

**Legal Proceedings of the City of Fox Lake  
Common Council  
August 1, 2018**

The monthly meeting of the City of Fox Lake Common Council was held on Wednesday, August 1, 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, Peter Hartzheim, Robert Jenswold and Don Zilewicz present. Absent: Dennis Linke. Also attending were city administrator Dean Perlick and city clerk Susan Hollnagel.

In the audience were Erin Anders, Mason Johnson, Jim Clark, Richard Klomsten and Kevin Haugen of WBEV.

The clerk certified open meeting laws have been complied with.

**Approve minutes**

Motion by Mund, seconded by Ault to approve the minutes of the June 26 and July 18, 2018 council meetings, as typewritten. Vote in favor: Mund, Ault, Hartzheim, Jenswold and Zilewicz. Motion carried.

**Public comments-agenda items**

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

**Public comments-other matters**

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

Appearing before the Council was Richard Klomsten stating the Forest Street park hasn't had a picnic table there all summer. He said the Kiwanis Club had installed a bench but that was tore out. Klomsten also said if you are at the stop sign by Leroy Meats and looking toward town, there are lots of weeds that block your view. The Mayor said that is the County's job and they come through once a year. Klomsten also said there is brush at Jansen Drive that blocks your view, looking to the west. The Mayor said he would contact Ed Benter.

Also appearing before the Council was Jason Johnson, Eagle Scout, and he said his project of doing a gaga ball enclosure, for the rocker Street park, had been approved by the Boy Scout Council. He asked if Gene Huettner could have a spot leveled by August 7. The Mayor said donations have been raised to get new playground equipment for the park and a plan is being developed on where all the equipment would be placed. He said they talked about putting the gaga pit by the baseball screen or on the basketball court. He told Johnson once he knows what he needs for lumber to get the list to him, as he plans to purchase it and donate it for the gaga ball enclosure. Zilewicz asked what is gaga ball, as he wasn't on the Council when this project started. Jim Clark said it's like dodge ball "light", as you hit the ball with your hands. Zilewicz said Johnson is involved with Badger Boys State and has attended a flag burning at Legion Post 521. He commended him for his efforts in the community.

Johnson said he uses mail box post anchors to hold the gaga pit in place, even if it is pretty heavy. Clark asked if the city wanted it to be movable? The Mayor asked them not to use the anchors and to work with Alderperson Hartzheim on the project.

The Mayor stated Leroy Meats Fox Lake will be having their grand opening on Friday, August 10 at 11:00 a.m. and everyone is invited. He also asked to keep Alderperson Linke's wife in our prayers, as she has had a major health crisis.

### **Public hearing-comprehensive plan amendments**

Motion by Mund, seconded by Hartzheim to open the public hearing on the proposed amendments to the City of Fox Lake comprehensive plan. Vote in favor: Jenswold, Zilewicz, Mund, Ault and Hartzheim. Motion carried. Public hearing opened at 6:42 p.m. Perlick stated the Planning Commission had forwarded a favorable recommendation to the Council to rezone the parcels, associated with the apartment developments, and rezone them to multifamily. He said the comprehensive plan's future land use map should be consistent with the city's zoning map, so this is the first step in rezoning those parcels.

Motion by Hartzheim, seconded by Ault to close the public hearing on the proposed amendments to the City of Fox Lake comprehensive plan. Vote in favor: Zilewicz, Mund, Ault, Hartzheim and Jenswold. Motion carried. Public hearing closed at 6:44 p.m.

### **Consent agenda**

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

- a. pay the bills, as audited, for accounts payable-check #38533 through #38572, totaling \$80,886.90 (including ACH withdrawals) and payroll checks #58646 through #58666 totaling \$16,586.04.
- b. grant operator licenses to Renee Kamp and Rushelle Schick, for the period ending June 30, 2019.

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

### **Adopt comp plan amendments**

Motion by Mund, seconded by Jenswold to adopt ordinance 2018-1, "an ordinance adopting amendments to the City of Fox Lake comprehensive plan." Vote in favor: Ault, Hartzheim, Jenswold, Zilewicz and Mund. Motion carried.

### **Adopt zoning code amendments**

Motion by Hartzheim, seconded by Jenswold to adopt ordinance 2018-1, "an ordinance adopting amendments to the City of Fox Lake zoning code." Vote in favor: Hartzheim, Jenswold, Zilewicz, Mund and Ault. Motion carried.

### **Interest rate for advances to RDA for TIF #2 & TIF #3**

The Mayor said the interest we would receive from the government investment pool was 1.88% and 4.5% interest on the funds we will be borrowing from the Board of Commissioners of Public Land, he suggested the interest rate, on the funds advanced to the Redevelopment Authority, be 6.5%. Jenswold said how about 7.50%? Zilewicz thought 6.5% is reasonable. The Mayor said it depends on where the interest rates go in the future. Ault suggested going with 7.5%. Motion by Jenswold, seconded by Ault to set the interest rate at

7.5%, for advances to the Redevelopment Authority for TIF #2 and TIF #3 projects and improvements. Vote in favor: Jenswold, Zilewicz, Mund, Ault and Hartzheim. Motion carried.

#### **Trust Fund loan-\$557,000-**

Motion by Mund, seconded by Hartzheim to borrow from the Trust Fund Loan program, of the State of Wisconsin, the sum of \$557,000.00, for 20 years, at an interest rate of 4.50% per annum, to refinance a line of credit used for reconstruction of Third Street and Wells Street and authorize Mayor and municipal clerk to sign same. Vote in favor: Zilewicz, Mund, Ault, Hartzheim and Jenswold. Motion carried.

#### **Trust Fund loan-\$390,000-**

Motion by Mund, seconded by Zilewicz to borrow from the Trust Fund Loan program, of the State of Wisconsin, the sum of \$390,000.00, for 20 years, at an interest rate of 4.50% per annum, to refinance a line of credit used for Mill Road reconstruction and authorize the Mayor and clerk to sign same. Vote in favor: Mund, Ault, Hartzheim, Jenswold and Zilewicz. Motion carried.

#### **First reading-amending grass ordinance**

The clerk read the first reading, by reference, of “an ordinance amending section 293-4 and 293-6, of the code of the City of Fox Lake’, grass and weed cutting regulations. Perlick said there were a couple of changes, grammatical and typos, after it was reviewed by city attorney Devitt. The second reading, public hearing and action will be at the September 5 council meeting.

#### **Dog swim at aquatic center**

Hartzheim said he had talked with the Friends of the Aquatic Center and they had wanted to have the dog swim on August 26. He explained to them by that date all of guards would be back to school. He also pointed out the guards did a lot of the end of season clean up there and that wouldn’t happen if the dog swim was August 26. He said the Friends agreed to have it on August 19, the last day the aquatic center is open, with regular swimming from Noon to 3:00 p.m. and the dog swim from 3:00 p.m. to 5:30 p.m. and then the pool would close for the season. Motion by Jenswold, seconded by Zilewicz to allow a “dog swim” on Sunday, August 19, 2018, from 3:00 p.m. to 5:30 p.m. Vote in favor: Ault, Hartzheim, Jenswold, Zilewicz and Mund. Motion carried.

With no other business to come before the Council, motion by Zilewicz, seconded by Ault to adjourn. Motion carried. Meeting adjourned at 6:54 p.m.