



# VILLAGE OF BARTLETT COMMITTEE MINUTES February 06, 2024

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## 1. CALL TO ORDER

President Wallace called the Committee of the Whole meeting of February 06, 2024 of the President and Board of Trustees of the Village of Bartlett to order on the above date at 7:28 p.m.

## 2. ROLL CALL

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

ABSENT: None

ALSO PRESENT: Village Administrator Paula Schumacher, Assistant Village Administrator Scott Skrycki, Sr. Management Analyst Samuel Hughes, Management Analyst Joey Dienberg, Finance Director Todd Dowden, Public Works Director Dan Dinges, Assistant Public Works Director Tyler Isham, Civic Engineer Nick Talerico, Planning and Development Director Kristy Stone, Grounds Superintendent Matt Giermak, Police Chief Geoff Pretkelis, Deputy Chief Rob Sweeney, Deputy Chief Will Naydenoff, Village Attorney Kurt Asprooth and Village Clerk Lorna Giles.

## 3. TOWN HALL: None

## 4. STANDING COMMITTEE REPORTS

### A. COMMUNITY AND ECONOMIC DEVELOPMENT COMMITTEE, CHAIRMAN GANDSEY

#### 1. Strategic Plan Discussion

Chairman Gandsey introduced the item.

Assistant Village Administrator Scott Skrycki stated that this is a brand new strategic plan and all the goals that were accomplished during the previous plan and secondly because the time frame is 1-3 years and 3-5 years. You will see that same format throughout this strategic plan. This plan includes a lot of common themes such as infrastructure, safety, business retention, recruitment and things of that nature. Also included are bullet points in addition to the overall theme of the plan. The department responsibilities are also included in green.

Chairman Gandsey stated she noticed the goal setting in the plan doesn't have specific measurable goals including, for example, percentage increase of online marketing for Bartlett Hills. She also asked how we will measure their increase.

Mr. Skrycki stated ever since we started our social media platforms we have been keeping track of our numbers. One of those is in the activity measure you will see in the budget presentation in March. That was also discussed with A5 and that will be a part of their roll out as well.



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Chairman Gandsey confirmed that we are going to list it out somewhere so we can benchmark ourselves.

Village Administrator Paula Schumacher stated in addition, we revised the executive summaries to include the activity measures and connection to the strategic plan goal specifically. The board will be able to monitor each of the activities brought before the board, how it fits into the plan, and the activity measures associated with it.

Chairman Gandsey asked if there will be a dashboard online to view. She wanted every goal on the plan that says increase or enhance to be measured.

Ms. Schumacher stated we did look at some dashboard programs, and they were expensive, but we are working with our GIS team to build our own.

Mr. Skrycki stated the longer we go with GoGov, some of that is happening organically, so we will continue to harness that program as well.

Chairman Gunsteen stated we talked about the branding campaign being correlated with the golf course, so he just wants to make sure we are not looking past that.

Ms. Schumacher stated we met with A5 last Friday, and they showed us some of the overall concepts. They will unveil those concepts at the February 20th committee meeting. We did discuss with them highlighting the golf course and that connection with the entire community.

President Wallace stated he would like to make sure the nuts and bolts of the goals are specific and measurable.

### B. LICENSE AND ORDINANCE COMMITTEE, CHAIRMAN HOPKINS

#### 1. Regulating Unscheduled Bus Drop-Offs

Village Attorney Kurt Asprooth stated, as the board is aware, there have been many issues in the suburban communities lately with unscheduled drop-offs of migrants coming from down south. Now that the landing zone in Chicago is full and Chicago is taking a harder stance, several suburban communities have started taking a stance on prohibiting these bus drop-offs that seem to occur around bus and train stations so they go to the City of Chicago. Several different types of ordinances have been adopted by communities. Some have an outright ban, while others have an approval process. Some have decided not to pass any ordinance but create a plan to handle drop-offs. We have prepared a draft ordinance that we believe is the most defensible if the board wants to adopt one of these types of ordinances. There is no necessity from a legal perspective. The draft ordinance is a pre-approval process so a bus cannot come through and drop off many individuals with nothing set up on how to get to the City of Chicago. If they drop off without pre-approval, then we can cite them. There is nothing we can do except issue them a ticket.



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Chairman Hopkins asked if other cities that have adopted these ordinances used legal resources to defend them.

Mr. Asprooth stated the City of Chicago's ordinance has a lawsuit pending on their ordinance. It is still an open question on how far municipalities can go to regulate them.

Chairman Hopkins asked how long we expect it to take to be resolved.

Mr. Asprooth stated it depends; it could take a year or two.

Chairman Suwanski asked if Chicago's lawsuit was due to the prohibition or based on a time period.

Mr. Asprooth stated they have a preapproval process somewhat similar to this.

Chairman Suwanski asked what a scheduled drop-off is.

Mr. Asprooth stated we define it as a published schedule so everyone can see it. This is when this bus will be here, etc. so we can have people and resources here.

Chairman Suwanski confirmed that Greyhound does not typically drop off here until these situations present themselves.

Chairman Gunsteen asked if it was classified as mass transit.

Mr. Asprooth stated it would be intercity buses which originated from outside of the village and have 10 or more passengers.

Chairman Gunsteen asked what the financial means of getting on the train is.

Mr. Asprooth stated that is something that we cannot control, and it is one of the drawbacks. It is a tough situation, and municipalities generally do not have the tools to deal with those logistical issues.

Chairman Gunsteen mentioned when Chicago instituted this ordinance, that is when the buses started going to the collar county stations to make drop-offs easier.

Chairman Deyne asked how we would find the companies to go after once they drop off the people; couldn't they just not pay it.

Mr. Asprooth stated we could issue a ticket and take them to adjudication, but it could be challenging.

Chairman Suwanski asked at what point would citations issued affect that bus company's standing. Is there a record across states.

Mr. Asprooth stated he is not aware of a central database for municipal citations.



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Chairman Gunsteen asked if we or any of our neighbors had any issues with these drop-offs.

Ms. Schumacher stated we had one drop-off on Christmas Eve. They got off the bus, got on the train, and headed to Chicago. We opened the train station so they could use the facilities, and the police department responded. They were in town about 15 minutes before the train came. In DuPage County, there have been quite a few, and the pattern of which stations they go to is a bit random. Some places have construction around their train station so they have not been visited, but places like Naperville where they have 3 stations, have had more drop-offs. A few months ago when we were talking about this in a manager's meeting, Hanover Park had not had a drop-off, for example. There is no real pattern.

Chairman Gunsteen stated he knows Elburn had 11 drop-offs as of two weeks ago. He asked the Chief if the police department was made aware of the drop-off on Christmas Eve.

Chief Pretkelis stated we were not made aware. They had a sponsor on their bus that provided them with paid tickets to use the Metra train. All we did was open up the Metra station to keep them warm and use the facilities.

Chairman Gunsteen stated it is still easier to manage if we know in advance if we get more of these.

Chief Pretkelis stated we are prepared whichever way the board decides to go. It is not a burden on our police department at this time. It would be a burden if they did not have prepaid tickets to the train.

Chairman Gandsey asked how we know who is paying for the buses.

Ms. Schumacher stated some police departments interview the people on the bus. Some of the reporting requirements require that there is someone on the bus that is a liaison. We could ask the people at the train station before they get on, but they will not necessarily know.

Mr. Asprooth stated we have no legal basis to force them to answer any questions, and they may not know. We can ticket the bus company, but we might not be able to get to who is chartering the bus company; that might be beyond our purview.

President Wallace asked why that would be. Couldn't we find out what Non-Governmental Organization (NGO) from Texas is shipping them around? He thinks the ordinance could cite the NGO and the bus company.

Chairman Deyne stated there doesn't seem like there is a concern at this time, but we don't want to get to a point where we are pushed into it.

Chairman LaPorte stated he would like to see something that addresses the safety of the Bartlett residents and police. We are assuming families getting off the bus, but there could be 35-year-old individuals that want to cause trouble. We have seen rioting in Chicago during the pandemic, so he



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would like to see a worst-case scenario looked at as well. He is concerned about the residents, our businesses, and police officers.

Chairman Hopkins asked what we could do if something like that happened.

Chief Pretkelis stated there have been a lot of drop-offs throughout the suburbs, and there have been no situations we are aware of so far. We have policies and procedures to handle situations like that.

Chairman Suwanski asked if the village manager thinks we should have an ordinance in place.

Mr. Asprooth stated it is really a policy decision from the board, at least from a legal perspective.

Ms. Schumacher stated she thinks what is before the board is appropriate for what we have experienced. She would not want to be the last community on the train line that doesn't have an ordinance. Proactive is better than reactive. This is a measured step and it is appropriate. Some municipalities are sending their ordinances to Texas to disseminate. The bus companies are hesitant to go to a community that has a structure in place versus one that does not.

President Wallace stated he would like to see a little more teeth in it adding the State of Texas and the NGO's responsible.

Chairman Gunsteen asked if it would be stronger to add our neighboring communities to this, like the train merger approach.

Ms. Schumacher stated each community is very distinct on where they land on this, so getting a blanket resolution or ordinance would likely be a big stretch.

Chairman Gandsey asked if we have heard what our neighboring communities have put together.

Ms. Schumacher stated we have.

Chairman Gandsey asked if the conferences are putting pressure on the state legislators.

Ms. Schumacher stated she believes they are part of the working group for the Mayors Caucus that has a direct pipeline to our representatives and the City of Chicago and Cook County.

Chairman Gunsteen asked if our emergency response plan has been updated to include potential riot-type activities.

Ms. Schumacher stated during the pandemic when many of our neighbors were having robberies and protests, we did a number of table-tops and scenarios for dealing with mob action and violent groups.

President Wallace stated he believes we discussed that with staff just prior to the 4th of July event.



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Chief Pretkelis stated our emergency plan is very updated. Commander Rybaski did a nice job, and it was complimented by some of the other agencies. If a riot happened at a train station or elsewhere, we are well prepared for that based on our policies and procedures. Mr. Rybaski and Mr. Hughes have been in touch with our community partners just looking for different resources and plans of action in case anything has changed. We are very well versed on what our plan would be in case they do not have tickets to get on the train or do not want to leave.

Chairman LaPorte stated when we had our peaceful protest in town, many of our businesses closed. That was not what was going on at that time in our places though, which is why we reacted the way we did. He asked if 50 people get off the bus and start wreaking havoc, are we prepared for that.

Chairman Hopkins stated he doesn't believe this ordinance covers that.

Chairman LaPorte stated if you have a five-day notice, we can at least prepare for the worst-case scenario.

Chairman Hopkins stated he looks at it as if we pass the ordinance, are we willing to spend resources to defend it. It is costing the City of Chicago hundreds of thousands of dollars to defend it.

President Wallace asked if them having a sanctuary city status affects their lawsuit.

Mr. Asprooth stated the lawsuit he has seen is just due to it violating the commerce clause. He could not speak on the motives of the people suing.

President Wallace stated perhaps we should retool the ordinance and guide it more towards the transportation people to not allow any amount of people to be dropped off in town regardless.

Mr. Asprooth stated the way it is drafted now is aimed directly at the bus companies. We can try to tweak it as much as we can, but likely any ordinance we could put in place would arguably impact interstate commerce, so we would likely face that same risk, but we feel this way, having a preapproval process allows us to mitigate the impacts of health, safety, and wellness. We think that is why it is more defensible than a blanket ban of all bus stops.

Chairman Gunsteen stated the reason Chicago is getting sued is because they receive a lot of money from the government to be a sanctuary city, then they are saying you cannot drop off here. That is part of the reason people are suing them. Trustee Hopkins might have a valid point that we could also be sued, but the way he read it was the door is open, just call ahead.

Chairman Deyne stated he thinks we should be proactive instead of reactive and have something on the books.

Chairman Gandsey asked if this would apply if a bunch of people were dropped off for a train pub crawl.



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Mr. Asprooth stated there are some exceptions for school buses and buses that take seniors' places, etc., but there will be some unintended consequences and that the bus company could be given a citation.

President Wallace stated the bars and restaurants would likely pay a fine if a 100-person pub crawl landed in downtown Bartlett.

Chairman Hopkins stated he thinks at that point you are discriminating.

President Wallace stated voluntarily paying a fine is not discriminating.

President Wallace suggested this go to the board for a vote.

Chairman LaPorte agreed.

Chairman Gandsey thought we should have more information.

Chairman Hopkins stated he would be a "no" because he is not ready to sink his teeth into a \$100,000 lawsuit. We had one drop-off and it was peaceful. We have sidewalks to fix and so many other things to do besides defending a lawsuit.

### 5. ADJOURNMENT

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

#### ROLL CALL VOTE TO ADJOURN

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

NAYS: None

ABSENT: None

MOTION CARRIED

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

Samuel Hughes  
Deputy Village Clerk