

**Legal Proceedings of the City of Fox Lake  
Common Council  
July 18, 2018**

The monthly meeting of the City of Fox Lake Common Council was held on Wednesday, July 18, 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, Peter Hartzheim, Robert Jenswold and Don Zilewicz present. Also attending were city administrator Dean Perlick, city clerk Susan Hollnagel, police chief Jim Rohr and public works superintendent Gene Huettner.

In the audience were Jim Behling and Jeff Thelen of MSA.

The clerk certified open meeting laws have been complied with

**Approve minutes**

Motion by Mund, seconded by Linke to approve the minutes of the June 6, 2018 council meeting, as typewritten and amended. Zilewicz said he had abstained when the beer and liquor licenses were acted on and it does not show it in the minutes. The clerk said she would amend the minutes to reflect this. Vote in favor: Mund, Ault, Linke, Hartzheim, Jenswold and Zilewicz. Motion carried.

**Public comments-agenda items**

Motion by Mund, seconded by Hartzheim to open the meeting to public comments on agenda items. Vote in favor: Ault, Linke, Hartzheim, Jenswold, Zilewicz and Mund. Motion carried. No comments were made.

**Public comments-other matters**

Motion by Mund, seconded by Ault to open the meeting to public comments on other matters. Vote in favor: Linke, Hartzheim, Jenswold, Zilewicz, Mund and Ault. Motion carried.

Hartzheim said as far as the pool goes, all the things on the fix/to do list have been done. He said reinforcing the picnic tables was the last thing to do. The Mayor thanked Hartzheim and Linke for all of their work at the pool and said they did a great job.

Rohr informed the Council Officer Perkins had resigned so the department will be one officer short. Jenswold asked where Perkins was going. Rohr said he's thinking about going back to school.

**Citizen Participation meeting-CDBG**

Motion by Linke, seconded by Hartzheim to open the public hearing on the Community Development Block Grant citizen participation meeting, with Jeff Thelen giving an update on CDBG projects. Vote in favor: Hartzheim, Jenswold, Zilewicz, Mund, Ault, and Linke. Motion carried. Public hearing opened at 6:35 p.m.

Thelen stated this is the final required meeting for the CDBG programs. He updated the Council on the status of: Third Street and Wells Street project, with Third Street complete and Wells Street to begin in August, Karavan shipping yard expansion project is completed and he will request the final \$25,000- from the grant, Leroy Meats & Linden Lane with Leroy Meats creating 15 new full time positions and if they can maintain that number, Thelen will try and request more grant funds.

Zilewicz asked about extending sidewalk to the Leroy Meats area. The Mayor said they are working on it, with a possible early 2019 start. He said Thelen said the city could use CDBG funds for the sidewalk. He said some easements will be necessary from the property owners. Huettner said some utility poles will need to be moved and his is working with Alliant Energy on that.

Thelen said community development block grants are to benefit low to moderate income people. Huettner asked if Wells Street has to be done by a certain date. Thelen said we will have to ask for an extension due to the contractor's scheduling. He said he is currently doing a job in Princeton and will be coming here after that, around August.

The Mayor thanked Thelen for all of his help in getting \$100,000- of dollars in grant funds for the city.

Motion by Zilewicz, seconded by Mund to close the public hearing on the CDBG citizen participation public hearing. Vote in favor: Jenswold, Zilewicz, Mund, Ault, Linke and Hartzheim. Motion carried. Public hearing closed at 6:47 p.m.

### **Consent agenda**

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

- a. pay the bills, as audited, for accounts payable-checks #38354 through #38532 totaling \$457,020.33 (including ACH withdrawals) and payroll checks #58571 through #58645 totaling \$53,893.19.
- b. grant an operator's license to Darrell Schultz, for the period ending June 30, 2019.

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

### **Resignation & appointment to Board of Zoning Appeals**

Motion by Linke, seconded by Hartzheim to accept the resignation of Andy Bath from the Board of Zoning Appeals, effective immediately. Vote in favor: Mund, Ault, Linke, Hartzheim, Jenswold and Zilewicz. Motion carried.

Motion by Linke, seconded by Hartzheim to approve the Mayor's appointment of David Jenswold to the Board of Zoning Appeals to complete the unexpired term of Andy Bath, expiring April, 2020. Vote in favor: Ault, Linke, Hartzheim, Zilewicz and Mund. Abstain: Jenswold. Motion carried.

### **Change garbage/recycling rate on water bills**

Motion by Mund, seconded by Zilewicz to change the garbage/recycling billing rate, on the water/sewer bills, to \$11.77, from \$11.54, effective June 28, 2018, to reflect what the city is billed for the services. Vote in favor: Linke, Hartzheim, Jenswold, Zilewicz, Mund and Ault. Motion carried.

### **Amend 314-4 to 314-14 liquor license ordinance**

Motion by Mund, second by Linke to authorize the city attorney to prepare an amendment to city ordinance 314-4 through 314-14, to reflect the city's reserve intoxicating liquor license and the cost of same. Vote in favor: Hartzheim, Jenswold, Zilewicz, Mund, Ault and Linke. Motion carried.

### **Zoning code amendments-public hearing by PC**

Motion by Mund, seconded by Jenswold to delegate to the Planning Commission the responsibility to hold public hearings, as required under city ordinance 520.97(C)(2), for zoning code amendments. Vote in favor: Jenswold, Zilewicz, Mund, Ault, Linke and Hartzheim. Motion carried.

### **Pay request #3, Mill Road reconstruction**

Motion by Mund, seconded by Hartzheim to authorize payment of pay request #3, to Kopplin & Kinas Co., Inc., in the amount of \$16,972.21, for work efforts associated with the Mill Road reconstruction project. Huettner suggested withholding more funds as they have some paving to do and landscaping that has washed out. Mund rescinded his motion and Hartzheim his second. Motion by Mund, seconded by Hartzheim to authorize payment of pay request #3, to Kopplin & Kinas Co., Inc., in the amount of \$14,072.21, for work efforts associated with the Mill Road reconstruction project, with retainage of \$2,000.00. Vote in favor: Zilewicz, Mund, Ault, Linke, Hartzheim, and Jenswold. Motion carried.

## **Dollar General CSM**

Motion by Mund, seconded by Hartzheim to accept the Planning Commission's recommendation to accept the certified survey map for the Dollar General project, with the stipulation the building setback line be shown on the Brower Boulevard side. Perlick stated he received the final CSM today and the setback line has been included on the map. He said if approved tonight, the survey will be picked up tomorrow and taken to Dodge County to be recorded. Vote in favor: Mund, Ault, Linke, Hartzheim, Jenswold and Zilewicz. Motion carried.

With no other business to come before the Council, motion by Mund, seconded by Linke to adjourn. Motion carried with a voice vote. Meeting adjourned at 7:05 p.m.