

**Legal Proceedings of the City of Fox Lake  
Common Council  
February 7, 2018**

The regular meeting of the City of Fox Lake Common Council was held on Wednesday, February 7, 2018, 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 Tom Jahnke present. Absent: Peter Hartzheim. Also attending were city attorney Mike Devitt, police chief Jim Rohr, city administrator Dean Perlick and city clerk Susan Hollnagel.

In the audience were Jeff Tappy, Laurie Mylrea, Marcy Benz, Craig Warmbold of WBEV, Steve Hopp of the Fox Lake Fire Department and Randy Hurst, Scott Hurst and Steve Christian of Leroy Meats of Horicon.

The clerk certified open meeting laws have been complied with.

**Approve minutes**

Motion by Linke, seconded by Mund to approve the minutes of the January 3 and 17, 2018 council meetings, as typewritten. Vote in favor: Mund, Ault, Linke, Jenswold and Jahnke. Motion approved.

**Public comments-agenda items**

Motion by Mund, seconded by Ault to open the meeting to public comments on agenda items. Vote in favor: Ault, Linke, Jenswold, Jahnke and Mund. Motion carried. The Mayor asked Benz if she wanted to speak now on the lock box ordinance. She said she would wait until the fire chief got here.

**Public comments-other matters**

Motion by Mund, seconded by Jahnke to open the meeting to public comments on other matters. Vote in favor: Linke, Jenswold, Jahnke, Mund and Ault. Motion carried. No comments were made.

**Consent agenda**

Motion by Mund, seconded by Jahnke to approved the consent agenda, as listed below:

- a. pay the bills, as audited, for accounts payable-check #37876 through #37965, totaling \$716,465.80 (including ACH withdrawals) and payroll checks #58355 through #58395 totaling \$34,797.32

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

## **Public hearing-Class B license application Leroy Meat's and Catering**

Motion by Mund, seconded by Jahnke to open the public hearing on the Class B license application, of Leroy Meats of Horicon Inc., for the sale of intoxicating liquor and fermented malt beverages at 739 W. State Street, beginning February 8, 2018. Vote in favor: Jahnke, Mund, Ault, Linke and Jenswold. The public hearing was opened at 6:33 p.m. Scott Hurst, of Leroy Meats, wanted to confirm that he would be able to sell and serve beer and liquor. The clerk said yes. Hurst said he would like to keep their options open. He said he would like to have wine tasting on the weekends and if they are having a brat fry, they would be able to sell a beer with it. The public hearing would remain open while other business is covered.

## **Public hearing-on amendments to the future land use map in the city's comprehensive plan**

Motion by Mund, seconded by Jahnke to open the public hearing on the following proposed amendments to Map 8-2, future land use map of the City of Fox Lake Comprehensive Plan, for Studtmann/Subway properties parcel 226-1313-2632-001 and 226-1313-2632-010 from single/two family residential to commercial, Kevin VandeZande/Lakeside Contractors parcel 226-1313-2523-038, 226-1313-2523-039, and 226-1313-2523-001 from utilities/community services to single family and two family residential, Charles DeGroot parcel 226-1313-3511-027 from industrial to general residential, Coron Trust property parcel 226-1313-2533-016 from commercial to single family and two family residential. Vote in favor: Mund, Ault, Linke, Jenswold and Jahnke. Motion carried.

## **First reading-amended lock box ordinance, ordinance 274-4(C)**

The clerk read the first reading of an amended "ordinance to create a lock box ordinance, ordinance 274-4(C)". The Mayor stated the original draft ordinance has been amended a couple of times. Benz ask how this came up. Hopp said in the past ten years, there have been some issues with gaining access to buildings when there is an emergency. He said a lock box would allow access to a building without damaging it, such as kicking in a door. Benz asked how would have the master key for the lock box. Hopp said there would be a master key in both of the ambulances and one in a fire truck. Benz said some things have come up missing in the fire station and now they will have access to a key that will give them access to businesses. She asked what happens when stuff comes up missing in the businesses. Hopp said access to the key will be restricted. Benz asked who determines an emergency? Hopp said dispatch will, since someone has called 911.

The Mayor said everyone downtown would be eliminated with the amended ordinance. Benz said Tappy has a suppression system, above his grill, so would he be required to have a lock box? The Mayor said he would consider a sprinkler system a suppression system, not what Tappy has above his grill. The Mayor had asked that the foot work be done, prior to the reading, but it wasn't. He suggested taking out suppression and put in sprinkler system. Rohr

suggested the council concentrate on the industrial area, and skip the downtown. The Mayor suggested tabling this until the footwork is done by the Fire Department. Rohr suggested the Fire Department go door to door and talk with the owners. Hopp said they are not pushing this on any one to have it, he said it is for the safety of all. The Mayor said we appreciate all the EMS and fire department does and he has received lots of compliments on them. He said the ordinance would be tabled until the fire department can contact the industries and apartment owners and explain the lock box ordinance.

The Mayor said the second reading, public hearing and action on the original lock box ordinance will be tabled until the fire department has been able to contact the necessary parties.

### **Chicken application**

Motion by Mund, seconded by Linke to approve the application of Phillip and Rose Newman, 200 W. Green Street, to keep/maintain chickens on their property, per city ordinance 197.24, chickens, to December 31, 2018. Vote in favor: Ault, Linke, Jenswold, Jahnke and Mund. Motion carried.

### **Vacation of 300 block of E. Cherry Street**

Motion by Jahnke, seconded by Mund to approve beginning the steps to vacate the 300 block of E. Cherry Street. Vote in favor: Linke, Jahnke, Mund and Ault. Against: Jenswold. Motion carried.

### **Close public hearing on Class B license application-Leroy Meats**

Motion by Linke, seconded by Jahnke to close the public hearing on the Class B license application of Leroy Meats of Horicon, Inc. Vote in favor: Jenswold, Jahnke, Mund, Ault and Linke. Motion carried. Public hearing closed at 7:05 p.m.

### **Class B license application-Leroy Meats**

Motion by Jahnke, seconded by Jenswold to grant a Class B intoxicating liquor and fermented malt beverage license to Leroy Meats of Horicon, Inc., for 739 W. State Street, beginning February 8, 2018. Vote in favor: Jahnke, Mund, Ault, Linke and Jenswold. Motion carried.

### **Comprehensive Plan-land use map**

Motion by Jahnke, seconded by Mund to close the public hearing on the proposed amendments to Map 8-2, future land use map of the City of Fox Lake comprehensive plan, as

listed above in #10. Vote in favor: Mund, Ault, Linke, Jenswold and Jahnke. Motion carried.  
Public hearing closed at 7:07 p.m.

Motion by Jahnke, seconded by Mund to approve the following amendments to Map 8-2, future land use map of the City of Fox Lake comprehensive plan, for Studtmann/Subway properties parcel 226-1313-2631-001 and 226-1313-2632-010 from single/two family residential to commercial, Kevin VandeZande/Lakeside Contractors parcel 226-1313-2523-038, 226-1313-2523-039 and 226-1313-2523-001 from utilities/community services to single family and two family residential, Charles DeGroot parcel 226-1313-3511-027 from industrial to general residential and Coron Trust property parcel 226-1313-2533-016 from commercial to single family/two family residential. Vote in favor: Ault, Linke, Jenswold, Jahnke and Mund. Motion carried.

### **2018 senior dining agreement**

Motion by Linke, seconded by Jahnke to approve the agreement with Dodge County Human Services and Health Department for the senior dining program, for 2018. Vote in favor: Linke, Jenswold, Jahnke, Mund and Ault. Motion carried.

### **Aquatic Center new pump/piping bid**

Motion by Linke, seconded by Mund to accept the bid from Neuman Pools for the installation of a new pump and piping, at the aquatic center, at a cost of \$9,800.00. The Mayor said Hartzheim did a great job on getting this done. He said they will be installing the pump and piping March 12 through the 16. Vote in favor: Jenswold, Jahnke, Mund, Ault and Linke. Motion carried.

### **Roof replacement-municipal building/fire station**

Perlick said he has prepared an advertisement for bids for a new roof on the municipal building and fire station and asked the council how soon they wanted to advertise for bids. The Mayor said as soon as possible. Perlick said he has it ready, with bids being accepted until March 16. Perlick was instructed to get the advertisements out.

With no other business to come before the Council, motion by Jahnke, seconded by Linke to adjourn. Motion carried with a voice vote. Meeting adjourned at 7:12 p.m.