Removed from Consent Agenda** -*Motion to Accept the Planning and Zoning Commission's Recommendation to Approve the Petition of Javier Montes for a Special Use Permit for a Meeting Hall at 81 E. Grand Avenue*
7. **Removed from Consent Agenda** -*Motion to Approve the Agreement with Gewalt Hamilton Associates, Inc. for Professional Engineering Services*
8. Motion to Authorize the Mayor to Sign an Amendment Letter with Evoqua Water Technologies LLC Clarifying the Contract Terms
9. Motion to Ratify the Mayor Engaging Baxter & Woodman for Consultation at the NWRWRF and Signing a Letter of Agreement

Trustee Jensen made a motion to move that items, Resolution A 1-2 and Motions C1-5, 8 and 9 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>Absent</i>
<i>Trustee Driscoll</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>Absent</i>
<i>Trustee Driscoll</i>	<i>Aye</i>
<i>Motion Carried</i>	

17. Approval of Exceptions

Trustee Jensen made a motion to approve item A-3, Resolution 2023-R-13: A Resolution Authorizing the Mayor of the Village of Fox Lake to Sign and Thereby Accept the Proposal from UV Superstore to Purchase Components for the 2 Year Maintenance on the NWRWRF UV System. 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>Absent</i>
<i>Trustee Driscoll</i>	<i>Aye</i>

Motion Carried

Trustee Jensen made a motion to approve item C-6, Motion to Accept the Planning and Zoning Commission's Recommendation to Approve the Petition of Javier Montes for a Special Use Permit for a Meeting Hall at 81 E. Grand Avenue. This item now to reflect 18 parking spaces, 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>Absent</i>
<i>Trustee Driscoll</i>	<i>Aye</i>

Motion Carried

Trustee Jensen made a motion to approve item C-7, Motion to Approve the Agreement with Gewalt Hamilton Associates, Inc. for Professional Engineering Services, seconded by Konwent.

A roll call vote was taken as follows:

<i>Trustee Jensen</i>	<i>Aye</i>
<i>Trustee Stochl</i>	<i>No</i>
<i>Trustee Konwent</i>	<i>Aye</i>
<i>Trustee Marr</i>	<i>No</i>
<i>Trustee Moore</i>	<i>Absent</i>
<i>Trustee Driscoll</i>	<i>Aye</i>

Motion Carried

18. For the Good of the Order

There was none.

19. Audience Comments

Christina Ostertag of Monterey Terrace, Round Hill requested consideration for road repairs.

20. Executive Session: Personnel Matters and Land Acquisition

Trustee Konwent made a motion to retire into Executive Session at 7:10p.m. for discussion on Personnel Matters and Land Acquisition to include Mayor Donny Schmit, Clerk Michelle Runnion, Village Attorney Howard Teegen, 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>

Trustee Marr *Aye*
Trustee Moore *Absent*
Trustee Driscoll *Aye*
Motion Carried

21. Reconvene the Village Board Meeting

Trustee Jensen made a motion to reconvene the Village Board meeting at 8:31p.m., 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 *Absent*
Trustee Driscoll *Aye*
Motion Carried

22. Adjournment

Trustee Stochl made a motion to adjourn the meeting at 8:32 pm, 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 *Absent*
Trustee Driscoll *Aye*
Motion Carried

Meeting was adjourned at 8:32 P.M.



Michelle Runnion, Clerk