

**VILLAGE OF BARTLETT**  
**VILLAGE HALL, 228 S. MAIN STREET**  
**COMMITTEE AGENDA**  
**October 15, 2024**

1. **CALL TO ORDER**
2. **ROLL CALL**
3. **TOWN HALL:** (Note: Three (3) minute time limit per person)
4. **STANDING COMMITTEE REPORTS:**
  - A. **BUILDING AND ZONING COMMITTEE, CHAIRMAN GUNSTEEN**
    1. #2024-14 Westgate Animal Care
  - B. **FINANCE COMMITTEE, CHAIRMAN LAPORTE**
    1. Lake Street TIF Intergovernmental Agreement with the Bartlett Fire Protection District
5. **ADJOURNMENT**



# Agenda Item Executive Summary

AGENDA ITEM: #2024-14 Westgate Animal Care BOARD OR COMMITTEE: Committee

## BUDGET IMPACT

Amount \$N/A Budgeted \$N/A

Fund: N/A Corresponding Activity Measures: P&Z Commission Review

## EXECUTIVE SUMMARY

The petitioner is requesting a Special Use Permit to allow an animal hospital at 792-794 W. Bartlett Road in Westgate Commons. The animal hospital would operate on the first floor of the unit, the second floor would contain the doctor's private office and library.

Animals will not be boarded overnight at the facility, any animals in need of overnight care would be sent to an 24-hour animal hospital.

The Planning & Zoning Commission conducted the public hearing and reviewed the petitioner's request at their October 3, 2024 meeting. The P&Z Commission **recommended approval** subject to the conditions and findings of fact in the staff report.

## ATTACHMENTS (PLEASE LIST)

PDS Memo, P&Z Commission minutes, cover letter, application, location map, site plan, floor plan

## RELATIONSHIP TO STRATEGIC PLAN GOAL

Strategic Plan Goal: Attract businesses to Bartlett

Short Term (1-3 Years): Routine  Complex

Long Term (3-5 Years): Routine  Complex

## ACTION REQUESTED

- For Discussion Only - To review and forward to the Village Board for a final vote
- Resolution
- Ordinance
- Motion

Staff: Kristy Stone, PDS Director

Date: October 8, 2024

**PLANNING & DEVELOPMENT SERVICES MEMORANDUM**

**24-80**

DATE: October 4, 2024  
TO: Paula Schumacher, Village Administrator  
FROM: Andrew Barna, Associate Planner *AB*  
RE: **(#24-14) Westgate Animal Care**

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**PETITIONER**

Sharanjit Randhawa

**SUBJECT SITE**

792-794 W. Bartlett Road – Westgate Commons

**REQUESTS**

**Special Use Permit – Animal Hospital**

**SURROUNDING LAND USES**

	<b><u>Land Use</u></b>	<b><u>Comprehensive Plan</u></b>	<b><u>Zoning</u></b>
<b>Subject Site</b>	<b>Commercial</b>	<b>Commercial</b>	<b>PD</b>
North	Railroad/Golf Course	Open Space/Recreation	P-1
South	Open Space/Residential	Open Space/Residential	PD
East	Commercial	Commercial	PD
West	Commercial/Office	Commercial/Office	PD

**CURRENT DISCUSSION**

1. The petitioner is requesting a **Special Use Permit** to allow an animal hospital within Westgate Commons in the PD (Planned Development) Zoning District.
2. The animal hospital would operate entirely on the first floor and contain (2) exam rooms, a lab and pharmacy, a surgery suite, an x-ray room, a treatment and cages space, and staff room. Reception would be at the unit's entrance. The second floor of the unit will be used for an office and private library.
3. The petitioner envisions the hospital to be operated by himself (veterinarian) and 3 staff members. Veterinarians and staff may increase as client demand requires.

4. The proposed hours of operation for the animal hospital would be Monday-Friday, 8:00 a.m. to 6:00 p.m., Saturday 9:00 a.m. to 3:00 p.m., and closed on Sunday.
5. This use would require 9 parking spaces, the Westgate Commons parking lots contain 201 parking spaces.
6. The hospital will operate on an appointment basis only. There will be no overnight boarding permitted. Any pets in need of overnight hospitalization will be sent to a 24-hour care hospital.
7. Any pet waste outside the surrounding premises will be collected and disposed of by the hospital's staff three times a day. The hospital will not be taking any pets outside.

### **RECOMMENDATION**

1. The Staff recommends **approval** of the petitioner's request for a special use permit subject to the following conditions and findings of fact:
  - A. An STC rating of 60 shall be required for reception and x-ray rooms in the veterinary hospital;
  - B. The owners and operators of the animal hospital shall be responsible for the removal of animal waste left by clients outside of their own and adjoining tenant spaces;
  - C. The hours of operation for the animal hospital shall be Monday-Friday, 8:00 a.m. to 6:00 p.m., Saturday 9:00 a.m. to 3:00 p.m., and closed on Sunday;
  - D. There shall be no overnight boarding permitted;
  - E. Findings of fact (special use permit):
    - i. The proposed use at this particular location requested is necessary or desirable to provide a service or a facility which is in the interest of public convenience and will contribute to the general welfare of the neighborhood or community;
    - ii. That the proposed use will not under the circumstances of the particular case be detrimental to the health, safety, morals or general welfare of persons residing or working in the vicinity or be injurious to property value or improvement in the vicinity.
    - iii. That the special use shall conform to the regulations and conditions specified in this Title for such use and with the stipulation and conditions made a part of the authorization granted by the Village Board of Trustees.
2. The Planning and Zoning Commission held the required public hearing, reviewed the petitioner's request, and **recommended approval** at their meeting on October 3, 2024

3. The minutes from the P&Z Commission meeting, a letter from the petitioner, application, location map, site plan, and floor plan are attached for your review.

ab/attachments  
General - PDS Team\memos 2024\080\_WestgateAnimalHospital\_vbc.docx



Village of Bartlett  
Planning and Zoning Commission  
October 3, 2024

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**(#24-14) Westgate Animal Care – 792-794 W. Bartlett Road**

Special Use – Animal Hospital

**PUBLIC HEARING**

The petitioner, **Sandeep Basran** 2543 N. Milwaukee Ave, Chicago came forward and was sworn in by **M. Werden**. **S. Basran** stated that the space is currently vacant and the intended use is for an animal hospital. Westgate Animal Care will provide animal care to dogs and cats primarily and will operate on an appointment basis only. There is 1 owner, Dr. Sharanjit Randhawa. This will be a new animal hospital intending to open upon approval of this special use petition. There will be a buildout and we anticipate opening the business 2-3 months after that. This will be a full-service animal hospital dedicated to providing quality veterinary services and provide preventative services including vaccines, flea and tick medications, and acute services likes surgeries and skin issues. The hospital will be open 6 days a week, Monday through Saturday. Weekday hours will be 9 am to 6 pm and Saturday 9 am to 3 pm and will operate on an appointment-basis only. The hospital anticipates no more than 2 clients inside the hospital at any given time. There will not be an influx of clients at any giving time unless there is an unforeseen emergency. It is best for the hospital to operate on a strict appointment basis as well as being better for the animal. There will be 1 doctor, Dr. Randhawa and 3 employees initially. There will be no overnight boarding services and there will be no outdoor dedicated space for pet play or exercise because none of the pets will be staying overnight. Nowadays, the reasonable standard for veterinarians is that unless you have someone staying in the hospital overnight, you should not have a pet there overnight by itself. That has changed over the past 15-20 years. Back in the 80s and 90s, pets would stay overnight without anyone inside the animal hospital, but that practice has changed. Westgate will clean the property multiple times on a daily basis. We understand that one of the concerns is pet waste outside of the business causing a mess. There are practices implemented by animal hospitals now with green bags handy and staff making sure the property is clean, which is good for the neighbors and the business owner. They do not want a client coming in dodging waste on the ground. Dr. Randhawa is a seasoned operator having practiced veterinary medicine for 26 years. **Dr. S. Randhawa** stated that he has been in the area for the last 26 years and already owns a practice in Elgin. We have 4 partners there and we decided to open a hospital in this area so that we can help the community of Bartlett. **S. Basran** stated that the building size is approximately 2,000 square feet as part of a multi-unit shopping center with ample parking spaces. There will be no major alterations to the existing structure. The traffic impact will be minimal to the surrounding businesses and residents. This hospital will operate on an appointment only basis. There are 2 floors to the unit. The first floor will have a reception area, 2 exam rooms, a pharmacy, employee break area, a surgery suite and cages for pets post-surgery. The second floor will be used as a doctor's library and office. Regarding the criteria for the special use, the business is necessary and desirable. Animal hospitals are valued and treasured members of one's community and are akin to a medical office providing treatment to pets that are beloved members of one's family. I believe this will only enhance the Village and the neighboring communities. Lastly, I would like to point out that nowadays, animal hospitals are being purchased by large corporations and sometimes it is hard to tell if it is a veterinarian-owned practice or a corporate practice. I think there is value in having a business owner who is on site and is also the veterinarian. I think the community needs that versus a corporate practice. **M. Werden** I am impressed at how much things have changed. I have had 5 dogs in my lifetime and have had emergency situations where they had to spend the night at the vet's office. I like the way things have



Village of Bartlett  
Planning and Zoning Commission  
October 3, 2024

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changed with not having that happen unless someone is there. I also like that this is by appointment. **B. Bucaro** asked, what is a STC rating? **A. Barna** that was a condition recommended by staff. It is a Sound Transmission Class Rating. For kennels and animal hospitals, 60 is standard for good soundproofing where the adjacent tenant would not hear dogs barking or people speaking loudly. We are requiring that for the x-ray room and the reception area. **B. Bucaro** stated that one of my concerns was the barking. Having the exam rooms on the outside wall is a good thing. I have worked at a couple of animal hospitals and granted, things were different then, but every dog has a different demeanor. Some dogs will bark the whole time they are there and that sound will travel. It can happen and what would that mean to the tenant to the west? **S. Barsan** we will abide by the requirement. **K. Stone** said, the other building in Westgate Commons, where Athletico is now, used to be a veterinary hospital, that was the amount of soundproofing that was required for that development and we did not receive any complaints from the adjacent owner. **B. Bucaro** you will be adding a sound barrier on that wall. **S. Barsan** yes, that is correct. **J. Battermann** asked, what is the plan for disposal of the biomedical waste? **Dr. S. Randhawa** we would have a service to pick that up and would have special containers for that. **B. Bucaro** if no animals are staying overnight and the surgeries are day surgeries, anything more extensive where the animal would have to be under observation, you would not be doing those types of surgeries. **Dr. S. Randhawa** those cases would be transferred to an emergency hospital with their records.

**Erika Gannon** 9N530 Santa Fe Trail, Elgin stated, I have worked with Dr. S. Randhawa for 12 years and helped him start a small practice in Elgin. The whole point of this clinic is to be smaller again. It is not corporate and we do not have quotas. We want to do rescue work and low cost. We want to help the community with senior discounts and military discounts. The other veterinarians in the area are corporate. We will be small with 1 doctor.

**M. Werden** opened the public hearing. No one from the public came forward.

**B. Bucaro** made a motion to pass along **a positive recommendation** to the Village Board to approve case **(#24-14) Westgate Animal Care** for a Special Use for an animal hospital subject to the conditions and findings of fact outlined in the staff report.

**Motioned by: B. Bucaro**

**Seconded by: J. Miaso**

**M. Werden** closed the public hearing.

**Roll Call**

**Ayes: B. Bucaro, J. Kapadoukakis, J. Miaso, A. McSwane, J. Battermann, M. Werden**

**Nays: None**

**The motion carried.**

# BASRAN LAW OFFICE

Real Estate & Estate Planning  
[www.basranlaw.com](http://www.basranlaw.com)

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773.661.6248 (p); 773.687.8782 (f)  
[sbasran@basranlawoffice.com](mailto:sbasran@basranlawoffice.com)

August 2<sup>nd</sup>, 2024

President Kevin Wallace  
Board of Trustees  
Village of Bartlett  
228 S Main St  
Bartlett IL 60103

**RE: 792 – 794 West Bartlett St., Bartlett IL 60103; Special Use Permit for Westgate Animal Care LLC in PD Zoning District**

Dear Village of Bartlett President Kevin Wallace and Board of Trustees:

Please accept this letter as a cover letter to each of you in support of a petition and approval of a special use permit for an animal hospital to operate at 792-794 West Bartlett St., Bartlett IL 60103 ("Location").

The entity and name of the proposed animal hospital is Westgate Animal Care LLC ("Westgate Animal Care").

Westgate Animal Care is a single member LLC with 100% equity owned by Dr. Sharanjit Randhawa, DVM, who has practiced veterinary medicine in Illinois for 26 years.

Based on Dr. Randhawa's significant years of experience as a practicing veterinarian and owner of another animal hospital in Elgin, he is intricately familiar with operating a successful animal hospital. He intends to exercise and implement this wealth of knowledge in veterinary medicine in a new practice, Westgate Animal Care, at the Location.

The Location is currently vacant. Adjoining this Location are multiple business condominiums commonly known as Westgate Commons. Westgate Commons is occupied by other professional services such as medical and dentistry. There are no animal hospitals at Westgate Commons.



The intended hours of operation are 8a to 6p, Monday through Friday. Saturday hours will be 9a – 3p. Closed Sunday.

There will be one veterinarian full time veterinarian when the practice opens.

There will be 3 staff members when the practice opens.

Both veterinarians and staff will increase as client demand requires. It customarily takes 2-3 years for a practice to grow and reach a reasonably profitable level.

Overnight boarding will not be permitted.

No overnight hospitalization of pets. Any pet in need of overnight hospitalization will be send to a 24 hour care hospital which is the standard of care.

Any pet waste outside of the premises will be collected and disposed by the hospital's staff. The hospital will not be taking any pets outside. The only opportunity for waste to be outside of the hospital will be when the pet owner brings their pet in or out of the hospital. The hospital will schedule staff to collect and dispose of waste 3x a day.

Due to the lack of hospitalization/boarding/overnight stay of pets, the hospital does not necessarily see a need for sound-proofing exam rooms but is open to this if the Village believes it is necessary and good practice.

The hospital will operate on an appointment basis only. This will control the number of clients/pets arriving and departing the hospital at any given time. Exceptions will be made for emergency treatment.

Please see the enclosed special use application for further information.

Sincerely,

S/ Sandeep Basran

Sandeep Basran on behalf of Westgate Animal Care LLC

8.2.24

Date



# VILLAGE OF BARTLETT SPECIAL USE PERMIT APPLICATION

For Office Use Only  
 Case # 24-14  
**RECEIVED**  
 PLANNING & DEVELOPMENT  
 JUL 11 2024  
 VILLAGE OF  
 BARTLETT

**PROJECT NAME** Westgate Animal Care LLC

**PETITIONER INFORMATION (PRIMARY CONTACT)**

**Name:** Sharanjit Randhawa

**Street Address:** 192 Merganser Lane, Bloomingdale IL 60108

**City, State:** \_\_\_\_\_

**Zip Code:** \_\_\_\_\_

**Email Address:** sharan12@gmail.com

**Phone Number:** 630-688-8816

**Preferred method to be contacted:** Email

**PROPERTY OWNER INFORMATION**

**Name:** Pointer3, LLC

**Street Address:** 792 W. Bartlett Rd

**City, State:** Bartlett, IL

**Zip Code:** 60103

**Phone Number:** \_\_\_\_\_

**OWNER'S SIGNATURE:** [Signature]

**Date:** 6/19/2024

*(OWNER'S SIGNATURE IS REQUIRED or A LETTER AUTHORIZING THE PETITION SUBMITTAL.)*

**SPECIAL USE PERMIT REQUESTED** (Please describe i.e. liquor sales, outdoor seating, etc.)

Animal Hospital as permitted as a special use under 10-6C-4 of the Village code in a B3 commercial district and permitted  
in Westgate Commons PUD.

**PROPERTY INFORMATION**

**Common Address/General Location of Property:** 792-794 Bartlett Street, Units G&H, Bartlett IL 60103

**Property Index Number ("Tax PIN"/"Parcel ID"):** 06-34-109-006-1007

**Acreage:** 2000 sq ft.

**Zoning:** PD  
(Refer to Official Zoning Map)

**Land Use:** Commercial

**Comprehensive Plan Designation for this Property:** See attached map  
(Refer to Future Land Use Map)

**APPLICANT'S EXPERTS (If applicable, including name, address, phone and email)**

**Attorney** Basran Law Office: Attorney Sandeep Basran; 2543 N Milwaukee Ave., 2nd Fl., Chicago  
IL 60647; sbasran@basranlawoffice.com; 773 220 2710

**Engineer** SA

**Other**

## FINDINGS OF FACT FOR SPECIAL PERMIT

Both the Planning & Zoning Commission and Village Board must decide if the requested Special Use meets the standards established by the Village of Bartlett Zoning Ordinance. The Planning & Zoning Commission shall make findings based upon evidence presented on the following standards:

**(Please respond to each of these standards in writing below as it relates to your case. It is important that you write legibly or type your responses as this application will be included with the staff report for the Planning & Zoning Commission and Village Board to review.)**

1. That the proposed use at that particular location requested is necessary or desirable to provide a service or a facility which is in the interest of public convenience and will contribute to the general welfare of the neighborhood or community.

Yes, the animal hospital is necessary and desirable in further interests of the aforementioned. Animal hospitals are valued and treasured members of one's community. It is akin to a medical office or dental practice. It provides preventative and acute treatment to pets that are beloved members of one's family. This animal hospital will be able to serve the growing demand for veterinary care especially post pandemic.

2. That such use will not under the circumstances of the particular case be detrimental to the health, safety, morals, or general welfare of persons residing or working in the vicinity or be injurious to property value or improvement in the vicinity.

Petitioner's intended use, in every respect, will not be detrimental to the health, safety, morals or general welfare of persons residing or working in the vicinity or be injurious to property value or improvement in the vicinity. Pets are family members. Sometimes the most beloved within a family. The ability to add a qualified, educated, skilled and passionate veterinarian to the Bartlett community and specifically to the community at and by Westgame Commons will enrich the Village. There will be no noise or odor that emanate from this use as all services will be indoors. There will be overnight boarding.

3. That the special use shall conform to the regulations and conditions specified in this Title for such use and with the stipulation and conditions made a part of the authorization granted by the Village Board of Trustees.

Yes, the animal hospital shall conform to the aforementioned.

Please refer to Chapter 13 for additional Findings of Fact for Proposed Cannabis Uses

ACKNOWLEDGEMENT

I understand that by signing this form, that the property in question may be visited by village staff and Board/Commission members throughout the petition process and that the petitioner listed above will be the primary contact for all correspondence issued by the village.

I certify that the information and exhibits submitted are true and correct to the best of my knowledge and that I am to file this application and act on behalf of the above signatures.

Any late, incomplete or non-conforming application submittal will not be processed until ALL materials and fees have been submitted.

SIGNATURE OF PETITIONER: Shandhawa

PRINT NAME: Sharanjit Randhawa on behalf of Westgate Animal Care LLC

DATE: 06 / 19 / 2024

REIMBURSEMENT OF CONSULTANT FEES AGREEMENT

The undersigned hereby acknowledges his/her obligation to reimburse the Village of Bartlett for all necessary and reasonable expenses incurred by the Village for review and processing of the application. Further, the undersigned acknowledges that he/she understands that these expenses will be billed on an ongoing basis as they are incurred and will be due within thirty days. All reviews of the petition will be discontinued if the expenses have not been paid within that period. Such expenses may include, but are not limited to: attorney's fees, engineer fees, public advertising expenses, and recording fees. Please complete the information below and sign.

NAME OF PERSON TO BE BILLED: Attorney Sandeep Basran

ADDRESS: 2543 N Milwaukee Ave., 2nd Fl., Chicago IL 60647

PHONE NUMBER: 773 220 2710

EMAIL: sbasran@basranlawoffice.com

SIGNATURE: /s/ Sandeep Basran

DATE: 7-10-24



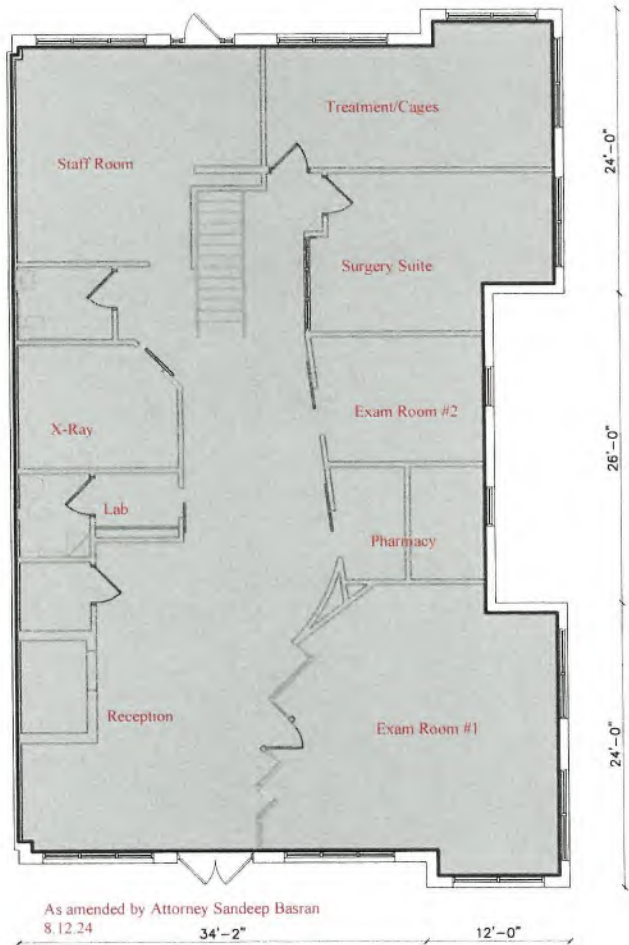
# LOCATION MAP

792-794 W. Bartlett Road  
Westgate Animal Hospital

2024

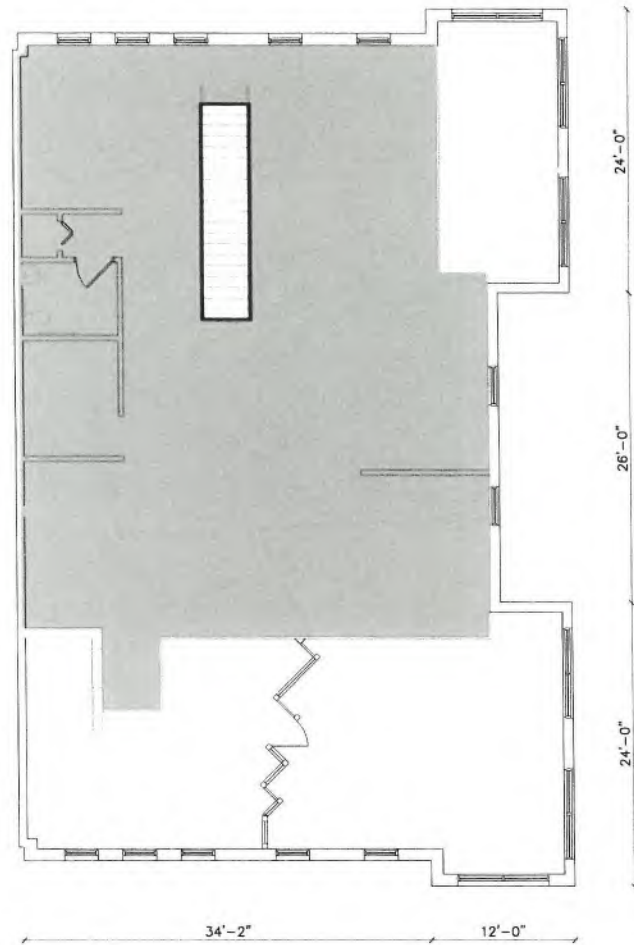


0 135 270 US Feet



As amended by Attorney Sandeep Basran  
8.12.24

FIRST FLOOR  
± 2950 SF



SECOND FLOOR  
± 1,837 SF



792 W BARTLETT RD  
BARTLETT, ILLINOIS

SPACES NOT SURVEYED - DRAWN FROM A PDF W/OUT DIMENSIONS

0 5' 10' 15' 20'

Date:	11/18/22
DWG:	22-150
Drawn by:	AA
© 2022 A+M Architects, LLC	

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# Agenda Item Executive Summary

**AGENDA ITEM:** Draft TIF IGA with BFPD

**BOARD OR COMMITTEE:** Committee

## BUDGET IMPACT

Amount \$ N/A Budgeted \$

Fund: Corresponding Activity Measure: N/A

## EXECUTIVE SUMMARY

The Village Board recently approved the creation of the Lake Street Corridor TIF Redevelopment Project Area ("*Lake Street TIF*") on September 3, 2024. The TIF Act specifies how the Village may use TIF increment funds that are generated within the Lake Street TIF. One of the permissible uses for TIF increment funds is for the reimbursement of all or a portion of a taxing district's capital costs that are incurred as a result of a redevelopment project within the TIF district.

The Bartlett Fire Protection District (the "*Fire District*") has approached the Village about capital costs the Fire District may incur for certain types of development within the Lake Street TIF. The Village and the Fire District have discussed the potential for capital costs the Fire District may incur within the Lake Street TIF, and how any request for reimbursement from the Fire District will be considered by the Village. To that end, a draft Intergovernmental Agreement (IGA) has been prepared to set out a process for the Fire District to submit reimbursement requests to the Village for capital costs they incur from development within the Lake Street TIF. The Village Board will still retain the discretion to approve, approve in-part, or deny any request for reimbursement that is submitted by the Fire District.

## ATTACHMENTS (PLEASE LIST)

Memo, Draft IGA

## RELATIONSHIP TO STRATEGIC PLAN GOAL

Strategic Plan Goal: Maintain positive relationships with all taxing bodies

Short Term (1-3 Years): Routine  Complex

Long Term (3-5 Years): Routine  Complex

## ACTION REQUESTED

- For Discussion Only
- Resolution
- Ordinance
- Motion

## MOTION:

Staff: Paula Schumacher, Village Administrator

Date:

October 8, 2024



A Professional Corporation  
140 South Dearborn Street, Suite 600  
Chicago, IL 60603  
www.ancelglink.com

Kurt S. Asprooth  
kasprooth@ancelglink.com  
(P) 312.604.9139  
(F) 312.782.0943

## MEMORANDUM

**To:** Paula Schumacher, Village Administrator

**From:** Kurt S. Asprooth

**Subject:** Lake Street TIF Intergovernmental Agreement with the Bartlett Fire Protection District

**Date:** October 8, 2024

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The Village Board recently approved the creation of the Lake Street Corridor TIF Redevelopment Project Area (“*Lake Street TIF*”) on September 3, 2024. The TIF Act specifies how the Village may use TIF increment funds that are generated within the Lake Street TIF. One of the permissible uses for TIF increment funds is for the reimbursement of all or a portion of a taxing district’s capital costs that are incurred as a result of a redevelopment project within the TIF district.

The Bartlett Fire Protection District (the “*Fire District*”) has approached the Village about capital costs the Fire District may incur for certain types of development within the Lake Street TIF. For example, the Fire District has noted that residential buildings that are higher than 30 feet may require additional ladder trucks or specialized equipment for the Fire District to properly service.

The Village and the Fire District have discussed the potential for capital costs the Fire District may incur within the Lake Street TIF, and how any request for reimbursement from the Fire District will be considered by the Village. To that end, a draft Intergovernmental Agreement (IGA) has been prepared to set out a process for the Fire District to submit reimbursement requests to the Village for capital costs they incur from development within the Lake Street TIF. The main terms of the IGA include the following:

- The Village will provide the Fire District with advance notice of all proposed developments within the Lake Street TIF.
- If the Fire District determines that a redevelopment project within the Lake Street TIF will require increased capital costs, the Fire District may submit a reimbursement request to the Village with supporting information on how the request meets the TIF Act requirements.

ANCEL GLINK

October 8, 2024

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- The Village will respond to a reimbursement request from the Fire District within sixty (60) days.
- If the Village approves all or a portion of a reimbursement request from the Fire District, the parties will enter into a separate agreement that specifies the terms of how those capital costs will be reimbursed.

The Village Board will still retain the discretion to approve, approve in-part, or deny any request for reimbursement that is submitted by the Fire District.

**INTERGOVERNMENTAL AGREEMENT CONCERNING THE  
LAKE STREET CORRIDOR TIF REDEVELOPMENT PROJECT AREA**

**THIS INTERGOVERNMENTAL AGREEMENT** (“*Agreement*”) is entered into as of the \_\_\_\_\_ day of \_\_\_\_\_, 2024, by and between the Village of Bartlett, an Illinois home rule municipal corporation (“*Village*”) and the Bartlett Fire Protection District, an Illinois fire protection district (“*District*”).

**WHEREAS**, each of the parties has the authority to enter into this Agreement pursuant to Article VII, Section 10 of the Illinois Constitution of 1970, and pursuant to Sections 3 and 5 of the Illinois Intergovernmental Cooperation Act (5 ILCS 220/3 and 5); and

**WHEREAS**, pursuant to the Tax Increment Allocation Redevelopment Act (65 ILCS 5/11-74.4-1 *et seq.*) (the “*TIF Act*”), the Village has adopted ordinances approving a tax increment redevelopment plan and redevelopment project (the “*Redevelopment Plan*”), designating a tax increment redevelopment project area located within the boundaries of the Village and also located within the boundaries of the District, known as the “Lake Street Corridor TIF Redevelopment Project Area” (sometimes referred to herein as the “*Project Area*”), and adopting tax increment financing for the Project Area; and

**WHEREAS**, the Village and the District recognize the important of the Redevelopment Plan and Project Area as a tool to incentivize private investment in the community; redevelop underutilized real estate in the Village and the District; enhance the tax base of the Village, the District, and the other impacted taxing bodies; and to further the health, welfare and prosperity of the Village and the District; and

**WHEREAS**, the Village recognizes and acknowledges the benefits the District provides to residents of the Village and the need to ensure the District is well-equipped to address future growth and development within the Village, including within the Project Area; and

**WHEREAS**, the TIF Act provides that TIF increment funds may be used for the reimbursement of all or a portion of a taxing district’s capital costs resulting from the redevelopment project necessarily incurred or to be incurred within a taxing district in furtherance of the objectives of the redevelopment plan and project (65 ILCS 5/11-74.4-3(q)(7)); and

**WHEREAS**, the Village and the District recognize that certain types of residential and commercial development within the Project Area may have a direct impact on the District’s capital costs; and

**WHEREAS**, the Village and the District desire to memorialize their intent to consider, in good faith, reimbursement of capital costs incurred or to be incurred by the District that are attributed to the development within the Project Area as authorized by the TIF Act; and

**WHEREAS**, the Village and the District have entered into this IGA to establish a process for the consideration of reimbursement requests from available TIF increment funds by the District for capital costs that are attributed to the development within the Project Area.

**NOW, THEREFORE**, in consideration of the mutual promises contained herein, the parties agree as follows:

**Section 1. Intent.** The Village and the District acknowledge and agree that the intent of this Agreement is to establish a process for the Village to consider, in good faith, requests for reimbursement from available TIF increment funds by the District for capital costs that are attributed to the development within the Project Area.

**Section 2. Development Review.** The Village shall deliver to the District advance notice of all proposed developments within the Project Area prior to approval of any development plans and issuance of

any Village permits required for said development. The Village will consider comments and suggestions submitted by the District when evaluating proposed developments within the Project Area.

**Section 3. Reimbursement Request.** If the District determines that a development within the Project Area will be attributed to additional capital costs to the District, the District may submit a reimbursement request to the Village. The Reimbursement Request will include a detailed summary of the expected capital costs and an explanation of how such costs are eligible for reimbursement under the TIF Act.

**Section 4. Consideration of Reimbursement Request.** The Village will, in good faith, consider any reimbursement request submitted by the District. The Village will respond to a reimbursement request submitted by the District within sixty (60) days of submission.

**Section 5. Approval of Reimbursement Request.** If the Village approves all or a portion of a reimbursement request submitted by the District pursuant to this Agreement, the parties agree to enter into a separate written agreement specifying (1) the development within the Project Area that necessitated the additional capital costs to the District; (2) the eligibility of the reimbursement payment as a “redevelopment project cost” under the TIF Act; (3) the amount of the reimbursement payment; and (4) the terms for the payment of the reimbursement amount from increment funds from the Project Area.

**Section 6. Miscellaneous Provisions.**

**6.1 Authority.** Each party warrants to the others that it is authorized to execute, deliver and perform this Agreement. Each party warrants to the others that execution, delivery, and performance of this Agreement do not constitute a breach or violation of any agreement, undertaking, law or ordinance by which that party is bound. Each individual signing this Agreement on behalf of a party warrants to the other party that such individual is authorized to execute this Agreement in the name of the party on whose behalf he or she executes it.

**6.2 Term.** The parties’ obligations under this Agreement shall cease upon the termination of the Project Area.

**6.3 Binding Effect.** This Agreement shall be binding on the parties and their respective successors. It may not be assigned.

**6.4 Governing Law.** This Agreement is governed by and shall be interpreted and enforced in accordance with the laws of the State of Illinois.

**6.5 Waivers and Modifications.** No waiver of any term or condition of this Agreement shall be binding or effective for any purpose unless expressed in writing and signed by the party making the waiver, and then shall be effective only in the specific instance and for the purpose given. This Agreement shall not in any other way be modified except in writing signed by all parties.

**6.6 Notices.** Any notice, payment, request, instruction, or other document to be delivered hereunder shall be deemed sufficiently given if in writing and delivered personally or mailed by certified mail, postage prepaid, as follows:

If to the Village:  
Paula Schumacher  
Village Administrator  
Village of Bartlett  
228 S. Main St.  
Bartlett, IL 60103

If to the District:  
William Gabrenya  
Fire Chief  
Bartlett Fire Protection District  
234 N. Oak Ave.  
Bartlett, IL 60103

6.7 **Entire Agreement.** This Agreement expresses the complete and final understanding of the parties with respect to its subject matter.

6.8 **Execution.** This Agreement may be executed in duplicate counterparts, each of which shall be as effective as the others upon approval and execution by all parties.

6.9 **Recitals.** The parties agree that the recitals set forth above are true and correct in all material respects and are hereby incorporated as a material part of this Agreement.

IN WITNESS WHEREOF, the parties have executed this Agreement as of the date listed above.

Village of Bartlett,  
an Illinois Municipal Corporation

Bartlett Fire Protection District,  
an Illinois Fire Protection District

\_\_\_\_\_  
Village President Kevin Wallace

\_\_\_\_\_  
James McCarthy, Board President

Attest:

Attest:

\_\_\_\_\_  
Lorna Giles, Village Clerk

\_\_\_\_\_  
Michael Bersani, Secretary