



**VILLAGE OF BARTLETT**  
**BOARD MINUTES**  
**July 21, 2015**

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1. CALL TO ORDER

President Wallace called the regular meeting of July 21, 2015 of the President and Board of Trustees of the Village of Bartlett to order on the above date at 7:00 p.m. in the Council Chambers.

2. ROLL CALL

PRESENT: Trustees Arends, Camerer, Carbonaro, Deyne, Hopkins, Reinke, President Wallace were present.

ABSENT: None

ALSO PRESENT: Village Administrator Valerie Salmons, Assistant to the Village Administrator Scott Skrycki, Finance Director Jeff Martynowicz, Director of Public Works Dan Dinges, Public Works Engineer Bob Allen, Community Development Director Jim Plonczynski, Building Director Brian Goralski, Food & Beverage Manager Paul Petersen, Chief Kent Williams, Deputy Chief Patrick Ullrich, Sergeant Geoff Pretkelis, Village Attorney Bryan Mraz and Village Clerk Lorna Giless.

3. INVOCATION

Pastor Michael Fuelling from The Village Church of Bartlett gave the invocation.

4. PLEDGE OF ALLEGIANCE

Boy Scout Troop 99 led the 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 Arends moved to approve the Consent Agenda and all items contained therein, and that motion was seconded by Trustee Camerer.



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ROLL CALL VOTE TO APPROVE THE CONSENT AGENDA

AYES: Trustees Arends, Camerer, Carbonaro, Deyne, Hopkins, Reinke

NAYS: None

ABSENT: None

MOTION CARRIED

6. MINUTES – Covered and approved under the Consent Agenda

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 was honoring Tom Kunce for his 14 years of dedicated service to the Village of Bartlett as a member of the Bartlett Plan Commission. Mr. Kunce was not present, but Ray Deyne accepted the memento from the Village recognizing Mr. Kunce on his behalf.

President Wallace read a Proclamation into the record for National Night Out 2015 on Tuesday, August 4, 2015 and encouraged everyone to attend.

10. QUESTION/ANSWER: PRESIDENT & TRUSTEES

President Wallace asked if the Board had any questions for the staff.

Trustee Deyne stated that he received a memorandum from the staff about non-TIF alternatives, and he thought they should look into them to see if they could do something for the businesses in the downtown area. He heard from someone in the audience that they should look at the TIF as if though they were thinking into the future. He thought they were reluctant in their vote last meeting and would like to look into the non-TIF alternatives.

11. TOWN HALL

**Jim Economos, 106 W. Bartlett Avenue**

Dr. Economos stated that there was a new rule from Washington called the Affirmatively Furthering the Fair Housing Rule. This rule will allow the federal government to come in and basically control local zoning based on racial make-up. This is going to take away the ability for the fine folks here in Bartlett to do things like we've done here historically. Over time, will cause us to lose our autonomy and allow the feds to come over and take over



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everything based on alleged racial fairness. He then handed everyone on the Board the Press Release.

12. STANDING COMMITTEE REPORTS

A. PLANNING & ZONING COMMITTEE, CHAIRMAN REINKE

Trustee Reinke presented Ordinance 2015-58, An Ordinance Rezoning the Property from the SR-5 PUD Zoning District to the SR-4 PUD Zoning District, Granting a Special Use Permit for a Planned Unit Development and Approving a Preliminary PUD Plan and a Preliminary Plat of Subdivision for the Bartlett Ridge Subdivision.

Community Development Director Plonczynski stated that Bartlett Ridge came to the Board last time at Committee, and they had shown a layout of additional lots where the detention area was because the Park District had not made its final decision on whether or not they wanted the park site. The Park District has not made an official decision, but they are going to on the 28<sup>th</sup> of July. He talked to the Park District Director today and found that there will be no park and they will accept only cash donations. This layout of the Bartlett Ridge PUD shows no park site which is the alternative. He stated that the results would be some landscaping and tree preservation and a number of conditions. There were a lot of trees, and the areas they hoped to preserve were highlighted. They also have an emergency access easement that is to the east and north through the end of the cul-de-sac and out to Moretti's and out to the Cadillac Ranch. He then stated that they are here with the plan that went to the Plan Commission, additional information that they had asked for, preliminary PUD of the original lots (previously shown to the Plan Commission) minus the extra three lots and no park site.

Trustee Reinke asked Mr. Plonczynski if he thought it was premature to accept this design given that the Park District hasn't yet voted.

Mr. Plonczynski stated that after talking to the Park Director, Rita Fletcher, she is confident that her Board will not accept the park site and that they will make that decision on the 28<sup>th</sup> and she was directed to let him know that. He thinks they will follow up with a vote of "no park site" and only accept the cash portion.

President Wallace confirmed it with a few of the Park District Board members as well.

Attorney Mraz stated that the Board has an ordinance before them that has both preliminary PUD plans, and the landscape plan, and all these plans were presented with the park and without it. The ordinance, because they knew it was in a flux, so as you go through the ordinance it would say the PUD plan attached is Exhibit B or the PUD plan attached is Alternate Exhibit B with an Alternate plan for each plan attached to the ordinance. When the Board moves to pass the Ordinance, it would be with the either the



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base plans for the alternate plans which were included as well because staff knew the park site was in a flux. He stated it was his opinion that the plans need not go back to the Plan Commission for a new public hearing. He stated of the approval of the plan brought up at the last meeting was problematic where the developer was proposing to add three lots that would be substantially different than what the Plan Commission voted on. What is before you is consistent with the plans reviewed at the public hearing and he is comfortable, from a legal standpoint, with doing it this way.

Trustee Camerer asked Mr. Plonczynski how this would affect the bike path.

Mr. Plonczynski stated that they would still have to install the bike path along South Naperville Road.

Trustee Camerer stated that just because Park District didn't want the park doesn't mean they won't have to put in the bike path.

President Wallace stated that it would make the properties far more desirable.

Trustee Camerer stated that it would encourage the two communities to interact with one another more.

Trustee Hopkins asked if the Park District would maintain the bike path or would the Home Owner's Association.

Mr. Plonczynski stated the Home Owners Association would maintain the bike path maintenance along with the common areas.

Trustee Camerer stated that from a tree preservation standpoint it looks like there is approximately a thousand trees.

Mr. Plonczynski stated that it was about the number that was on there.

Trustee Camerer stated that they were saving about 200 of them, or 20%, which was confirmed by Mr. Plonczynski.

President Wallace stated that some of the trees had to come down anyway.

Trustee Camerer stated that there's a lot of indigenous trees that would be great for the area and the community.

Trustee Reinke moved to approve Ordinance 2015-58, An Ordinance Rezoning the Property from the SR-5 PUD Zoning District to the SR-4 PUD Zoning District, Granting a Special Use Permit for a Planned Unit Development and Approving a Preliminary PUD



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Plan and a Preliminary Plat of Subdivision for the Bartlett Ridge Subdivision with each of the Alternate plans, and in lieu of the base plans as presented and that motion was seconded by Trustee Camerer.

**ROLL CALL VOTE TO APPROVE ORDINANCE 2015-58 REZONING, SPECIAL USE, PRELIMINARY PUD AND PLAT FOR BARTLETT RIDGE SUBDIVISION**

AYES: Trustees Arends, Camerer, Carbonaro, Deyne, Hopkins, Reinke

NAYS: None

ABSENT: None

**MOTION CARRIED**

Trustee Reinke presented Ordinance 2015-59, An Ordinance Granting a Special Use Permit for Building Height and Site Plan Approval for Ace Relocation Systems on Parts of Lots 4 & 6 in the Brewster Creek Business Park.

Community Development Director Plonczynski stated they had seen this project in the past, that this was their case number 1508, Lots four and six in the Brewster Creek Business Park. They came to the Village Committee a couple of weeks ago and went to the Plan Commission on July 9<sup>th</sup>. The petitioners requested a quick move on this project and the Village's desire to accommodate, brings this Special Use for the height. They went right from Plan Commission which approved him on July 9<sup>th</sup>, with the findings of fact, and the conditions that are stated in the Ordinance. Lots four and six in Brewster Creek Business Park, a nice building built by Jeff Duplow of Triumph Development who has done a number of projects in the business park. He received approval from the Plan Commission for Special Use.

Trustee Reinke moved to approve Ordinance 2015-59, An Ordinance Granting a Special Use Permit for Building Height and Site Plan Approval for Ace Relocation Systems on Parts of Lots 4 & 6 in the Brewster Creek Business Park as presented and was seconded by Trustee Deyne.

President Wallace stated that this ties in with the Committee item that changes the Ordinance so they don't have to keep seeing them before the Board.

Mr. Plonczynski stated that was correct.



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ROLL CALL VOTE TO APPROVE ORDINANCE 2015-59 SPECIAL USE FOR BUILDING HEIGHT AND SITE PLAN APPROVEAL FOR ACE RELOCATIONS

AYES: Trustees Arends, Camerer, Carbonaro, Deyne, Hopkins, Reinke

NAYS: None

ABSENT: None

MOTION CARRIED

Trustee Reinke presented Ordinance 2015-60, An Ordinance Granting a Fence Variation for 1200 Pinetree Lane.

Community Development Director Plonczynski stated this was a fence variation that has spent most of the summer in front of the Zoning Board of Appeals. It started out with a 6 ft. high fence on the property line that the Zoning Board of Appeals recommended denial of the petitioner's request, giving him some advice to remove the fence off of the property line a bit, there's a 15 ft. easement on there. The petitioner came back in July after listening to the Zoning Board of Appeal's advice and moved his fence variation 15 ft. off of the corner side property line and he received positive direction. Because of his toils with the Zoning Board of Appeals and the need to build his fence sometime this summer, staff brought it directly to the Board with the text of the Zoning Board's minutes and recommendation on July 2<sup>nd</sup> to approve a fence, a shadowboxed style fence, 15 ft. off of the property line in his corner side yard. The petitioner was also present.

Trustee Reinke stated that he lived in the general area and he knew that a number of homes off of Struckman in that area have a fence that is a little bit higher, so this seemed consistent to him.

President Wallace stated that he had stopped by there and noticed that even the back lots there have fences that height. He could see the ZBA's point to move it back because it would have been right on the bike path and that would have been problematic. Where it's at now, it's going to look very similar to a lot of the other homes around there.

Mr. Plonczynski then stated that they had prepared an exhibit that shows the different fences that were meeting the code and which ones received variances, and that he was correct that were some that were 6 ft. high in back lots and there were a couple of variances.

President Wallace stated that his neighbors were 6 ft. according to the picture.

Mr. Plonczynski confirmed that they did have one, but it was back to the building line. He also stated that the petitioner had a lot of neighborhood support.



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President Wallace stated that the only thing that concerns him is that the bigger the fence the harder it is to maintain and the bigger eye sore if it begins to fall over. He noticed that the fence that's there now is starting to fall over, and it's a bit of an eye-sore, and he suggested that he maintained it well.

Trustee Reinke moved to approve Ordinance 2015-60, An Ordinance Granting a Fence Variation for 1200 Pinetree Lane as presented and was seconded by Trustee Deyne.

ROLL CALL VOTE TO APPROVE ORDINANCE 2015-60 A FENCE VARIATION FOR 1200 PINETREE LANE.

AYES: Trustees Arends, Camerer, Carbonaro, Deyne, Hopkins, Reinke

NAYS: None

ABSENT: None

MOTION CARRIED

**B. BUILDING COMMITTEE, CHAIRMAN HOPKINS**

Trustee Hopkins stated that there was no report.

**C. FINANCE & GOLF COMMITTEE, CHAIRMAN DEYNE**

Trustee Deyne stated that Resolution 2015-62-R, A Resolution Approving of Disbursement Request for Payout No. 26 from the Subordinate Lien Tax Increment Revenue Note, Series 2007 for the Elmhurst Chicago Stone Bartlett Quarry Redevelopment Project was covered and approved under the Consent Agenda.

**D. LICENSE & ORDINANCE COMMITTEE, CHAIRMAN ARENDS**

Trustee Arends stated that Resolution 2015-57-R, Executive Session Minutes Review, Jain Amplifier Permit Request, Miller Amplifier Permit Request and Boyer Amplifier Permit Requests were covered and approved under the Consent Agenda.

Attorney Mraz stated that the Executive Session Minutes were Tabled at the last meeting, so even though they approved them on Consent, the Board should take them from the Table first, vote on that, then vote on a motion to approve the Resolution regarding Executive Session Minutes.

Trustee Camerer moved to remove the Executive Session Minutes Review from the Table and was seconded by Trustee Reinke.



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ROLL CALL VOTE TO REMOVE THE EXECUTIVE MINUTES REVIEW FROM THE TABLE.

AYES: Trustees Arends, Camerer, Carbonaro, Deyne, Hopkins, Reinke  
NAYS: None  
ABSENT: None  
MOTION CARRIED

President Wallace entertained a motion to approve the Resolution regarding the Executive Session Minutes review.

Trustee Camerer moved to approve the Resolution regarding the Executive Session Minutes and Determining Which Executive Session Minutes to Release, or Hold as Confidential After Semi-Annual Review and Authorizing the Destruction of Verbatim Records of Certain Closed Sessions as presented and that motion was seconded by Trustee Reinke

ROLL CALL VOTE TO APPROVE EXECUTIVE SESSION MINUTES REVIEW

AYES: Trustees Arends, Camerer, Carbonaro, Deyne, Hopkins, Reinke  
NAYS: None  
ABSENT: None  
MOTION CARRIED

E. POLICE & HEALTH COMMITTEE, CHAIRMAN CARBONARO

Trustee Carbonaro stated that there was no report.

F. PUBLIC WORKS COMMITTEE, CHAIRMAN CAMERER

Trustee Camerer presented Resolution 2015-61-R, A Resolution Approving of North Hale Avenue Water Main Replacement Agreement Between the Village of Bartlett and Gerardi Sewer & Water Company.

He stated that the Village went out to bid for the replacement of 1,500 feet of existing water main on North Hale Avenue from North Avenue to Taylor Avenue. Eleven bids were received, with bids ranging from a high of \$496,110 to a low of \$330,325. The budget for this project was \$396,000. The low bid was received from Gerardi Sewer and Water Co., which although has not worked for the Village in the past, its references were checked and found to be in good order. Staff recommends awarding the bid to the qualified low bidder.





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With that, he moved that the Village Board award the bid for the North Hale Ave. Water Main Replacement Project to Gerardi Sewer and Water Co. of Norridge, Illinois in the amount of \$330,325 and pass Resolution 2015-61-R, A Resolution Approving of the North Hale Ave. Water Main Replacement Agreement Between the Village of Bartlett and Gerardi Sewer and Water Co. as presented and was seconded by Trustee Arends.

Trustee Camerer stated that he was pleased that it came in under bid.

President Wallace stated he was concerned that with the vast difference between the bids. Is there any different possibilities in the kind of material quality they could be using. He stated there was a \$160,000 difference between the high and the low.

Public Works Engineer Bob Allen stated that it was a bit drastic and that they were paying close attention to. They had seen it pretty often this year in a wide range of costs, but they obviously have to meet all their specifications, so they haven't been concerned about it, just glad that they had 13 different participants.

President Wallace wanted to caution about the amount of time it takes them to complete the project. He knew there was a complete date of October 30, 2015, but when they have stuff like this torn up it can really be a headache.

Mr. Allen stated that they will be pretty mindful of that.

Trustee Hopkins asked if this was something that was routine that they were doing, or did something go wrong.

Mr. Allen stated that they take a look at the water main that's been in the ground for a number of years now and they want to minimize leaks. Once they are aware there are problems, that of which there has been a handful in the last couple of years they schedule replacement.

Public Works Director Dinges stated that they are replacing it because they had issues during the extreme cold winters that we had, with some shallow mains and services that are freezing, and they will be able to drop those down to hopefully avoid it again in the future. He stated it will be on other streets other than Hale, it is part of the replacement program that they are going to be working on in the Capital Budget.

President Wallace asked if this was a part of catching that side up with all the deteriorating plumbing and sewer areas.



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ROLL CALL VOTE TO APPROVE RESOLUTION 2015-61-R APPROVING OF THE NORTH HALE WATER MAIN REPLACEMENT WITH GERARDI SEWER AND WATER

AYES: Trustees Arends, Camerer, Carbonaro, Deyne, Hopkins, Reinke

NAYS: None

ABSENT: None

MOTION CARRIED

13. NEW BUSINESS

Trustee Arends stated that U-46 schools start on August 17, and that they should publish said information so that drivers would be more cautious earlier.

Administrator Salmons stated that they would get it out in all of their media and have it in the Bartletter.

Trustee Arends brought up the idea that the Trustees could man the crossing guard posts for a day to show their support to the school children.

Trustee Camerer gave kudos to the Public Works department regarding the West Bartlett Road tree replacement. He had people come in and say they are very pleased with the new trees that went out there and part of the gratitude would go to Sebert Landscaping as well for making the west side of the Village look good.

President Wallace asked that the next Committee Meeting include some brainstorming to earmark funds coming in from gambling and where they could be utilized.

Trustee Camerer asked the Village Attorney if there was any updates from Springfield with regards to the gaming establishments. Would it be possible to move forward to do something unilaterally that would allow limitations on how many gaming facilities come in.

Attorney Mraz stated that they could pass an ordinance but the question is whether it would be upheld if it was challenged. He didn't think they could do it in the context of limiting the number of gaming establishments per se but there is the ability to limit the number of liquor licenses. Their control is in the issuance of liquor licenses and that is if the facts and circumstances are favorable to a petitioner, it isn't as though there is no risk in denying the liquor license but at least that's a restriction that's somewhat defensible depending on the facts. Another control is zoning and could they said distances between other gaming establishments. They had some potential problems where that could've been problematic and what came to mind was the potential for the Tap or Papa Pacino's and Lucky Jacks and others. They didn't go forward with that particular restriction. The one of the things they could bring back would be a requirement of a commercial kitchen. It would be less likely to get a video gaming establishment with that kind of requirement.



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There are other liquor license holders in town that already have their gaming licenses and they would be grandfathered in. There are others that may be in the process of applying but most of those have received their licenses and they would also be grandfathered in. If that requirement was established, it would have a limiting effect. It could also have a limiting effect on a bar in town that doesn't have a full kitchen that may someday want to have video gaming. In his opinion they cannot unilaterally say that there are a limited amount of video gaming licenses unless the proposed legislation that would grant municipalities that authority passes.

President Wallace asked the Chief if they have had any issues with any video gaming establishments.

Chief Williams stated that when they initially opened there was concerns voiced by one of a suspicious auto and that turned out to be nothing. In general it has been a non-issue.

Trustee Deyne stated that he and his wife recently traveled around and looked at the video gaming places. He was surprised how they were surviving. He saw several people playing penny and nickel slots and could not understand how the establishment could survive.

Trustee Camerer stated that there is a whole segment that they don't know about and how it affects the society. He has more of an issue with that then violence and he didn't think it was the place where they were having bar fights, he didn't think it was a dive because they are well-kept and he thought it is a social problem that they could potentially have in town. He felt that perhaps they were profitable because of the people that couldn't afford to gamble and how does that affect society when these people can't pay their mortgage or their bills, etc. At least with alcohol someone can say that you can't have any more drinks. In a video gaming establishment they can keep gambling until they have nothing left. He was concerned for people with addictions. He was concerned for what it reflects as a society and for Bartlett and the Village.

President Wallace suggested they discuss this at a Committee meeting. He suggested that they discuss the increase per terminal fee that the Village collects.

Administrator Salmons stated that they will make that part of the discussion

**14. QUESTION/ANSWER: PRESIDENT & TRUSTEES**

Trustee Carbonaro stated that at one point they were looking at safety lights for the school zones and wondered if there was any report on that.



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Chief Williams stated that that topic has been researched and they found a viable vendor that they are very pleased with in the area and the purchase order has gone through. Public Works has its scheduled and it is ready to go in as soon as they are received.

Trustee Deyne stated that when he served on the Plan Commission, they rotated the vote so the same person does not cast their vote first every time. He stated that in his past experience some people were influenced by the way others would vote. He asked that the Clerk consider this rotation.

President Wallace stated that he thought it was a good idea and asked the Board if they had any problems with it. No objections were stated.

Trustee Hopkins asked if there were any updates on the RTA Committee.

Mr. Plonczynski stated that the Committee is being formed with the suggestion from the residences and Trustees. Their first meeting will be August 11 with the consultant. Metra will also serve on that. They have a mix of Plan Commissioner, Zoning Board members, as well as residents and everyone is anxious to serve on it.

President Wallace stated that they will be moving into the Committee of the Whole meeting and following the Committee of the Whole meeting there will be an Executive Session to discuss Security Procedures, Pursuant to Section 2(c)8 of the Open Meetings Act as well as to discuss Personnel, Pursuant to Section 2(c)1 of the Open Meetings Act.

15. ADJOURNMENT

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

ROLL CALL VOTE TO ADJOURN

AYES: Trustees Arends, Camerer, Carbonaro, Deyne, Hopkins, Reinke

NAYS: None

ABSENT: None

MOTION CARRIED

The meeting was adjourned at 7:47 p.m.

Lorna Giles  
Village Clerk  
LG/