



VILLAGE OF BARTLETT COMMITTEE MINUTES September 5, 2023

CALL TO ORDER

President Wallace called the Committee of the Whole meeting of September 5, 2023 of the President and Board of Trustees of the Village of Bartlett to order on the above date at 7:14 p.m.

ROLL CALL

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

ABSENT: None

ALSO PRESENT: Village Administrator Paula Schumacher, Sr. Management Analyst Samuel Hughes, Management Analyst, Joey Dienberg, Finance Director Todd Dowden, Public Works Director Dan Dinges, Public Works Engineer Bob Allen, Planning and Development Director Kristy Stone, Food & Beverage Manager Paul Petersen, , Police Chief Geoff Pretkelis, Deputy Chief Naydenoff, Village Attorney Kurt Asprooth and Village Clerk Lorna Gilles.

BUILDING AND ZONING COMMITTEE, CHAIRMAN GUNSTEEN

1. Promenade Project

Chairman Gunsteen introduced the item.

Planning and Development Services Director Kristy Stone stated that the petitioner is present if there are any specific questions that the trustees have.

Chairman Hopkins asked what their timeframe was for the project.

Mr. Patel stated the zoning is approved and they would like to proceed with final engineering permit drawings and submit in two to three months. We plan to submit the permit drawings in April and would like to break ground if all the permits are in place.

Chairman Hopkins asked if they will be the developers of the project.

Mr. Patel stated yes.

Chairman Gandsey stated there were several residents saying Dunamon Dr. was used as a cut through, how do we think any of this will be impacted? Will people cut through here now? What are your thoughts?

Ms. Stone stated that when the traffic consultant looked at the traffic study she didn't think this development itself would have any impact on the traffic on Dunamon Dr. since this site has access to both Newport and County Farm Road's.



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Chairman Hopkins asked about the sound wall along Newport.

Ms. Stone stated originally the sound wall stopped at the island. They are now extending it further north. We need the exact dimension to make sure it's not going to be in the vision clearance triangle.

Chairman Gunsteen asked how tall the wall is?

Mr. Patel stated six feet and we have integrated some architectural and landscaping elements.

Chairman Gunsteen asked if it is made of concrete.

Mr. Patel stated there will be two colors and then some areas will be stone.

Ms. Stone stated there's also landscaping along the wall as well to break up the expanse.

President Wallace asked with the amount of dirt that needs to be taken out of there, how big is the back wall going to be when they cut that all down? There is a huge hill there. He is hoping they're going to try to bring the one side of that up versus bring the whole thing down to the level.

Mr. Patel stated there will be a substantial amount of soil removed during the construction, it is an additional cost to the developer, but that's what we will be doing.

President Wallace stated he is a little concerned that the building and car wash will be at a higher level than the housing department areas behind it.

Ms. Stone stated the units to the north drain south onto this property.

President Wallace asked what is going to happen when you put more impermeable surfaces there.

Ms. Stone stated they are not building up the site, because they don't want to cause a drainage problem. If they build the site up, that would cause the drainage to back up onto the residential property. The final grades are lower.

Chairman Gunsteen stated there is a lot of dirt that needs to be taken out.

Ms. Stone stated yes, we had advised them of the recommendation to build a berm, but drainage is a concern.

Chairman Gandsey asked what does a sound study include?

Ms. Stone stated they do look at a lot of things, the atmosphere effects where and how far the sound travels. It is the decibel levels at the property line and then taking in different factors over, it is not just looking at one volume, one vacuum, but how they all interact together. We're making noise standards that they have to meet in our ordinance. It is making sure that it can meet our standards.



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Chairman Gandsey asked about recommendations from the sound study.

Ms. Stone stated when we went through similar projects before, we have our consultant look at it and they have made recommendations on orienting things slightly different to minimize the way sound travels.

Chairman Hopkins asked if they are going to have a vacuum outside or vacuums on the back or will it be encased in brick with a roof.

Mr. Patel stated the noisy equipment will be inside the building.

Chairman Hopkins confirmed that the vacuums for your vacuum arches will be inside the building.

Mr. Patel stated the arches will be near the car but then the equipment that generates the most noise will be inside the building.

Chairman Gunsteen confirmed all the mechanical equipment motor-wise will be inside the building.

Mr. Patel stated yes, the noisy turbines are inside the building.

Chairman Gunsteen stated that he thinks the six-foot wall would look bad along the corner of Newport. We don't have an excessive amount of houses on the other side of Stearns Road and we are pretty much right near Walgreens, there is a subdivision over there. The mechanical aspects of this building are inside. He asked them if the building is masonry.

Mr. Patel stated the facade will be treated with fake brick but the inside would be steel frame and metal studs.

Chairman Gunsteen stated in his experience in this business, the road is louder than those vacuums are going to be.

President Wallace stated that he would rather beef up the noise reduction on the backside of the property than the front side.

Chairman Gunsteen stated that he would rather see instead of the hardscape wall, more of landscaping along Stearns and Newport. Maybe a berm that blocks some of the light and the cars and stuff but not a hard wall. It's going to look like a fortress in my opinion.

Mr. Patel stated we are waiting for the acoustic impact report. We'll follow their recommendations, if a wall is a question at this point. If the report suggests that it is not needed, as intensely as proposed, then we might just take it out and use the recommendation by the acoustic consultant.

President Wallace asked what is the square footage for the daycare center?

Ms. Stone stated about 6,000 SF.



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President Wallace asked how many kids do they anticipate having there?

Mr. Patel stated that it is hard to put a number right now, but I would anticipate roughly about 150 plus or minus.

President Wallace stated there is going to be 150 cars coming in and out of there in the morning and then in the afternoon. It is not the best intersection right now. But the cut through is on County Farm and Newport that will help.

Chairman Gunsteen stated that he would assume a lot of people that will use that daycare are going to live within that proximity. They are coming off of Newport or across that way.

BUILDING AND ZONING COMMITTEE, CHAIRMAN GUNSTEEN

2. Sign Code Discussion

Chairman Gunsteen presented the item.

Ms. Stone stated that one of the advantages of having some new planners come in is that they aren't as familiar with our zoning code. When they start reviewing signs, they start to realize there's been some areas that aren't necessarily interpreted the same way throughout the years. We have also had some other concerns that we've gotten so we thought we'd bring up this, as we start our discussions on doing a future unified development ordinance. This is something that we really think needs to be addressed. A lot of our signage in the industrial park exceeds the wall height. If you follow what the wall height definition is, it doesn't make sense on these large industrial buildings. It would look out of scale if the signs were placed where they should be. One of the other points we have is display frontage. We have a maximum amount that's allowed your display frontage, however, it says you can exceed that if you have multiple front edges. So how some people have addressed it that it can exceed than what you're originally allowed. There's a lot of conflicts with that. Also with changeable message boards, they weren't something that were originally thought of in the code. Initially, it was when the Lions Club had their sign that someone would go and manually change the sign. Now we have Culvers, we have the car washes that have messages that change. If you look at our code, the amount of time that that message is required to be on there is not what anyone is following. It's very hard for us to enforce the number of seconds that a message stays on the screen. Window signs are another requirement. During COVID, we kind of loosened up our restrictions in an effort to be business friendly. We're only allowed to cover 25% of windows with signage. We've seen some businesses that have almost 100% coverage, which kind of gives them more of like a billboard effect looking at it. We have businesses that have been cited in the past and been forced to remove their signage, who have contacted us and asked why they have to follow the rules and other people don't. We just want to make sure that we're enforcing things that are codes and work with the business community. We want to be consistent going forward. The biggest problem that we've encountered is unified business center signs, each shopping center in the village has its own criteria that is different than what's in our sign code. A sign company looks at our sign code will draw plans that meet the sign code. When we review it, we tell them that doesn't meet the criteria for their specific shopping



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center. Some centers restrict font choice, they restrict color choices, what you're allowed to have for content or if you're allowed to only have your business name. Some of them are very strict, some are not, it really does not make it a level playing field for all the businesses in Bartlett. So we would much prefer to have something that's a uniform code that applies to everyone. It would make it simpler for assigned companies as well as staff for review.

Chairman Gunsteen stated he thinks the same ordinance or code would be different in our downtown than it would be on Route 59. He thinks it's hard to have a blanket sign code based off of different areas within our village including Brewster Creek.

Ms. Stone stated we do have based on the type of road that you front, so Route 59 has different standards than Main Street. We do address things by the type of frontage that you have. The sign code has been interpreted very stringent and sometimes we've been a little bit more flexible. It just has not been uniform. We can look at things based on what zoning district they're in if there's certain areas, but it would be nice to have it clarified for everybody.

Chairman Hopkins asked if we are trying to base this off at any other municipality or kind of looking at what other municipalities have done.

Ms. Stone stated they have started researching other towns that have recently adopted unified development ordinances as well as more current sign ordinances. Most of our sign code is from the late early 90's.

Chairman Gandsey asked if we had a unified code, and we already have so many signs that are outside of that code, what would happen. Would they have to adhere right away or once they made a change.

Ms. Stone stated typically you would grandfather in what's existing, if you wanted to phase out some you could have a time limit on when they had to change them. But typically, we would usually just look at when they are trying to update their signage.

President Wallace stated he thought what you have suggested here is forwarding it to the EDC and getting their opinion would be a good idea, a good starting place, and maybe bring them some of the codes from other municipalities. I know Dollar Tree had a hard time with the signage in front of their place. That was primarily the restrictions of our codes versus their codes that they had and strip mall. We should try to make it easier. He thought the EDC can give us some good recommendations.

Chairman Gandsey commented on the advertising flag time limits of 60 or 90 days may be too long because they get torn.

President Wallace stated at one point, one of the businesses had their whole front covered. He spoke with a former chief and it can be a safety issue when they can't see in when they drive by as well. That's a consideration the EDC should think about.

Chairman Gunsteen stated a couple of other municipalities around here have permits for grand opening flags for 15 days and you can renew it for an additional 15 days if you're extending your



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grand opening. The problem with leaving them out there for 60 days is that they're going to look tattered and tacky in our town. He thinks the timing of the temporary flags needs to be looked at pretty quick because that a that's one that really looks bad.

Chairman Suwanski stated 30 days seems like a typical time frame for those.

Staff will move forward on a plan.

COMMUNITY AND ECONOMIC DEVELOPMENT COMMITTEE, CHAIRMAN GANDSEY

3. BEDA Application for Bosses Signature Restaurant

Chairman Gandsey introduced the item.

Chairman Suwanski stated that she sees the work that Mr. Mattelo has been putting into this project. I think it's going to benefit the community. Hopefully it benefits the business too.

Chairman Gandsey asked what other things are you doing with the new concept?

Mr. Metallo stated they are bringing in steaks, we wanted it to be more of a char house feel rather than what it was before. I know that some of the residents miss "The Still" so they kept the core of the barbecue, which is the ribs, the brisket, the pulled pork. He thinks by bringing in the brick oven pizza, the steaks, the pastas, it's kind of changed who we are. That's why we changed the look of the restaurant. It was a tired look. It served its purpose to the previous owners, but the new look, I think represents the food much better than what the old look used to do. I'm not sure if I'm going to a place that looks like a backyard in Wisconsin's cabin to get a steak or to get pastas or brick oven. He would go there for barbecue, but probably not for the rest of the stuff that we have in the menu.

Chairman Gandsey asked if this included redoing the lower level.

Mr. Metallo stated not yet, no.

President Wallace stated fantastic, good luck with the business.

Chairman Suwanski stated she is looking forward to it being open.

President Wallace asked when he anticipates opening.

Mr. Metallo stated that they are hoping that they can get a little leeway for a little soft opening for tomorrow to give our new staff an opportunity to practice a little bit bringing in friends and family. We have got a special event planned for Thursday where it's a fundraiser for kids with brain cancer. They are very excited about having this at The Boss's Signature as we are to serve them and we plan on giving a little something back to them as well. So hopefully we can be open for that, but it is not going to be 100% perfect. The important things are safety for everyone involved, staff as well as the residents. I think that we've surpassed that. I think what we're looking at some of the cosmetic things that aren't fully intact just yet. We'll have that probably by the end of the week.



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Chairman Gandsey forwarded the item on to the next board meeting for final vote.

COMMUNITY AND ECONOMIC DEVELOPMENT COMMITTEE, CHAIRMAN GANDSEY

4. Video Gaming Analysis

Chairman Gandsey introduced the item.

Management Analyst Joey Dienberg stated as requested at the previous meeting, staff has taken a look at all our gaming history just to provide an overview of the gaming landscape in the village. In November 2012, video gaming was introduced in Bartlett and as of now we have 19 businesses housing total of 108 terminals. It's important to note too, that this count excludes the establishment Yummy Poke, the Boss's Signature, and On The Rocks by Bobby, which are either newly operating and haven't just haven't been included in our most recent July report or their pending Illinois gaming board approval. The charts in your packets illustrate the consistent growth and revenue witnessed over the last few years. This growth has also allowed the village to make significant contributions to our communities with the beta program, established in 2018. The BEDA program incentivizes private investment from businesses both new and existing, looking to expand within the community. Through the BEDA program, the village has approved 571,000 worth of grants leveraging over \$7 million and private investment. Importantly, many applicants have invested well beyond BEDA eligible expenses, surpassing 8 million in total private investment. We're happy to answer any questions.

Chairman Gandsey stated she's glad that the video gaming is helping businesses and it's good to have but I guess I had some questions with how it's set up. I feel like some places have it set up better than others, I am more thinking towards the future with what kind of business models we're going to have with video gaming/restaurants. She wanted to have a discussion on that to see what other people felt. Right now, I know looking at these numbers, if you look at it, over 30% of the gaming is in the Streets of Bartlett, we kind of have it more saturated in one area than spread out. So just wanted to see what thoughts are on that.

Chairman Hopkins asked if she thought we should limit it per strip mall?

Chairman Gandsey stated she thought that we have some kind of parameters, so it couldn't be in every spot in a strip mall.

Village Attorney Asprooth stated state law will prohibit any connected building or connected strip center like that from having more than 50% having multiple gaming licenses. So there is a backstop at the state level, but obviously with a larger strip center, they can still have many businesses before reaching 50%.

Chairman Hopkins asked if we can amend ours to change it to 25% or 30% or whatever we feel is necessary.

Village Attorney Asprooth stated trying to impose restrictions on video gaming directly is more difficult for us as our power really comes through our ability to control the amount of liquor licenses. We can impose restrictions on video gaming through our liquor licensing powers, but to



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say that any strip center can't have this amount of video gaming, we're probably getting too far into the state's purview there. If we want to limit video gaming, we would limit the amount of liquor licenses or the types of liquor licenses that we issue.

Chairman Gandsey asked how about limits on how it's set up like you see them to the side or in the rear.

Village Attorney Asprooth stated the state has some requirements on it, but obviously not all that stringent. There are some communities that set up square footage requirements, so that you have to have a certain amount of space dedicated towards restaurant and foodservice and things like that, so you don't have a small space that's just focused on video gaming. We're not going to have a great authority to say this is where your video gaming terminals have to go, but we could say you have to dedicate a certain amount of space towards food service or other service that's not focused on video gaming.

Chairman Gunsteen stated we can require screening.

Village Attorney Kurt Asprooth stated we could do that through building permits/code, but we could not really say here is how you can operate your terminals, but we could show them how the building has to look.

Chairman Gunsteen stated he is off the opinion it is a self-regulating problem; they are only going to build them until they stop making money and then they will fall off. He has a hard time with a business saying they are a restaurant, but they are more of a gaming parlor. We need to get a better feel for what the layouts of these buildings look like and what they are doing to limit the video gaming portion being the first point of contact when you walk in. He thinks we have to be more strict when approving the plans and stuff for their layout to make it feel more like a family restaurant. As far as the quantity, he knows the Village of Belvidere only allowed 40 licenses in their whole town and that is how they regulated it, but he doesn't think that is fair. It is their choice to build it, but he does think we should look at the layouts going forward.

Chairman Hopkins asked for the site plan and layout when approving the liquor license applications.

Chairman Gunsteen asked if the states regulation on the backstop in a strip mall is based on the strip mall or separate addresses.

Village Attorney Asprooth stated it goes by address. He clarified that if you have 10 locations in the strip mall, you are limited to 5 gaming locations.

Chairman Gandsey stated it would be great to have the site plans beforehand.

President Wallace agreed with Trustee Gunsteen. There should be some remedies to something going before the board and then being completely different once it is built. Signage and floor plan should be included going forward.

Chairman Hopkins asked if it was a violation to fund a business with gaming.



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Mr. Fradin stated the BEDA eligible expenses did not go to gaming, it went toward kitchen equipment.

Chairman Gunsteen stated, to Chairman Hopkin's point, it doesn't feel like a restaurant, it feels like a gaming café. That is where we want to protect the BEDA money for businesses that will have a significant investment like the Boss's Signature where he is going to do a substantial amount of work and he is 90-100% complete before the BEDA was approved. That way we can see if it is eligible as a restaurant or if it is more of a café.

Chairman Hopkins asked if we can have our village attorney look over the BEDA application to protect us from these situations again.

Chairman Gunsteen suggested perhaps maybe the BEDA applications go to the EDC and then sit until the business gets their occupancy before it goes to the board for approval. It's a reimbursement anyways, they have to put the money upfront regardless.

Economic Development Coordinator Tony Fradin stated we typically bring up the BEDA early in the conversations with prospective businesses.

Chairman Gandsey asked if we should be using incentive language if we are promising a BEDA grant.

Village Administrator Schumacher stated we do not promise BEDA grants.

Chairman LaPorte asked how WeeDee's would fall into this given they were a restaurant then turned into a gaming parlor.

Chairman Gunsteen stated yes, they did shut the restaurant down, but they kept the gaming separate and have a bar atmosphere. They did not request any BEDA money.

President Wallace stated that they had some work to do.

Administrator Schumacher stated that we will draft some changes to the BEDA Application and send them to the EDC.

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



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ROLL CALL VOTE TO ADJOURN

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

The meeting was adjourned at 7:55 p.m.

Samuel Hughes
Deputy Village Clerk