

**Legal Proceedings of the City of Fox Lake
Common Council
August 4, 2021**

The regular meeting of the City of Fox Lake Common Council was held on Wednesday, August 4, 2021, at 6:30 p.m., in the council chambers. The meeting was called to order by Mayor Tom Bednarek and followed by the pledge of allegiance. Roll call was taken with alderpersons Dan Ault, Marcy Benz, John Mund, Peter Hartzheim and Dennis Linke present. Don Zilewicz was Absent. Also attending were City Administrator Dean Perlick, Police Chief James Rohr, City DPW Superintendent Gene Huettner and City Clerk Jenny Quirk.

In the audience were Jason Laue, Jeff Thelen, Jim Hartung and Nicole Morgan.

The clerk certified open meeting laws have been complied with.

Public comments:

Jason Laue of MSA Professional Services provided the council an update and handout showing the progress made on the Green Street project.

Approve minutes:

Motion by Mund, seconded by Hartzheim to approve the minutes of the July 7, 2021 council meeting, as typewritten. Motion carried with a voice vote.

Consent Agenda:

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

- a. Pay the bills, as audited, for accounts payable-check #42025 through #42115 totaling \$317,273.64 (including ACH withdrawals) and payroll checks #60337 through #60400 checks totaling \$56,247.61. Vote in favor: Benz, Hartzheim, Linke, Mund and Ault. Motion carried.

MSA Professional Service Agreement for 2021 TIF Amendments:

Motion by Linke, seconded by Mund to authorize the Mayor to sign the Professional Service Agreement with MSA Professional Services for the 2021 TIF Amendments - City of Fox Lake, for the estimated amount of \$9,467. Vote in favor: Hartzheim, Linke, Mund, Ault and Benz. Motion carried.

Fair Housing Month Proclamation:

Motion by Mund, seconded by Benz to authorize the Mayor to sign the City of Fox Lake Fair Housing Month Proclamation. Motion carried with a voice vote.

2021 Mill Rd & Seminary St. Resurfacing and Weed St. Storm Sewer Replacement Project-Contract A:

Motion by Mund, seconded by Linke to accept the bid from Tri-County Paving, Inc of \$158,885.00 for the 2021 Mill Rd & Seminary St. Resurfacing and Weed St. Storm Sewer Replacement Project-Contract A. Vote in favor: Linke, Mund, Ault, Benz and Hartzheim. Motion carried.

2021 Mill Rd & Seminary St. Resurfacing and Weed St. Storm Sewer Replacement Project-Contract B:

Motion by Mund, seconded by Hartzheim to accept the bid from Ptaschinski Construction, Inc. of \$56,556.90 for the 2021 Mill Rd & Seminary St. Resurfacing and Weed St. Storm Sewer Replacement Project-Contract B. Vote in favor: Mund, Ault, Benz, Hartzheim and Linke. Motion carried.

2021 Mill Rd & Seminary St. Resurfacing and Weed St. Storm Sewer Replacement Project-Contract C:

Motion by Mund, seconded by Hartzheim to accept the bid from Tri-County Paving, Inc of \$28,500.00 for the 2021 Mill Rd & Seminary St. Resurfacing and Weed St. Storm Sewer Replacement Project-Contract C.

Huettner addressed the council to explain that the total project was already over budget, and it would be in the best interest to not move forward with contract C at this time.

The original motion was rescinded by Mund, seconded motion rescinded by Hartzheim.

A motion by Mund, seconded by Benz was then made to not accept the bid from Tri-County Paving, Inc of \$28,500.00 for the 2021 Mill Rd & Seminary St. Resurfacing and Weed St. Storm Sewer Replacement Project-Contract C. Vote in favor: Ault, Benz, Hartzheim, Linke and Mund. Motion carried.

Resolution 7-2021:

Motion by Linke, seconded by Hartzheim to approve Resolution 7-2021 Approving Territory Amendment No. 2 and Project Plan Amendment No. 2 of Tax Incremental Finance District No. 2. Vote in favor: Benz, Hartzheim, Linke, Mund and Ault. Motion carried.

Resolution 8-2021:

Motion by Mund, seconded by Hartzheim to approve Resolution 8-2021 Approving Territory Amendment No. 2 and Project Plan Amendment No. 2 of Tax Incremental Finance District No. 3. Vote in favor: Hartzheim, Linke, Mund, Ault and Benz. Motion carried.

Linden Lane development:

Motion by Hartzheim, seconded by Mund to approve the development of five zero lot line/common wall duplexes along Linden Lane within the R-1 One-Family Residence Zoning District. Vote in favor: Linke, Mund, Ault, Benz and Hartzheim. Motion carried.

Adjourn into closed session:

Motion by Linke, seconded by Mund to adjourn the council meeting at 6:48 pm and go into closed session **19.85(1)(b)** of the WI Statutes: Reconsideration hearing for the denial of a City of Fox Lake Operator's License. Vote in favor: Mund, Ault, Benz, Hartzheim and Linke. Motion carried.