



**VILLAGE OF BARTLETT
COMMITTEE MINUTES
July 18, 2017**

President Wallace called the Committee of the Whole meeting to order at 7:52 p.m.

PRESENT: Chairman Camerer, Carbonaro, Deyne, Gabrenya, Hopkins, Reinke, and President Wallace

ABSENT: None

ALSO PRESENT: Acting Village Administrator Paula Schumacher, Assistant to the Village Administrator Scott Skrycki, Finance Director Todd Dowden, Community Development Director Jim Plonczynski, Assistant Community Development Director Roberta Grill, Director of Public Works Dan Dinges, Public Works Engineer Bob Allen, Building Director Brian Goralski, Human Resources Director Janelle Terrance, Food & Beverage Manager Paul Petersen, Deputy Chief Geoff Pretkelis, Deputy Chief Chuck Snider, Village Attorney Bryan Mraz and Village Clerk Lorna Giles.

PLANNING & ZONING COMMITTEE

1. Bartlett High School Stadium Improvements

Chairman Hopkins presented the Bartlett High School Stadium Improvements. The petitioner is requesting a site plan amendment to allow for the placement of permanent home grandstands and additional stormwater detention as well as a special use permit to allow for public stadium fixed seating and 70 foot tall structures (light poles) on the high school site located at the southeast corner of Schick and Petersdorf Roads.

Mr. Plonczynski stated that the stadium's location is on the southeastern portion of the site and this is where they intend to build the activity complex. A variation is also being requested to reduce the side yard along the east property line from 25 feet to 10 feet to allow for the visitors permanent seating in a future phase of the development. They hope to get it through the Public Hearing process with the Zoning Board and the Plan Commission in August.

Chairman Hopkins stated that he was personally excited about this and he wanted to thank all the residents and business owners for stepping up and making this happen.

President Wallace stated that he appreciated the efforts from Mr. King at U-46 as well as Principal Demovsky and Jeff Bral. As George Kantzavelos has said, this has really been a community effort. It is an opportunity for these high school students to have a field of their own and actually stay there for their games as well as having their parents there. It will be an opportunity for the businesses along Route 59 to have additional patrons. He stated that there are a lot of major contractors that are offering pro bono services to get this thing done.



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Chairman Gabrenya asked if there was any concern from the forest preserve district about lowering the 25 foot buffer to a 10 foot buffer? Are there any safety issues on the east side of the stadium?

Mr. Plonczynski stated that they received a letter and are reviewing the plans. At this point they have not expressed any concerns.

Chairman Gabrenya asked if there were any issues with safety personnel accessing the backside of the field if it is only 10 feet?

Mr. Plonczynski stated that the fire marshall reviewed this and everyone believed that this would be easy access.

Jay Langfelder, 1665 Penny Lane

Mr. Langfelder he stated that he was the Chairman for the Bartlett Fire Protection District. He asked when the plan was submitted to the Fire Marshall?

Mr. Plonczynski stated that it was a couple of weeks ago.

Mr. Langfelder stated that they have their board meeting tomorrow and asked if it would be possible for them to have a copy of it? He stated that he was involved with the South Elgin stadium project and asked if it includes an elevator to the press box because a handicapped facility has to be accessible for the press corps.

It was stated that the press box is under 500 feet and therefore an elevator was not necessary.

Chairman Hopkins stated that after this goes through the Zoning Board and the Plan Commission he would like to see it come directly back to the Board.

Mr. Kantzavelos stated that they were hoping to get dirt work started this year. The bleachers are a 10 week manufacturing process.

BUILDING COMMITTEE

1. Amendment to Chapter 10 – Land and Cash Donations by Developers

Chairman Gabrenya presented the amendment for land and cash donations by developers. She stated that the Village underwent a new land market value assessment the land value went from \$160,000-\$125,000 per acre.



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Mr. Plonczynski stated that the Village has done periodic updates to its Land Cash Donations Ordinance. The Land Cash Ordinance started with an old legal case that allowed for developers to contribute to school and park donations when development occurred because the taxes collected by those districts were always in arrears of when the development was finished. There was pressure on schools and parks to provide for all the new students and new park participants. Over the years, it has evolved into extruding extra donations for the Library, Fire District, Village and Police donations as well as the Park District. Most of the donations are a combination of land values and per capita school age populations put into a formula. When development is strong, land values are high and developers are getting more money for their homes and are willing to pay more money for those donations. Over the years they have adjusted to keep pace with development. No one accounted for the 2008 drop in development. Our donation ordinance at that time, as we came out of the recession, was challenged by the Enclave developer on Gerber Road. They subsequently dropped the donation table in 2013 to the \$160,000 acre value. They kept in the modifier that was for servicing properties with public infrastructure and that is equated to \$50,000 per acre. The donation ordinance was \$160,000 market value plus the \$50,000 infrastructure cost. There are very few sites left that do not have infrastructure so they felt that dropping the \$50,000 infrastructure cost is not necessary anymore since most sites have water and sewer right up to their borders. He stated that there isn't a day or a week that goes by when developers ask us when we are going to lower our development costs. They hired their land appraiser to do a market study and land analysis and determined that our fair market value for the land is at \$125,000 per acre. They adjusted the table and looked at the per capita's for the Village and police as well as running it by the other districts and they felt comfortable with the changes.

Attorney Mraz stated that it has been updated to deal with more recent case law where the donation ordinance has been challenged. In Illinois, the donations are required to be specifically and uniquely attributable to the development in question. He felt that it was our high donations as compared to other towns what has kept some residential developers from developing in town. They found our donations, in their estimation, to be excessive. Some towns don't have donation ordinances because they don't want to be challenged.

Acting Administrator Schumacher stated that she wanted to underscore the 2 things that people have questioned: Why are you taking money away from these other districts and yourself? The two things are, being competitive for development (our neighbors have lowered their donation ordinances) and keeping a minimal risk to our ordinance and shoring it up. Those are the two driving forces behind looking at this ordinance change.

Chairman Camerer stated that he appreciates the fact that we are lowering our donation table because that helps to change the perception about how things get done in Bartlett.



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He was curious about how we are comparably to other villages. He asked for additional information on surrounding communities.

Attorney Mraz stated that many towns don't have donations and they try to negotiate on an ad hoc basis. He stated that he represents the Schaumburg Park District and they negotiate. He felt that they would not be comparing apples to apples with a flat dollar figure. He stated that the taxing districts rely on this sum and they are asking them to take much less because you feel it is supported by a lower appraised value. To eliminate it completely would have a detrimental effect on the taxing districts.

Chairman Reinke stated that we have come to rely on this since we used developer donations to replace the trees in the Village. It has been a betterment to the entire community.

President Wallace asked for additional information and return of this item directly to the Board level for a final vote.

FINANCE & GOLF COMMITTEE

1. Home-Rule Sales Tax

Chairman Deyne stated that the options of adding a home-rule sales tax or a food and beverage tax were discussed at the May 2nd Committee meeting. Due to the administrative advantages and the broader range of sales taxed, the implementation of a home rule sales tax was recommended over a food and beverage tax. A home rule sales tax of 0.25% would generate approximately \$400,000 per year.

Finance Director Todd Dowden stated that this came up during the budget review process. The budget was passed with the General Fund using a little over \$400,000 in surplus. They left a number of positions open so they could make it through the year without using more than \$400,000 in the fund balance. They looked at the two options and felt that the home rule sales tax was a good option. Compared to neighboring communities we are clearly lower than the rest of them with \$0 home rule sales tax. This includes some general merchandise and does not include food and prescription medicines. The State has passed their budget and reduced their income tax sharing formula by 10% starting in July. Our budget for income tax sharing for this year was \$4,160,000 so 10% of that would be roughly \$400,000 that we will be short in the next fiscal year. He is recommending a 0.50% home rule sales tax which would be roughly \$800,000 per year and still leave us below our neighboring towns. If this ordinance is passed before October 1, the tax would be implemented on January 1 and they would start receiving money in April.



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Chairman Deyne asked what kind of impact this would have on our retail commercial outlets in the Village.

Mr. Dowden stated that they would collect it along with their sales taxes. He spoke about a 2% administration fee on home rule and other taxes that the state collects for municipalities. Out of the \$400,000 that was collected, the State would keep \$8,000. The businesses would simply collect the additional percentage and submit it to the State.

Chairman Carbonaro stated that they just reduced the utility tax in town so we could come back with another tax to make up for the shortage. It is not because of our lack of foresight, it is because the State has changed the playing field in so many different locations. Now they are making promises on how they can make those payments. He thought there was a federal injunction that they could not distribute any more money until they had a balanced budget – how can you make those promises? The decision that they have to make tonight is for the better of the Village of Bartlett. We are making those decisions because the State is in disarray. It is really not a penalty, we need to keep functioning within our budget limits and we can't do that because we are not getting funds from the State.

Chairman Hopkins stated that he was not a huge fan of this tax. He stated that he thought they should eliminate the natural gas tax if they were going to implement this.

Mr. Dowden stated that his budget for the natural gas tax is \$500,000.

Chairman Carbonaro stated that with this 0.25% increase they would be at 7.25% in DuPage County and 9.25% in Cook. He stated that it was still under the 11% that Naperville, Schaumburg and Chicago has.

President Wallace stated that the Board has to understand that they have a fiscal responsibility to finance this Village. They have to trust that the treasurer has looked at various ways to do that. We also have cut over \$1 million in salaries over the last 4 years. There is no more room to leave people out of the budget unless you want services to start dropping. We need to take a hard look at how we are going to do with the changes that the State has made. It's not a matter of dropping one tax for another, it's a matter of adding an additional tax due to what the State has done. He suggested that this move on to the Board for a final vote. They have gone through several ways to plug holes and gaps. This is something we can look at a year from now but from a fiscal responsibility standpoint we should not be pulling out of the General Fund to finance the Village.

Chairman Hopkins asked if they could cut the natural gas tax if they moved the sales tax to 0.75%?



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Mr. Dowden stated that would be another \$400,000 and the gas tax is \$500,000.

Chairman Hopkins stated that he would rather see that option.

Chairman Carbonaro suggested that they look at the comparisons from other towns and the norms around us for the different taxes.

Chairman Hopkins stated that most of the municipalities surrounding us are at 0.75% or higher. He felt that 0.75% was a good comparison.

Ms. Schumacher stated that most surrounding municipalities have a utility tax. That was the thought process when it was implemented.

Chairman Hopkins stated that by doing 0.75% they would not need the utility tax.

Chairman Deyne stated that they would be \$100,000 short.

Chairman Hopkins stated that he thought they could make up the \$100,000. We are making progress by raising taxes on residents. It is not something he wants to see, he would like to help struggling residents with this natural gas tax. He thinks the natural gas tax is a burden on residents and we should eliminate it.

Chairman Reinke stated that he does not like the idea of a sales tax but he thinks the point is very well taken that we need to have diverse revenue sources. If you spend \$100, we are talking about \$0.50-\$0.75. Any tax is an imposition but this is a modest imposition. He thought Chairman Hopkins' comments and desire to get rid of the gas tax makes an awful lot of sense but he does not want to go crazy on the sales tax. He stated that there is an administrative fee on the gas tax as well as the collection of the sales tax – are they the same?

Mr. Dowden stated that the gas tax is collected by the utility company and they get a slight (below 2%) administrative fee. Another thing involved with the utility tax is the senior rebates (\$60,000).

President Wallace stated that you are taking away a rebate from those that utilize it the most.

Mr. Dowden stated that it is close. Originally, the tax was \$1 million in gas tax and \$600,000 in electric with a \$30 rebate. When the gas tax was cut in half and cut the electric by .75%, we never reduced the rebate.

Chairman Hopkins stated that this was discussed in the past. Residents that receive rebates don't even pay the \$30 in taxes.



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Mr. Dowden stated that they do not track individual residents.

Chairman Hopkins stated that he understands the desire to shore up the budget, on the other hand, he looks at the utility tax as an unfair tax.

President Wallace asked that they gather the numbers and present at the Committee meeting on August 15.

2. Video Gaming Fees

Chairman Deyne stated that staff was asked to analyze the cost of video gaming terminal fees. Currently, the price is \$25 per machine, per year. Staff is recommending an increase in the fee.

Assistant to the Administrator Scott Skrycki stated that they started at \$25 per terminal back in November, 2012. We have not raised the rates since but have recently been asked by Ms. Schumacher to analyze all our fees. Given the success of the machines they are recommending an increase.

Chairman Deyne stated that \$25 per terminal is really inexpensive. Looking at the other communities he believed that they need to have an increase.

Chairman Camerer asked Attorney Mraz what the maximum fee is that they can charge?

Attorney Mraz stated that he has done research in the past and did not suggest anything above \$500. They took the conservative approach to leave it at \$25 because that was the maximum for non-home rule municipalities. Others have increased their fees and a few of them have them sued. They spent a lot of money going up to the appellate court and arguing that. He thought they were safe at \$500 or below.

President Wallace stated that Ms. Schumacher has advised reviewing all fees. This is the beginning of a lot of things that the Board is going to see as far as the fee structures and where we can balance things out. He felt that they were very low with \$25 but thought that \$200-\$300 was an average.

Chairman Camerer stated that he would like to go to \$500. If we are going to have administrative issues then why don't we bring it up to what other villages are doing? We would make a little more money and it might just be a detriment to more companies coming in and doing it. We are looking for ways to slow this down and this might be a way to do it.



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Chairman Reinke stated that he agreed with Chairman Camerer. The \$500 is a reasonable charge for our administrative costs associated with the gambling machines. Chairman Hopkins also agreed. He thought it should be done incrementally.

Chairman Reinke suggested \$250 next year and \$500 for the following years.

President Wallace agreed that they should tier it by charging \$250 the first year (to give new businesses a break) and \$500 per year following. The Board agreed.

Chairman Deyne stated that he wanted to take a look at the Trustee salaries. They have not been increased since 1991. He suggested a cost-of-living increase on an annual basis and the subject would never have to be discussed again.

Attorney Mraz stated that you cannot have a cost-of-living increase but you can raise it but it would not go into effect with the current Board. It would be effective when new Trustees were elected.

President Wallace stated that he has suggested eliminating the salary since they are basically volunteers anyhow or increase it to where it actually covers people's costs. Everyone needs to come to a determination what that is and for the record, he is not included.

Ms. Schumacher stated that a survey will be all over the map. There are volunteer communities and there are paid communities.

President Wallace stated that upon adjournment of this meeting, the Board will be moving into Executive Session to Discuss Property Acquisition Pursuant to Section 2(c)5 and to Discuss Personnel Pursuant to Section 2(c)1 of the Open Meetings Act.

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

ROLL CALL VOTE TO ADJOURN

AYES: Chairmen Camerer, Carbonaro, Deyne, Gabrenya, Hopkins, Reinke

NAYS: None

ABSENT: None

MOTION CARRIED

The meeting adjourned to Executive Session at 8:51 p.m.

The Executive Session adjourned at 9:42 p.m.



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

ROLL CALL VOTE TO ADJOURN

AYES: Chairmen Camerer, Carbonaro, Deyne, Gabrenya, Hopkins, Reinke
NAYS: None
ABSENT: None
MOTION CARRIED

Lorna Giles
Village Clerk