

Truth in Taxation Public Hearing – 7:00 p.m.

VILLAGE OF BARTLETT
BOARD AGENDA
DECEMBER 1, 2015
7:00 P.M.

1. CALL TO ORDER
2. ROLL CALL
3. INVOCATION
4. PLEDGE OF ALLEGIANCE
5. *CONSENT AGENDA*
All items listed with an asterisk are considered to be routine and will be enacted by one motion. There will be no separate discussion of these items unless a Board member so requests, in which event, the item will be removed from the General Order of Business and considered at the appropriate point on the agenda.*
- *6. MINUTES: Public Hearing, Board & Committee Minutes – November 17, 2015
- *7. BILL LIST: December 1, 2015
8. TREASURER'S REPORT: None
9. PRESIDENT'S REPORT: National Impaired Driving Month Proclamation
Bartlett High School Boys Soccer Recognition Proclamation
10. QUESTION/ANSWER: PRESIDENT & TRUSTEES
11. TOWN HALL: (Note: Three (3) minute time limit per person)
12. STANDING COMMITTEE REPORTS:
 - A. PLANNING & ZONING COMMITTEE, CHAIRMAN REINKE
 1. Zoning Text Amendment to Increase Fence Height from 3' to 4'
 - B. BUILDING COMMITTEE, CHAIRMAN HOPKINS
No Report
 - C. FINANCE & GOLF COMMITTEE, CHAIRMAN DEYNE
No Report
 - D. LICENSE & ORDINANCE COMMITTEE, CHAIRMAN ARENDS
No Report
 - E. POLICE & HEALTH COMMITTEE, CHAIRMAN CARBONARO
No Report
 - F. PUBLIC WORKS COMMITTEE, CHAIRMAN CAMERER
 - *1. Sprint Cell Tower License Agreement Amendment
13. NEW BUSINESS:
14. QUESTION/ANSWER: PRESIDENT & TRUSTEE
15. ADJOURNMENT

**NOTICE OF PROPOSED PROPERTY
TAX LEVY FOR THE
VILLAGE OF BARTLETT, ILLINOIS**

- I. A Public Hearing to approve a proposed property tax levy increase for the Village of Bartlett for 2015 will be held on December 1, 2015 at 7:00 p.m. in the Council Chambers, 228 S. Main Street, Bartlett, Illinois.

Any person desiring to appear at the public hearing and present testimony to the taxing district may contact Jeff Martynowicz, Treasurer, 228 S. Main Street, Bartlett, Illinois, (630) 837-0800.

- II. The corporate and special purpose property taxes extended or abated for 2014 were estimated to be \$7,741,997. The proposed corporate and special purpose property taxes to be levied for 2015 are \$7,585,143. This represents a 2.03% decrease over the estimated taxes extended or abated from previous year.
- III. The property taxes extended for debt service and public building commission leases for 2014 were estimated to be \$1,697,897. The estimated property taxes to be levied for debt service and public building commission leases for 2015 are \$1,680,335. This represents a 1.03% decrease over the estimated taxes extended or abated from the previous year.
- IV. The total property taxes extended or abated for 2014 were estimated to be \$9,439,894. The estimated total property taxes to be levied for 2015 are \$9,265,478. This represents a 1.85% decrease over the estimated taxes extended or abated from the previous year.



VILLAGE OF BARTLETT
PUBLIC HEARING
November 17, 2015

CALL TO ORDER

President Wallace called the Public Hearing on the Bartlett Pointe West Public Hearing to Establish a Special Service Area to order on the above date at 7:00 PM in the Council Chambers.

ROLL CALL

PRESENT: Trustees Arends (via webcam), Camerer, Carbonaro, Deyne, Hopkins, Reinke, President Wallace were present.

ABSENT: None

ALSO PRESENT: Village Administrator Valerie Salmons, Assistant Village Administrator Paula Schumacher, Assistant to the Village Administrator Scott Skrycki, Finance Director Jeff Martynowicz, Director of Public Works Dan Dinges, Public Works Engineer Bob Allen, Community Development Director Jim Plonczynski, Building Director Brian Goralski, Head Golf Professional Phil Lenz, Chief Kent Williams, Deputy Chief Joe Leonas, Village Clerk Lorna Giless and Village Attorney Bryan Mraz.

Community Development Director Jim Plonczynski stated that this is the required Public Hearing for the Bartlett Pointe West Special Service Area. The petitioner is Reliable Materials Inc. for a 29 single family home residential subdivision. The Special Service Area is a backup to the storm water detention and storm water drainage in or which will serve the subdivision. The DuPage County Stormwater Management Ordinance requires that a special service area or other security be in place in the event that there is some system failure and the homeowner's association is not able to maintain its detention areas and storm water management system. The bond amount is not to exceed \$1,098,656. The Board passed an ordinance proposing the Special Service Area when it passed Ordinance 2015-84 on October 20, 2015. After this Public Hearing is adjourned there will be a sixty day comment period before the Village can adopt an ordinance to establish the Special Service Area. Public Notice was published in the newspaper of general circulation on the appropriate date within the required timeframe.

President Wallace asked for any questions from the Board members. There were none.

President Wallace asked for any questions from the audience members. There were none.

President Wallace asked if there were any member of the public who desired to offer any written or verbal testimony on this subject. There were none.



**VILLAGE OF BARTLETT
PUBLIC HEARING
November 17, 2015**

ADJOURNMENT

Moved by Trustee Camerer and seconded by Trustee Carbonaro to close and adjourn the Public Hearing.

ROLL CALL VOTE

AYES: Trustees Arends, Camerer, Carbonaro, Deyne, Hopkins, Reinke

NAYS: None

ABSENT: None

MOTION CARRIED

The Public Hearing was closed and adjourned at 7:02 PM.


Lorna Giles
Village Clerk



VILLAGE OF BARTLETT
BOARD MINUTES
November 17, 2015

1. CALL TO ORDER

President Wallace called the regular meeting of November 17, 2015 of the President and Board of Trustees of the Village of Bartlett to order on the above date at 7:02 p.m. in the Council Chambers.

2. ROLL CALL

PRESENT: Trustees Camerer, Carbonaro, Deyne, Hopkins, Reinke, President Wallace were physically present, and Trustee Arends attended via webcam.

ABSENT: None

ALSO PRESENT: Village Administrator Valerie Salmons, Assistant Village Administrator Paula Schumacher, Assistant to the Village Administrator Scott Skrycki, Finance Director Jeff Martynowicz, Director of Public Works Dan Dinges, Public Works Engineer Bob Allen, Community Development Director Jim Plonczynski, Building Director Brian Goralski, Head Golf Professional Phil Lenz, Chief Kent Williams, Deputy Chief Joe Leonas, Village Clerk Lorna Gilles and Village Attorney Bryan Mraz.

3. INVOCATION

Pastor Sue Allen from Living Lord Lutheran Church of Bartlett did the invocation.

4. PLEDGE OF ALLEGIANCE

5. CONSENT AGENDA

President Wallace stated that all items marked with an asterisk on the Agenda are considered to be routine and would be enacted by one motion. He further stated that there will be no separate discussion of these items unless a Board member so requests, in which event, that item will be removed from the Consent Agenda and considered at the appropriate point on the Agenda. He asked if there were any items a Board member wished to remove from the Consent Agenda, or any items a Board member wished to add to the Consent Agenda.

Trustee Deyne stated that he would like to add item 3 under the Finance & Golf Committee (Computer Replacement Purchase).

Trustee Camerer moved to amend the Consent Agenda to add item 3 under the Finance & Golf Committee (Computer Replacement Purchase) to the Consent Agenda in addition to the items already shown on the Consent Agenda, and that motion was seconded by Trustee Deyne.



VILLAGE OF BARTLETT
BOARD MINUTES
November 17, 2015

ROLL CALL VOTE TO AMEND THE CONSENT AGENDA

AYES: Trustees Arends, Camerer, Carbonaro, Deyne, Hopkins, Reinke
NAYS: None
ABSENT: None
MOTION CARRIED

Trustee Hopkins moved to approve the Amended Consent Agenda and all items contained therein, and that motion was seconded by Trustee Deyne.

ROLL CALL VOTE TO APPROVE THE AMENDED CONSENT AGENDA

AYES: Trustees Arends, Camerer, Carbonaro, Deyne, Hopkins, Reinke
NAYS: None
ABSENT: None
MOTION CARRIED

6. MINUTES – Covered and approved under the Consent Agenda.
7. BILL LIST – Covered and approved under the Consent Agenda.
8. TREASURER'S REPORT

Finance Director, Jeff Martynowicz summarized the Municipal Sales Tax Report for the year to date is \$771,717 and indicated that it represents a 2.03% increase over the same time period last year. He stated there was no Motor Fuel Tax Allotment or Gaming Tax and it is still being delayed but there is some hope that possibly in January those funds will be released.

9. PRESIDENT'S REPORT

President Wallace presented Resolution 2015-92-R, a Resolution Urging Illinois State Leaders to Release Non-General Fund Revenues Payable to Local Governments.

Trustee Deyne moved to approve Resolution 2015-92-R, a Resolution Urging Illinois State Leaders to Release Non-General Fund Revenues Payable to Local Governments and was seconded by Trustee Carbonaro.



VILLAGE OF BARTLETT
BOARD MINUTES
November 17, 2015

ROLL CALL VOTE TO APPROVE ORDINANCE 2015-92-R URGING THE RELEASE OF REVENUES

AYES: Trustees Arends, Camerer, Carbonaro, Deyne, Hopkins, Reinke
NAYS: None
ABSENT: None
MOTION CARRIED

10. QUESTION/ANSWER: PRESIDENT & TRUSTEES

Trustee Carbonaro asked about the Computer Replacement Purchase and asked if there were some numbers that could be put together to look at the conversion of the current server and Wyse Terminals.

Information Technology Coordinator Chris Hostetler stated that he was talking about virtualization at the desktop. He stated that they will look at that but it is still at that point where it is a break-even and would not be gaining much as far as cost goes to virtualize the desktops yet. He explained that you must have enough servers to handle all the work of the desktops. It is getting closer and he has talked to a few of his colleagues about it.

11. TOWN HALL

Art Pierscionek, 925 Auburn Lane

Mr. Pierscionek was following up from the last meeting. He stated that he was trying to get a dialog going with U-46 between the Village, residents and the Board. He hoped they would go forward with that. He felt that other residents would also be interested in that. He was at the U-46 Board meeting last night and they are looking at moving 107 students out of Nature Ridge Elementary that currently live in the Heron's Landing subdivision to Liberty Elementary. It had mixed results by the residents who could not understand why that was happening since they are so close to Nature Ridge. The other thing is the Jacaranda subdivision over by Hawk Hollow. They are looking at selling that parcel and apparently some of the residents that use that school and Bartlett High School indicated it is used widely by the residents of both schools. He thought they were using this to fund the new kindergarten program so he hoped they were not pushing stuff through and not taking into account what residents want. The full time kindergarten program has 55 full time employees and an \$81,000 cost associated with each employee. He thought it was a pretty expensive kindergarten program. He stated that the Village can cut the budget all they want but U-46 is killing everybody on the tax bills. They need to understand that they also have to do their job with these expenses.



VILLAGE OF BARTLETT
BOARD MINUTES
November 17, 2015

12. STANDING COMMITTEE REPORTS

A. PLANNING & ZONING COMMITTEE, CHAIRMAN REINKE

Trustee Reinke stated that there was no report.

B. BUILDING COMMITTEE, CHAIRMAN HOPKINS

Trustee Hopkins stated that there was no report.

C. FINANCE & GOLF COMMITTEE, CHAIRMAN DEYNE

Trustee Deyne asked the Finance Director to explain the Gas and Electric Utility Tax.

Finance Director Jeff Martynowicz stated that at the October 20th Committee meeting, staff was asked to look at couple of different options to shift the burden between the gas and electric utility tax. They contacted businesses, rental communities, and analyzed the residential impact. Under Option 1, the Village generates \$1.4 million and the option was proposed to set the gas and electric rates evenly. Option 2, eliminates the gas tax and maximizes the electric rate to generate \$1.3 million (the maximum under the electric utility tax). Under Option 1, all of the surveyed businesses, rental units and residential rates would go up accordingly. Under Option 2, all of the surveyed businesses, rental units and residential units would also go up accordingly.

There is a new Option 3 that would cut the gas tax by \$700,000 and keep the electric the same. Under this scenario, every business, rental unit and residential rates would go down.

Trustee Reinke stated that there were two ordinances in the agenda packet. They have an ordinance to lower the municipal natural gas utility tax as well as an ordinance to lower the electricity use tax. In the proposed gas utility tax ordinance, it would reduce the tax rate and the burden on consumers significantly. For the second ordinance, it would reduce the electric utility tax rate. These combined ordinances will save the tax payers the aggregate amount of \$700,000.

J. Martynowicz stated that Option 3 was a request by a Board member to cut the gas tax by \$700,000 and keep the electric tax the same, which is a different scenario than the two ordinances described by Trustee Reinke which would cut the gas and electric utility taxes in half. He stated that he was confident in telling them that both Option 3 and the cuts in the proposed ordinances will save each of the businesses, rental units and residential units money.



VILLAGE OF BARTLETT
BOARD MINUTES
November 17, 2015

Trustee Reinke stated that he wanted to make sure that the ordinances actually do reduce the utility taxes. He wanted to understand the dollar value for budgeting purposes.

J. Martynowicz stated that they included the ordinances based on what was requested.

Trustee Hopkins stated that the data regarding the businesses was presented in precise numbers. The data regarding residential units was presented with an average of all residences divided by the number of residences. That is three precise numbers versus an average. The data used for the businesses was exact numbers per year. The data for the average of residences was rounded up by 163 kilowatt hours per month for a total of 1,956 additional kilowatt hours per year.

J. Martynowicz stated that with the businesses and rental units, they were able to contact those individuals and get their actual consumption. With a residence, they had to do a large broad survey.

Trustee Hopkins stated that the businesses are precise and the rental units and residences are rounded to the nearest 1,000. The rounding significantly changes the data presented. The data as shown indicates that by estimating the gas tax, it would increase the cost of the average resident \$2.54. By his calculations, based on the numbers not being rounded, the average resident will save money. He asked Mr. Martynowicz if he agreed.

J. Martynowicz stated that looking at it from an average perspective – he does.

Trustee Hopkins asked why he rounded up.

J. Martynowicz stated that they received data from ComEd and Nicor and divided accordingly. To make it simplified, they took the average.

Trustee Hopkins stated that they took the raw data from Nicor, 1,106 therms and chose not to round the businesses. The numbers are skewed.

J. Martynowicz stated that he does not believe it is skewed. He stands behind his data.

Trustee Hopkins suggested that they recess and he goes and crunch the numbers for the residents without rounding.

J. Martynowicz stated that the amount he is talking about is de minimis.

Trustee Hopkins stated that they are trying to get a clear view.



**VILLAGE OF BARTLETT
BOARD MINUTES
November 17, 2015**

J. Martynowicz stated that he will not get a clear view for every single resident in town. Everyone has different consumption.

Trustee Hopkins stated that the data presented says that the average resident will see a \$4.07 increase on their bills. In Option 2, the average resident would increase \$2.54. He didn't think the numbers were accurate. If you take the kilowatt hours used and don't round, the average resident would save \$6.89.

President Wallace stated "per year". He is talking about \$4.00 difference per year?

Trustee Hopkins stated "yes". He felt that the numbers were skewed.

J. Martynowicz stated that in Option 3, the residential amount decreases when you decrease revenue by \$700,000.

Trustee Hopkins stated that they don't have to reduce \$700,000 out of the budget and residents save money.

Trustee Camerer stated that the businesses would not and that is an issue.

President Wallace stated that certain businesses would be impacted pretty dramatically.

Trustee Hopkins stated that he had a problem with the way this data was obtained and presented.

Trustee Arends asked where Trustee Hopkins was getting his information. Was he a CPA?

Trustee Hopkins stated "no". Mr. Martynowicz took the kilowatt hours used and divided by the amount of residences and chose to round up to 1,000.

Trustee Arends stated that for the purpose of anti-knit picking she suggested they move on. She trusted Mr. Martynowicz's numbers and methodology in determining these numbers. She felt that what he is talking about is too small to waste any more time with.

Trustee Reinke stated that in terms of moving the discussion along, he made his point.

Trustee Reinke moved to approve Ordinance 2015-95, An Ordinance Amending Title 14, Chapter 1, Section 14-1-3, of the Bartlett Municipal Code to Lower the Municipal Natural Gas Use Tax as presented, and that motion was seconded by Trustee Camerer.

Trustee Reinke asked what the current natural gas tax rate in the Village of Bartlett?



VILLAGE OF BARTLETT
BOARD MINUTES
November 17, 2015

J. Martynowicz stated 5¢ per them.

Trustee Reinke stated that they are proposing to cut it to 2.5¢ equating to \$550,000. Trustee Deyne asked for clarification on the motion.

President Wallace stated that they are proposing to cut the gas tax rate to 2.5¢ equating to \$550,000 in tax savings.

Trustee Camerer asked if they reduced the gas tax by \$700,000.

President Wallace stated that there was a 50% reduction on both taxes.

Attorney Mraz stated that what is on the floor is this ordinance to reduce the natural gas tax and cutting it from five cents to 2.5¢ and that equates to \$550,000. If they pass the second ordinance which cuts the electricity tax in half again, that will add \$150,000 for a grand total of \$700,000 in savings.

Trustee Camerer stated that he agrees with Trustee Carbonaro and he thought they were going to reduce the gas by \$700,000 and leave the electric alone.

Attorney Mraz stated that Trustee Reinke asked him to draft both of these ordinances and Trustee Reinke directed him to draft two ordinances to cut both in half.

Trustee Arends stated that she wanted to remind her colleagues that whenever we look at anything that is going to cost our businesses more money, she wanted them to all remember that most of the businesses in town are the Ma and Pa businesses that live in Bartlett, invested their money in Bartlett, and are proud to be there to stay. She felt that there should be a lot of respect for that kind of commitment and a lot of consideration for them.

Trustee Deyne stated that his understanding was that this would be universal for saving the businesses, rental community and residents money. He asked everyone to keep in mind that they may not be able to sustain this cut and it depends a lot on what is going to happen in Springfield. This is a step forward in the right direction and hopefully they can maintain it but there is a possibility that they will not be able to maintain this in the next budget.

Trustee Reinke stated that there is a recognition of that fact in both of the ordinances. They understand that if Springfield steals 50% of the LGDF or refuses to turn over the MFT, if the Village of Bartlett faces a substantial decrease in revenues it is going to force some very difficult decisions on this Board.

Trustee Camerer stated that they are basically voting on option three.



VILLAGE OF BARTLETT
BOARD MINUTES
November 17, 2015

Trustee Reinke stated that was not correct. What they have before them are two ordinances. One is to cut the natural gas tax by \$550,000 and the other is to cut the electric tax by \$150,000.

Trustee Camerer asked how these ordinances will affect the businesses in town.

Trustee Reinke stated that the businesses and residences will see their gas utility tax and their electric utility tax cut in half.

Trustee Camerer stated that he just wanted to be clear that they are not putting an undo burden on the businesses or rental units in the town.

President Wallace stated that it will be very similar to option three presented and the total net savings.

ROLL CALL VOTE TO APPROVE ORDINANCE 2015-95 LOWERING THE GAS USE TAX

AYES: Trustees Camerer, Carbonaro, Deyne, Hopkins, Reinke

NAYS: Trustee Arends

ABSENT: None

MOTION CARRIED

Trustee Camerer moved to approve Ordinance 2015-96, An Ordinance Amending Title 14, Chapter 2, Section 14-2-3, of the Bartlett Municipal Code to Lower the Municipal Electricity Use Tax as presented and was seconded by Trustee Reinke.

Trustee Arends asked when this would become effective.

President Wallace stated May 1, 2016.

ROLL CALL VOTE TO APPROVE ORDINANCE 2015-96 LOWERING THE ELECTRICITY USE TAX

AYES: Trustees Camerer, Carbonaro, Deyne, Hopkins, Reinke

NAYS: Trustee Arends

ABSENT: None

MOTION CARRIED

President Wallace thanked Finance Director Jeff Martynowicz and his team for the hours and hours of work put into this.



VILLAGE OF BARTLETT
BOARD MINUTES
November 17, 2015

Trustee Deyne moved to remove the 2015 Estimated Property Tax Levy from the Table and was seconded by Trustee Reinke.

ROLL CALL VOTE TO REMOVE THE 2015 ESTIMATED PROPERTY TAX LEVY FROM THE TABLE

AYES: Trustees Arends, Camerer, Carbonaro, Deyne, Hopkins, Reinke

NAYS: None

ABSENT: None

MOTION CARRIED

Finance Director Jeff Martynowicz stated that the Village Board discussed the proposed tax levy at the October 20th Committee meeting. The memo before the Village Board tonight is to establish an estimated 2015 property tax levy. The next step in the process will be to conduct a public hearing on December 1, 2015. The 2015 property tax levy is then to be approved at the December 15th Village Board meeting.

The Board reviewed a chart showing the estimated 2015 levy compared to the 2014 levy extension. The estimated property tax levy for 2015 totals \$9,265,478 and includes levies for the general corporate fund, police pension fund and debt service. The total decrease from the 2014 extension is \$174,334 or 1.85% from last year and essentially leaving the tax levy flat.

Trustee Carbonaro asked how many years it has been flat?

J. Martynowicz stated that it has been six years now. Last year they reduced it by a \$150,000 and the year before that \$550,000.

Trustee Carbonaro stated that in lieu of what is going on down in Springfield they are still electing to not raise the tax levy.

Trustee Camerer moved that the 2015 Estimated Property Tax Levy be established at \$9,265,478 and that motion was seconded by Trustee Carbonaro.

ROLL CALL VOTE TO APPROVE THE 2015 ESTIMATED PROPERTY TAX LEVY BE ESTABLISHED AT \$9,265,478.

AYES: Trustees Arends, Camerer, Carbonaro, Deyne, Hopkins, Reinke

NAYS: None

ABSENT: None

MOTION CARRIED



VILLAGE OF BARTLETT
BOARD MINUTES
November 17, 2015

Trustee Deyne stated that the purchase of 38 computers from Dell through the State of Illinois and Midwest Higher Education Compact was covered and approved under the Consent Agenda.

D. LICENSE & ORDINANCE COMMITTEE, CHAIRMAN ARENDS

Trustee Arends stated that there was no report.

E. POLICE & HEALTH COMMITTEE, CHAIRMAN CARONARO

Trustee Carbonaro stated that there was no report.

F. PUBLIC WORKS COMMITTEE, CHAIRMAN CAMERER

Trustee Camerer presented Ordinance 2015-93, An Ordinance Amending the Bartlett Municipal Code Section 6-11-1204.1 and asked the public works director how they go about assessing when a stop sign is determined for a particular location.

Public Works Director Dan Dinges stated that there are two areas that they are looking at proposed stop signs. One is on the west side of town where new development is coming in the Blue Heron Industrial Park as well as Bartlett Pointe West which will be developing as well as the commercial development west of there. You are typically looking at the main routes and want traffic to flow on those and then the secondary routes coming up to them you would stop control or place yields. They are also looking at Morse Avenue which does not have any control at all. The police department had looked at this prior and put together a report that would make sense as far as which direction and which streets warrant signing. They are proposing to have stop control on the north and southbound directions.

Trustee Camerer stated that it was always his understanding that there had to be a certain amount of traffic. He knew that there were other streets where people were trying to get stop signs and they didn't meet that criteria. He can't imagine that the streets presented tonight have more traffic than some of these streets in downtown Bartlett.

D. Dinges stated that it is all factored in when they review these areas. They also look at the fact there is a school to the south and a school to the north so there are peaks during those times when the schools start and vacate. That was one of the main concerns that Trustee Hopkins had raised.

Trustee Camerer asked if they did a traffic count and the amount of cars going down those streets justified this action.



VILLAGE OF BARTLETT
BOARD MINUTES
November 17, 2015

Chief of Police Kent Williams stated that he would not justify it on traffic alone. It was a totality of circumstances which they took into consideration. The confusion expressed by the neighborhood itself and the concerns for student safety justified this action. He stated that they would not get justification by sheer numbers of traffic but IDOT does allow you to make clarifications if it is to bolster safety and that is what this would fall under.

President Wallace stated that he has traveled that road quite a bit and wondered if there was a lot of accidents.

Chief Williams stated that there are not a lot of accidents.

President Wallace asked what the cost is of putting in a stop sign.

D. Dinges stated that the Village does the installation and makes the sign so the cost is minimal.

President Wallace stated that for the years this neighborhood has been back there no one has ever had a problem with it. He had concerns that when you put stop signs on the side streets it tends to speed up the traffic.

Chief Williams stated that that has been proven true. The more stops you make, the person feels that they have to make up for the time lost by going faster.

Trustee Deyne asked if based on the comments this evening would anyone want to rethink this?

Chief Williams stated that this was brought to them by the Board and while they researched it and can justify it, he can see both sides of the argument on this and it is a Board decision.

Trustee Camerer moved to approve Ordinance 2015-93, An Ordinance Amending the Bartlett Municipal Code Section 6-11-1204.1 as presented and was seconded by Trustee Reinke.

ROLL CALL VOTE TO APPROVE ORDINANCE 2015-93 AMENDING THE MUNICIPAL CODE

AYES: Trustees Arends, Camerer, Carbonaro, Deyne, Hopkins, Reinke
NAYS: None
ABSENT: None
MOTION CARRIED



VILLAGE OF BARTLETT
BOARD MINUTES
November 17, 2015

Trustee Camerer presented Ordinance 2015-94, A Resolution Approving of the Country Creek Lift Station Upgrade Project Agreement Between the Village of Bartlett and James McHugh Construction Co.

Trustee Camerer commended the staff for having budgeted this at \$520,000 and coming in way under bid.

D. Dinges stated that they were originally thinking that they would have to replace the metal can that is 43 feet deep. After evaluating the can, it looks like it is in decent shape and they will put a coating on it that will buy them another 50+ years. They can reuse that structure and put the pumps down into that.

Trustee Reinke stated that it was great work.

Trustee Camerer moved to approve Resolution 2015-94-R, An Ordinance Approving of the Country Creek Lift Station Upgrade Project Agreement Between the Village of Bartlett and James McHugh Construction Co. as presented and was seconded by Trustee Hopkins.

ROLL CALL VOTE TO APPROVE RESOLUTION 2015-94-R APPROVING THE COUNTRY CREEK LIFT STATION UPGRADE PROJECT

AYES: Trustees Arends, Camerer, Carbonaro, Deyne, Hopkins, Reinke
NAYS: None
ABSENT: None
MOTION CARRIED

13. NEW BUSINESS

Trustee Deyne stated that he was at the Open House for Metra in the downtown area and a couple of the business owners talked about locating some kind of a sign for the golf course at Route 59 and W. Bartlett Rd. He asked staff if there was something they could do.

Administrator Salmons stated that is IDOT's intersection and they have talked to IDOT repeatedly, several different times over the years. They are not going to let them put up a sign.

President Wallace stated that he would love to see a redesigned sign on Route 59 for Bartlett Hills Golf Course. He felt that with the expanded banquet hall they would get more bang for their buck from a redesigned sign.



**VILLAGE OF BARTLETT
BOARD MINUTES
November 17, 2015**

Trustee Deyne added that it is a very good idea and he has heard from a lot of people that the location of the sign is in a poor area.

Head Golf Professional Phil Lenz stated that it happens very often. People are driving down Route 59 and end up in the residential area. They then get phone calls and have to redirect patrons.

Administrator Salmons stated that the location issues have to do with the right-of-way and where they would get that additional property to put up the sign. They did not have the ability to move it any closer to the road.

The Board talked about heightening the sign and perhaps directing to the proper street.

14. QUESTION/ANSWER: PRESIDENT & TRUSTEES

Trustee Reinke asked how the bike committee was coming.

Administrator Salmons stated that it is doing well. They talked about it at staff today and the grant that they are looking at with other towns for bike racks in different locations around town. They thought they would tie that into some early action by the committee and they are just getting that formulated.

15. ADJOURNMENT

President Wallace stated that the Board will be going into the Committee of the Whole meeting immediately following the close of this meeting.

There being no further business to discuss, Trustee Reinke moved to adjourn the regular Board meeting and that motion was seconded by Trustee Carbonaro.

ROLL CALL VOTE TO ADJOURN

AYES: Trustees Arends, Camerer, Carbonaro, Deyne, Hopkins, Reinke

NAYS: None

ABSENT: None

MOTION CARRIED

The meeting was adjourned at 8:00 p.m.

Lorna Gilles
Village Clerk
LG/

Village of Bartlett
 Utility Tax Proposal
 Option 1 - Split Gas Tax and Electric Tax Revenue 50/50

	Annual Therms	Current Gas	Proposed Gas	Dollar Difference	Annual KWH	Current Electric	Proposed Electric	Dollar Difference	Total Increase
Business A	44,000	\$2,200.00	\$1,474.00	-\$726.00	5,904,000	\$5,142.10	\$11,693.41	\$6,551.31	\$5,825.31
Business B	166,777	\$8,338.35	\$5,587.03	-\$2,751.32	5,418,688	\$4,634.22	\$10,538.31	\$5,904.09	\$3,152.77
Business C	66,385	\$3,319.25	\$2,223.90	-\$1,095.35	4,962,225	\$4,254.79	\$9,675.48	\$5,420.69	\$4,325.34
Rental Units A	0	\$0.00	\$0.00	\$0.00	17,000	\$24.82	\$56.44	\$31.62	\$31.62
Rental Units B	214,004	\$10,700.20	\$7,169.13	-\$3,531.07	7,500,000	\$6,345.06	\$14,428.71	\$8,083.65	\$4,552.58
Rental Units C	75,000	\$3,750.00	\$2,512.50	-\$1,237.50	1,200,000	\$1,144.20	\$2,602.00	\$1,457.80	\$220.30
Residential	1,106	\$55.30	\$37.05	-\$18.25	12,000	\$17.52	\$39.84	\$22.32	\$4.07

Utility Tax Proposal
 Option 2 - Eliminate Gas Tax and Max Electric Tax

	Annual Therms	Current Gas	Proposed Gas	Dollar Difference	Annual KWH	Current Electric	Proposed Electric	Dollar Difference	Total Increase
Business A	44,000	\$2,200.00	\$0.00	-\$2,200.00	5,904,000	\$5,142.10	\$22,149.12	\$17,007.02	\$14,807.02
Business B	166,777	\$8,338.35	\$0.00	-\$8,338.35	5,418,688	\$4,634.22	\$19,964.71	\$15,330.49	\$6,992.14
Business C	66,385	\$3,319.25	\$0.00	-\$3,319.25	4,962,225	\$4,254.79	\$18,330.43	\$14,075.64	\$10,756.39
Rental Units A	0	\$0.00	\$0.00	\$0.00	17,000	\$24.82	\$106.76	\$81.94	\$81.94
Rental Units B	214,004	\$10,700.20	\$0.00	-\$10,700.20	7,500,000	\$6,345.06	\$27,327.00	\$20,981.94	\$10,281.74
Rental Units C	75,000	\$3,750.00	\$0.00	-\$3,750.00	1,200,000	\$1,144.20	\$4,924.68	\$3,780.48	\$30.48
Residential	1,106	\$55.30	\$0.00	-\$55.30	12,000	\$17.52	\$75.36	\$57.84	\$2.54

Utility Tax Proposal
 Option - Reduce Gas Tax by \$700,000 and Keep Electric Tax the same

	Annual Therms	Current Gas	Proposed Gas	Dollar Difference	Annual KWH	Current Electric	Proposed Electric	Dollar Difference	Total Increase
Business A	44,000	\$2,200.00	\$814.00	-\$1,386.00	5,904,000	\$5,142.10	\$5,142.10	\$0.00	-\$1,386.00
Business B	166,777	\$8,338.35	\$3,085.37	-\$5,252.98	5,418,688	\$4,634.22	\$4,634.22	\$0.00	-\$5,252.98
Business C	66,385	\$3,319.25	\$1,228.12	-\$2,091.13	4,962,225	\$4,254.79	\$4,254.79	\$0.00	-\$2,091.13
Rental Units A	0	\$0.00	\$0.00	\$0.00	17,000	\$24.82	\$24.82	\$0.00	\$0.00
Rental Units B	214,004	\$10,700.20	\$3,959.07	-\$6,741.13	7,500,000	\$6,345.06	\$6,345.06	\$0.00	-\$6,741.13
Rental Units C	75,000	\$3,750.00	\$1,381.50	-\$2,368.50	1,200,000	\$1,144.20	\$1,144.20	\$0.00	-\$2,368.50
Residential	1,106	\$55.30	\$20.46	-\$34.84	12,000	\$17.52	\$17.52	\$0.00	-\$34.84



**VILLAGE OF BARTLETT
COMMITTEE MINUTES
November 17, 2015**

President Wallace called the Committee of the Whole meeting to order at 8:01 p.m.

PRESENT: Trustees Camerer, Carbonaro, Deyne, Hopkins, Reinke, President Wallace were present.

ABSENT: Trustee Arends

ALSO PRESENT: Village Administrator Valerie Salmons, Assistant Village Administrator Paula Schumacher, Assistant to the Village Administrator Scott Skrycki, Finance Director Jeff Martynowicz, Director of Public Works Dan Dinges, Public Works Engineer Bob Allen, Community Development Director Jim Plonczynski, Building Director Brian Goralski, Head Golf Professional Phil Lenz, Chief Kent Williams, Deputy Chief Joe Leonas, Village Clerk Lorna Giles and Attorney Bryan Mraz.

PUBLIC WORKS

Potable Water Study

Administrator Salmons stated that Dr. Burke was there from Burke Engineering and he had some different options to present. She stated that JAWA has asked them to take a look at their product, either 100% or 50%. They have renegotiated some numbers with Elgin and have some good options.

Christopher Burke stated that it has been about a year since they last talked and he wanted to give the Board an update with new options. He stated that the world is constantly changing on water and in different communities people are looking at different alternatives as the City of Chicago has adjusted their rates and other options are being explored.

When they were given direction to talk to Elgin and negotiate with them, they met a number of times. The Northwest Suburban Municipal Joint Action Water Agency (JAWA) came to the Village and proposed that they would supply Lake Michigan water. In past presentations, there was a significant buy-in fee of about \$14.6 million and they have proposed to eliminate that expenditure. They also are bound by City ordinance and increases are mandated, however, the City of Chicago can change that ordinance at any given time. They refined the estimates on cost to bring Lake Michigan water to Bartlett. Based on the information, they used these numbers to project a rate. The cost per 1,000 gallons drops \$2.40. They also offered that the Village consider an option that would give a 50/50 (continue to buy water from Elgin and buy water from JAWA). This would alleviate the purchase of the additional connection.



**VILLAGE OF BARTLETT
COMMITTEE MINUTES
November 17, 2015**

Meetings with Elgin had two conclusions – they would have to raise the capacity of their water treatment plant in 15-20 years and they felt that the previous discussed terms of agreement were balanced in the favor of Bartlett. They talked about a constant escalation rate where every year for budgeting there is a 2.5% increase. They stated that it was now off the table and we would be bound by the rate that they pass on. Rather than having a decreasing surcharge, they would want to renegotiate that. They still agree with the concept of a 35 year agreement. By virtue of their new position the rate goes up about .90¢ per 1,000 gallons. They agreed that they will agree to a 50/50 concept. He talked about a volume discount when the Village was going 100% with Elgin where a surcharge would get down to a minimal amount. Those two factors where they were no longer willing to freeze the escalation rate and no longer willing to reduce the surcharge resulted in them taking a look at other options. In order to get the value out of the water treatment facilities and some of the higher performing new wells, they faze in the Elgin connection over ten years. It also means that they don't have to build the second connection with Elgin.

Please refer to attached Alternatives which were presented to the Board in the attached presentation. He talked about costs to residents based on 6,000 gallons of usage (page 8). He asked the Board for direction on how to proceed.

Trustee Deyne stated that there were a couple of things that bothered him. He stated that things changed with JAWA from just six months ago. He wondered if things would change again if they committed to them. The other thing is that the rates are limited by the City of Chicago ordinance and he was not so sure that the City of Chicago was the most ethical city to be involved with.

Trustee Carbonaro stated that it was a valid concern. The City of Chicago is having financial problems – they sold the Taste of Chicago, the parking rights, what's to say they won't sell the water treatment plant.

Administrator Salmons stated that JAWA's contract with the City of Chicago is up in nine years. Certainly that concern is a valid one.

Trustee Deyne stated that in looking at these water rates, they are a little frightening. If there are two sources, can the Village pick and choose the percentage of water intake?

Dr. Burke stated that those fine details would have to be negotiated. The current agreement with Elgin states that there are different maximums and minimums. That would have to be worked out on what can be varied from the 50/50.

Trustee Deyne asked when they had to make a decision on this?



**VILLAGE OF BARTLETT
COMMITTEE MINUTES
November 17, 2015**

Administrator Salmons stated that it would be good to have this done somewhere into the new year (first quarter).

President Wallace stated that the contract will be up in 2019. He asked if they could have had a deal with Elgin if they went forward a year ago?

Administrator Salmons stated "no".

President Wallace commented on the \$8.60 rate for 100% Elgin. That means that they are adding 25% to that and charging an additional \$1.72 per 1,000.

Dr. Burke stated that the \$8.60 includes not only the cost of buying the water from Elgin but also includes the other costs the Village has in maintaining the distribution system and operating and maintaining the other components of the system.

President Wallace asked if it would be safe to say that Elgin is making \$1 per 1,000 gallons.

Dr. Burke stated "yes".

Trustee Camerer stated that this will ultimately cost \$18.5 million to bring in the extra infrastructure.

Dr. Burke stated \$18.5 million in 2014-15 dollars.

Trustee Reinke stated that those capital improvements would belong to the Village of Bartlett.

Dr. Burke referred to page 7, the 2019 projected rate would include a \$5.7 million capital improvement but then you are on the hook for the differential to be included as they start phasing out the wells. Additional improvements will be an additional pump station and additional lines to re-do the plumbing to accept all the water coming from one source and that was Elgin.

Trustee Reinke stated that the contract with JAWA for 50% of the water supply would not make the Village a member of JAWA.

Dr. Burke stated that is correct and they would not be a voting member.

Trustee Reinke stated that if JAWA wants to head in a certain direction, the Village of Bartlett does not get a vote in that direction.

Administrator Salmons stated that is correct.



**VILLAGE OF BARTLETT
COMMITTEE MINUTES
November 17, 2015**

Trustee Reinke stated that they would be trusting a water supply from a City that can't handle its own finances and is an entity that they have no vote in.

President Wallace asked how many other Villages were on that Board.

Administrator stated seven.

Trustee Deyne stated that he felt uncomfortable.

Trustee Reinke asked what happens when the City of Chicago is going to switch out its wooden water mains? Who will pay for that?

Trustee Camerer stated that he heard speculation that JAWA in future years would not always take the water from the City of Chicago. It could move to Evanston or elsewhere.

Administrator Salmons stated that they have said that at the end of the nine years they could begin to take water from Wilmette or Evanston or potentially join the Northwest Water Commission by Lake Zurich. They are looking at options not to have to renew with the City of Chicago.

Trustee Camerer asked if under the 50/50 Elgin JAWA plan, is there a possibility to also use our wells and have a three way water supply?

Dr. Burke stated that they asked this question. Elgin is good with you using your own wells. They have asked and if they would allow the phasing out of Bartlett's wells. They believe it is possible and those details would have to be worked out in a final agreement.

Trustee Deyne asked what the life expectancy of the wells are.

Public Works Director Dan Dinges stated that some of the wells are 50+ years old. They must be rehabbed every twenty years. If they have an issue with a well going down, they would evaluate if it is worth rebuilding or abandoning.

Dr. Burke stated that they would keep the more recent and better conditioned wells.

Trustee Deyne asked how they arrived at the \$5.7 million for the five year capital improvement?

Dr. Burke stated that they were going to make some plumbing changes and upgrade the existing pumping station and not build the second connection. They could increase the amount of water they are taking from Elgin and get it to about 2.75 million gallons



**VILLAGE OF BARTLETT
COMMITTEE MINUTES
November 17, 2015**

per day and still keep some wells and phase them out over time. That triggers making the second connection and additional improvements to get the pressure needed to get the system operating.

Trustee Deyne stated that he was looking at the \$18.5 million capital improvement and felt that they could surely do a lot of work with the existing wells for that difference. He asked if they were going to receive more information on this. What is the process?

President Wallace stated that they are trying to refine the general direction where the Board is leaning and if there are any additional questions on the numbers.

Administrator Salmons stated that if the Board would like to digest some of this, they can put it on another agenda absent any firm direction.

President Wallace talked about the 2 million gallons per day and verified that they are using about 4 million gallons per day. If they went to 100% Elgin, the \$2.75 would kick in right away. Which is a more stable and predictable supply – Elgin or JAWA?

Dr. Burke stated that both are fairly equal based on changes in water quality because things change on all bodies of water. From a pure water supply, they are close to being equal.

President Wallace asked which is more predictable when it comes to the price?

Dr. Burke stated that the only variable is how they increase the rates on a given year. You don't have control and that is the only variable.

Administrator Salmons stated that they were able to drop the surcharge from \$1.25 to \$1.15 based on consumption.

President Wallace stated that \$1.25 is crazy. A very large number times a small number is a very, very, large number.

Administrator Salmons stated that the \$1.25 is what they have been living with for the last 35 years.

Trustee Reinke stated that there was going to be a downward pressure on any of the increases in the City of Elgin. In order to raise our rates, they will have to raise their resident rates and they won't be too happy about that. He felt that they needed to improve the water quality in the town sooner rather than later. Which option will get us the best quality of water the fastest?



**VILLAGE OF BARTLETT
COMMITTEE MINUTES
November 17, 2015**

Dr. Burke stated that both options are very close as far as water quality is concerned. Elgin has a very good treatment plant and so does the City of Chicago. They are both equivalent.

Trustee Hopkins asked how much well water we get from Elgin right now.

Dr. Burke stated that the majority is Fox River and they have a backup well that they use.

Trustee Hopkins stated that the Elgin water is softened but we don't soften any of our well water currently.

Dr. Burke stated that was correct.

Trustee Hopkins asked over the ten year period, how many wells would be disconnected right away?

Dr. Burke stated maybe half. It is not the number of wells since they all have different capacities and different ages and different water treatment facilities attached to them. You would keep the ones that cost the least amount of money to operate.

Trustee Hopkins asked for a general number on what it would cost to soften our water at some of the wells.

President Wallace asked why he was interested in softening the well water.

Trustee Hopkins stated that if they are going to phase it out over ten years, some residents on the south side of Bartlett have pretty crummy water and it effects them greatly. He didn't want those residents to wait ten years to get relief. He would like to know the cost.

Dr. Burke stated that he would get him those figures.

Trustee Reinke stated that they really need to improve the quality of water.

President Wallace stated that he has drank his water from the tap since the day he moved in and it is fine. He has also heard from residents that it is not. He has also heard that it is the piping and not the water.

Trustee Carbonaro asked if the \$5.7 million includes maintenance to the wells to keep them open.



**VILLAGE OF BARTLETT
COMMITTEE MINUTES
November 17, 2015**

Dr. Burke stated that they did not include any additional or incremental maintenance beyond what they are currently doing. It did not include any major capital improvements because the wells are being phased out. The \$18.5 million capital improvement figure included costs for additional water tanks and cost for interconnects.

President Wallace asked if they went 100% Elgin, where would the emergency water source come from?

Dr. Burke stated the Streamwood interconnect and the other is Hanover Park.

D. Dinges stated that they also talked about the fact that if the wells are still functioning, they would be kept as an emergency back-up as well.

Trustee Carbonaro asked if they were talking to Hanover Park or Streamwood as a reciprocating secondary.

D. Dinges stated "yes".

President Wallace stated that if the predictable and stable supply is equal and the price is less and the quality is equal, he wondered how quickly they could soften the water that they are blending in until it's switched over. He was told that the negotiation is over but he didn't know if it were ever over for the Valerie that they know...

Trustee Deyne suggested that Valerie helps negotiate the contract.

Administrator Salmons stated that she did.

President Wallace asked what the residents get charged per 1,000 gallons?

Administrator Salmons stated \$6.36.

Dr. Burke stated that the increase would be in 2019.

President Wallace stated that he has driven past the Fox River and it sometimes seems very low. Years ago it was flowing over the banks.

Dr. Burke stated that it was a big drainage area that goes up to Wisconsin.

D. Dinges stated that he had the presentation from last year and one alternative was the softening of the current wells. The cost was \$6 million dollars and they would have to do the bulk of them.



**VILLAGE OF BARTLETT
COMMITTEE MINUTES
November 17, 2015**

Administrator Salmons stated that maybe they could look at doing a certain region for a while to equalize the quality.

There being no further business to discuss, Trustee Reinke moved to adjourn the Committee of the Whole meeting and that motion was seconded by Trustee Camerer.

ROLL CALL VOTE TO ADJOURN

AYES: Trustees Camerer, Carbonaro, Deyne, Hopkins, Reinke

NAYS: None

ABSENT: Trustee Arends

MOTION CARRIED

The meeting adjourned at 8:42 p.m.


Lorna Gilles
Village Clerk

LG/

VILLAGE OF BARTLETT

POTABLE WATER STUDY UPDATE

NOVEMBER 17, 2015



HISTORY

IN THE SUMMER / FALL OF 2014, PRESENTATIONS WERE MADE TO THE BOARD SUMMARIZING 5 ALTERNATIVES CONSIDERED FOR LONG TERM SUSTAINABLE POTABLE WATER SUPPLY FOR BARTLETT.

BOARD DIRECTION

UPON CAREFUL REVIEW AND CONSIDERATION, THE BOARD DIRECTED STAFF TO ENTER NEGOTIATIONS WITH ELGIN FOR A NEW LONG TERM WATER SUPPLY AGREEMENT.



NEW INFORMATION SINCE 2014 BOARD PRESENTATIONS

- **NSMJAWA PROPOSES TO SUPPLY BARTLETT**
 - NSMJAWA PROPOSAL DRIVEN BY DECLINING WATER USE, NSMJAWA'S PROXIMITY TO BARTLETT, AND NSMJAWA'S NEED TO MEET MINIMUM WATER PURCHASE REQUIREMENT
 - "BUY-IN" FEE OF \$14.6 MILLION IS ELIMINATED
 - NSMJAWA INDICATED THAT CURRENTLY ANY FUTURE CITY OF CHICAGO RATE INCREASES ARE LIMITED BY CITY ORDINANCE (FUTURE REMAINS UNCERTAIN BECAUSE NEW ORDINANCE COULD BE ADOPTED)
 - REFINEMENT OF CAPITAL FACILITIES & COST ESTIMATES
 - BASED ON NSMJAWA'S PROPOSAL, 2019 RATE PROJECTION FOR NSMJAWA WATER HAS GONE DOWN BY APPROXIMATELY \$2.40 / 1,000 GALLONS
 - OFFERING OF A 50-50 / ELGIN-NSMJAWA JOINT SUPPLY ALTERNATIVE



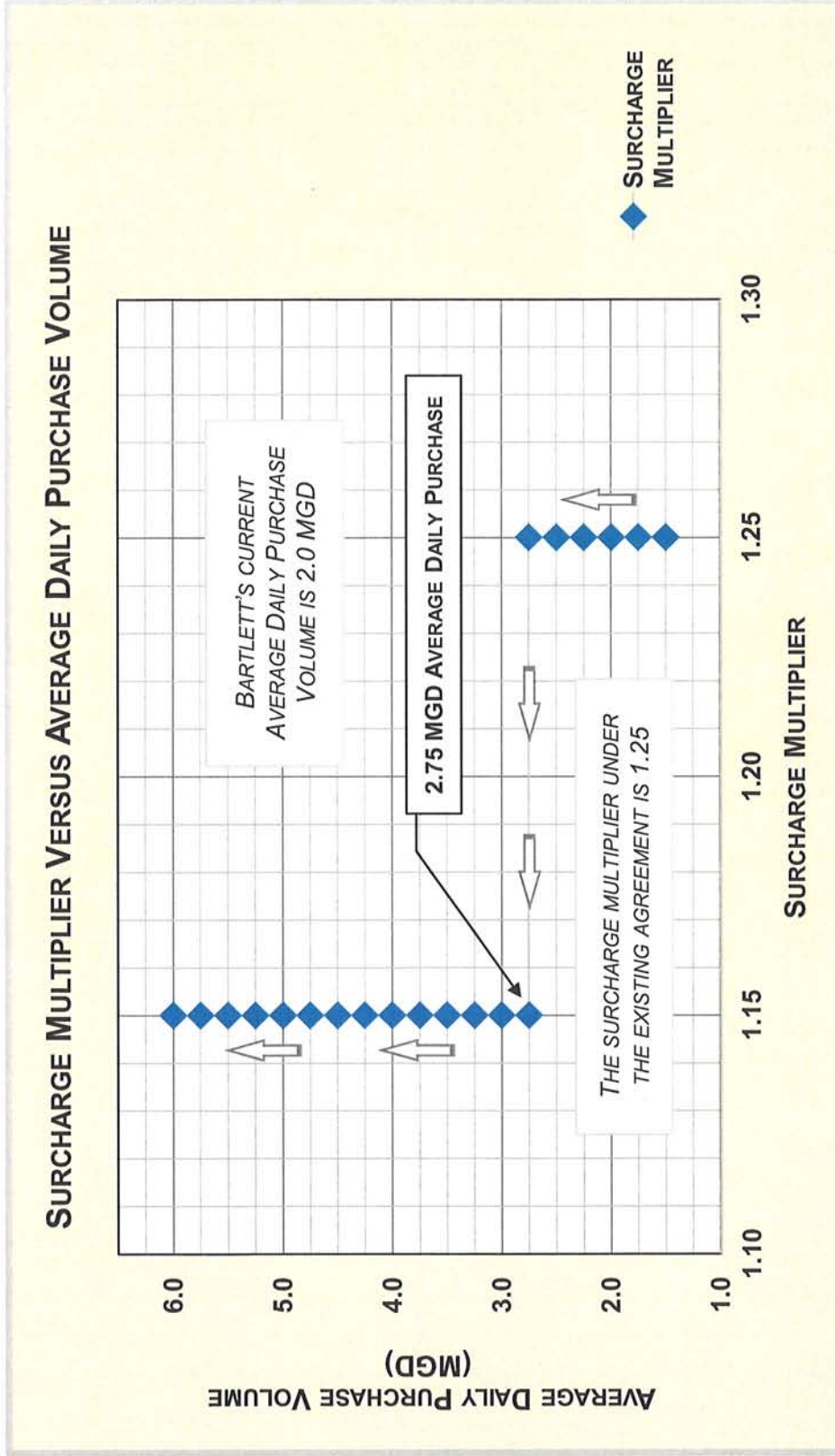
NEW INFORMATION SINCE 2014 BOARD PRESENTATIONS

- **ELGIN AGREEMENT**

- ELGIN CONCERNED THAT PROVIDING 100% OF BARTLETT'S SUPPLY WILL REQUIRE THE WATER TREATMENT PLANT BE EXPANDED SOONER
- AFTER ELGIN REVIEWED THE 2014 BOARD PRESENTATIONS, ELGIN FELT THAT THE PREVIOUSLY DISCUSSED TERMS OF THE AGREEMENT WERE BALANCED IN FAVOR OF BARTLETT
- STAFF NEGOTIATED NEW TERMS FOR A 35 YEAR AGREEMENT
- ELGIN TOOK OFF THE TABLE CAPS ON FUTURE ANNUAL RATE INCREASES
- ELGIN AGREED TO REDUCE THE "SURCHARGE MULTIPLIER" FROM THE CURRENT 1.25 TO 1.15 WITH A CORRESPONDING INCREASE IN VOLUME PURCHASE
- BASED ON NEGOTIATED TERMS, 2019 RATE PROJECTION FOR ELGIN WATER HAS GONE **UP** BY APPROXIMATELY \$0.90 / 1,000 GALLONS
- ELGIN AGREED TO SELL WATER TO BARTLETT IF THE 50-50 ALTERNATIVE IS SELECTED



ELGIN SURCHARGE MULTIPLIER



ALTERNATIVES SHORT LIST

	PROJECTED 2019 BARTLETT RATE (SEE NOTES)	
	CURRENT PROJECTED VALUES	VALUES PRESENTED TO BOARD IN 2014
100% ELGIN [NEAR TERM – PHASE OUT WELLS OVER 10 YEARS] ¹	\$8.60 - \$8.90	\$8.40
100% ELGIN [2 ND CONNECTION BUILT UP FRONT]	\$11.10 - \$11.60	\$10.50
100% NSMJAWA	\$12.00 - \$12.90	\$14.80
50-50 ELGIN-NSMJAWA	\$10.90 - \$11.60	N/A [NEW ALTERNATIVE]

**Bord Favored
Alternative**

¹ Note: This Alternative defers the "2nd Connection Built Up Front" costs for 10 years



PROS & CONS OF ALTERNATIVES

	100% ELGIN [PHASE OUT WELLS OVER 10 YEARS]	100% ELGIN [2 ND CONNECTION BUILT UP FRONT]	100% NSMJAWA	50-50 ELGIN- NSMJAWA
2019 PROJECTED RATE	\$8.60 - \$8.90	\$11.10 - \$11.60	\$12.00 - \$12.90	\$10.90 - \$11.60
5 YEAR CAPITAL IMPROVEMENT PROJECTION (\$2014)	\$5.7 MILLION	\$18.5 MILLION	\$29.9 MILLION	\$13.0 MILLION
SOURCE WATER	FOX RIVER / WELLS PHASED OUT OVER 10 YEARS	FOX RIVER	LAKE MICHIGAN	FOX RIVER / LAKE MICHIGAN
SOURCE REDUNDANCY	--	--	--	2 INDEPENDENT SOURCES
ALLOWS REMAINING USEFUL LIFE OF WELLS	YES	NO	NO	PERHAPS
SUSTAINABLE	YES	YES	YES	YES
SOFT WATER	MIXED	YES	YES	YES
	Board Favored Alternative			



ALTERNATIVE'S PROJECTED INCREASE 2019 MONTHLY WATER BILLS 1,2

PROJECTED 2019 RATE / 1,000 GALLONS	AVERAGE PROJECTED RATE OF HIGH-LOW RANGE	100% ELGIN [PHASE OUT WELLS OVER 10 YEARS]	100% ELGIN [2 ND CONNECTION BUILT UP FRONT]	100% NSMJAWA	50-50 ELGIN- NSMJAWA
		\$8.75 / 1,000 GALLONS	\$11.35 / 1,000 GALLONS	\$12.45 / 1,000 GALLONS	\$11.25 / 1,000 GALLONS
6,000 GALLONS / MONTH	MONTHLY BILL INCREASE OVER 2019 INFLATED RATE	\$5.40 MONTHLY	\$21.00 MONTHLY	\$27.60 MONTHLY	\$20.40 MONTHLY
8,000 GALLONS / MONTH	MONTHLY BILL INCREASE OVER 2019 INFLATED RATE	\$7.20 MONTHLY	\$28.00 MONTHLY	\$36.80 MONTHLY	\$27.20 MONTHLY
10,000 GALLONS / MONTH	MONTHLY BILL INCREASE OVER 2019 INFLATED RATE	\$9.00 MONTHLY	\$35.00 MONTHLY	\$46.00 MONTHLY	\$34.00 MONTHLY

**Board Favored
Alternative**

¹ Table values based on the average of the Alternative 2019 Projected Rate Range versus 2014 Rates inflated to 2019 Rates at historical average inflation rate of 4.3%

² 2014 Rate is \$6.36 / 1,000 gallons, 2019 Projected Rate at 4.3% historical inflation increase is \$7.85 / 1,000 gallons



NOTES

-- SEC DISCLAIMER TO BE PROVIDED --

100% Elgin – [Near Term – Phasing out Wells]:

- ¹ 2019 Elgin Water Purchase assumed at average of 3.0 million gallons per day (MGD).
- ² Range for Elgin 2019 Residential Rate (before surcharge) calculated at 3.4% - 4.6% annual increases from 2014 actual residential rate reflecting the "10 year" and "life of contract" average annual rate increases respectively.
- ³ Elgin Surcharge Multiplier assumed at 1.15 for an average purchase of 3.0 MGD as shown on the Elgin Surcharge Multiplier Chart.
- ⁴ Capital Cost (to 2019) of 100% Elgin – [Near Term – Phasing out Wells] Alternative is estimated at \$5.7 million in 2014 from facilities and costs discussed and presented at the 2014 Board Presentations and in the 2014 Potable Water Study report.
- ⁵ 2014 Capital Cost inflated to 2018 at 3.5% per year
- ⁶ Debt service costs for capital costs estimated as 20 year loan repayment at 6% annual interest.
- ⁷ Bartlett 2019 Water Fund Operating Cost (not including water purchase cost) estimated at \$2.9 million.
- ⁸ Rate calculations assume that 85% of water purchased is billed.

100% Elgin – [2nd Connection Built Up Front]:

- ⁹ 2019 Elgin Water Purchase assumed at average of 3.9 million gallons per day (MGD).
- ¹⁰ Range for Elgin 2019 Residential Rate (before surcharge) calculated at 3.4% - 4.6% annual increases from 2014 actual residential rate reflecting the "10 year" and "life of contract" average annual rate increases respectively.
- ¹¹ Elgin Surcharge Multiplier assumed at 1.15 for an average purchase of 3.9 MGD as shown on the Elgin Surcharge Multiplier Chart.
- ¹² Capital Cost (to 2019) for 100% Elgin – [2nd Connection Built Up Front] Alternative is estimated at \$18.5 million in 2014 from facilities and costs discussed and presented at the 2014 Board Presentations and in the 2014 Potable Water Study report.
- ¹³ 2014 Capital Cost inflated to 2018 at 3.5% per year
- ¹⁴ Debt service costs for capital costs estimated as 20 year loan repayment at 6% annual interest.
- ¹⁵ Bartlett 2019 Water Fund Operating Cost (not including water purchase cost) estimated at \$2.9 million.
- ¹⁶ Rate calculations assume that 85% of water purchased is billed.

100% NSMJAWA:

- ¹⁷ 2019 NSMJAWA Water Purchase assumed at average of 3.9 million gallons per day (MGD).
- ¹⁸ Per NSMJAWA 6/22/15 presentation to Bartlett, NSMJAWA proposes a water selling rate of \$5.60 per 1,000 gallons to Bartlett through Year 2016.
- ²⁰ Per NSMJAWA 6/22/15 presentation to Bartlett, City of Chicago Ordinance currently limits Chicago rate increases to NSMJAWA to the lessor of the Consumer Price Index or 5%. It is assumed that NSMJAWA future rate increases to Year 2019 to Bartlett would be at the same % rate increase that City of Chicago imparts to NSMJAWA.
- ²¹ NSMJAWA selling rate to Bartlett projected to 2019 rates using (as indicated in Note 20):
 - 2% average annual increases representative of current CPI values, and
 - 5% per upper limit.

²² Capital Cost of Alternative 4 is estimated at \$29.9 million in 2014:

- \$13.0 million for Bartlett's facilities and costs discussed and presented at the 2014 Board Presentations and in the 2014 Potable Water Study report, and
- \$16.9 million for JAWA's facilities from JAWA's estimates in the NSMJAWA 6/22/15 presentation to Bartlett.

²³ 2014 Capital Cost inflated to 2018 construction costs at 3.5% per year

²⁴ O&M Base Costs and predicted inflation to 2019 estimated at \$2.9 million (without water purchase cost) as presented in 2014

²⁵ Debt service costs for capital costs estimated as 20 year loan repayment at 6% annual interest.

²⁶ Rate calculations assume that 85% of water purchased is billed.

New Alternative – 50/50 Elgin/NSMJAWA – (New Alternative Proposed By NSMJAWA):

²⁷ NSMJAWA proposed a new Alternative during the 6/22/15 presentation to Bartlett that would be a combined Elgin and NSMJAWA supply for Bartlett. The Table values assume 50% of Bartlett's supply would be from Elgin and 50% would be from NSMJAWA. The Elgin/NSMJAWA Alternative would require a new agreement with Elgin and an agreement with NSMJAWA

²⁸ 2019 Combined Elgin/NSMJAWA Water Purchase assumed at average of 3.9 million gallons per day (MGD).

²⁹ Per NSMJAWA 6/22/15 presentation to Bartlett, NSMJAWA's proposed water selling rate is \$5.60 per 1,000 gallons to Bartlett through Year 2016.

³⁰ Per NSMJAWA 6/22/15 presentation to Bartlett, City of Chicago Ordinance currently limits Chicago rate increases to JAWA to the lessor of the Consumer Price Index or 5%. It is assumed that NSMJAWA future rate increases to Year 2019 to Bartlett would be at the same % rate increase that City of Chicago imparts to NSMJAWA.

³¹ NSMJAWA selling rate to Bartlett projected to 2019 rates using (as indicated in Note 30):

- 2% average annual increases representative of current CPI values, and
- 5% per upper limit.

³² Elgin selling rate to Bartlett projected to 2019 rates using

- 1.25 Surcharge Multiplier and 3.4% average annual increases (see Note 10 and Elgin Surcharge Multiplier Chart), and
- 1.25 Surcharge Multiplier and 4.6% average annual increases (see Note 10 and Elgin Surcharge Multiplier Chart)

³³ Capital Cost of the 50/50 Alternative is estimated at \$13.0 million in 2014:

- \$5.8 million for Bartlett's facilities from the facilities and costs from values used for facilities in the 2014 Board Presentations and in the 2014 Potable Water Study report, and
- \$7.2 million for NSMJAWA's facilities from NSMJAWA's estimates in the NSMJAWA 6/22/15 presentation to Bartlett.

³⁴ 2014 Capital Costs inflated to 2018 construction costs at 3.5% per year

³⁵ O&M Base Costs and predicted inflation to 2019 estimated at \$2.9 million (without water purchase cost) as presented in 2014

³⁶ Debt service costs for capital costs estimated as 20 year loan repayment at 6% annual interest.

³⁷ Rate calculations assume that 85% of water purchased is billed.

SUMMARY OF ELGIN & NSMJAWA MEETINGS

November 28, 2011	Meeting with NSMJAWA to explore potential of getting Lake Michigan water through NSMJAWA	March 4 & 23, 2015	Received additional information from NSMJAWA
September 23, 2013	Meeting with Elgin Water Operators to discuss Elgin's supply capabilities	May 26, 2015	NSMJAWA's proposal to be discussed/approved at next Executive Committee scheduled for April 20, 2015 with proposed water pricing.
December 6, 2013	Meeting with Elgin Administration and Water Operators, to initiate discussions regarding a future water contract with the City. A reduced multiplier and fixed annual increases were discussed.		Elgin meeting Elgin concluded from their internal review that Bartlett's proposed agreement terms were too favorable for Bartlett.
February 6, 2014	Elgin provides water rate markup data		Elgin indicates that they will not change any terms from the current contract (no set annual rate increase or reduction in surcharge multiplier).
February 12, 2014	Elgin provides copy of most recent rate study	June 4, 2015	Bartlett sent letter to Elgin showing updated comparison of Elgin vs. NSMJAWA costs.
May 12, 2014	Elgin provides responses to water system information requested by Bartlett	June 22, 2015	NSMJAWA meeting
July 1, 2014	Initial Water Study Presentation to the Committee		NSMJAWA made presentation to Bartlett Staff
July 11, 2014	Water Study report and Board Power Point presentations provided to Elgin and NSMJAWA		<ul style="list-style-type: none"> • 100% NSMJAWA option • 50 - 50 Elgin/NSMJAWA option.
August 19, 2014	Public Information Meeting before Board Meeting	July 2, 2015	NSMJAWA provided additional information based on questions Bartlett asked during 6/22/15 meeting.
Sept. 16, 2014	Responses to Board's questions	July 23, 2015	Letter sent to Elgin with revised costs comparison of Elgin vs. NSMJAWA Alternatives.
November 4, 2014	Additional discussion/responses to Board's questions	August - September, 2015	Elgin hired consultant to review CBBEL cost comparison estimates
December 8, 2014	Board directed Staff to move forward with negotiating contract with Elgin for 100% Elgin Supply	October 8, 2015	Meeting with Elgin
	Meeting with Elgin		Negotiations focused on the surcharge multiplier.
	Bartlett presented a draft contract with 2.5% annual increase rate and declining surcharge multiplier with higher volume of water purchase		Elgin agreed to reduce the surcharge multiplier from 1.25 to 1.15 with a corresponding increase of volume of purchased water
December 10, 2014	Copies of the Water Study and Board Presentations sent to Elgin		Reduction of surcharge multiplier starts at 2.75 million gallons per day (average) water purchase
February 6, 2015	Meeting with Elgin		If Elgin selected as Bartlett's water supplier, no limits on annual increases would be included in the agreement.
	Elgin indicated capacity concerns		Elgin subsequently agreed that they would accept selling water to Bartlett if the 50 - 50 Elgin/NSMJAWA Alternative is selected by Bartlett.
February 9, 2015	Elgin hired EEI to review capacity		
February 10, 2015	Negotiations deferred until Elgin internal review completed.		
February 9, 2015	Elgin provides copy of most recent Water Master Plan		
February 10, 2015	Water Supply Report and Board Presentations provided to Jim Norris of NSMJAWA		
February 18, 2015	Meeting with NSMJAWA		
	Discussed NSMJAWA's interest in proposing to be Bartlett's water supplier		
	NSMJAWA indicated they could supply with no buy-in fee		

PROCLAMATION

NATIONAL IMPAIRED DRIVING PREVENTION MONTH DECEMBER 2015

WHEREAS, motor vehicle crashes killed 924 people in Illinois during 2014; and

WHEREAS, hundreds of those deaths involved a driver impaired by alcohol and/or drugs; and

WHEREAS, the December holiday season is traditionally one of the most deadly times of the year for impaired driving; and

WHEREAS, for thousands of families across the state and nation, the holidays are a time to remember loved ones lost; and

WHEREAS, organizations across the state and nation are joined with the **Drive Sober or Get Pulled Over** and other campaigns that foster public awareness of the dangers of impaired driving and anti-impaired driving law enforcement efforts; and

WHEREAS, the Village of Bartlett is proud to partner with the Illinois Department of Transportation's Division of Traffic Safety and other traffic safety groups in an effort to make our roads and streets safer.

NOW, THEREFORE, I, Kevin Wallace, President of the Village of Bartlett, Cook, DuPage, and Kane Counties, Illinois, do hereby proclaim December 2015 as **Impaired Driving Prevention Month** in the Village of Bartlett and do hereby call upon all citizens, government agencies, business leaders, hospitals and health care providers, schools, and public and private institutions to promote awareness of the impaired driving problem, to support programs and policies to reduce the incidence of impaired driving, and to promote safer and healthier behaviors regarding the use of alcohol and other drugs this December holiday season and throughout the year.

Dated this 1st day of December 2015



Kevin Wallace, Village President

**VILLAGE OF BARTLETT PROCLAMATION
TO CONGRATULATE THE BARTLETT HIGH SCHOOL
HAWKS SOCCER TEAM ON ITS WINNING SEASON**

WHEREAS, the young men on the 2015 Bartlett High School Hawks soccer team and their coach Vince DiNuzzo started their season with sights set on turning around a struggling program; and

WHEREAS, the teamwork and talent along with the unstoppable energy and enthusiasm with which these 25 boys played earned them not only a winning season, but multiple records and the program's first ever trip to state, where they hoisted a fourth place trophy; and

WHEREAS, this Bartlett Hawks team finished the year 17-9-2 overall and 4-0-1 in the Upstate Eight Valley Division, winning its first conference title and posting a record for wins in a single season; and

WHEREAS, five of the 16 seniors on the team, Oliver Saile, Tim Riordan, T.J. Ivkovich, Venici Leone and Josh Merkel, were named all-conference, midfielder Saile also was named all-state, and Riordan with a record-setting 13 goals in a season was named all-sectional; and

WHEREAS, the determination and drive of these Bartlett Hawks put Bartlett High School boys soccer on the map and additionally put renewed excitement and pride into the hearts of their fans in our Village;

NOW, THEREFORE, I, Kevin Wallace, President of the Village of Bartlett, Cook, DuPage and Kane Counties, do hereby congratulate and applaud the Bartlett High School Hawks on their flawless footwork and spot-on kicks; and I furthermore call upon all Bartlett residents to cheer these fierce competitors and the unforgettable season they gave us.

Dated this 1st day of December, 2015



Kevin Wallace, Village President



Agenda Item Executive Summary

Item Name Zoning Ordinance Text Amendment to Increase
the Fence Height from 3' to 4' in the Residential
Districts in the Front and Corner Side Yards Committee
or Board Board

BUDGET IMPACT

Amount: n/a Budgeted n/a

List what
fund n/a

EXECUTIVE SUMMARY

1. A **Text Amendment** to the Zoning Ordinance to increase the Fence Height in the Residential Zoning Districts from 3' to 4' in the Front and Corner Side Yards.
2. The Zoning Board reviewed the proposed Text Amendment and conducted the public hearing at their meeting on November 5, 2015. The Zoning Board recommended **approval** of the amendment.

The Staff is requesting this item be placed directly on the Village Board Agenda to expedite the text amendment so that residents may apply for their fence permits.

Zoning Board of Appeals Minutes and the proposed Ordinance are attached.

ACTION REQUESTED

- For Discussion Only
- Resolution
- Ordinance
- Motion

MOTION: I move the passage of Ordinance 2015- _____, An Ordinance Amending the Bartlett Zoning Ordinance to Allow Four Foot High Fences in the Front and Corner Side Yards in the Residential Zoning Districts

Staff: Jim Plonczynski, CD Director

Date: 11/20/2015

COMMUNITY DEVELOPMENT MEMORANDUM

15-238

DATE: November 20, 2015

TO: Valerie L. Salmons, Village Administrator

FROM: Jim Plonczynski, CD Director 

RE: **(#14-20) Zoning Ordinance Text Amendment to increase the Fence Height in Residential Zoning Districts from 3' to 4' in the Front and Corner Side Yards**

Zoning Board of Appeals – November 5, 2015 – Public Hearing

The Zoning Board reviewed the proposed Text Amendment to increase the fence height in the Residential Zoning Districts from 3' to 4' in the front and corner side yards and conducted the public hearing on November 5, 2015. There was no public input at the meeting, however, Staff informed the Zoning Board that Community Development has received several requests for 4' high fences and these residents are waiting on the results of this amendment before they apply for their fence permits. The **Zoning Board recommended approval** of the proposed Text Amendment as written and did not want to limit residents to either an open or solid style fence.

PREVIOUS DISCUSSION AND BACKGROUND INFORMATION

Village Board Committee Review – September 15, 2015

The Staff prepared a Text Amendment to the Zoning Ordinance that would increase the fence height in the required front and corner side yards from three feet (3') to four feet (4') in the Residential Zoning Districts. The Committee agreed the amendment would reduce the number of variation requests, as well as satisfy the requirement for a 4' high fence around a pool as stated in the Building Code. Also discussed was keeping the current maximum fence height requirement of 3 feet within the vision clearance triangle area and the style of fencing that would be permitted in the front and corner side yards (i.e. open vs. solid fencing styles). Several Trustees thought the open style fencing may be more appropriate to utilize in these areas rather than a solid style fence.

Background Information

The Zoning Ordinance currently allows a maximum fence height of three feet (3') in the required front and corner side yards. Increasing the allowable fence height to four feet (4') would reduce the number of fence height variations yet still allow for screening and security on corner lots. Fences within the vision triangle would remain limited to a maximum height of three feet (3').

Since 1990, the Village Board has considered 54 petitions for fence height variations in the front and corner side yards on residential lots. *(Two (2) of the petitions requested multiple fence height variations for both the required front yard and corner side yard bringing the total number of fence variation requests to 56).* The fence height variation

requests since 1990 are broken down as follows:

Height of Request (In Feet)	# of Requests	Approval Rate
3.5	1	100%
4	18	83%
5	20	75%
6	17	76%

To provide some historical perspective, if the proposed text amendment had been in effect in 1990 through today, more than one third (35%) of the above petitions for fence height variations would have been eliminated with residents applying for a building permit immediately rather than waiting to go through the variation process (approximately 45-60 days).

Fences located in the required front and corner side yards could either be **open** or **solid** fences, which are terms that are currently defined in the Zoning Ordinance. If the text amendment to the Zoning Ordinance is approved, Chapter 16 of the Building Code regarding fences would also need to be updated.

The **Ordinance** approving of the proposed Text Amendment and the **minutes** from the November 5, 2015 Zoning Board of Appeals meeting are attached for your review.

rbg/attachments

x:\comdev\mem2015\238_text amendment_fences_vb.docx

Case # 14-20 Zoning Ordinance - Text Amendment to Increase the Fence Height in Residential Zoning Districts from 3 Feet to 4 Feet in the Front and Corner Side Yards

PUBLIC HEARING

M. Werden: The only item on the agenda is something I have been looking forward to for about 35 years. The zoning change from 3 feet to 4 feet on fences in the front and corner side yards.

R. Grill: We have the Public Notice

M. Werden: We have the Public Notice. We didn't have to do a sign, did we?

R. Grill: No, we didn't, just Exhibit A.

M. Werden: Exhibit A!

The following Exhibit was presented:

Exhibit A - Public Notice

R. Grill: That's all we have.

M. Werden: Ok, go ahead.

R. Grill: Before you tonight is the Text Amendment language. I am here to answer any questions. I can go over it with you, if you want me to go over the memo, or, I can just answer any questions that you have, what would you like to do? It is your request.

P. Hanson: I would like to make a motion to approve the Text Amendment to the Zoning Ordinance to increase the Fence Height in Residential Zoning Districts from 3 Feet to 4 feet in the front and corner side yards.

Motioned by: P. Hanson

Seconded by: G. Koziol

M. Werden: I guess at this point we will close the PUBLIC HEARING portion.

M. Werden: We have a motion on the floor, by Patti to approve and seconded by George. Any further discussion? Let me make a comment real fast. I think this 3 foot fence has not been practical. I like to see safety over privacy, and unfortunately people like these board fences, and after 3 or 4 years they don't take care of them. If you have a cyclone fence or something that is close to the sidewalk you can see if there is danger on the other side of the sidewalk. I think that is important. Also, 4 feet is more practical for children in case there are people around that are trying to kidnap somebody. It is harder to reach over a 4 foot fence than it is over a 3 foot fence. My neighbor has a medium size lab and he loves coming over to my house if he sees me in the yard, he can, from a sitting position just leap over my 3

foot fence without a problem. So I'm very glad to see this happen. I have always preferred a 42 inch fence. Roberta has pointed out that most people are having them done and they are not going to get a 3 ½ foot custom made fence. Its either 3 feet or 4 feet. So opting for 4 foot would be better than 3 foot. Anything else?

G. Koziol: A quick comment on my part. For all the years I have been on the ZBA, I always thought that the 3 foot fence was pretty useless, looked cute, but really nonfunctional. I'm really glad to see that this is being changed to something much more reasonable. I think the staff will also greatly appreciate it and the public won't have to file for a hearing at one of our ZBA meetings. It saves some money for the people and moves things along rather quickly. One last comment, tonight we should all feel the presence of a prior ZBA member, a past Trustee of the Village who had strong feelings about 3 and 4 foot fences. Sally Hodge.

M. Werden: She and I were the first two to start going for 4 foot fences. Anything else?

R Grill: I have just one question. It came up at the Village Board Committee level about open style fences verses solid fences. When we (Staff) wrote the Text Amendment we did not preference that. Right now a resident could do either; per their choice. Are you ok with that?

M. Werden: Yes. I prefer, as I said, I don't care for wooden fences at all. They do have Polyurethane fences or something that looks like wood, it can look like Picket. I like to be able to see through it at least at some point to see who may be on the other side. I would almost prefer that but it will not be a hang up for me.

P. Hanson: Actually I like the board on board and I like the stone. I think they are both very nice.

M. Werden: I'm talking about from a maintenance standpoint. After about 3 or 4 years most people don't take care of them and they start to look very rugged.

R Grill: It is very rare that we get someone that wants to put a fence in all the way to the front of their property line. Most of the cases that we have are just on the side of the house and the corner side yard.

G. Koziol: I think that we should leave all of the fence types in the ordinance because if we don't then we are trying to manage by exception. You can do this, but you can't do that, and you can't do the other thing. I'm willing to take my chances, but I don't think you will have people coming in asking to put some of these types of fences in a front yard. I know it's a gamble but I think we are willing to take that.

M. Werden: I agree.

B. Bucaro: I also agree.

M. Werden: I think this is the most discussion we have seen after a Motion was seconded. We were pretty fast, I almost forgot to close the public hearing. Anything else? Ok, call the roll.

Roll Call: M. Werden, G. Koziol, B. Bucaro, P. Hanson, L. Hanson

M. Werden: I guess it time to entertain a motion to adjourn.

ORDINANCE 2015 - _____

**AN ORDINANCE AMENDING THE BARTLETT ZONING ORDINANCE TO ALLOW
FOUR FOOT HIGH FENCES IN THE FRONT AND CORNER SIDE YARDS IN THE
RESIDENTIAL ZONING DISTRICTS**

WHEREAS, the Village of Bartlett regulates development under authority of its Zoning Ordinance and related ordinances; and

WHEREAS, the Bartlett Village Board amends these ordinances from time to time in the public interest; and

WHEREAS, the Bartlett Zoning Board of Appeals reviewed the Petition (Case #14-20) with respect to the Text Amendment on November 5, 2015 and has recommended to the corporate authorities that the Text Amendment for fence height be granted; and

NOW, THEREFORE, BE IT ORDAINED by the President and Board of Trustees of the Village of Bartlett, Cook, DuPage and Kane Counties, Illinois as follows:

SECTION ONE: That Title 10, Chapter 3, Section 10-3-4, entitled "Permitted Obstructions in Yards", Table 3-1, at Line 22 of the Bartlett Municipal Code, as amended, known as the Bartlett Zoning Ordinance, which states as follows:

Type Of Obstruction	Yards			
	Front	Corner Side	Side	Rear
Fences, a maximum of three feet (3') in height. (See Section 10-3-5)	F	C	S	R

is hereby repealed; and Title 10, Chapter 3, Section 10-3-4, entitled "Permitted Obstructions in Yards", Table 3-1, at Line 22, is hereby amended to add the following:

Type Of Obstruction	Yards			
	Front	Corner Side	Side	Rear
Fences, a maximum of four feet (4') in height. (See Section 10-3-5)	F	C	S	R

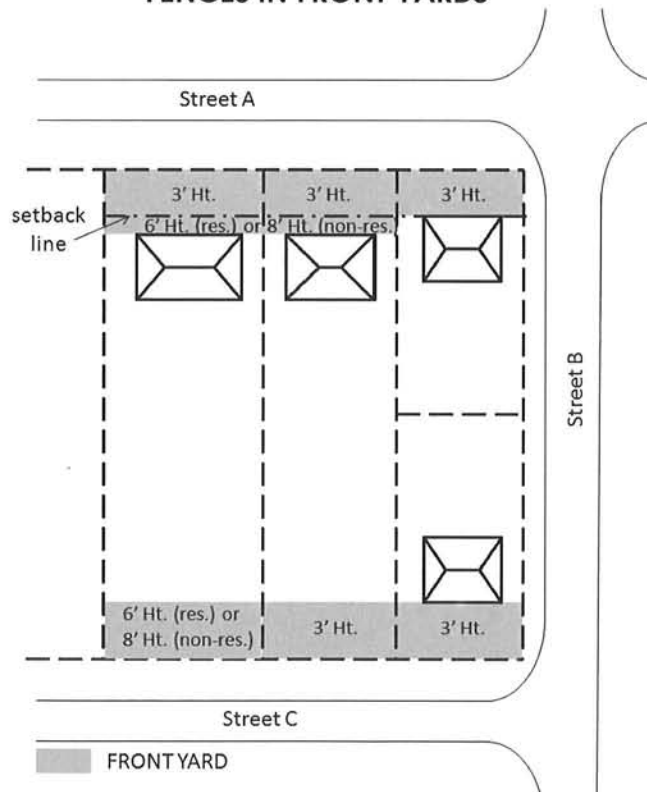
SECTION TWO: That Title 10, Chapter 3, Section 10-3-5:D., entitled “Fences” at subsection 9.a. of the Bartlett Municipal Code, which states as follows:

“Height: A fence is a permitted obstruction in any yard in any zoning district with the following limitations:

“a. Front Yards: Fences shall not exceed a height of three feet (3’) except as follows:

- (1) Front Yards behind Setback line: Fences shall not exceed a height of six feet (6’) in residential districts or eight feet (8’) in non-residential districts, when placed on or behind the front setback line as established by the zoning district in which the lot is located. (See Figure 3-5) of this section.
- (2) Through Lots: In front yards located behind the principal structure, adjacent to a public right-of-way and not adjacent to the front yard of a corner lot, fences shall not exceed a height of six feet (6’) in residential districts or eight feet (8’) in non-residential districts. (See Figure 3-5) of this section” and

**FIGURE 3-5
FENCES IN FRONT YARDS**

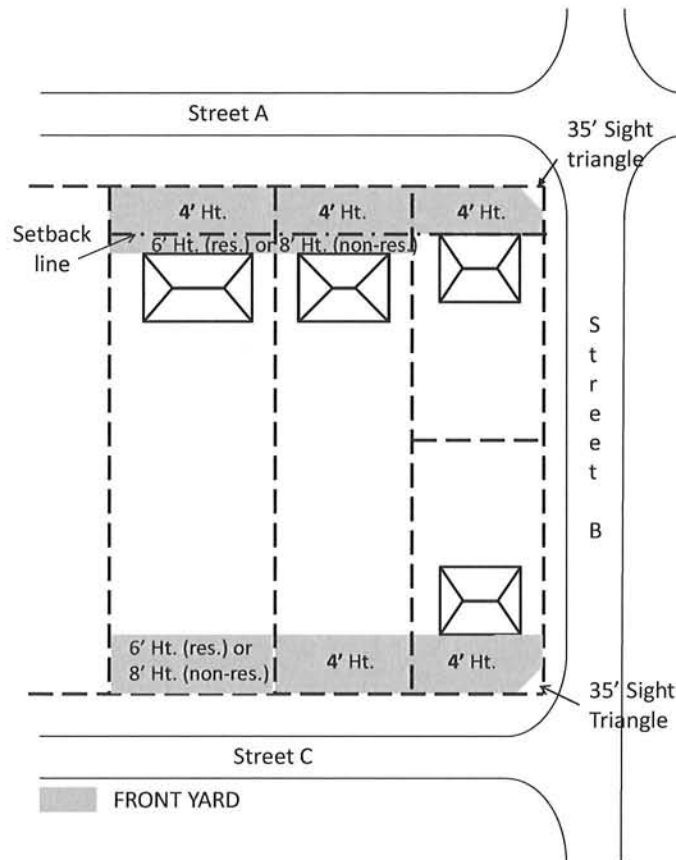


Is hereby repealed; and Title 10, Chapter 3, Section 10-3-5:D of the Bartlett Municipal Code is amended to add the following subsection 9.a. thereto:

"a. Front Yards: Fences shall not exceed a height of four feet (4') except as follows:

- (1) Front Yards behind Setback line: Fences shall not exceed a height of six feet (6') in residential districts or eight feet (8') in non-residential districts, when placed on or behind the front setback line as established by the zoning district in which the lot is located. (See Figure 3-5)
- (2) Through Lots: In front yards located behind the principal structure, adjacent to a public right-of-way and not adjacent to the front yard of a corner lot, fences shall not exceed a height of six feet (6') in residential districts or eight feet (8') in non-residential districts. (See Figure 3-5)" and the following Figure 3-5 is hereby added;

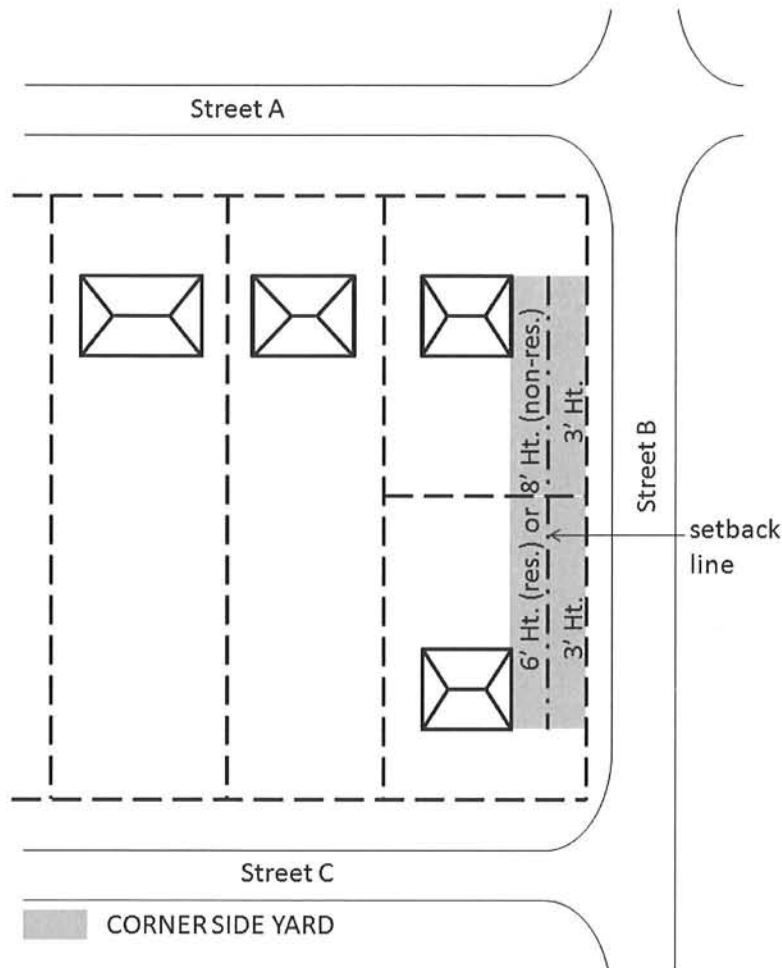
**FIGURE 3-5
FENCES IN FRONT YARDS**



SECTION THREE: That Title 10, Chapter 3, Section 10-3-5:D., entitled "Fences", at subsection 9.c. of the Bartlett Municipal Code, as amended, known as the Bartlett Zoning Ordinance, which states as follows:

“c. Corner Side Yards: Fences shall not exceed a height of three feet (3’) except when placed on or behind the corner side setback line as established by the zoning district in which the lot is located, then fences shall not exceed a height of six feet (6’) in residential districts or eight feet (8’) in non-residential districts. (See Figure 3-7)” of this section; and

**FIGURE 3-7
FENCES IN CORNER SIDE YARDS**

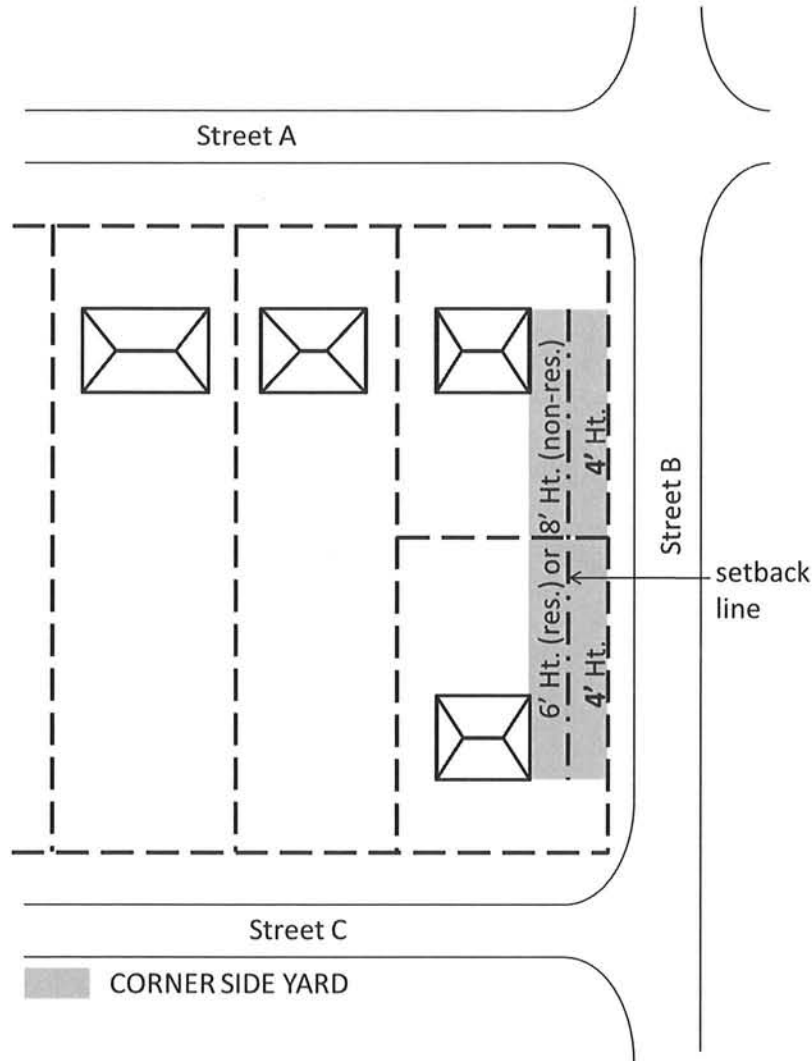


is hereby repealed; and Title 10, Chapter 3, Section 10-3-5-D. of the Bartlett Municipal Code is amended to add the following subsection 9.c. thereto:

“c. Corner Side Yards: Fences shall not exceed a height of four feet (4’) except when placed on or behind the corner side setback line as established by the zoning district in which the lot is located, then fences shall not exceed a height of six feet (6’) in residential districts or eight feet (8’) in non-residential districts. (See Figure 3-7)”

and add:

**FIGURE 3-7
FENCES IN CORNER SIDE YARDS**



SECTION FOUR: That Title 10, Chapter, Section 10-11A-4: D:, entitled “Types of Landscaped Areas”, subsection 2, under the heading “Perimeter Landscape Area”, and under the subheading “Type 1 Screening”, Alternate A and Alternate B which state as follows:

“Alternate A: The buffering area shall be a minimum of eight feet (8') in width for this alternative. An opaque brick or other approved masonry wall six feet

(6') high shall be constructed along the entire perimeter, excluding area within the required front yard setback. The wall may be continued within the front yard provided the height is reduced to three feet (3'). If the proposed use is for a mining operation or for related building or structure for screening, crushing, mining, washing or storage, the required masonry wall shall be eight feet (8') high. In addition, large deciduous trees in a quantity equal to one tree per seventy five feet (75') of perimeter length shall be provided. Tree spacing shall be determined by tree species and design considerations.

Alternate B: A minimum twelve foot (12') buffer area shall be required for this alternative. A fence of wood or other approved material six feet (6') high and at least seventy five percent (75%) opaque shall be constructed along the entire perimeter, excluding area within the required front yard setback. The fence may be continued within the front yard provided the height is reduced to three feet (3'). If the proposed use is for a mining operation or for related building or structure for screening, crushing, mining, washing or storage, the required masonry wall shall be eight feet (8') high. In addition shrubs shall be planted within the buffer area. Large deciduous trees shall be provided in a quantity equal to one tree per sixty feet (60') of perimeter length. Tree location shall be determined by tree species and design considerations."

are hereby repealed in their entirety; and Title 10, Chapter 11A, Section 10-11A-4:D, entitled "Types of Landscaped Areas" under the heading "Perimeter Landscape Area" and under the subheading "Type 1 Screening" is amended to add replacement Alternate A and Alternate B as follows:

"Alternate A: The buffering area shall be a minimum of eight feet (8') in width for this alternative. An opaque brick or other approved masonry wall six feet (6') high shall be constructed along the entire perimeter, excluding area within the required front yard setback. The wall may be continued within the front yard provided the height is reduced to four feet (4'). If the proposed use is for a mining operation or for related building or structure for screening, crushing, mining, washing or storage, the required masonry wall shall be eight feet (8') high. In addition, large deciduous trees in a quantity equal to one tree per seventy five feet (75') of perimeter length shall be provided. Tree spacing shall be determined by tree species and design considerations.

Alternate B: A minimum twelve foot (12') buffer area shall be required for this alternative. A fence of wood or other approved material six feet (6') high and at least seventy five percent (75%) opaque shall be constructed along the entire perimeter, excluding area within the required front yard setback. The fence may be continued within the front yard provided the height is reduced to four feet (4'). If the proposed use is for a mining operation or for related building or structure for screening, crushing, mining, washing or storage, the

required masonry wall shall be eight feet (8') high. In addition shrubs shall be planted within the buffer area. Large deciduous trees shall be provided in a quantity equal to one tree per sixty feet (60') of perimeter length. Tree location shall be determined by tree species and design considerations."

SECTION FIVE: SEVERABILITY. The various provisions of this Ordinance are to be considered as severable, and if any part or portion of this Ordinance shall be held invalid by any Court of competent jurisdiction, such decision shall not affect the validity of the remaining provisions of this Ordinance.

SECTION SIX: REPEAL OF PRIOR ORDINANCES. All prior Ordinances and Resolutions in conflict or inconsistent herewith are hereby expressly repealed only to the extent of such conflict or inconsistency.

SECTION SEVEN: EFFECTIVE DATE. This Ordinance shall be in full force and effect after its passage and approval.

ROLL CALL VOTE:

AYES:

NAYS:

ABSENT:

PASSED: December 1, 2015

APPROVED: December 1, 2015

Kevin Wallace, Village President

ATTEST:

Lorna Gilles, Village Clerk

CERTIFICATION

I, Lorna Giles, do hereby certify that I am the Village Clerk of the Village of Bartlett, Cook, DuPage and Kane Counties, Illinois, and that the foregoing is a true, complete and exact copy of Ordinance 2015-_____ enacted on December 1, 2015, approved on December 1, 2015.

Lorna Giles, Village Clerk



Agenda Item Executive Summary

Item Name Sprint License Agreement Amendment No. 2 at Kent Circle Water Tower Committee or Board Board

BUDGET IMPACT

Amount:	NA (+\$3,083/month)	Budgeted	NA
List what fund	Water Fund		

EXECUTIVE SUMMARY

Sprint has approached the Village to extend their license agreement with the Village. We currently have a license agreement with Sprint that expires on December 30, 2016.

The amendment includes a new monthly license fee of \$3,083.00 for the first five year term. The amendment includes four additional five year terms for a total of 25 years.

The Village Attorney and I have negotiated and reviewed this amendment with Sprint and believe this agreement is consistent with the existing agreements we currently have.

ATTACHMENTS (PLEASE LIST)

- Memo
- Amendment No. 2
- Resolution
-

ACTION REQUESTED

For Discussion Only _____
 Resolution ___X___
 Ordinance _____

Motion: I MOVE TO APPROVE RESOLUTION 2015-____, A RESOLUTION APPROVING AMENDMENT NO. 2 OF THE NON-EXCLUSIVE LICENSE AGREEMENT BETWEEN THE VILLAGE OF BARTLETT AND SPRINTCOM, INC., A KANSAS CORPORATION, SUCCESSOR IN INTEREST TO SMART SMR OF ILLINOIS, INC., A DELAWARE CORPORATION, D/B/A NEXTEL COMMUNICATIONS.

Staff: Dan Dinges Date: 11/6/15

PUBLIC WORKS MEMO



DATE: November 6, 2015

TO: Valerie Salmons
Village Administrator

FROM: Dan Dinges, PE
Director of Public Works

SUBJECT: Sprint License Agreement Amendment No. 2 at Kent Circle Water Tower

Sprint has approached the Village to extend their license agreement with the Village. We currently have a license agreement with Sprint that expires on December 30, 2016.

The amendment includes a new monthly license fee of \$3,083.00 for the first five year term. The amendment includes four additional five year terms for a total of 25 years.

The Village Attorney and I have negotiated and reviewed this amendment with Sprint and believe this agreement is consistent with the existing agreements we currently have.

MOTION:

I MOVE TO APPROVE RESOLUTION 2015-____, A RESOLUTION APPROVING AMENDMENT NO. 2 OF THE NON-EXCLUSIVE LICENSE AGREEMENT BETWEEN THE VILLAGE OF BARTLETT AND SPRINTCOM, INC., A KANSAS CORPORATION, SUCCESSOR IN INTEREST TO SMART SMR OF ILLINOIS, INC., A DELAWARE CORPORATION, D/B/A NEXTEL COMMUNICATIONS.

AMENDMENT NO. 2
TO NON-EXCLUSIVE LICENSE AGREEMENT

THIS AMENDMENT NO. 2 TO NON-EXCLUSIVE LICENSE AGREEMENT ("Amendment") is made effective as of _____, 201__ ("Effective Date"), by and between the Village of Bartlett, an Illinois home rule municipal corporation ("Licensor") and SprintCom, Inc., a Kansas corporation, successor in interest to Smart SMR of Illinois, Inc., a Delaware corporation, d/b/a Nextel Communications ("Licensee").

BACKGROUND

Pursuant to a Non-Exclusive License Agreement dated October 15, 1996, as amended by Amendment No. 1 to License Agreement dated September 26, 2008 (collectively, the "Agreement"), Licensor leased to Licensee a certain portion of real property located at 818 Kent Circle, Village of Bartlett, County of DuPage, State of Illinois, as more particularly described in Exhibit B to the Agreement ("Licensed Premises").

Licensor and Licensee desire to amend the Agreement as set forth herein. Words and phrases having a defined meaning in the Agreement have the same respective meanings when used herein unless otherwise expressly stated.

AGREEMENT

The parties agree as follows:

1. **Term.** Paragraph 3a of the Agreement is amended by adding the following:

Notwithstanding anything set forth in Paragraph 3b to the contrary, the current Term of the Agreement will expire on December 30, 2016. Commencing on December 31, 2016, the term of the Agreement ("New Initial Term") is sixty (60) months. The Agreement will be automatically renewed for up to four (4) additional terms (each an "Additional Extended Term") of sixty (60) months each. Each Additional Extended Term will be deemed automatically exercised without any action by either party unless Licensee gives written notice of its decision not to exercise any options to Licensor before expiration of the then current term.

2. **License Fee.** Paragraph 3b of the Agreement is amended by adding the following:

Notwithstanding anything set forth in Paragraph 3a to the contrary, effective December 31, 2016, the license fee shall be paid in equal monthly installments of Three Thousand Eighty-Three and No/100 Dollars (\$3,083.00), and shall continue during the term (until increased as set forth herein), partial months to be prorated, in advance ("License Fee"). Thereafter, the License Fee for each Additional Extended Term will be increased on the commencement of each Additional Extended Term by fifteen percent (15%) of the rental rate in effect for the prior term.

Licensor initials: _____

Licensee initials: _____

3. **Termination.** Paragraph 27(v) of the Agreement is deleted in its entirety and replaced with the following:

"(v) by Licensee, in Licensee's sole and absolute discretion and for any or no reason, terminate the Agreement without further liability upon one hundred eighty (180) days prior written notice to Licensors."

4. **Notices.** Paragraph 28 of the Agreement is deleted in its entirety and replaced with the following:

"All notices, requests, demands or other communications with respect to the Agreement, whether or not herein expressly provided for, must be in writing and will be deemed to have been delivered upon receipt or refusal to accept delivery after being either mailed by United States first-class certified or registered mail, postage prepaid, return receipt requested or deposited with an overnight courier service for next-day delivery to the parties at the following addresses (the addresses may be changed by either party by giving written notice).

Licensors: Village of Bartlett
228 South Main Street
Bartlett, Illinois 60103
Attention: Village Administrator

Licensee: SprintCom, Inc.
Sprint Property Services
Site ID: CH60XC031
Mailstop KSOPHT0101-Z2650
6391 Sprint Parkway
Overland Park, KS 66251-2650

with a copy to: Sprint Law Department
Attn: Real Estate Attorney
Site ID: CH60XC031
Mailstop KSOPHT0101-Z2020
6391 Sprint Parkway
Overland Park, KS 66251-2020"

5. **Reaffirmation; Intention to be Bound.** Except as provided in this Amendment, each and every term, condition and agreement contained in the Agreement will remain in full force and effect. The parties reaffirm that the representations and warranties made by each of the parties in the Agreement are true and accurate as of the Effective Date. The parties executing this Amendment, on behalf of themselves, their assigns and successors, acknowledge and reaffirm their intention to be bound by the terms and conditions of the Agreement.

SIGNATURES APPEAR ON THE FOLLOWING PAGE

Licensors initials: _____

Licensee initials: _____

IN WITNESS WHEREOF, the parties have caused this Amendment to be executed as of the Effective Date.

Licensor:

Licensee:

**Village of Bartlett,
an Illinois home rule municipal corporation**

**SprintCom, Inc.,
a Kansas corporation**

By: _____
(please use blue ink)

By: _____

Name: _____

Name: Michael Mizzell

Title: _____

Title: Manager – Vendor Management

Date: _____

Date: _____

Attest:

Attest:

Name/Title: _____

Name/Title: _____

Licensor initials: _____

Licensee initials: _____

RESOLUTION 2015 - _____

A RESOLUTION APPROVING AMENDMENT NO. 2 OF THE NON-EXCLUSIVE LICENSE AGREEMENT BETWEEN THE VILLAGE OF BARTLETT AND SPRINTCOM, INC., A KANSAS CORPORATION, SUCCESSOR IN INTEREST TO SMART SMR OF ILLINOIS, INC., A DELAWARE CORPORATION, D/B/A NEXTEL COMMUNICATIONS.

BE IT RESOLVED by the President and Board of Trustees of the Village of Bartlett, Cook, DuPage and Kane Counties, Illinois, as follows:

SECTION ONE: The Amendment No. 2 of the Non-Exclusive License Agreement dated November 17, 2015, between the Village of Bartlett and SprintCom, Inc., a Kansas corporation, successor in interest to Smart SMR of Illinois, Inc., a Delaware corporation, d/b/a Nextel Communications (the "Agreement"), a copy of which is appended hereto and expressly incorporated herein by this reference, is hereby approved.

SECTION TWO: That the Village President and the Village Clerk are hereby authorized and directed to sign and attest, respectively, the Agreement on behalf of the Village of Bartlett.

SECTION THREE: SEVERABILITY. The various provisions of this Resolution are to be considered as severable, and of any part or portion of this Resolution shall be held invalid by any Court of competent jurisdiction, such decision shall not affect the validity of the remaining provisions of this Resolution.

SECTION FOUR: REPEAL OF PRIOR RESOLUTIONS. All prior Ordinances and Resolutions in conflict or inconsistent herewith are hereby expressly repealed only to the extent of such conflict or inconsistency.

SECTION FIVE: EFFECTIVE DATE. This Resolution shall be in full force

and effect upon passage and approval.

ROLL CALL VOTE:

AYES:

NAYS:

ABSENT:

PASSED:

APPROVED:

Kevin Wallace, Village President

ATTEST:

Lorna Giles, Village Clerk

CERTIFICATION

I, the undersigned, do hereby certify that I am the Village Clerk of the Village of Bartlett, Cook, DuPage and Kane Counties, Illinois, and that the foregoing is a true, complete and exact copy of Resolution 2015 - _____ enacted on November 17, 2015, and approved on November 17, 2015, as the same appears from the official records of the Village of Bartlett.

Lorna Giles, Village Clerk