



VILLAGE OF BARTLETT
BOARD MINUTES
January 20, 2015

1. CALL TO ORDER

President Wallace called the regular meeting of January 20, 2015 of the President and Board of Trustees of the Village of Bartlett to order on the above date at 7:00 PM in the Council Chambers.

2. ROLL CALL

PRESENT: Trustees Arends, Camerer, Carbonaro, Reinke, Shipman and President Wallace

ABSENT: Trustee Martin (arrived at 7:04 PM)

ALSO PRESENT: Village Administrator Valerie Salmons, Assistant Village Administrator Paula Schumacher, Assistant to the Village Administrator Scott Skrycki, Finance Director Jeff Martynowicz, Public Works Engineer Bob Allen, Community Development Director Jim Plonczynski, Building Director Brian Goralski, Grounds Superintendent Kevin DeRoo, Chief Kent Williams, Deputy Chief Patrick Ullrich, Village Attorney Bryan Mraz, Village Clerk Lorna Gilles.

3. INVOCATION – Pastor Adam Doyle from Christ Community Church of Bartlett did the invocation.

4. PLEDGE OF ALLEGIANCE

5. CONSENT AGENDA

President Wallace stated that all items marked with an asterisk on the Agenda are considered to be routine and would be enacted by one motion. He further stated that there will be no separate discussion of these items unless a Board member so requests, in which event, that item will be removed from the Consent Agenda and considered at the appropriate point on the Agenda. He asked if there were any items a Board member wished to remove from the Consent Agenda, or any items a Board member wished to add to the Consent Agenda.

There were none.

Trustee Camerer moved to approve the Consent Agenda and all items contained therein, and that motion was seconded by Trustee Carbonaro.

ROLL CALL VOTE TO APPROVE THE CONSENT AGENDA

AYES: Trustees Arends, Camerer, Carbonaro, Reinke, Shipman

NAYS: None

ABSENT: Trustee Martin

MOTION CARRIED



VILLAGE OF BARTLETT
BOARD MINUTES
January 20, 2015

6. MINUTES

Trustee Shipman moved to approve the Board and Committee of the Whole meeting Minutes from January 6, 2015 and that motion was seconded by Trustee Reinke.

ROLL CALL VOTE TO APPROVE THE BOARD AND COMMITTEE MINUTES FROM JANUARY 6, 2015

AYES: Trustees Arends, Camerer, Carbonaro, Reinke, Shipman

NAYS: None

ABSENT: Trustee Martin

MOTION CARRIED

7. BILL LIST – Covered and approved under the Consent Agenda.

8. TREASURER'S REPORT - None

9. PRESIDENT'S REPORT

President Wallace stated that the Village of Bartlett was awarded the Government Finance Officers Association Distinguished Budget Award for their annual Operating Budget.

Trustee Martin arrived at 7:04 PM.

Stan Helgerson, Member of the Government Finance Officer's Association (GFOA) stated that he was honored to present the Government Finance Officers Association Distinguished Budget Award. He stated that this award represents a significant achievement by the Village. It indicates that the budget has been reviewed and rated favorably by an expert panel of independent budgeting professionals. In order to receive the award, the Village had to satisfy nationally recognized guidelines for effective budget presentation. He stated that these guidelines were designed to assess how well the budget document fulfills four major purposes: First, the budget document should serve as a policy tool and should list the organization's programmatic and fiscal goals for the upcoming year; Second, the budget should present a clear financial plan and list all expenditures and revenue sources for the prior and current year and project the organization's financial condition through the end of the fiscal year; Third, the budget should be a guide for the organization's operations and explain the relationship between organizational components and measure the efficiency and effectiveness of each individual component; Finally, the budget should serve as a communication medium providing summary information about the organization's programs, services, finances and matters suitable for use by the media and general public.



VILLAGE OF BARTLETT
BOARD MINUTES
January 20, 2015

He stated that the budget document is reviewed using a comprehensive evaluation checklist containing twenty-six criteria in each of the four categories. Thirteen of these criteria are mandatory items outlining the basic elements that any good budget document should contain. Since the inception of the award program in 1984, only approximately 1,400 entries out of more than 5,000 GFOA member units in the United States and Canada have received this award. He stated that the Village also received the CAFR Award which is even a smaller group out of that 5,000. He stated that this is the only national award program in governmental budgeting and award recipients have pioneered the quality of budgeting and provide an excellent example for other entities throughout North America to follow. He applauded the Village's efforts and ask that they continue their commitment to excellence and government budgeting. He presented the award to Jeff Martynowicz, Finance Director.

President Wallace stated that the budget is a huge team effort and the Board gets the thrill of pouring through it each year.

10. QUESTION/ANSWER: PRESIDENT & TRUSTEES

Trustee Shipman reiterated the congratulations to Finance and stated that it says a lot to the residents of Bartlett.

11. TOWN HALL

Paul Ryan, 847 Forest Glen Court

Mr. Ryan stated that he wanted to point out a confusing ordinance regarding noise and snow blowers. He stated that the police were called to his residence because his snow blower was causing a ruckus at 6:20 AM. He stated that he stopped the snow blower and stated that the ordinance doesn't address snow blowers, it addresses lawn equipment. He was looking for a consideration of a clarification for snow blowers.

President Wallace stated that he would be interested to know what other Villages do with this issue.

12. STANDING COMMITTEE REPORTS

A. PLANNING & ZONING COMMITTEE, CHAIRMAN CAMERER

Trustee Camerer presented Ordinance 2015-05, An Ordinance Amending Certain Sections of, and Certain Appendices to, the Bartlett Subdivision and PUD Ordinance (Title 11 of the Bartlett Municipal Code). He stated that these are proposed amendments to the Bartlett Subdivision & PUD Ordinance and requesting approval of new Appendices to the Subdivision Ordinance to better secure developer's obligations to construct and pay for public improvements for subdivisions in Bartlett. The forms have not been updated in



VILLAGE OF BARTLETT
BOARD MINUTES
January 20, 2015

ten years, and some of the laws dealing with surety bonds, letters of credit and cash bonds which are used to secure developer's obligations have changed. A few of the changes proposed are housekeeping such as new construction details for curbs and for street lights to allow for LED lighting.

Trustee Camerer moved to approve Ordinance 2015-05, An Ordinance Amending Certain Sections of, and Certain Appendices to, the Bartlett Subdivision and PUD Ordinance (Title 11 of the Bartlett Municipal Code) and that motion was seconded by Trustee Arends.

President Wallace asked if this ordinance prohibits builders or developers or restricts how the cash flows.

Attorney Mraz stated "no" that the cash flow should not change. The new Public Improvement Agreement form is more detailed than the old form because the details have been shifted there. On the other hand, the Letter of Credit form has been simplified and has far less detail than the old Letter of Credit form. He stated that the banks were resistant to the old form and want a simplified Letter of Credit form. He stated that on the other hand the new Surety Bond forms have more detail. He stated that the Construction Bond Act has been amended and is incorporated by reference into these bonds. He stated there are also recent cases that interpret that statute and make it prudent to have separate performance and payment bonds, and the statute which provides for allowing developers to alternatively post cash bonds is the reason staff is proposing to do this. He stated that a lot of the subdivisions have been approved but were not built or laid dormant. He stated now developers are coming in to build those subdivisions and he believes that these changes and the revised forms should be in place. This is for the benefit of the Village with regards to protecting against developer bankruptcies and litigation and to get qualified banks or sureties that secure developer's obligations.

ROLL CALL VOTE TO APPROVE ORDINANCE 2015-05 AMENDING THE SUBDIVISION ORDINANCE AND APPROVING APPENDICES.

AYES: Trustees Arends, Camerer, Carbonaro, Martin, Reinke, Shipman

NAYS: None

ABSENT: None

MOTION CARRIED

B. BUILDING COMMITTEE, CHAIRMAN MARTIN

Trustee Martin stated that there was no report.



VILLAGE OF BARTLETT
BOARD MINUTES
January 20, 2015

C. FINANCE & GOLF COMMITTEE, CHAIRMAN REINKE

Trustee Reinke presented Ordinance 2015-06, An Ordinance Amending the Bartlett Municipal Code by the Addition of Title 15 Which Establishes Guidelines and Requirements for Providing Public Funds to Civic Organizations.

Trustee Reinke moved to approve Ordinance 2015-06, An Ordinance Amending the Bartlett Municipal Code by the Addition of Title 15 Which Establishes Guidelines and Requirements for Providing Public Funds to Civic Organizations and was seconded by Trustee Martin.

Trustee Martin asked about the approval of Heritage Days, trolley, Arts in Bartlett in regards to the budget. He felt that these organizations requesting funds should have more time to submit their requests.

Trustee Reinke asked about the effective date of this ordinance.

Attorney Mraz stated that it would be effective immediately. He stated that the ordinance has had different time frames for submittals for subsequent years but require the information by February 15th of this year in order to be implemented with the budget process. He stated that in subsequent year's the deadline would be November 1st.

Trustee Reinke asked if this could be massaged considering that the season is almost upon them.

Administrator Salmons stated that they could leave it out of the budget and they will have it before the budget is approved and it could be added back in.

Trustee Shipman asked what would happen if an organization found out in June that they needed additional funds by September – would they be out of luck.

Administrator Salmons stated that they have a letter prepared to send out once the ordinance is signed to all of the organizations who come to the Board for funding so they will be aware of it.

Trustee Reinke stated that since the Village knows exactly who they have been giving money to for years, it is a relatively fixed number of organizations. He stated that the point is not to disenfranchise an organization but to formalize the process.

Administrator Salmons stated that it will provide more information as they give out public funds.

Trustee Martin asked if a foreign not-for-profit corporation ever asked for money.



VILLAGE OF BARTLETT
BOARD MINUTES
January 20, 2015

Attorney Mraz clarified that a “foreign” corporation just means an out of state corporation, for example, it could just be a Delaware not-for-profit corporation as not every organization the Village may deal with is incorporated in Illinois, or is even incorporated.

Trustee Shipman stated that by adopting this ordinance they are prohibited from making a contribution to some not-for-profit after they have adopted the budget.

Attorney Mraz stated “no”, but that should not be a habit. It should be in the budget unless they choose to put a little extra money that isn’t earmarked specifically to each organization. He stated that if the ordinance is not followed, the less effective it becomes.

Trustee Shipman clarified that this does not impact those organizations that might be asking for police services like the Lions Club or the little league parade who are provided with traffic control.

Attorney Mraz stated that was correct, it applies to those organizations seeking a cash distribution from the Village.

President Wallace stated that he was not a huge fan of this because no matter how objective we try to make it – it is still somewhat subjective and seems like another thing to keep track of.

Trustee Arends stated that she agreed and stated that she objects to the February 15th due date. She felt that the form was easy but felt that many of the organizations would be hard pressed to get this in if they did not have a Board meeting, etc. and should not be sending in requests without Board approval. She felt that it should be sent out now and require them to return by February 15th of 2016.

Attorney Mraz stated that the way the ordinance is written, the deadline would be November 1st for the 2015/2016 fiscal year, and the short deadline would only be for this upcoming fiscal year, but that deadline could be extended.

Trustee Arends asked how much money they give away.

Assistant Village Administrator Schumacher stated that the total is \$36,600 over six organizations.

Trustee Carbonaro stated that this does not fall under essential services and he doesn’t think this is something that the Village should get involved in. He felt that the Village should support the Fourth of July and Heritage Days events and that is it. He stated that he will be voting “no” on this.



VILLAGE OF BARTLETT
BOARD MINUTES
January 20, 2015

Trustee Reinke stated that there have been a lot of issues raised on this subject and he wished that it could have been addressed at the Committee level so they could massage this ordinance. He suggested that they Table this ordinance until the next meeting and the Village Attorney could make appropriate changes.

Attorney Mraz stated that he was not sure where to go with it. From the Board's discussion it seemed the biggest issue was the short timeframe this year and Tabling this now would just cut into that timeframe. He suggested that the timeframe this year be adjusted from February 15th to March 1st or March 15th.

Administrator Salmons stated that they won't include it in the budget but they can get it to the Board to review during the budget reviews and it will be added to the budget later.

President Wallace suggested that they bring it back to the next Board meeting, pass it and make it effective for 2016.

There was discussion to make it effective January 1, 2016, but Attorney Mraz stated it should be in effect well in advance of the November 1st filing date for next year.

Trustee Reinke moved to Table the Ordinance Amending the Bartlett Municipal Code by the Addition of Title 15 Which Establishes Guidelines and Requirements for Providing Public Funds to Civic Organizations and that motion was seconded by Trustee Martin.

ROLL CALL VOTE TO TABLE THE CIVIC ORGANIZATION GUIDELINES ORDINANCE

AYES: Trustees Arends, Camerer, Carbonaro, Martin, Reinke, Shipman

NAYS: None

ABSENT: None

MOTION CARRIED

D. LICENSE & ORDINANCE COMMITTEE, CHAIRMAN CARBONARO

Trustee Carbonaro stated that there was no report.

E. POLICE & HEALTH COMMITTEE, CHAIRMAN SHIPMAN

Trustee Shipman stated that there was no report.

F. PUBLIC WORKS COMMITTEE, CHAIRMAN ARENDS

Trustee Arends stated that there was no report.



VILLAGE OF BARTLETT
BOARD MINUTES
January 20, 2015

13. NEW BUSINESS

Trustee Camerer stated that with recent revelation, it has become blatantly apparent, that if the newly elected Governor should press forward with medical cannabis dispensaries, it appears that our Village is ill-equipped to deal with the dispensary criteria. He would like to address this and decide on what a dispensary is in our town. He stated that they can come in and be a dispensary yoga center, a dispensary health club center, a dispensary medical center, etc. and that is not how he envisioned it to be. He thought it would be more of a prescription fulfillment to a person with a legitimate illness that was serious enough to warrant a medical doctor of giving a prescription. He does not want to potentially put other people in jeopardy because of the open criteria at this time. He thought that there is a safety issue. The dispensaries are going to extreme measures to put cameras in and to have armed guards and felt that if there was a shooter trying to rob the place, innocent people doing yoga could be endangered. He felt that they should address and reign in and confide what they are classifying as a dispensary within our town.

Attorney Mraz stated that unfortunately, under State law, the Village is very limited on how they can regulate these dispensaries. He stated that the Village has zoning approval and use the State law definition for dispensaries. When they start combining uses, it may give the Village a basis for turning it down. In terms of up-front drafting different ordinances to deal with that, he felt that there may be limits. No one has yet proceeded past filing a petition besides the petitioner that withdrew this evening. Any other applicant would have to apprise the Village as to what is going on. He restated that there are limits on regulation and in many respects municipalities are pre-empted from limiting dispensaries, however, the Zoning Ordinance limits properties to one principal use. He stated that the Village has already limited where they can be allowed and there are a limited number of dispensaries within each state police district. He stated the Village may be able to turn down licenses for some of these other dual uses. He stated that he would look into it.

President Wallace stated that the examples that he was looking at made it look like a "Five and Dime" store with glass showcases. He stated that it is just one step closer to legalization.

Administrator Salmons asked him to look into it and see if they can narrow the definition to simply a dispensary.

Trustee Martin stated that it is the same as video gaming. The Village decided to go ahead with it and other communities said "no". Can they just say "no" to this.

Attorney Mraz stated "no", the Village has some zoning control but didn't believe that they could state that there is no eligibility and that is why it is limited to the industrial zones.



VILLAGE OF BARTLETT
BOARD MINUTES
January 20, 2015

He stated that state law limits the distances to the homes, schools and other uses to the point there are very few places where dispensaries could conceivably be permitted.

Trustee Martin stated that it should be within 200 feet of a police station.

Attorney Mraz stated that those proximity limits to homes and schools are in the State Statute and since you can't regulate it, you can't add new restrictions, but could clarify or add conditions to the special use requirements consistent with state law.

Trustee Arends stated that since there is a certain amount of controversy over this they should let it go through the normal process and let the Plan Commission discuss it. She stated that no one know what the particulars will be and it would be a shame to discuss it without some facts.

Trustee Camerer stated that is all well and good but they need to set the direction that they are going in within law. He stated that under Federal law this is illegal. He stated that the question is whether Governor Rauner will proceed with this or not and perhaps that is the hesitancy on these corporations or entities to move forward with this. He stated that he did not want to see people put at risk.

Trustee Shipman stated that the garbage collection morning pick-up times were discussed at a previous meeting and were not to be before 7:00 AM. He stated that every Tuesday morning at 6:00 AM he can see the garbage trucks driving through the neighborhoods. He asked for a written response from the garbage man.

President Wallace seconded Trustee Shipman's statement with facts because his garbage has also been picked up very early.

Trustee Shipman stated that he is up at 6:00 AM but the main complaint is the noise of the trucks. He asked staff to remind them of the Agreement for 7:00 AM pick-ups.

14. QUESTION/ANSWER: PRESIDENT & TRUSTEES - None



**VILLAGE OF BARTLETT
BOARD MINUTES
January 20, 2015**

15. ADJOURNMENT

President Wallace stated that the Board will be going into Executive Session to Discuss Collective Negotiation Matters Pursuant to Section 2(c)2 of the Open Meetings Act.

There being no further business to discuss, Trustee Reinke moved to adjourn the regular Board meeting and that motion was seconded by Trustee Carbonaro.

ROLL CALL VOTE TO ADJOURN

AYES: Trustees Arends, Camerer, Carbonaro, Martin, Reinke, Shipman

NAYS: None

ABSENT: None

MOTION CARRIED

The meeting was adjourned at 7:39 PM.

Lorna Gilless
Village Clerk

LG/