



**VILLAGE OF BARTLETT
COMMITTEE MINUTES
November 1, 2022**

CALL TO ORDER

President Wallace called the Committee of the Whole meeting of November 1, 2022 of the President and Board of Trustees of the Village of Bartlett to order on the above date at 7:18 p.m.

ROLL CALL

PRESENT: Chairmen Deyne, Gandsey, Gunsteen, Hopkins, LaPorte, Suwanski (Zoom), President Wallace

ABSENT: None

ALSO PRESENT: Village Administrator Paula Schumacher, Assistant Village Administrator Scott Skrycki, Management Analyst Joey Dienberg, Finance Director Todd Dowden, Public Works Director Dan Dinges, Interim Planning & Development Director Kristy Stone, Head Golf Professional Phil Lenz, Police Chief Geoff Pretkelis, Village Attorney Bryan Mraz and Village Clerk Lorna Giless.

BUILDING & ZONING, CHAIRMAN HOPKINS

Title 9 Building Code Amendment-Driveway and Approach Widths

Chairman Hopkins introduced the item.

Chairman Deyne asked how many driveways would fall into this category.

Interim Planning and Development Services Director Kristy Stone stated it is hard to estimate, but we get about 350 driveway permits per year and many of them are people wanting to extend the width of the driveway and because we do not have a maximum, people really try to push the limit and the only thing we can hold them to is the impervious service ordinance.

Chairman Deyne asked if the existing driveways would be grandfathered in and if they had to replace their driveway would it have to be in compliance with this.

Ms. Stone stated that was correct. We would allow them to replace what they have now, but they would not be able to extend it wider if it doesn't meet the village regulations.

Chairman Suwanski asked if we are getting complaints about the widths of driveways.

Ms. Stone stated there have been. There have been driveways denied based on the approach not matching what the proposed driveway width is and those get appealed to the village administrator.



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Chairman Suwanski asked if the pads to the side of the house would be affected.

Ms. Stone stated those would be allowed, but we would add a regulation that there needs to be a raised edge because many of those go up to the property line and then it becomes a drainage issue to the next-door neighbor.

Chairman Gunsteen asked if there was a maximum width.

Ms. Stone stated currently there is not.

Chairman Gunsteen stated he thinks the approach and width should match and there should be a maximum width.

President Wallace stated some people don't want the straight driveway and want the curved entryway with the wider area up top.

The item was forwarded on to the Village Board for a final vote.

COMMUNITY & ECONOMIC DEVELOPMENT, CHAIRMAN GANDSEY
Banbury Barn BEDA Application

Chairman Gandsey introduced the item.

Chairman Deyne asked when they expect it to be complete.

Mr. Suffern stated they expect to have it complete very soon, hoping for this month.

President Wallace asked what the occupancy was.

Mr. Suffern stated it was 49.

Chairman Suwanski asked who is being billed for this project.

Mr. Suffern stated the tenant and he both solicited bids for development of the building. Many of the receipts or invoices were addressed based on who solicited the bids.

Chairman Suwanski asked if we should expect another request from the tenant.

Mr. Suffern stated absolutely not.

President Wallace stated you seem to be very close on this project.



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Mr. Suffern stated he is very excited about this project and he wanted to thank the village of these grants that incentivizes projects like this that could not be done otherwise.

Chairman Gandsey clarified how the BEDA is allocated.

Economic Development Coordinator Tony Fradin stated it could be the landlord or the tenant as long as they have the landlord's permission.

This item was forwarded on to the Village Board for a final vote.

Pasta Mia BEDA Application

Chairman Gandsey introduced the item.

President Wallace clarified where the sliding windows were going.

Owner Pete Caruso stated they will go on the south and east window.

Chairman Deyne asked how long it would take if approved.

Mr. Carusa stated it would take a week.

This item was forwarded on to the Village Board for a final vote.

MORE Brewing BEDA Application

Chairman Gandsey introduced the item.

Chairman Gandsey asked when it would open.

Owner Mr. Patel stated they are working very hard, it will be open soon.

Chairman Deyne asked if they had a hard time getting materials.

Mr. Patel stated that has been the hardest part.

President Wallace confirmed that they had to bring an excavation crew from Ohio to do the work.

Mr. Patel stated that was correct.



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Chairman Gunsteen stated that the EDC members dive into these numbers pretty aggressively. This is not free money, it is earmarked from gaming revenue to go back into our community. The money we are allocating is working and the downtown is starting to become more vibrant. He stated that it is important to note that the village does not just give away money, it is earmarked for projects like this.

President Wallace stated he thinks about 4 years ago we asked staff to earmark the gaming to help enhance our business environment.

Chairman Hopkins asked when the BEDA would be paid out to MORE.

Mr. Fradin stated we typically pay those out once every "I" is dotted and "T" is crossed.

This item was forwarded on to the Village Board for a final vote.

LICENSE & ORDINANCE, CHAIRMAN GUNSTEEN
Bartlett Park Lease Discussion

Chairman Gunsteen introduced the item.

Village Administrator Paula Schumacher stated the early days of the park district was when this lease came into fruition. It has a 50 year term. Looking back over the records, there was concern that the park district would not be a viable entity. The original 13-acre park that went to the park district came from village property. That is now part of Sunrise Park. The second piece was Bartlett Park. At that time, we entered into an agreement where the village owned the park but the park district was our partner in maintaining and managing programming for the park. Since the agreement in the 1970's, there has been a lot of changes there including the "Free To Be Me" Park in 2020. There has been a significant investment of over \$1,000,000. The gazebo was built to recognize our centennial. That was not included in the lease at the time, but the log cabin was. We do not have a legal description because it has disappeared over the last 50 years so we updated that. We are looking for direction from the board on which direction you would like us to take. Would you like it to be refreshed and renew the lease or turn it over to the park district?

Chairman Gunsteen stated we are having more events and expanding them in that park, so he wants to see if there is a monetary charge for the events there like National Night Out, Merry & Bright or Ignite the Courage. This summer there has been an event there almost every other weekend.

Ms. Schumacher stated she can only speak to our events and we are not charged for our events.



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Chairman Suwanski asked if the park district has requested this property.

Ms. Schumacher stated not formally from their board, but it has been part of discussions this past summer.

Chairman Gandsey asked what would change.

President Wallace stated nothing.

Chairman Deyne stated he thinks the park district does a good job maintaining that park and he didn't think we needed to be in the park district business.

Village Attorney Bryan Mraz stated we can negotiate to include our events.

Ms. Schumacher stated our lease also addresses certain maintenance items, for example, we upgraded all of the electricity out there but they did the improvements to the log cabin so its been a back and forth.

Chairman Hopkins stated the village should not be in the park business. Koehler fields and Ruzicka fields should be under the jurisdiction of the park district.

President Wallace stated he thinks that is a great idea.

Chairman Gunsteen asked what the advantages were of a lease vs. signing it over.

Ms. Schumacher stated we have never been part of the park besides the maintenance that we do. All of the rules and regulations, etc. fall under the park district so there is no operational change to the park and no particular value to the village holding the park.

Mr. Mraz stated each piece is a little different. This piece was owned by the village before the park district was around, but if the board wants to turn over all of the parks, we should look at those separately. Ruzicka Park has the tie in to ComEd with that parking lot and easement. We should look at Bartlett Park as one issue, including the Raiders and little league which could bog down things like the transfer of Bartlett Park.

Chairman Gunsteen stated he agrees that the people who use the fields should be included in the conversation.

Mr. Mraz stated we received some grant money for IDNR, so he will have to go back and see what restrictions there are.

Chairman LaPorte asked if this would affect taxes on the park district side.



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Mr. Mraz stated it would be an even wash. It is tax exempt whether we own it or the park district.

President Wallace stated the change is basically just us not doing the paperwork for a new lease every 50 years.

Chairman Gunsteen asked what the next steps were.

Mr. Mraz stated that staff would put an agreement together and then come back to the Committee of the Whole to go over everything.

Amendments to Massage and Bodywork Regulations

Chairman Gunsteen introduced the item.

Ms. Stone stated staff is going to step up on the enforcement side of the issue.

Ms. Schumacher stated if you remember, we looked at this from the zoning perspective and the direction we got from the board was to beef up the regulatory side on the licensing and the enforcing. She thinks the recommendations outlined really address those concerns that we have.

Mr. Mraz stated it summarizes what the most important changes are. In 2015, the State was not licensing Asian bodywork establishments so we were one of the first and came up with regulations to do that because it was a loophole. Over time we have seen people work around those loopholes. The State Statue took away some of our abilities to regulate. It has always been his opinion that the village could license massage establishments, and bodyworks establishments. We are going to go back to what we had and we will license massage establishments, body work establishments and body works practitioners. There are a number of organizations, but there are definitions that spell out what those are and we will issue those licenses. As the memo alluded to and discussed, there has been arrests, many times it is an actual massage business. Sometimes it is the owner, sometimes it is an employee, but rather than deal with a suspension, they will sell the business. It sold to a guy for \$50,000 but never applied for a license. They were operating the business and there was an incidence of prostitution. The primary difference is we need landlords to see these regulations. The landlord has a lease, there is a violation, then they have a legal obligation to mitigate damages and they are reluctant if that business is closing to not let them sublet it to someone else. If they are doing that right away and are not coming to get a new license, we have a new entity right away. We want to let landlords know about this and that they should not be leasing to these businesses unless they are licensed by us with licensed practitioners. There are other things in the existing code and we are going to do a better job of enforcing what is there. We also want a current list of all their licensed massage therapists or body practitioners.



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It is the problems we have seen over the last 7-8 years and trying to plug some of the other loopholes as well.

President Wallace stated we have put a lot of work into this over the years and he is feeling confident this tightens it up and hopefully fixes some of the issues we are having.

Chairman Gandsey asked if it was an in-person discussion with landlords and businesses.

Mr. Mraz stated when we tried to down zone it there was strong opposition, but when we came up with the 2015 ordinance, Austin Hopkins, a licensed massage therapist was very involved and he had no problem with tougher regulations because it gives legitimate massage therapists a bad name. He does not think there would be push back to these regulations.

Chairman Gandsey asked how do we help get landlords to prevent these incidents from happening.

Mr. Mraz stated it is going to have to be an educational process. We are going to send them the ordinance and we are going to get this on the books, send it to all the landlords so they know what's out there and are not signing these leases.

Chairman Deyne stated we went through this when that incident occurred. He had a lot of comments from the residents in his area. We had to do something to tighten that ordinance and from what he could understand anything is better than what we had and this is a step in the right direction.

Chairman Suwanski asked how this affects existing businesses that might not meet the compliance.

Mr. Mraz stated we have a very restricted current code. Some don't comply and we have to make sure they do but the changes are not that different from the current regulations so while the state appeared to preempt us, we were not checking to see that bodyworks practitioners were licensed. There could be a couple that have bodyworks practitioners that do not meet our regulations. Those regulations were always on the books since the State goes back and forth on whether they were going to take that over or not. We would notify them, give them some time to comply to make sure their employees bring in the paperwork to show they have all of the certifications and required training. We did not change any of the training requirements for a bodywork's practitioner. It is not like we are changing the rules drastically on them.

Chairman Suwanski clarified so we will mostly be just enforcing the rules.



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Mr. Mraz stated yes, we have clarified things and changing things with respect to landlords, but they are part of the problem so the businesses should know they need to get the proper licenses from the village.

Chairman Gunsteen clarified that no business is grandfathered in.

Mr. Mraz stated they are not grandfathered in.

The item was forwarded on to the Village Board for a final vote.

Chairman Deyne moved to adjourn the Committee of the Whole meeting and that motion was seconded by Chairman Gunsteen.

ROLL CALL VOTE TO ADJOURN

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

NAYS: None

ABSENT: None

MOTION CARRIED

The meeting was adjourned at 8:04 p.m.

Samuel Hughes
Deputy Village Clerk