



VILLAGE OF BARTLETT
PUBLIC HEARING MINUTES
October 18, 2022

CALL TO ORDER

President Wallace called the Truth In Taxation Public Hearing of October 19, 2021 of the President and Board of Trustees of the Village of Bartlett to order on the above date at 7:00 p.m.

ROLL CALL

PRESENT: Trustees Deyne, Gandsey, Gunsteen, Hopkins, LaPorte, Suwanski and President Wallace

ABSENT: None

ALSO PRESENT: Village Administrator Paula Schumacher, Sr. Management Analyst Sam Hughes, Management Analyst Joey Dienberg, Finance Director Todd Dowden, Public Works Director Dan Dinges, Assistant Public Works Director Tyler Isham, Public Works Engineer Bob Allen, Interim Planning and Development Director Kristy Stone, Food & Beverage Manager Paul Petersen, Chief Geoff Pretkelis, Village Attorney Bryan Mraz and Village Clerk Lorna Giless.

Village Administrator Paula Schumacher stated that this public hearing is for public input on the 2022 Village of Bartlett property tax levy. We discussed the tax levy at the last committee meeting. To recap: The adjusted proposed Village of Bartlett property tax levy totals \$11,619,537 (eleven million, six hundred nineteen thousand, five hundred thirty-seven dollars). Combined with the Police Pension levy, the General Corporate and Police Pension levy will be the same as the 2021 levy and a decrease of 1.17% from the estimated 2021 extension. The debt service levy is 2.36% lower than the estimated 2021 extension. In total, the levy is \$173,497 or 1.47% less than the 2021 estimated extension.

2022 tax rates from Cook, DuPage, and Kane counties will be determined in the spring of 2023 when the counties finalize EAV's for the 2022 tax levy.

This levy will be presented to the Village Board December 6th for final approval and the levy will be filed with each county clerk no later than December 27, 2022.

President Wallace asked if anyone had questions regarding this information.

There were none.

President Wallace asked if anyone in the audience would like to make a comment or pose a question in this hearing, please respond now.

There were none.



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There being no further business to discuss, Trustee Deyne moved to adjourn the Public Hearing and that motion was seconded by Trustee Suwanski.

ROLL CALL VOTE TO ADJOURN

AYES: Trustees Deyne, Gandsey, Gunsteen, Hopkins, LaPorte, Suwanski

NAYS: None

ABSENT: None

MOTION CARRIED

The Public Hearing was adjourned at 7:03 p.m.

Lorna Gilles
Village Clerk



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1. CALL TO ORDER

President Wallace called the regular meeting of October 18, 2022 of the President and Board of Trustees of the Village of Bartlett to order on the above date at 7:03 p.m.

2. ROLL CALL

PRESENT: Trustees Deyne, Gandsey, Gunsteen, Hopkins, LaPorte, Suwanski and President Wallace

ABSENT: None

ALSO PRESENT: Village Administrator Paula Schumacher, Sr. Management Analyst Sam Hughes, Management Analyst Joey Dienberg, Finance Director Todd Dowden, Public Works Director Dan Dinges, Assistant Public Works Director Tyler Isham, Public Works Engineer Bob Allen, Interim Planning and Development Director Kristy Stone, Food & Beverage Manager Paul Petersen, Chief Geoff Pretkelis, Village Attorney Bryan Mraz and Village Clerk Lorna Giless.

3. INVOCATION – Reverend Susan Tyrrell from Immanuel United Church of Christ gave 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 will 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 12.C.1. 2022 Estimated Property Tax Levy to the Consent Agenda.

President Wallace then recited each item that was on the Consent Agenda, including the nature of the matters being considered and other information to inform the public of matters being voted upon. He then stated that he would entertain a motion to Approve the Consent Agenda, and the items designated to be approved by consent therein.



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Trustee Deyne moved to Amend the Consent Agenda and that motion was seconded by Trustee LaPorte.

ROLL CALL VOTE TO AMEND THE CONSENT AGENDA AND CONSENT ITEMS THEREIN

AYES: Trustees Deyne, Gandsey, Gunsteen, Hopkins, LaPorte, Suwanski

NAYS: None

ABSENT: None

MOTION CARRIED

Trustee Deyne moved to Approve the Amended Consent Agenda and that motion was seconded by Trustee Gandsey.

ROLL CALL VOTE TO APPROVE THE AMENDED CONSENT AGENDA AND CONSENT ITEMS THEREIN

AYES: Trustees Deyne, Gandsey, Gunsteen, Hopkins, LaPorte, Suwanski

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 Todd Dowden stated that this was the August 2022 Treasurer's Report. He stated that the Municipal Sales Tax Report totaled \$338,161 and that was up about \$6,306 from the prior year. Motor Fuel Tax distribution through August 2022 totaled \$135,008 which was down \$13,679 from the prior year.

9. PRESIDENT'S REPORT

President Wallace read a Proclamation recognizing Police Officer Christopher Meade upon his retirement and 20 years of dedicated service.

President Wallace read a Proclamation recognizing Community Service Officer John Teevens upon his retirement and 8 years of dedicated service.



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President Wallace read a Proclamation celebrating the 50th anniversary of Bartlett Public Library District.

10. QUESTION/ANSWER: PRESIDENT & TRUSTEES

Trustee Deyne recognized commissioner anniversaries.

11. TOWN HALL

George Lebron, 506 Tamarack Drive

Mr. Lebron stated that he was there to voice his concerns about the Grassland development. He has been an activist for the last three years and feels this development adds another 300 to 400 cars going down Naperville Road. The speeding, carbon monoxide and trying to get out of their streets, new possible townhomes, hotel, two car dealerships - they don't need any more traffic. They have talked about stop signs, stop lights, walls for noise control. Two weeks ago, the board approved no truck traffic on Munger Road to Army Trail Road which doesn't have one tenth of the traffic as Naperville Road. He has a bad feeling that he has been trying for three years to incorporate traffic control and all he has accomplished is getting signs put up that are hard to read and not enforceable. The State has put in GPS mapping for the truck drivers to divert Naperville Road. There is still no change and it is getting worse. If they have no control over the Grassland project, he pleaded that they have the developer incorporate walls to defer the noise.

Public Works Director Dan Dinges stated that Munger Road is under village jurisdiction so they have the right to restrict truck traffic. They do not have control of Naperville Road since that is under Cook County jurisdiction. The reason they restricted traffic on Munger Road is because they recently discovered a 48" to 60" corrugated metal pipe that crosses the road has produced a bump. The pipe is deteriorating to the point where they may have to shut the road down. He wants to keep trucks off of it to avoid them hammering on that pipe. The plan is to put in a box culvert and then they can reevaluate whether they open it up to trucks again. There was a new bike path added by Forest Preserve Drive and they are monitoring the traffic there for bicycle and pedestrians crossing. They hope to get consulting for the plans, bid in the spring and build in the summer.

Beth Cooper, 1327 Tamarack Drive

Ms. Cooper stated that she wanted to reiterate that Naperville Road is not safe. The trucks have heavy loads and they do not heed the signs. There are daily accidents on Naperville Road and Lake Street. She is all for growth, if it is responsible, safe, and accommodates current residents. It seems as though every time they talk about Naperville Road, it is always brushed off as a county road. She would like the elected



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officials to work with the county and maybe invite them to a town hall so they can hear our concerns. She asked what D.R. Horton has done in terms of its due diligence to actually meet with all of the residents of Amber Grove, Timberline and Villa Olivia. It is not safe and very inconvenient and people start taking risks when they can't get out of their community.

Ovidio Fernandez-Cuervo, 541 Philip Drive

Mr. Fernandez-Cuervo stated that he is the President of the Homeowners Association of the Greens of Villa Olivia and he referred to the Grasslands Phase 2 subdivision as well as the traffic on Naperville Road. He has been to several board meetings and spoke about this issue. In view of the proposed development to build 347 housing units. He was not opposed to new subdivisions but there has to be a plan to handle future traffic volume. He challenged the board to explore and consider options to mitigate the growing traffic on Naperville Road by looking at the potential egress and ingress points. His challenge was ignored and he was told that the signs to eliminate the truck traffic would handle it. Here we are 1.5+ years later and nothing has improved, it has only gotten worse. Truck signs are a joke and the trucks keep ignoring them. There has been no expansion to the turn lanes on West Bartlett and Route 59, you are considering building a twenty-three building townhouse complex with 116 units, with only direct ingress and egress to Naperville Road. That represents two hundred additional vehicles and if everybody drives their car once a day, that is four hundred additional vehicles on Naperville Road on a daily basis. He implored them to consider their fiduciary duties and responsibilities to the Bartlett residents and do not approve the Grasslands Phase 2 subdivision until the traffic situation is properly addressed.

President Wallace asked what the timing was of the expansion on West Bartlett and Route 59.

Mr. Dinges stated that they are still working on utility relocates and next spring is when you will actually see road work.

Walt Cichon, 232 Gingerbrook Lane

Mr. Cichon stated that he was a twenty-eight year resident, raised three kids and hoped to retire here. He was there to point out a flaw in the current code for fence painting. It has allowed a hostile neighbor to paint his side of a common fence as a retaliatory gesture. It decreases the enjoyment of the yard that his wife and he just completed. Got the yard they always wanted to look at but now have to look at a graffiti fence. It decreases his property value and really shows disrespect for the whole neighborhood in general. His neighbor has been in the house for less than one year and has turned the neighborhood upside down. His suggestion for improving the code would be to require one consistent color on both sides of the fence. Workmanship should be considered with



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regard to paint just as it is with construction. He also suggested that if a person needed to go into his neighbor's yard to paint the fence, it should be an agreed-upon color.

Jaime Hanrahan, 334 Donna Court, Unit D

Ms. Hanrahan stated that she wanted to bring up her concerns regarding a cannabis dispensary in downtown Bartlett. She is concerned about the traffic it would bring into our small town. She is concerned about the schools that are near to the downtown as well as the parks, kids that play and walk to school and also those involved in sports. Those that might come in on the train to participate in a cannabis dispensary would loiter around until the train can take that back to where they came from. She mentioned an unfortunate event that happened at her house where a stranger came to her front door under the influence of something and destroyed minor lawn ornaments and walked away. Today, this person came back and rang their doorbell, when they did not answer, she had a knife and attacked the front door and the Ring camera. She did not want to think what could have happened if her fifteen-year-old daughter would have been there and answered the door. She was really concerned about opening a cannabis store in downtown Bartlett and didn't think we needed it and some of us don't want it.

Stephen Cioromski, [Town Center Broker]

Mr. Cioromski stated that he wanted to speak about a cannabis dispensary in the downtown overlay district. He stated that most of the allowable spaces for a cannabis dispensary were in the industrial or business areas and a lot of them abut to single-family home districts. He asked the board to think towards the future and to be restrictive as to where you can open a business that is only going to be growing in numbers across the State of Illinois. This is not going to be a detriment or potential negative impact to the village. As far as traffic concerns go, the more people towards the retail center in the downtown corridor is only a good thing. He mentioned that some of the trustees viewed another facility in the West Loop of Chicago which was a mixed use with residential on top and he thought they could attest to the quick turnover with customers entering and exiting safely.

Steven Malitz [Owner of Town Center]

Mr. Malitz stated that the operator, Dispensary 33, is the first licensee in the State of Illinois. He has been operating facilities since 2015 and is vouched for by the City of Chicago. The facility will be operated by veterans who have been selected by the state as licensees to help operate the facility. Some of the security questions by the commander in Bartlett were fielded to his satisfaction. The lines are short and handled like Starbucks efficiency. The average spent at the facility is \$125 and is a much more upscale clientele. No loitering is permitted. The tax revenue for the Village of Bartlett would be approximately \$700,000 per year. It would help the Town Center which has a space that has laid fallow since 2012 and long before that when it was first developed. It



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would help the other tenants in the area by creating foot traffic, although people would come in and out quickly. There is no order issue and the packages are hermetically sealed and the exhaust system is fantastic. They own a lot to the side of the Town Center which would accommodate all parking. The following downtowns have added dispensaries in their overlay districts – City of Chicago, Crystal Lake, Richmond, Winthrop Harbor, Village of Highwood, Village of Hometown, Broadview and Des Plaines to name a few. This would be treated just the same way liquor stores were treated many, many, years ago. He asked for favorable consideration for allowing a cannabis dispensary in the downtown area.

President Wallace stated that he would like to see the ordinances pertaining to Mr. Cichon situation.

Interim Planning and Development Services Director Kristy Stone stated that they do not have any regulations on how fences are to be painted.

President Wallace stated that as far as Naperville Road goes, they know it is a huge issue and outside of a lawsuit against the Cook County Road Department, we have done almost everything we could possibly do. We can keep trying and keep throwing ideas at Cook County to get them to the table. We know it is an ongoing problem and are fully aware that the Grassland Subdivision will increase traffic. They don't want to increase your pain and that is not the intention.

Ms. Schumacher stated that they have invited Cook County to sit down and meet and Mr. Lebron was in this meeting. We can certainly extend the invitation again for them to come to a broader meeting.

President Wallace stated that would be a good idea and they should have Commissioner Kevin Morrison come out and view some of their neighborhoods. He thanked them all for their input and stated that they appreciate it.

12. STANDING COMMITTEE REPORTS

A. BUILDING & ZONING COMMITTEE, CHAIRMAN HOPKINS

Trustee Hopkins presented Ordinance 2022-92, an Ordinance Amending the Bartlett Municipal Code Title 10 Zoning to Add Provisions to Allow Adult-Use Cannabis Dispensing Centers and Medical Cannabis Dispensing Centers as a Special Use in Certain Commercial Districts.



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As discussed at the Committee of the Whole meeting on March 15, 2022, he summarized the proposed text amendments to the Zoning Ordinance pertaining to adult use and medical cannabis dispensing centers. (a) the 1,000-foot distance requirement would be removed from the definition; (b) said uses would be allowed as a special use in the B-2 (Local Convenience), B-3 (Neighborhood Shopping), and B-4 (Community Shopping) Zoning Districts; (c) said uses would be prohibited in the Downtown Overlay District (including Bartlett Town Center, Main Street Plaza and Streets of Bartlett); and (d) the findings of fact for a special use permit would be updated to delete the distance requirements. The Planning & Zoning Commission reviewed this and conducted the public hearing. The Committee of the Whole also reviewed it and both recommended approval. They discussed the possibility of allowing dispensaries within portions of the Downtown Overlay District while prohibiting sales in close proximity to residential units.

Trustee Hopkins moved to approve Ordinance 2022-92, an Ordinance Amending the Bartlett Municipal Code Title 10 Zoning to Add Provisions to Allow Adult-Use Cannabis Dispensing Centers and Medical Cannabis Dispensing Centers as a Special Use in Certain Commercial Districts and that motion was seconded by Trustee Deyne.

Trustee Suwanski stated that the removal of the 1,000 feet is to bring us in line with the State requirements.

Trustee Deyne stated that this is a prohibited use in the Overlay District.

Trustee Hopkins stated that it is a special use in all other districts. It has to go through extensive public hearings and still has to be approved by the Board of Trustees before any dispensing centers can go in.

Trustee Gunsteen stated that in the coming years there are going to be more than one application. We are laying the groundwork to limit where these operations are. He has lived here his entire life and appreciates all the calls that he received regarding this. Our downtown culture does not need marijuana in it. We are a family community and that type of business could be put on any major thoroughfare (Route 59). He stated that he has driven through several towns like St. Charles and Geneva and their dispensaries are outside of the downtown Main Street district. He feels it is not in the best interest of the community.

President Wallace stated that he agrees with those comments. It is good that this board has done such a great job fiscally that they can't dangle the \$700,000 carrot. We are okay without it. There will be a time and place for this but he would like to slow the roll.



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Trustee Gandsey stated that she was just in Santa Fe New Mexico where it is not like the downturn area but does fit the culture there.

ROLL CALL VOTE TO APPROVE ORDINANCE 2022-92 TO ALLOW ADULT-USE AND MEDICAL CANNABIS DISPENSING CENTERS AS SPECIAL USE IN CERTAIN COMMERCIAL DISTRICTS

AYES: Trustees Deyne, Gandsey, Gunsteen, Hopkins, LaPorte, Suwanski

NAYS: None

ABSENT: None

MOTION CARRIED

Trustee Hopkins stated that Ordinance 2022-94, an Ordinance Approving of a Preliminary/Final Plat of Subdivision and Site Plan and Granting a Special Use Permit and Variation for Dunkin; Ordinance 2022-95, an Ordinance Approving a Final Subdivision/PUD Plat and Final PUD Plan for Grasslands Subdivision Phase 2 (Townhomes at the Grasslands); 2022-96-R, a Resolution Ratifying the Public Improvements Completion Agreement for the Grasslands Subdivision–Phase 1 Between the Village of Bartlett and D.R. Horton, Inc.–Midwest; and Grasslands Phase 1 Early Earthwork Request were covered and approved under the Consent Agenda.

B. COMMUNITY & ECONOMIC DEVELOPMENT COMMITTEE, CHAIRMAN GANDSEY

Trustee Gandsey stated that there was nothing to report.

C. FINANCE & GOLF COMMITTEE, CHAIRMAN DEYNE

Trustee Deyne stated that the 2022 Estimated Property Tax Levy Established at \$11,619,537 and Resolution 2022-97-R, a Resolution Approving of Disbursement Request for Payout No. 3 from the Subordinate Lien Tax Increment Revenue Note, Series 2020 for the Elmhurst Chicago Stone Bartlett Quarry Redevelopment Project were covered and approved under the Consent Agenda.

D. LICENSE & ORDINANCE COMMITTEE, CHAIRMAN GUNSTEEN

Trustee Gunsteen stated that the BAPS fireworks display permit request was covered and approved under the Consent Agenda.



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E. POLICE & HEALTH COMMITTEE, CHAIRMAN SUWANSKI

Trustee Suwanski stated that there was nothing to report.

F. PUBLIC WORKS COMMITTEE, CHAIRMAN, CHAIRMAN LAPORTE

Trustee LaPorte presented Resolution 2022-93-R a Resolution Approving of Change Order #3 to the Contract Between Joseph J. Henderson & Son, Inc. and the Village of Bartlett for the Bittersweet Water Reclamation Facility Improvements for a \$374,868.26 Increase in the Original Contract Sum.

Mr. Dinges stated that there are several items on this change order, the bulk of which is the generator. They currently have two old generators that each does half of the plant. In the Sewer Operating Budget, they had budgeted \$200,000 to replace one of the generators this year. They found that the lead time on generators is one year and started talking to the general contractor and their electrician. They talked about eliminating the two old generators and an underground storage tank. It makes it more efficient having one generator, eliminates an underground storage tank. We would take the \$200,000 in the current budget, they have already found a vendor that is interested in purchasing the old generators and they think it is in the \$50,000 range. They recommend that they move forward with the change order to simplify the backup power at the treatment plant.

Trustee Laporte moved to approve Resolution 2022-93-R a Resolution Approving of Change Order #3 to the Contract Between Joseph J. Henderson & Son, Inc. and the Village of Bartlett for the Bittersweet Water Reclamation Facility Improvements for a \$374,868.26 Increase in the Original Contract Sum and that motion was seconded by Trustee Suwanski.

Trustee Gunsteen pointed out that they are under budget by about \$400,000 on that project from the original change order.

Trustee Hopkins asked how many more months are left on this project.

Mr. Dinges stated that it is due to be completed in the spring of 2024.

Trustee Hopkins asked if they anticipate any other change orders.

Mr. Dinges stated most likely and hopefully small ones. There are always things moving and changing and they always look at ways to lower costs. He thought they took care of



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the big ones. They are out of the ground at this point and moving up. Hopefully, the unknowns have been minimized at this point.

Trustee Hopkins asked if by approving this sooner than later, are they locking in a lower rate for the generator and securing it sooner.

Mr. Dinges stated that is what they are doing. Lock it in now because it is 52 weeks before delivery is expected.

ROLL CALL VOTE TO APPROVE ORDINANCE 2022-93-R, APPROVING CHANGE ORDER #3 FOR A \$374,868.26 INCREASE TO ORIGINAL CONTRACT SUM

AYES: Trustees Deyne, Gandsey, Gunsteen, Hopkins, LaPorte, Suwanski

NAYS: None

ABSENT: None

MOTION CARRIED

Trustee LaPorte stated that Ordinance 2022-98, an Ordinance Authorizing the Sale by Internet Auction of Surplus Property Owned by the Village of Bartlett was covered and approved under the Consent Agenda.

13. NEW BUSINESS

Trustee Hopkins asked if it was possible to use portions of the TIF Fund outside of the TIF District for improvements that could potentially be caused by the TIF District.

Village Attorney Bryan Mraz stated that would be a stretch. The TIF has definitive eligible TIF expenses but he will look closer at the language. He will check if there is case law that might expand it so you can use a portion. It is generating some of the trucks and if it were at all feasible would have to be proportionate with what's generated from that.

Trustee Hopkins stated that he was trying to think outside the box. These residents have been coming before the board for the entire 7-1/2 years that he has been here.

Trustee Deyne stated that his question would be that it is a county road and didn't know if you could allocate TIF funds to a county road.

Attorney Mraz stated that you can't spend it on their road but there may be other things we can do to alleviate it.

President Wallace stated that when we get the answer to the question we can throw it on



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a Committee meeting for discussion. Perhaps they can invite Commissioner Morrison.

Trustee Suwanski stated that the only other alternative is to push this traffic to Route 25- correct?

President Wallace stated that what they have been promising is to wait until the intersection is fixed – hopefully they can do both at the same time. Get the intersection fixed and that will clean up some of the truck traffic and maybe use some funds from the TIF if that comes to fruition.

Ms. Schumacher asked for an update of the construction on West Bartlett and Route 59.

Mr. Dinges stated that they are relocating utilities and will start road improvements next spring. He was not sure if they would get it done in one season based on Stearns and Route 59. Hopefully they will get the bulk done in the next construction season but may have to come back the following spring and do restoration.

President Wallace stated that he recently watched the trucks sit for three light changes to turn onto Route 59. He suggested that when the improvements are complete, perhaps they could extend the left turn arrow going onto Route 59. This timing adjustment would be a great help.

Mr. Dinges explained that there will be dual turning lanes but the timing is set for Route 59 to have the majority of the time. They will maximize the turn movement (eastbound to northbound) so it will be much better and hopefully the trucks will find this a quicker route. During construction, this will get worse because the vehicles will use Naperville Road because everyone likes to stay away from heavy construction. He envisions it being a rough summer next year. Hopefully, it will attract more vehicles to use West Bartlett to Route 59 once completed.

14. QUESTION/ANSWER PRESIDENT & TRUSTEES - None

15. ADJOURN

President Wallace stated that the Board will adjourn and there will be a Committee of the Whole meeting immediately following.

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



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ROLL CALL VOTE TO ADJOURN

AYES: Trustees Deyne, Gandsey, Gunsteen, Hopkins, LaPorte, Suwanski
NAYS: None
ABSENT: None
MOTION CARRIED

The meeting was adjourned at 8:02 p.m.

Lorna Giless
Village Clerk