



**VILLAGE OF BARTLETT  
COMMITTEE MINUTES  
October 1, 2019**

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President Wallace called the Committee of the Whole meeting to order at 7:42 p.m.

**PRESENT:** Chairmen Camerer, Carbonaro, Deyne, Gabrenya, Hopkins, Reinke and President Wallace

**ABSENT:** None

**ALSO PRESENT:** Village Administrator Paula Schumacher, Assistant Village Administrator Scott Skrycki, Economic Development Coordinator Tony Fradin, Senior Management Analyst Samuel Hughes, Management Analyst Joey Dienberg, Finance Director Todd Dowden, Planning and Development Services Director Roberta Grill, Public Works Director Dan Dinges, Public Works Engineer Bob Allen, Building Director Brian Goralski, Golf Pro Phil Lenz, Police Chief Patrick Ullrich, Deputy Chief Geoff Pretkelis, Village Attorney Bryan Mraz and Village Clerk Lorna Giles.

**COMMUNITY AND ECONOMIC DEVELOPMENT, CHAIRMAN GABREYNA**

**The Still BEDA Application**

Economic Development Coordinator, Tony Fradin stated that The Still has been in business in town for the past five years, after the owners purchased the building in 2013. Their Bartlett Economic Development Assistance (BEDA) application is for the expansion of their business into the unutilized space which served as a barbershop for many years. In addition to that expansion and buildout, they have plans for some facade upgrades as well. They want to expand to occasionally host live entertainment and accommodate larger gatherings within their restaurant space. The owners do not own the entirety of that strip center called Main Street Plaza, they only own the northern portion, and so the facade work only applies to their portion of the center. When they originally came before the Economic Development Committee (EDC) at the August meeting, we had been discussing approximately \$52,535 worth of upgrades. They had submitted a quote from Lionheart Construction that detailed nine different items that pertain to the buildout of the interior as well as some of the exterior items. Since that time, we have had some ongoing communications and he has indicated that they intend to spend an additional \$20,000 above and beyond that for millwork, tables, chairs and other equipment, bringing their total project cost to about \$72,535. Staff had originally recommended a \$15,000 BEDA grant when they came before the EDC in August. With their commitment to spend an extra \$20,000 above and beyond that, we have applied a similar percentage to the staff recommendation for their BEDA grant. Tonight, we would like to recommend a \$20,000 BEDA grant based upon them spending \$72,535. That \$20,000 would amount to 28.7 percent of their total project cost which is more in line with the three prior restaurant related projects that came before you previously. The applicant for this BEDA grant, Jim Leo is here tonight to answer any particular questions about the Still.



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Chairman Deyne stated that he thought the program was wonderful for Village businesses. He was over at the restaurant the other evening and had an opportunity to walk through the restaurant and see what improvements they wanted to make. That area is vacant now, so it's a waste and he is limited in the seating he has at this time. They had talked about rotary going over there or some of the other groups, but they would take up the entire restaurant. If he has the confidence to make this investment in our village, we should support him in every manner we can and he is in favor of granting him the BEDA grant.

Chairman Camerer asked how much seating will be added.

Mr. Leo stated that it will add about 24 seats, but the bigger reason they want to do this is because if you come down Main St. from south to north, you see this beautiful new building that ties in with the town center, than you see our building and our neighbors building and it has the cedar shakes, it just doesn't fit in. Its more than just adding seats, we want to refresh the building and make it a destination for people when they are driving by.

Chairman Camerer asked to clarify the plan for the interior.

Mr. Leo stated that there will be a little wall that blocks off the gaming area, to the right of that is the bar extension and there will be high tops in front. Where the current games are, there will be expanded seating.

Staff, board and the petitioner continued discussing where tables, gaming, and the bar would be located.

Assistant Village Administrator Scott Skrycki stated that the state of Illinois only requires a separation for gaming. It doesn't need to be a physical wall, it could be a rope or painted line. The village will be doing a re-inspection of the new gaming area when it is complete.

President Wallace asked about the facade.

Mr. Leo stated that the brick is going to be a brown tone and they are going to be replacing the dryvit.

Chairman Reinke asked if they will be expanding into the former barbershop and JDN space.

Mr. Leo stated JDN is still there, just the barbershop space.

President Wallace asked how the facade materials line up with the uniform code.



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Ms. Grill stated they have not seen it yet.

Chairman Gabrenya asked if the owner of the other half of the building interested in updating his facade.

Mr. Fradin stated that he has contacted them to let them know what Mr. Leo was planning on doing and tried to encourage him to look into doing something similar. He is not in the position at this time to do anything and is more interested in listing it for sale.

President Wallace stated that he thought it would look nice if it looked similar to the Streets of Bartlett's new renovations. He thought it was a great use of BEDA monies and would be in favor of increasing the amount they are receiving. He asked what the discussion was like around setting the number at \$20,000.

Mr. Fradin stated that staff was looking at the percentages that the village has applied to other BEDA grants like Indian Express, the Indian grocery store and Bartlett Tap. They were trying to apply that same percentage, considering the amount they were applying for had increased. Mr. Leo asked if we would reconsider the amount granted since he increased the amount he is spending by \$20,000 and staff thought it was appropriate.

Chairman Camerer asked how the BEDA resources are.

Mr. Fradin stated that so far this fiscal year, there has only been the \$50,000 grant to Mr. Rafidia and we probably have 2-4 more coming up in the next 3-4 months. The line item is \$250,000.

President Wallace stated that the money is there, so he is in favor of raising it to \$25,000 being that it is a local business that has been around a long time and we just gave \$50,000 to someone new to town.

Chairman Deyne asked if it will be on the agenda next meeting.

Mr. Skrycki stated that it would and asked if the board was in consensus with raising it to \$25,000.

Chairman Gabrenya asked if the restaurant was expanding or just the gaming.

Mr. Leo stated they are expanding the bar area. By moving the gaming, they gain seats in the front and hopefully in a year or two, they want to install garage doors in the front so it can be like an outdoor seating area, but to do that, they have to have the bar completely free of the gaming.

Mr. Skrycki stated that they have the maximum number of games allowed by law.



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Chairman Gabrenya asked if they expand the restaurant, are they eligible for additional gaming or are they topped off at five.

Mr. Skrycki stated that he is not allowed to have additional gaming, however, there is some legislation at the state level talking about expanding from 5 to 6 games, but as of right now, he is not eligible.

Chairman Gabrenya stated that even if it was expanded by one, that isn't bad compared to doubling the number for instance.

President Wallace stated that he would add to his comment that he thought BEDA was used to support businesses that have been around here and really putting their blood, sweat and tears into making it. If the village is going to support these types of businesses, he would like it to go up to \$25,000.

Chairman Deyne stated that he agrees 100% and if it is raised, he wants to make sure we are not putting the village in a position where we are setting a precedent.

President Wallace stated that it was just staff's suggestion so the board can raise it.

Chairman Camerer asked if it would be on the next board meeting.

Mr. Skrycki stated that it would have to go through the building department and get approval, but staff will put it on the next agenda.

Chairman Reinke stated that the village doesn't cut a check until all the work is done, proof that the expenditures have been made and we have lien waivers, etc.

Mr. Fradin stated that was correct.

The item will be on the next board meeting agenda for final approval.

**FINANCE & GOLF, CHAIRMAN DEYNE**

**2019 GO Bonds Review**

Finance Director Todd Dowden stated that Delena Welkomer is here from Baird, our financial advisor if you have any technical questions about the bonds. He stated that the village has been discussing these bonds for the excess flow facility rehabilitation sewer project for quite some time now. We have settled on the project and what needs to be done. This is also a good time to refund the 2009 bonds, so those will be combined. \$8,429,000 will be for the sewer project and the remaining will be \$5,695,000 that is left



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on the 2009 bonds. The 2009 bonds are prime for refunding because of the low interest rates that are currently available. Estimates are showing \$480,000 in savings for the present value. The ordinance attached is the only part where the board would approve the bonds. Once they are approved at the next meeting, it would give the authority to the President, Clerk and treasurer to sign off on any changes for the final amount. A parameters style ordinance sets the limits, then when the terms are determined, they are signed off by the approved members. The total par amount is 15 million dollars. The term is 20 years and will mature by 2039. The annual maturity amount is also limited to \$1,200,000 a year with a maximum coupon interest rate is 6% and the tax levy total amount is \$1,915,000. It also sets the minimum savings on the loan amount at 3% of the par value. We will be way over that, almost 8-9% savings. Staff has been increasing sewer rates over the last two years for the Devon Ave. project and the waste water treatment plant rehabilitation project. The overall interest cost rate is estimated to be 2.33% which is very good. The interest rates have been at historical lows for quite some time and we have taken advantage of this by refunding the fire station bonds in 2017 and now they are still low so we can refund the 2009 bonds and issue bonds for the sewer project. The next step would be to bring the parameters ordinance to the meeting and the sale would be scheduled through the end of October or the first of November.

Chairman Hopkins stated that they have talked about the project for many years, but not hard costs. Two to three meetings ago, we discussed the project may cost up to \$13 million. Now we are saying it will cost \$8.5 million. He wanted to look at hard numbers to compare IEPA loans and going out for bonds because one is 2% over 20 years and bonding could be as high as 4.5%.

Mr. Dowden stated staff is estimating it would be 2.33% total. Rates are very good right now and he asked Mr. Dinges to explain the \$8,400,000 number for the project cost.

Public Works Director Dan Dinges stated that staff had been working with MWRD for several years and went through many options. Once they decided not to allow us to increase the restrictor, staff looked at options for rehabbing Devon and bringing the excess flow down to Bittersweet or building storage and sending it down to MWRD. Once staff got feedback from the Board that this was something they wanted staff to look into, he had engineers walk the route the force main would follow and what hurdles they would run into. At that point, they were able to give us more fine-tuned numbers which is how they got to the \$8.5 million. As far as EPA loan vs. bonds, the village can go after an EPA loan, but it takes more time. There are a few steps that would need to be taken. The village has been in the EPA loan process with the Bittersweet plant for several years now and are still not guaranteed money on that plant. We are planning on getting it, but it is not a guaranteed thing. We are looking at getting that money in July 2021 and we have not applied for it with the Devon project. To get in the process you need a facility plan, engineers need to put a plan together showing all the options we looked at, they buy into it. It takes time and engineering costs. Once you get in line for the loan, and we don't



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know where we would be. Our goal would be on the July 2021 time frame and they have already said there are more projects than funding so we will probably be after the July 2021 time frame. They distribute the loan funds in July of every year and then they call a bypass in January for any project that is ready to go, if another project was not ready when they were awarded the money. There is no guarantees we would get any money and every time we delay, it pushes us tighter to the time frame we need to meet, not to mention our permit for Devon expires one year from yesterday which we are not going to make, so we are going to be in the process with getting the IEPA to give us an extension. Long story short, we can apply for it, but the bond rates are 2.33% vs. 2.00% for the EPA loan, which is a difference, but there is no certainty that we will get the loan and every year we delay the costs of construction increase.

Village Attorney Bryan Mraz stated that there is no guarantee the IEPA loan will be 2% in 2021.

Mr. Dinges stated that they sent out a letter in August that they have been bonding at 2.75% but they are writing the loans for 2% so they are writing off .75%. They are reevaluating that because there are more projects then there is funding so they may not be able to give that rate.

Chairman Hopkins asked how many sewer connection points are covering this \$8.5 million.

Mr. Dinges stated that he did not know off the top of his head.

Chairman Hopkins stated that \$8.5 million is a lot of money. They already pay money on their tax bill to have their sewage treated by MWRD and he feels that \$8.5 million is a lot of money and we need to look at alternative methods to achieve this. He did not think we should be on the hook for this.

Mr. Dinges asked for clarification on alternatives.

Chairman Hopkins stated that there has to be a method to achieve our goal without spending \$8.5 million dollars. Weather that is to go to the IEPA or EPA and ask them to help reduce the limits that we operate at our Devon excess flow plant or something else. His tax bill, water and sewer bills are all high and residents are feeling the pinch.

Mayor Wallace stated that the village has looked at multiple possible options to alleviate this problem. MWRD pretty much said they are done.

Mr. Dinges stated that the Bittersweet plant is going to be going through renovations and it has excess flows as well. The DuPage residents are paying for it and the Cook County residents need to pay for excess flow. MWRD is basically saying they don't want to do



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deal with excess flow, so we have to. Since the Bittersweet plant has excess flow they have to pay for it as well so it's not just Cook County residents.

Chairman Hopkins stated that we have talked about stopping infiltration of water in the sewer system and sewer lining residential services. Has the village looked at the whole Cook County side and determined that there are no more storm sewers going into the sanitation lines. He asked Mr. Dinges if the village knows 100% there are no storm sewers going into sanitation lines.

Mr. Dinges stated that we do not know 100%, the whole system has not been televised.

Chairman Hopkins stated that we need to do more work to that end before we spend \$8.5 million. The whole system needs to be looked at. He asked how large the force main that would be installed was going to be.

Mr. Dinges stated that it would be a 16" force main down to Bittersweet.

Chairman Hopkins stated that instead of a 16" it could maybe be an 8" and the cost savings could be substantial. We need to look at our aging Cook County sewer system before we throw \$8.5 million at this problem.

Mr. Mraz stated that staff is looking at the aging sewer system.

Chairman Hopkins stated that he just asked Mr. Dinges about the Cook County system and he is not sure there are no storm sewers entering sanitation lines.

Mr. Mraz stated that staff continues to look at it, budget for it and are making end roads, but it will take time. Interest rates are low right now and we have a time limit in which we have to accomplish this or we face fines. He acknowledges and agrees with Chairman Hopkins, that its high, but multiple options have been explored and MWRD has gone as far as they are going to go and it's not something that the U.S. EPA or IEPA can grant us. It is up to MWRD.

Chairman Hopkins stated that they may allow us to maintain the plant for the next ten years. He believes we violated the limit once and the chemicals that staff adds to the flow may have been off, we don't know why we were in violation, it's not like every time the plant goes online we are in violation.

Mr. Dinges stated that new limits were put in place five years ago and when that plant went into excess flow, that plant did not meet the limit. It did not matter how much chemical we put into the water or not, the plant is undersized for the flow it is taking. The village was able to get the EPA to go back to the old limits while we were working with MWRD and for the most part we can meet the limit. We have been told by Illinois EPA



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that U.S. EPA is pushing this and that in 2020, that limit will be back. He suspects that if we have not done anything and that plant runs, we will not be able to meet the limit that they set. It's mainly because they are looking at what is going into the plant and what's going out. 85% of contaminants need to be removed and when it's essentially storm water, it's very hard with the equipment we have out there, to remove 85% of the little contaminants that are there. Even with the best equipment available, there are not guarantees that we can make that limit because it is so dilute.

President Wallace stated that with all due respect, you are proving Chairman Hopkins' point. It's diluted with so much storm water that we can't get it below 85%. I know we have been working for years to fix this storm water issue, but maybe we need to keep working on it.

Mr. Dinges stated that we will and if he knew that they could spend \$8,500,000 on the collection system and the issue goes away, he would do it, but there are no guarantees. People have illegal connections and you can go in there one day and tell them to disconnect their sump pump from the sanitary, but as soon as you leave the basement, people put it right back in because they don't want their backyard to be wet. We essentially have a brand new system east of Oak St., north of the tracks. We have not done the service lines, but hopefully in the spring we are going to do some more lining west of Oak St. and we are going to offer up to the resident's, sewer lining on the services. We are hoping that some of them will take us up on the offer. We still have excess flow on Devon. We have not seen a drastic decrease and that is a big chunk of the Cook County area that has been completed.

Chairman Hopkins stated that we have been discussing sewer lining for residential services for years, but we haven't seen an ordinance yet.

Mr. Dinges stated that the plan has already been approved in the budget, but we did not do a lining project last year, we are doing one in the spring. Residents can go and get pricing, but when you do one service, the price is going to be enormous. We are trying it out on our project hoping that the cost to our residents will go down. We have a 50/50 program and have not advertised it yet because it will not be until the spring. The plan is, over winter to get that out and try to get some residents connected with that program.

Chairman Hopkins stated that his hope with this is to look closely at the aging sewer system in Cook County and try to fix it instead of running a 16" force main, run an 8" force main or something that will achieve our goal, but we are still going to have to look at the aging infrastructure of Cook County.

President Wallace said that the problem is going down to Bittersweet than. He thought we need to look where we are spending money on our water issues, storm water and sewer. He stated that you would literally be able to build every home over there with a





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French drain system, to direct their sump pump water to the place it's supposed to for way less than that. He also knows that they do need to do this at some point. He is a little bit torn about the questions about having so much storm water into our sewer system and all of the work we have done around that concept without having any answers. If we run the force main, the problem will just move to Bittersweet.

Mr. Dinges said that because it's taking all of DuPage County, we have a normal flow and then peak events so we compare those peaks to the normal influent and effluent, so the problem with Devon is that you never have flow unless its storm water. The plant at Bittersweet can handle taking the Cook County flow with minimal update, so he thought it was the best solution. If he thought they could drop it down to an 8" force main if they spent "x" amount of dollars on the Cook side he would, but if you are putting in a lift station and force main you are only talking about material cost at that point, a 16" or 8" and he didn't know how much we would have to spend on the Cook side to get it down to an 8", but there isn't much difference running a 16" vs. and 8" when you are running two miles down to the Bittersweet plant.

President Wallace stated that his concern is alleviating the long term problem of our storm water going into the sewer system.

Mr. Dinges stated that its not only Cook County, we have the same issue in DuPage, we need to do more and we are not the only community facing this issue.

Chairman Hopkins asked if there was a way we could reach out to the EPA to extend our limits.

Mr. Dinges stated that staff will be. If they say no, we will be in violation in a year and we will then ask for a compliance schedule. If they do not give us an extension with the current limits, then we will operate as best we can and meet with them and show our plan to address the issue.

President confirmed that we only get a violation when we get a large rain event.

Mr. Dinges stated yes. The EPA isn't going to give you a violation when you go over one time, they typically look over a time period and if you have had multiple, you will get a violation. Staff is trying to work with MWRD to keep the restrictor out for another two years until we can meet our limits. Staff is looking at every avenue we can.

Mr. Hopkins asked if we have monitors in the sewers to find out what area a majority of the flow is coming from.

Mr. Dinges stated that we have done that and continue to do it along with smoke testing, you just can't do the whole town at once because it takes time.



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President Wallace asked what the total cost of the bonds is if you take into account the amount we are saving. The new total cost of both bonds combined is 2.33%, is that correct?

Mr. Dowden stated that it would be slightly more, they are sharing legal fees and other costs, but that is a small part of it.

President Wallace stated that if you take the \$480,000 we are saving from the refunded bonds and take it out of our total interest expense, do you know what that percentage would be.

Mr. Dowden stated that he does not know off hand.

President Wallace stated that is our real expense. Otherwise, we were slated to spend this extra \$480,000, now we are going to spend 2.33%, you have to take the \$480,000 we were going to spend and give us our actual cost.

Ms. Welkomer stated that if you net out the interest that you are saving, the interest cost they are estimating on the 20 year sewer is \$3.5 million, so you are talking about \$3 million vs. \$3.5 million.

President Wallace stated that it's a \$3 million dollar expense on \$8.5 million.

Mr. Hopkins stated that he thought we needed to hold off on bonding, do some repair work to our sewer system, ask the EPA to extend our limits and reevaluate this.

Mr. Dowden asked about the bonds.

Mr. Hopkins stated that if we are not doing the project, we won't need the bonds.

Mr. Dowden asked about the refunding.

Ms. Welkomer stated that we can write the parameters ordinance just reflect the refunding of the series 2009 bonds. Within the parameters ordinance it did show a not to exceed for just the refunding portion of \$6.5 million, but we could ask Chapman to revise this to just reflect the refunding for savings.

Mr. Mraz stated that these interest rates seem low at 2.33% so we could be shooting ourselves in the foot waiting a year thinking we are going to save then the interest rates jump up again, as does the IEPA loan interest rates. We may save in one area, but if you lose this opportunity with these low rates, that interest cost will go from \$3 million to \$4 million with a slight increase in rates.



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Mr. Dinges stated that he knew they wanted to do the collection system so maybe we bond \$8.5 million for the collection system and put it there.

Mr. Hopkins stated that he thought we needed to have an engineer come up with estimates so we know where we are. He is not opposed to it, but he wants to look at hard numbers first.

Mr. Dinges stated we spent total \$600,000 last year, but if you are talking about redoing the whole Cook County system, you are talking about replacing the system whether it's lining or something else, but it would take many years to get through it.

President Wallace stated that if we are talking about postponing it, we need to hear from some other people. We are talking about voting on this at the next meeting.

Mr. Mraz stated that there is the option of bringing up just the refunding portion.

President Wallace stated that portion makes sense.

Mr. Mraz stated that you can bring both ordinances back, a break out of just the refunding and the combined ordinance.

President Wallace stated to bring it back and break them up and refund the 2009 bonds as long as we get the same deal with the smaller amount. Mr. Dinges and Mr. Dowden can come back with more detailed information on other options and what the EPA says. There is some questions that some board members have on what the EPA says.

Chairman Reinke stated that he hoped it did not end up costing us more money in the long run. His concern is that even if the flow is cut in half, the village is still going to have to do the project. Whether it's a 16" or 6", something has to be done.

President Wallace stated that he did not totally agree with Chairman Hopkins' analysis because DuPage County has the same issue. It's something that's had to happen for years and we have been kicking the can down the road.

Chairman Reinke stated that he didn't think lining or replacing all the sewers would be effective because it would be a big mess and residents would not be happy with us tearing up their back yards to replace the sewers, so he didn't know if that was going to get us where we needed to go. He stated that we have talked about the alternatives extensively. We can put those giant tanks in people's back yards.

Chairman Hopkins stated that he didn't think anyone was talking about putting tanks in people's back yards.



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Chairman Reinke stated that we did talk about that. We talked about millions of gallons of effluent in someone's back yard because it has to be held until it's slowly released through that restrictor.

Chairman Hopkins stated that if we line the sewers and correct problems that have been going on for 50 to 70 years, and once they are corrected, you might be able to build a million gallon storage tank that costs us a million dollars. He is not opposed to selling bonds to pay for the collection system and fixing it which we need to do regardless. If you run a 16" force main and still have to fix the collection system, we are double paying. We could first fix the collection system then determine what size force main we would need to run or if a one million or two million gallon storage facility would suffice.

Mr. Mraz stated that it would take years to fix the collection system and he stated the village doesn't have years.

Chairman Hopkins stated that this should have been fixed 20 years ago. If you look at the budget, you will see there were not many sewer repairs being done 15-20 years ago. We are just now lining stuff that's 100 years old.

Chairman Deyne stated that is the reality of it, who thought about lining those things years ago.

Chairman Hopkins stated that you need to fix your aging infrastructure first. To sit up at the dais and say go ahead and spend the \$8.5 million is an easy fix, but he did not believe it was the right fix. Sending millions of gallons of storm water to Bittersweet is not the solution.

President Wallace stated that's his opinion, but there are six Board members up here that may have a different opinion. He stated that if we get a straw poll right now that is a majority that says this can go through as is, we will take the poll now and pass it next meeting. If we don't have a majority, we will refund what we can and go on from there. He suggested that the chairman do a straw poll,

Yes moves forward with bonding for the force main.

Straw Poll:

Reinke: Yes

Gabrenya: Unclear

Camerer: Unclear

Deyne: Yes

Hopkins: No

Carbonaro: Yes

Wallace: Yes



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During the vote discussion:

Chairman Gabrenya stated that she believes Chairman Hopkins has some valid questions.

Chairman Camerer stated that he has the same concern as Chairman Reinke with the extra expenses.

Chairman Deyne stated that he is very concerned with the interest rate the village can have on bonds right now. He is torn because he knows what is in front of us now and he is very sympathetic to what Chairman Hopkins is saying. If he were forced to make a vote this evening, he would like to have more information. He is leaning towards Chairman Reinke and Chairman Camerer. No one had the foresight to look ahead and he felt the same way about the water rates how we didn't increase them for 5-7 years and now we are on Lake Michigan water. If the previous boards would have made incremental increases in the sewer and water rates, we may have not been confronted with these large increases. He would like more information, but if he had to vote, he would vote to move forward.

Chairman Reinke stated we have a couple of weeks before the next board meeting so we can get some more information in the meantime.

After the vote discussion:

Mr. Mraz confirmed staff should bring two ordinances to the next meeting, one with just the 2009 refunding and one with the combined amount.

President Wallace stated that was correct and requested staff to pull every effort that we have made with the EPA, where we are at with the percentage of lining, and efforts that we have taken to reduce the storm water intake. He wanted this information so residents and the board don't think we are doing this off the cuff and are going the easy route. Let's prove we have done everything we possibly can before we spend the \$8.5 million for a force main.

**POLICE & HEALTH, CHAIRMAN CABONARO**

**Create Smoke and Vape-Free Ordinance; Amend Tobacco and Nicotine Products/Minors; Use of Tobacco or Nicotine on School Property**

Deputy Chief Pretkelis stated that the Village of Bartlett has always been on the forefront of ongoing efforts to prevent youth access to tobacco products. As you are aware, years ago, the village prohibited the possession or sale of tobacco to individuals under the age



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of 18. Shortly after Bartlett High School was built, we created an ordinance that prohibited the use by anyone under the age of 18 using tobacco products. A few years ago, we revised the ordinance to include vaping products. As you are aware, Governor Pritzker signed the Tobacco 21 law which prohibited the sale and purchase of tobacco products and vaping products. The issue with that law is that it does not prohibit possession of tobacco products by individuals under 21. It was the police departments recommendation to update our ordinances to prohibit anyone under 21 to purchase, possess or sell tobacco and vaping products and prevent anyone from using tobacco or vaping products under 21 on school property. At the last board meeting, staff was asked to look into a possible revision to the ordinance that would prohibit the use of tobacco products, electronic cigarettes and alternative nicotine products in municipal owned buildings and properties with the exception to the golf course and parking lot areas of the course. During our research, the police department discovered that they recently revised the Smoke Free Illinois Act that allowed home rule local governments to prohibit smoking in public places as long as the resolution wasn't less restrictive than state law. After looking into that, we ask that the board consider creating an ordinance that would prohibit anyone under the age of 21 from violating the Smoke Free Illinois ordinance in public buildings and within 15 feet of entrances, exits and windows.

Mr. Mraz stated that it would preclude vaping as well. The ordinance before you prohibits it from places of employment and all public buildings, not necessarily all outdoor areas. Some towns have a similar ordinance where they don't allow it in outdoor dining areas, we did not extend it to those areas. There is a bill pending at the state level to ban vaping in public enclosed buildings, but it has not passed yet, the village ordinance would ban vaping indoors in a public building.

Mr. Pretkelis stated currently, there are several other communities that have enacted Smoke Free Illinois ordinances. In regards to prohibiting anyone from possessing tobacco products under the age of 21, several local communities have passed those ordinances.

Chairman Hopkins asked if this covers parks and open areas owned by the Village of Bartlett.

Mr. Mraz stated that it does not.

Chairman Hopkins stated that at a previous meeting, it was mentioned that the village would allow the other taxing bodies to write their own smoking and vaping ordinances for their outdoor property. He stated that he feels smoking and vaping around kids is not wise and he did not want to pin parents against each other. People have different views on it and it should also encompass the parks owned by the village.

Mr. Mraz stated the problem you run into is the village owns more than just parks, we have sidewalks, detention areas, etc.



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Chairman Hopkins stated that he understood, but he wanted staff to look at parks and other areas that kids frequent that are municipal owned and ban it there.

Mr. Mraz stated that he thought they should pass Smoke Free Illinois which expands it to the village and its buildings, then figure out what areas the village owns we want to include and try to differentiate detention areas, etc. He could not think of any open areas we owned other than the golf course.

President Wallace stated that we owned Bartlett Park and Ruzicka.

Mr. Mraz stated that we lease those to third parties, but it would make sense to outlaw them there.

President Wallace stated that he thought there was going to be more hype around vaping now and he can see Chairman Hopkins' point because you have people sitting out at a Raiders game vaping at Ruzicka and now they are going to be all tense about it and it is going to cause issues. He personally finds it appalling that a 20 year old that just got shot at in Iraq can't come into the state of Illinois and buy a pack of cigarettes, but that's the state law.

Mr. Mraz stated that he would like to bring the Smoke and Vape Free Illinois that outlaws smoking and vaping in public buildings than they can clean up the parks part.

Chairman Hopkins asked if it encompasses village hall as a place of employment.

Mr. Mraz stated that was correct.

President Wallace stated the Committee will be adjourning to Executive Session to Discuss Security Procedures and Equipment Pursuant to Section 2(C)8 of the Open Meetings Act. President Wallace moved to adjourn to Executive Session. That motion was moved by Chairman Reinke and seconded by Chairman Gabrenya.

**ROLL CALL VOTE TO ADJOURN THE MEETING TO EXECUTIVE SESSION**

**AYES:** Trustee Camerer, Carbonaro, Deyne, Gabrenya, Hopkins, Reinke

**NAYS:** None

**ABSENT:** None

**MOTION CARRIED**

The meeting adjourned at 8:53 p.m.

President Wallace called the Committee of the Whole meeting to order at 9:14 p.m.

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PRESENT: Chairmen Camerer, Carbonaro, Deyne, Gabrenya, Hopkins, Reinke and President Wallace

ABSENT: None

President Wallace moved to adjourn the Committee of the Whole Meeting. That motion was moved by Chairman Deyne and seconded by Chairman Carbonaro.

**ROLL CALL VOTE TO ADJOURN THE MEETING**

AYES: Trustee Camerer, Carbonaro, Deyne, Gabrenya, Hopkins, Reinke

NAYS: None

ABSENT: None

**MOTION CARRIED**

The meeting adjourned at 9:15 p.m.

Sam Hughes  
Deputy Village Clerk