



**VILLAGE OF BARTLETT
COMMITTEE MINUTES
November 15, 2022**

CALL TO ORDER

President Wallace called the Committee of the Whole meeting of November 15, 2022 of the President and Board of Trustees of the Village of Bartlett to order on the above date at 7:19 p.m.

ROLL CALL

PRESENT: Chairmen Deyne, Gandsey, Gunsteen, Hopkins (Via Zoom), LaPorte, Suwanski, 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, Food and Beverage Manager Paul Petersen, Police Chief Geoff Pretkelis, Village Attorney Bryan Mraz and Village Clerk Lorna Giles.

BUILDING & ZONING, CHAIRMAN HOPKINS
309 Oakbrook Court Rear Yard Variation

Chairman Hopkins introduced the item.

Ms. Stone stated we received a variation request for a 12' variation from the 35' required rear yard setback. The homeowner wants to deconstruct the current 3 season room and make a larger 3 season room at the rear of the property. The Planning and Zoning Commission recommended approval of the request. With the site backing up to the park, it presented itself to be an unusual circumstance for the property.

President Wallace asked what the typical variation allowed is.

Ms. Stone stated its usually 20%.

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

License & Ordinance, Chairman Gunsteen
Regulation of Political Signs on Residential Property

Chairman Gunsteen introduced the item.

Village Administrator Paula Schumacher stated you have a couple of opinions before you from Ancel Glink. We asked Ancel Glink to take a look at this largely because everything



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that is on the agenda tonight Bryan was working on and was time sensitive. The question of political sign regulations takes a little more research and are a little lengthier of a process and wasn't as time sensitive.

Ancel Glink attorney Kurt Asprooth stated the legislature has tied our hands as to what we can and cannot do for political signs. They preempted home rule authority so this is not just Bartlett, it is every community in the state. A lot of sign codes have not been updated to encompass this change that the legislature made and we have been working with a lot of our clients to get them updated and make them consistent with this limitation. It is pretty strict and sign limitations are about the only thing we can enforce on residential property. Signs on commercial property would still be subject to our temporary sign restriction. We drafted up a text amendment that would potentially carve out political signs differently than other temporary signs in the business. It would include the same size limit for all temporary signs of 6 feet. That is up to the board and Planning and Zoning Commission if they want to change that size, but we just went with the current size limit in the village code, then we went with a 6-foot height limitation. A height limitation is recommended and there is a reminder that all political signs need to remain on private property. It is unfortunately an area where hands are tied, but we are pretty much limited to a size limitation and a lot of communities do have that limitation as well, but some have an outdated time limitation, but that is not allowed to be regulated. We are reworking the code to carve this out as minimally as possible so all of the other temporary sign restrictions are applying, we are just creating this separate exemption for political signs on residential property.

Chairman Deyne stated that in essence you are asking us to fall in place with the current regulations that have been drafted by the legislature.

Mr. Asprooth stated essentially the discretionary portion that the village has is how big of a sign is allowed. We cannot limit the number of signs, the legislature basically said there are a lot of races on the ballot each year, they don't want you to pick and choose which races you support.

Chairman Deyne confirmed that we cannot limit the number of signs or the amount of time, only the size and height.

Chairman Suwanski confirmed that it is just the size or the height of the sign itself or how it sits on a property.

Mr. Asprooth stated generally we list it as total height including any support structures as well.

Chairman Suwanski stated some people put them on their fences and she does not see a problem with that.



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Mr. Asprooth stated that would certainly apply, but if the board would like to carve out an exemption to allow higher signs, that is where we have the discretion.

Chairman Deyne asked if the 4'x4' signs would be in compliance with this.

Mr. Asprooth stated not as drafted, but we just based it off the current restriction in the sign code of 6' square feet.

Chairman Deyne stated he has seen 4'x4's around town.

Mr. Asprooth stated we can limit that size.

Chairman Gunsteen stated he doesn't see a problem with political signs. He is fine with a 4'x4' sign and would be fine with limiting signs to that size.

Mr. Mraz stated you could have a house with 20, 4'x4' signs.

Chairman Deyne stated we have had so many elections and we have not seen that many. The problem he has with this is the length of time they can leave these signs up, but he knows there is nothing we can do about that.

Mr. Asprooth stated that he pulled the information from the bill and that was very clearly the intent of the bill.

President Wallace stated the ones on Rt. 59 are supposed to be pulled anyway and it is the states responsibility to do so.

Chairman Gunsteen asked about the signage square footage.

Mr. Asprooth stated a lot of communities have tried to inadvertently force a restriction on the number of signs by imposing a strict aggregate maximum of say 18 square feet. We think that would be hard to justify given the legislatures clear intent to allow you to have as many signs on the property as you want. We recommend not including any aggregate signage limitations and focusing on the individual sign limitation.

Chairman Gunsteen stated he is fine with the way it is now.

There was discussion that 4'x4' should be the maximum size.

Chairman Gandsey stated not being able to see when pulling out with a big sign is a concern as well.



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Chairman Gunsteen asked if there was a distance from the sidewalk or side yard included.

Mr. Asprooth stated they would have to comply with otherwise applicable setbacks, but he cant say he knows off the top of his head what those might be.

Ms. Stone stated anything taller than 3 feet is not allowed within the vision clearance triangle which is 25 feet from the corner of the street.

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 7:34 p.m.

Samuel Hughes
Deputy Village Clerk