

**Legal Proceedings of the City of Fox Lake
Common Council
February 5, 2020**

The regular meeting of the City of Fox Lake Common Council was held on Wednesday, February 5, 2020, at 6:30 p.m., in the Council Chambers. The meeting was called to order by Mayor Tom Bednarek and was followed by the pledge of allegiance. Roll call was taken with alderpersons John Mund, Dan Ault, Dennis Linke, Robert Jenswold and Don Zilewicz present. Absent: Peter Hartzheim. Also attending were police chief Jim Rohr and city clerk Susan Hollnagel.

In the audience were Marci Benz, Chris Merkes, Jeff Pitzlin and city treasurer Krystal McCauley.

The clerk certified open meeting laws have been complied with.

Approve minutes

Motion by Mund, seconded by Jenswold to approve the minutes of the December 4 and 18, 2019 and January 15, 2020 council meetings, as typewritten. Motion carried with a voice vote.

Public comments-agenda items

Motion by Linke, seconded by Mund to open the meeting to public comments on agenda items. Motion carried with a voice vote. No comments were made.

Public comments-other matters

Motion by Mund, seconded by Ault to open the meeting to public comments on other matters. Motion carried with a voice vote. No comments were made.

Consent agenda

Motion by Mund, seconded by Linke to approve the consent agenda, as listed below:

- a. pay the bills as audited, for accounts payable-check #40249 through #40347 totaling \$775,236.57 (including ACH withdrawals) and payroll checks #59458 through #59514 totaling \$51,576.98.
- b. grant an operator's license to Richard Quirk III, for the period ending June 30, 2020.

Vote in favor: Mund, Ault, Linke, Jenswold and Zilewicz. Motion carried.

Public hearing – conditional use permit

Motion by Mund, seconded by Ault to open the public hearing on the conditional use permit application of LCJ Properties LLC to allow construction of two, one-bedroom apartments above 221 W.

State Street. Vote in favor: Ault, Linke, Jenswold, Zilewicz and Mund. Motion carried. Public hearing opened at 6:33 p.m. The public hearing will remain open while other business is conducted.

Chris Merkes said they had talked with the building inspector confirming two exits are needed for the apartments. The Mayor said the conditional use application had gone through the Planning Commission and they recommended to the Council to approve it.

Private well – G.O. Loop LLC

Motion by Jenswold, seconded by Mund to approve the request of G.O. Loop LLC to operate a private well within the City's industrial park (lot 2, CSM #7348) for a period not to exceed five (5) years and in accordance with city ordinance 470-38E. The Mayor said he had talked with them and they may not do it, as they may be able to use the city's water. Vote in favor: Linke, Jenswold, Zilewicz, Mund, and Ault. Motion carried.

Wondra Construction – water main loop

Motion by Linke, seconded by Mund to accept the bid of Wondra Construction, Inc., of \$77,708.00 for open trench digging, up to \$128,205.00 for a horizontal directional drilling, to extend 1,050 feet of new water main line to complete a water loop starting at the Linden Lane/Brower Boulevard intersection and ending at the northwest corner of the Kwik Trip property. The Mayor said the permit application has been submitted to the DNR. Ault asked which amount we are approving. The Mayor said we will go with the \$77,708.00 until the DNR gives approval. Ault asked if the horizontal borrowing would be done so as not disturb the ground. The Mayor said the bids were opened last Wednesday, with a completion date of May 15 so Hoekstra's can get their crops planted. Vote in favor: Jenswold, Zilewicz, Mund, Ault, and Linke. Motion carried.

Close public hearing

Motion by Mund, seconded by Zilewicz to close the public hearing on the conditional use permit application of LCJ Properties LLC. Vote in favor: Zilewicz, Mund, Ault, Linke and Jenswold. Motion carried. Public hearing closed at 6:38 p.m.

LCJ Properties conditional use application

Motion by Mund, seconded by Zilewicz to grant a conditional use permit to LCJ Properties to allow the construction of two, one-bedroom apartments above 221 W. State Street. Vote in favor: Mund, Ault, Linke, Jenswold and Zilewicz. Motion carried. Conditional use approved.

With no other business to come before the Council, motion by Zilewicz, seconded by Mund to adjourn. Motion carried with a voice vote. Meeting adjourned at 6:40 p.m.