

**Legal Proceedings of the City of Fox Lake
Common Council
September 5, 2018**

The monthly meeting of the City of Fox Lake Common Council was held on Wednesday, September 5, 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 Don Zilewicz present. Absent: Peter Hartzheim. Also attending were city administrator Dean Perlick, city clerk Susan Hollnagel and police chief Jim Rohr. No one was in the audience.

The clerk certified open meeting laws have been complied with.

Approve minutes

Motion by Mund, seconded by Linke to approve the minutes of the August 1, 2018 council meeting, as typewritten. Vote in favor: Mund, Ault, Linke, 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. Motion carried with a voice vote. No comments were made.

Public comments-other matters

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

Second reading-amended ordinance 293-4 and 293-6

The clerk read the second 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.

Public hearing on above amended ordinance

Motion by Mund, seconded by Ault to open the public hearing on “an ordinance amending section 293-4 and 293-6, of the code of the City of Fox Lake”, regarding grass and weed cutting regulations. Vote in favor: Linke, Jenswold, Zilewicz, Mund and Ault. Motion carried. Public hearing opened at 6:34 p.m.

Consent agenda

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

- a. pay the bills as audited, for accounts payable-check #38574 through #38686 totaling \$855,466.98 (including ACH withdrawals) and payroll checks #58667 through #58734, totaling \$49,537.51.
- b. grant a picnic license to the Fox Lake Fire Department, for September 21, 22, and 23, 2018, for the concession stand in Fireman’s Park.
- c. waive Community Center rental fee, for September 23, 2018, for the painting party fundraiser for Crocker Street Park.

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

FLWCC appointment

Motion by Zilewicz, seconded by Linke to approve the Mayor’s appointment of Dennis Linke, as the city’s representative on the Fox Lake Wastewater Control Commission, for a term of three

years, expiring August, 2021. Vote in favor: Zilewicz, Mund, Ault and Jenswold. Abstain: Linke. Motion carried.

Library Board appointment

Motion by Mund, seconded by Ault to approve the Mayor's appointment of Mary Perkins to the Library Board for a term of three (3) years, expiring April, 2021. Vote in favor: Mund, Ault, Linke, Jenswold and Zilewicz. Motion carried.

Community Center deposit fee

Motion by Zilewicz, seconded by Linke to change the damage/cleaning deposit fee for the Community Center, to \$250.00, for each rental and include a statement that the renter is liable for any damages in excess of \$250.00. Vote in favor Ault, Linke, Jenswold, Zilewicz and Mund. Motion carried.

Community Center rental fees

Motion by Mund, seconded by Jenswold to set the Community Center rental fee at \$150.00 for up to 4 hours, \$300.00 rental fee for up to 8 hours, with any additional hours after 8 hours, at \$40.00 per hour, with the rental time to include set-up, event and clean up. Vote in favor: Linke, Jenswold, Zilewicz, Mund and Ault. Motion carried.

Raze agreement-422 E. State Street

Motion by Jenswold, seconded by Linke to authorize the Mayor to sign the agreement between the City of Fox Lake and Paul and Kathy Martin, for the property at 422 E. State Street. The Mayor said he and alderperson Linke had been in court, a few weeks ago, regarding the raze order for the property. He said the City attorney and Martin's attorney have worked out an agreement where they have 1 year to bring the house up to state code. The Mayor said if they do not meet the one year deadline, the raze order goes into effect. He said the value of the property is \$11,400 and it is estimated it will take \$175,000- to bring it up to code. He said the final agreement is still being put together by the attorney. Jenswold withdrew his motion and Linke withdrew his second. Motion by Mund, seconded by Jenswold to table action on the agreement until September 19. Motion carried with a voice vote.

Ordinance 2018-3 amending city zoning code

Motion by Jenswold, seconded by Mund to adopt ordinance no. 2018-3, "an ordinance adopting amendments to the City of Fox Lake zoning code," rezoning a strip of land, approximately 40 feet wide and 482 feet long, from R-1 single family residence to R-3 multi-family residence, east of Spring Street. The Mayor said this change is part of what is needed to finish the apartment building lot. Vote in favor: Jenswold, Zilewicz, Mund, Ault and Linke. Motion carried.

CO #3-Mill Road reconstruction

Motion by Linke, seconded by Mund to authorize the Mayor to sign change order #3, for the Mill Road reconstruction project, which includes the final quantity adjustments to reflect the "as-constructed amounts". Vote in favor: Mund, Ault, Linke, Jenswold, and Zilewicz. Motion carried.

Mill Road-substantial completion certificate

Motion by Mund, seconded by Jenswold to authorize the Mayor to sign the certificate of substantial completion for the Mill Road reconstruction project. Vote in favor: Mund, Ault, Linke, Jenswold and Zilewicz. Motion carried.

Close public hearing on amended ordinance

Motion by Linke, seconded by Mund to close the public hearing on an ordinance “to amend section 293-4 and section 293-6, of the code of the City of Fox Lake”, regarding grass and weed cutting regulations. Motion carried with a voice vote. Public hearing closed at 6:43 p.m.

Adoption of ordinance

Motion by Mund, seconded by Jenswold to adopt the “ordinance amending section 293-4 and section 293-6 of the code of the City of Fox Lake”, regarding grass and weed cutting regulations. Vote in favor: Ault, Linke, Jenswold, Zilewicz, and Mund. Motion carried.

SAGES curb/sidewalk issues

Perlick said he had sent an e-mail to Mike Bos, grounds superintendent for the Waupun Area School District, asking for more information on the uneven sidewalk/curb issue and he said he did not receive an answer back. He said it appears to be a dead issue.

No passing on right signs

The Mayor said Chief Rohr would be checking with the state to see if “no passing on right” signs can be installed on the south side of STH 33 west, by Living Hope Church. Rohr said it is a big problem at Mill Street and W. State Street with traffic going west. He said there is not a designated passing lane but people are going around cars, who are turning left onto Mill Street. Rohr said he needs to get clarification from the D.O.T. Zilewicz said it must be illegal to pass on the right at a crosswalk. Rohr agreed but he wants to get clarification from the state. The Mayor said this would be placed on the committee agenda, when Rohr will have more information on it.

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 6:48 p.m.