



**VILLAGE OF BARTLETT
COMMITTEE MINUTES
October 2, 2018**

President Wallace called the Committee of the Whole meeting to order at 7:39 p.m.

PRESENT: Chairmen Camerer, Deyne, Gabrenya, Hopkins, Reinke and President Wallace

ABSENT: Chairman Carbonaro

ALSO PRESENT: Village Administrator Paula Schumacher, Assistant Village Administrator Scott Skrycki, Economic Development Coordinator Tony Fradin, Management Analyst Sam Hughes, Finance Director Todd Dowden, Human Resources Manager Janelle Terrance, Acting Community Development Director Roberta Grill, Management Analyst Tyler Isham, Public Works Director Dan Dinges, Public Works Engineer Bob Allen, Building Director Brian Goralski, Food and Beverage Manager Paul Petersen, Chief Patrick Ullrich, Deputy Chief Chuck Snider, Deputy Chief Geoff Pretkelis, Village Attorney Bryan Mraz and Village Clerk Lorna Giles.

COMMUNITY AND ECONOMIC DEVELOPMENT, CHAIRMAN GABREYNA

Bartlett Plaza BEDA Application

President Wallace stated that the agenda was going to be adjusted to accommodate those in the audience.

Chairman Gabrenya stated that the first item on the agenda is in regard to the Bartlett Plaza BEDA application.

Economic Development Coordinator Tony Fradin stated that this is a BEDA application for one of the older and larger shopping centers in the downtown area. The applicants name is Manny Rafidia. The shopping center has been on the market for a while. It has been owned by the original developers who have owned it for many decades, the Gorski's. They have listed it for sale with a broker from CB Richard Ellis a couple of years ago, seeking out potential buyers for the center. Due to multiple factors, there has been a large vacancy in the former grocery space. That space is 31,860 sq.ft. and that space requires several improvements to bring it up to current code, to beautify the center and make it more attractive to a potential occupants. Late last year, Mr. Rafidia, a local shopping center owner and someone who rehabs and redevelops shopping centers, started investigating the center, communicating through brokers and meeting with Assistant Village Administrator Scott Skrycki and himself on several occasions to do his due diligence. Through his holding company, Mr. Rafidia has purchased, improved and owns 18 shopping centers throughout Illinois, Ohio and Arizona. Several of these shopping centers included Prospect Crossing Shopping Center in Prospect Heights, Century Plaza in Palatine, Cross Creek Commons in Roselle, Montgomery Plaza in



VILLAGE OF BARTLETT COMMITTEE MINUTES October 2, 2018

Montgomery, and he owns two shopping centers in Addison, one called Lake St. Commons and another called Lake St. Plaza.

Staff checked with Addison and Roselle who both spoke highly of his ability to purchase and redevelop shopping centers such as Bartlett Plaza that suffer from high vacancy rates. As of tonight, there is over 36,000 Sq.ft. vacant in Bartlett Plaza out of the 86,000 total Sq.ft. giving it a vacancy rate of 42.6%. Over the past few years, as new tenants come to centers throughout the community including, Amita Healthcare and several others, we have seen a large decline in the vacancy rate since January of 2016's high of 17.7% vacancy. It has been brought down to just over 7% over the past two years. The 42% is a pretty significant rate for a shopping center. The long time owners of Bartlett Plaza have entered into a sales contract with the applicant that was signed on August 6th, so it has been under contract for about two months. Staff has continued to meet with Mr. Rafidia to talk about plans for redeveloping, possibly dividing up the empty grocery space and brining in new tenants to Bartlett Plaza. The property is only under contract, Mr. Rafidia has not closed on the property yet. It is partially subject to various incentives including a potential BEDA incentive. On his application, he requested \$250,000 for an incentive. Staff explained to him that the BEDA program puts a \$50,000 limit on a single incentive. In terms of a recommendation, getting Bartlett Plaza into the hands of a new purchaser, redeveloping the space and filling some of the vacancies fits nicely into several elements of the Village's strategic plan as well as the 2016-2020 marketing plan that the Economic Development Commission (EDC) developed. These plans include attracting developers to invest in the downtown area, working to improve the retail business profile in the Village and revisit, refine and execute the Village's overall economic incentives. The plans before you tonight detail \$2,000,000 worth of improvements that he intends to make to the center if he closes on it. The \$2,000,000 would be in addition to the purchase price of the center. In terms of leveraging private investment via this program which is one of the criteria we had detailed to you when we created it, the \$50,000 incentive would come out to 2.5% of rehab costs. The improvements include, the roof, facade, parking lot, light, landscaping, HVAC, sidewalks, signage, and the buildout of the formal grocery space. Mr. Rafidia appeared before the EDC last month and they recommended in favor of awarding him the BEDA grant in the amount of \$50,000 in the hopes that he would be able to move forward on this project. Mr. Rafidia is in the audience if you have any questions of him.

Chairman Deyne asked how much was available in the BEDA fund.

Mr. Fradin stated that we allotted \$150,000 for the program this year.

Chairman Gabreyna asked if the fiscal year is when the \$150,000 is renewed.

Mr. Fradin stated that it was May 1st.



**VILLAGE OF BARTLETT
COMMITTEE MINUTES
October 2, 2018**

Chairman Gabreyna asked how many other applications are pending at this time.

Mr. Fradin stated that there is one that has already gone to the EDC for \$15,000 and staff is also working with an applicant for next month.

Chairman Gabreyna stated that she thought the program was for smaller businesses and asked if that was correct and how this applicant meets that criteria.

Mr. Fradin stated that one of the big aspects of it was to assist small businesses with smaller grants like the Indian Express grant, however, there was never any limitation based on the size and scope of the project. The goals of it were to increase sales tax producing businesses in the Village like restaurants and stores. Staff was also looking for things like job creation and leveraging private investment through public investment. Staff wanted to look at the ratio of how much a private investor would be investing opposed to the amount of the grant. This project fits into those guidelines because the former grocery store was one of the properties we had talked about as being able to use a BEDA grant for. The expectation was to be for a specific business, not a buyer of the center, but it still fits with the program because it is an opportunity to develop and fill a vacant space. The former grocery store will have been vacant for 8 years as of next month.

Chairman Hopkins asked if the \$2,000,000 that was mentioned included the price of the property.

Mr. Fradin stated that it was only the redevelopment.

Mr. Rafidia stated that he is very familiar with these types of projects and he believes the reverse of almost everyone who redevelops centers. He doesn't get the tenant first then redevelop, he believes in fixing it first, then it will attract businesses to come to the center. He believes that he will spend more than the \$2,000,000 he listed.

Chairman Reinke asked when he anticipated closing.

Mr. Rafidia stated that he anticipated around 3 months if everything goes according to plan.

Chairman Reinke stated that he hoped Mr. Rafidia finds a speedy way to the closing table.

Mr. Rafidia stated that he would try his best. In addition, he understands the program was designed for a small business and he owns some small businesses. He stated that he just reopened a place in Roselle called Pop's Pizza and Sports Bar two weeks ago and put in a \$1,200,000 improvement into the business and most importantly, hired 80 people to work there almost all full time. Once he gets Bartlett Plaza going, it is going to employ a lot of people. He did not know exactly what he was going to do with the old grocery



VILLAGE OF BARTLETT COMMITTEE MINUTES October 2, 2018

store yet, weather it was going to be a big sports arena, combination of an adult and children entertainment center or what it was going to be. He stated that he used to own a place called Dynorex and it did very well then he sold them. It was a mix of entertainment for adults and children, so that is a possible idea. He added that he is not only a developer, but he is a business owner too and he invests in his shopping centers. He currently owns and operates six businesses in his current shopping centers. He will likely open up some kind of business here, but he is still studying the area, so he was not sure what type of business that might be.

Chairman Gabreyna stated that she appreciated his statements.

President Wallace asked if the BEDA program was part of the decision making process?

Mr. Rafidia stated that it was not very important because in his previous projects, Villages offer money, especially in the last development that he did in Addison on Lake St. and Mill. There was an old Dominick's building that was sitting there for 20 years and 3 years later it is 100% occupied with AutoZone, a health center and other smaller mom and pop shops. Addison offered him \$250,000 for each of the centers he redeveloped. In the other center across from the Village Hall, he was able to bring a big grocer there and in the old Blockbuster building in front of the center was replaced with a Little Caesars and a dentist. He stated that the centers are all similar in size to Bartlett Plaza except for the Prospect Heights Center being closer to 200,000 Sq.ft. a couple of years ago he brought in a Tony's Finer Food into that center. The experience that he has in his 40 years of retail experience and development, helps him work well with tenants. He stated that he is not stingy with making deals with tenants and that he is willing to give in and work with them. He stated that the \$50,000 from the BEDA program will help, but it will not change his mind about making the deal. He still has things to go through before he makes a final decision.

President Wallace stated that he appreciated him coming to the meeting as well as the EDC meeting.

Mr. Rafidia thanked him.

The item was moved on to the Board for a final vote.

Gambit's Ordinance Amendment and Special Use Permit

Chairman Gabreyna stated that the next item on the agenda was the Gambit's Ordinance Amendment and Special Use Permit.

Acting Community Development Director, Roberta Grill stated that the petitioner is requesting to amend Ordinance 95-14, Exhibit A which is the permitted uses and a special use permit to serve alcohol. The request is for Gambit's, a restaurant with video gaming



VILLAGE OF BARTLETT COMMITTEE MINUTES October 2, 2018

proposed to be located at 997 S. Route 59 in the Bartlett Place Shopping center. The Plan Commission reviewed the petitioners request, conducted a public hearing and recommended approval at their July 12th meeting, subject to the conditions and findings of fact outlined in the staff report. One of the conditions that they added at the meeting was that the trash enclosure be relocated to the southern limits of the parking lot with the final location and design to be coordinated and approved by the Community Development staff. The petitioner contacted the other owners of the building regarding the relocation of the trash enclosure and the owners are not in favor of the enclosure being moved. Groot was also contacted by staff and due to maneuverability issues and safety concerns, they are also not in favor of relocating the trash enclosure. Groot agreed to limit their pick up times and staff recommends that trash pickup not be before 9:00 a.m. The Committee of the Whole reviewed the request at the August 21st meeting and a straw pull vote was conducted of which the consensus was to not send the project to the Board. The petitioner is here tonight with her attorney and they are requesting the project be moved to the Village Board for a final vote.

Attorney Vincent Mancini, representing Marvel One Management and Jennifer Craig, stated that you have to get a sense of the irony of this evening as we just heard about the vacancy rates in the Village for commercial, along with the BEDA program which is funded by gaming. Now we have an application in front of you that would satisfy both of those elements, in terms of filling a long vacant commercial property that is becoming dilapidated by the lack of use, and a client whose basset and food handling trained who wants to include gaming which would continue to fund the BEDA program. There has been a lot of objections that have been raised by the community that he has read and heard this evening. What he can compare that to is fighting ghosts. The objections are based on nothing more than speculation. The Village allows restaurants and gaming in its boundaries. Both of those elements would be allowed on this site but for an ordinance that was passed in 1995. If you reflect on 1995, the developments that are north of this site were not in place at that time and those include many commercial areas, many restaurants and many gaming establishments. What is being asked tonight of this application is nothing different then what is in the area now. We are essentially fighting ghosts. It is speculation to what might or might not happen with this establishment. The fact that people are over 21 that are going to be there does not impugn some sort of nefarious conduct. He stated that he's over 21, he eats at restaurants, and he has an occasional beer like Justice Kavanaugh, so nothing about this establishment would indicate that it is going to be a problem for the neighbors. It is not a live music establishment and it is not going to attract youth.

We have heard about the garbage and Gambit's has addressed those issues. The garbage company will pick up more frequently if they move in there. We are always willing to work with staff and the Board to address the issues, but it is hard for us to say what we will end up doing, if these ghosts suddenly appear. You are asking me to prove a negative that something won't happen in the future and I can't do that. He stated that he has a



**VILLAGE OF BARTLETT
COMMITTEE MINUTES
October 2, 2018**

qualified candidate who would like to open a restaurant in this location and nothing I have heard to this date or in the Plan Commission is a factual basis by which you can reject this application at this stage. The Plan Commission is your fact finder and they heard all of this evidence, the staffs comment and the staffs review. The Plan Commission approved it with very few conditions which we can easily meet. Frankly, the factual record before this Board is one that would support this establishment. On behalf of my client, who is here to speak and answer any questions, we thank the staff who my client worked with for the last 8 months. My client has spent tens of thousands of dollars on rent to hold the space and they were frankly shocked by the straw pull that came out in August which resulted in me being retained. We would ask that this be pushed forward to the Board for a vote because we think we satisfied all the requirements under the PUD applications and all of the variance applications that are part of staff and Village requirements and we think the vote needs to go forward.

Chairman Deyne stated that many of the Board members are torn by this and they know what the Ordinance is and that they have the ability to amend that Ordinance. Some of his confusion lies in the fact that some of the people on the Board have strong opinions about gaming. As we heard earlier this evening, there are a number of restaurants that have gaming. Once they have a restaurant, they have the liquor license, they can apply to the State and they can have gaming. I am very torn by this as other people are. He asked the petitioner to take a few minutes and explain to the Board what specifically differentiates their restaurant with gaming from just a standalone gaming facility.

Mr. Mancini stated that Gambit's is a restaurant, first and foremost, it is going to serve freshly made food. They won't be serving frozen pizzas heated up in an oven for people having a pint or two of beer. The menu is attached to the application. They outline a breakfast menu, lunch menu, appetizers, and a dinner menu which includes T-bone steak, pizza and southern braciolo among other things. The chef is here and he can discuss the food with you, but this is a restaurant with gaming as a supplemental form of income that's necessary in this day and age given the margins that are on food. If this business opened up as a restaurant, the statistics say they do not survive one year. With the gaming, they can survive as a restaurant longer and establish a customer base, get the clientele and maybe be here three years, providing sales tax revenue to the Village. That is why gaming is important to all restaurants. Gaming allows them the time to create the business. The people opening restaurants are not wealthy, they are people who are driven by their passions, and they are artists to some extent. Without gaming, their business model would not succeed. They are not here to establish a casino on Rt. 59, they are here to establish a well-regarded restaurant and they are using gaming to support themselves in the interim. He really thinks that nothing about the application exposes its self as being nothing more than a tavern with gambling, that's not what Gambit's is. When you walk into the establishment, you do not see gaming and a bar, you see a dining facility and the gaming is pushed back behind a wall. There are rooms that can be rented for family gatherings or things of that nature, so food and family is the first priority of this



VILLAGE OF BARTLETT COMMITTEE MINUTES October 2, 2018

establishment, the gaming is just a supplemental income to get them through the lean years.

Chairman Camerer asked Mr. Mancini what his definition of family was because this establishment is 21 and up and typically when we think of family, we might think of it as children younger than that.

Mr. Mancini stated that he agreed in terms of what has been presented. Obviously, if that is something that is a concern, it hasn't been raised at this point with the applicant. It is a dining establishment as it is currently considered. There are the rooms to the side that can be used by private parties and he does not think there is anything that would prohibit children from being at a private party. The establishment itself is going to be adults at this stage. It is not a huge establishment either, it is three store fronts along the southern end of the vacant portion of the building. They have to have a market, they have to identify their market and they have to focus on that market, they can't be everything to everyone, but he does not know how being over 21 years old is a negative. Those are the people that have money, want to have a good time, have a good meal and game. That is Gambit's clientele.

Chairman Gabreyna stated that she knew at the last meeting, they stated that they had received support from the other tenants, however, those people that bought condos in that center, bought under the current restrictions of those properties. She asked if they have received positive feedback from the owners of the condos as well.

Village Attorney Bryan Mraz stated that they did not formally go through the correct process with the association. They have an informal document that they drafted which was signed by 2/3's of the owners and there is a second document that he had seen at one point that was signed by the other owners so he believes they have informally received all of the owner's consent. They have not received the condo association's consent, but if all of the owners approve, he thought that it was a foregone conclusion. The zoning ordinances and those covenants were approved by the then owner and developer and in part, was a compromise with the neighbors as well. To get it approved, the then owner who turned out to be the developer and declarant on the covenants made certain what otherwise would be permitted uses in the B-2 district, he made them excluded uses. Under the ordinance, excluded uses then became prohibited uses. It also provided the ability for it to be amended which is why we have due process and they had a hearing before the Plan Commission and they can ask for it to be amended to try and change what were listed as excluded uses and make them permitted uses. There are other owners who have a stake in this, so to speak, and he believed that they have their consent and that would be a condition of an ordinance approving it and you will have a resolution before you to deny it. You will have two options if you send it along to the Board for a vote. You have heard from some people in support and some not in favor of it.



**VILLAGE OF BARTLETT
COMMITTEE MINUTES
October 2, 2018**

Chairman Gabreyna asked if all of the condo association owners have been notified.

Ms. Craig stated that they are all owner occupied at this time and they are undergoing change of presidency currently, but they did get signatures from everyone they could reach. They were all in favor of the concept, they think it will bring business, they are tired of the vacancy and the Gambit's concept will not take away from their business. Everyone they spoke to was in favor of it and saw it as an overflow that might potentially bring them more business. The hair salon and nail salon will get more attention, because you do not notice them unless you are destined to be there. They agreed that they would be changing their paper work as well as long as the Village was in agreement and that can go in affect when the president is appointed.

Chairman Reinke stated that when he saw this come back, one of the questions he asked himself was what has changed and he didn't see what actually changed from the last meeting. One of the conditions that the Plan Commission placed on the approval was the relocation of the trash bin. He asked if there had been any movement in that regard.

Ms. Grill stated that staff contacted Groot and they were not in favor of moving the trash bin. Staff agrees that moving the trash enclosure to the south end of the parking lot would cause the garbage truck to back completely up through the entire parking lot and it is not safe. The petitioner has contacted the other owners of the property and they are not in favor of it either.

Chairman Reinke stated that part of his concern was the trash enclosure. You have said that you are a restaurant and not a gaming facility. He would be more inclined to having a gaming facility then have a dumpster full of food refuse next to a house. He went to the property and walked along the adjacent residential property and that dumpster is very close to the fence line. He thinks there is a very important distinction between a dumpster filled with papers and a dumpster filled with food, so there needs to be some changes and some movement there in order for me to really support that.

Ms. Craig asked if that stands for all restaurants in Bartlett because that is not the case with some restaurants. She does not think you can hold us to something that you are not currently holding other businesses to that have been open for a while. There are dumpsters with no enclosure and dumpsters within a foot of a neighboring fence. She stated that it is not fair to put one resident ahead of another. She stated that she is a Bartlett resident as well and she doesn't want it to be a power struggle, she just doesn't feel that the people behind a particular restaurant that we provided pictures for are less important than the people on Apple Valley.

Chairman Reinke stated that he practices zoning law so he knows that the burden of proof is on the petitioner, so there may be other restaurants that have garbage bins close to a property line and he may or may not have voted on those restaurants, but right now, he



**VILLAGE OF BARTLETT
COMMITTEE MINUTES
October 2, 2018**

is voting on this restaurant, so he can talk about this restaurant and he has not seen any basis for him to look at those residents and tell them they are going to live next to a dumpster filled with food refuse. If the Board forwards it on for a vote at the next meeting, he hopes that they can bring back something about how they fixed it.

He found a Facebook post that is really bothering him and he wants to be fair about it and ask the petitioner. The post was by a Jaqueline Delray he quotes, "Here is the thing that gets me, the Board members were in full support of it for months. One person complains and all of a sudden it goes to a halt. Are they paying the Board members, offering support in future campaigns? It doesn't seem right that after months and months of support, it can get derailed so quickly." He stated that he saw the post and then the petitioner responded, "Jaqueline, thank you so much for bringing this up as it is an excellent point." His first question to the petitioner was to ask her to explain this.

Ms. Craig stated she did not see the Village Hall meeting as an appropriate place for social media, but she will address it. Jacqueline is not here to defend herself. She stated that she did not think that some of her comments came across correctly as she was very frustrated from some personal experiences that she has dealt with.

Chairman Reinke stated that he is asking about Ms. Craig since she endorsed it.

Ms. Craig stated that her comment was addressing the fact that Ms. Delray asked what had happened that all of a sudden at the last meeting, it was not voted in favor. Jaqueline retracted her statement and Ms. Craig spoke with some of the other people involved and addressed the comments. The comment that Ms. Craig was referring to in the post was that she has gone through the Village meetings and seemed to have enough support to move them along to this point and her and her partner want to know what happened that all of a sudden everything came to a halt. That was her comment that she was addressing to Ms. Delray and she tried to clarify that. She stated that with it being social media, sometimes that is hard and people mistake things. She does not believe Ms. Delrays comment was directed as she wrote and she believes she was speaking from a place with a lot of emotion. She does not agree to everything Ms. Delray said and she was only referring to the part where Ms. Delray was wondering why it was passed along to this point then stopped.

Chairman Reinke stated that to clarify for the record, as you stand here, you do not suggest that anyone on the Board is taking money, correct?

Ms. Craig stated, absolutely not.

Chairman Reinke stated that you could see where that would be very hurtful.



**VILLAGE OF BARTLETT
COMMITTEE MINUTES
October 2, 2018**

Ms. Craig stated that she understood that and that is why she said that she doesn't believe Ms. Delray meant it the way she wrote it and Ms. Craig thinks that she was speaking from a place personally with her frustrations at that time. Ms. Craig stated that she was not agreeing with what she was saying, just that they were not sure what happened either.

Mr. Mancini stated that the Facebook post was compound and the response was a single response. To cross examine my client based on a Facebook post written by someone else and her saying that she was in support of or that she agreed with it, is a bit reckless and he did not want it to devolve into some sort of anger session between Chairman Reinke and his clients. If someone said something like that, it is grossly inappropriate and his client agreeing with the sentiment that they met with Village staff for eight months, received nothing but positive reviews then got side tracked by a straw vote, was upsetting to them. He stated that he was there because of that.

Mr. Reinke stated that he understands that and from what he is hearing from Ms. Craig is that she does not think that the Board is on the take.

Ms. Craig stated, absolutely not and she never personally suggested that or agreed with that, she was just in agreement with the fact that they were at a loss as to what happened. She does not agree with a lot of the things that were said and she apologized for the way it came off and for Ms. Delray's statement.

Chairman Deyne thanked Chairman Reinke for bringing that up and he thought it was very insulting. He stated that he would vouch for every person on this Board, they are all respectful people and have businesses in this community.

Chairman Reinke stated that he thinks they can move past that and asked about the possible signage they would see at the site.

Mr. Mancini stated that they have attached a picture with the simple name Gambit's on the front of the facade.

Chairman Reinke asked if there was going to be an additional monument sign at the site.

Mr. Mancini stated there will not be.

Chairman Reinke asked if they will have a slot in the monument sign that's currently there.

Mr. Mallo stated that the condo association is unwilling to change the monument sign at this time.

Chairman Reinke stated that as he said in a previous meeting, he thinks it is a fantastic concept, but he doesn't know about the site.



VILLAGE OF BARTLETT COMMITTEE MINUTES October 2, 2018

Chairman Camerer asked out of curiosity what the origin of the name was.

Ms. Craig stated that she is a big marvel fan, so when they were looking for the types of food they would serve and recognized that they would be touching on a Cajun food, Gambit's popped up. She stated that her dog and children are also based around the theme. Her first experience with Bartlett was with Country Insurance at this location in 1998 when she purchased car insurance for a new car and was one of her first adult decisions. When looking for a site, she happened across this building and she noticed the address, 997. At that moment, it hit her that it was a sign since her first born was born in September of 1997 and she truly thinks that shaped her life and determined who she was going to be as a person. That, just in itself, set her heart on that place, it is in Bartlett, it is where she started as an adult, nothing else has been there and it has been vacant for years. Being in Bartlett is very important to her and this site is perfect.

Mr. Mancini stated that for clarification, Gambit's is a Marvel character who comes from Louisiana which is why the lady from Louisiana who spoke earlier in the Board meeting said she was so excited because that is what Gambit's is.

Chairman Camerer stated that he was just curious because he thought it might have a basis in gaming. He asked that in the process of going and finding sites, you had to be advised that they was not zoned for a restaurant from the beginning, so why did you ignore that?

Ms. Craig stated that it was not ignored. When they initially presented this to the Village, it did not seem like it was going to be an issue to get it amended. Had they known it was going to be such a struggle, they may not have proceeded, but at the time, it did not seem like it was going to be an issue.

Chairman Reinke stated that he thought the reason they received such support from the Board at the concept phase, was because it was a concept and the devil was in the details. The reason we have a shift in perspective is because we have a lot more details. He has heard the concerns from the residents, he has gotten to know a little more about their business and they have a lot more information in their hands.

President Wallace stated that he thought that was a key piece in the adventure that they have been on. You went from a concept without any type of approval and started working on a business that the Board had not really even discussed or got information on. He found it very unfair for the Board to be scrutinized by being all in favor of Gambit's, yet they were only in favor of a concept. You should not have been putting any money into it until you had approval.

Village Attorney Mraz stated that it is a Planned Unit Development with very specific uses. This is in the nature of a text amendment where property owners around it, rely on it, so



**VILLAGE OF BARTLETT
COMMITTEE MINUTES
October 2, 2018**

until you have that public hearing and get some input, you won't know. He was glad they have their attorney with them today, but he wishes he was here earlier because he could have looked at the ordinance that you were dealing with.

President Wallace stated that he would be curious to know if the residents they heard from earlier had any idea when they purchased their property, that there was some type of restriction from a restaurant being put there.

Village Attorney Mraz stated that some people were aware of it. When the ordinance was approved originally, that was in part because of the neighbor's outcry. He stated that usage has changed and their council has pointed that out and some development has changed around it.

Chairman Gabreyna stated that she wanted to applaud their tenacity and passion. She stated that without even having a business yet, a tribe in this community but asked what they have done to get the support of their neighbors.

Ms. Craig stated that in their initial meeting where some of these residents first came out, she did try to introduce herself before the meeting happened. That was not welcomed by the residents. Village staff also tried to initiate a conversation between them and that was shut down as well. She stated that she gave them her card with her email and cell phone number as well and no contact was made. She did not want to push it more because she feels that it would be more harmful than good.

Chairman Deyne stated that he was out on the site twice today. He met with staff out there this afternoon as well. They looked at the location on the south side of the building that had been recommended by the Plan Commission and that is definitely a safety hazard to put the garbage there. He was amazed when sitting at the site, the odors that he could smell from the other restaurants further north. There has been a lot of talk about the odors of the restaurant when food spoils, so one thing he has seen in other communities is enclosing the dumpsters. It would confine the odors, so maybe they could try that.

Ms. Craig stated that they have previously mentioned that they could do that as an alternate to moving the dumpster. They did not receive any feedback from that suggestion.

Chairman Reinke stated that he thought a lot of the supporter's arguments that "well change happens" are not incorrect and he is not opposed to change, but it is about making that change work with the adjacent property uses. He would encourage the neighbors and Gambit's to talk and see if they can resolve some of those issues.



VILLAGE OF BARTLETT COMMITTEE MINUTES October 2, 2018

Chairman Hopkins stated that the trash is one of his sticking points as well. He likes the concept, but the trash is a huge sticking point.

Mr. Mancini stated that it is a challenge with the location, but as they have conveyed with the Board now and the staff before, they are willing to do whatever they can to address that and would be all for some sort of containment system.

President Wallace stated that just to echo what everyone has been saying as far as those for it and those against. Those against have two resounding issues, smell and traffic. He thought the traffic was a complete red herring when you are close to Rt. 59, we want a lot of traffic on Rt. 59 and that is the economic engine the Village is pushing. So, the main factor is the smell of the dumpster and he understands the concern with that. He believes they would need some kind of solution to that issue.

Mr. Mancini stated that he thinks that Groot probably has the answers to that problem in some way, so they can look into that.

Chairman Hopkins asked if they will also be keeping the used oil outside.

Mr. Mallo stated that it is its own separate unit, but it would be in the same enclosure.

Chairman Reinke stated that in the Ashton Gardens development, one of the things they had said to the petitioner was that they need to make peace with their neighbors. If the neighbors are opposed, they are not going to go away, so you are going to continue to have issues. So, if we have a problem with the garbage today, that solution has to be durable and it has to last. If its 2:00 a.m. and someone's smoking out back or slams a garbage lid, they will call the police and neither side will see peace and the community will lose. He thought that is where a lot of the Board members are coming from because they have to make sure that the parties can work together and live together.

Ms. Craig said that she agreed and understood a lot of the concerns that were brought up and they are not arguing any of them. She lives across from one of the oldest bars in Bartlett and she can understand their concerns. She also knows that she will be there as much as she can. She is not a fan of cigarettes or cigarette butts and no one will have access to the side of their building and they will be enforcing a 15 foot rule away from the building for people to smoke. They understand the concerns and are trying their best to address all of them. If the Board has recommendations for any other ways to fix them they are welcomed. She is afraid that if they agree to come to some sort of conclusion as far as the dumpster, they need the neighbors to give them a chance to be heard.

Ms. Grill stated that staff can meet with the petitioner and go over some of the recommendations and see what they can work out.



**VILLAGE OF BARTLETT
COMMITTEE MINUTES
October 2, 2018**

Chairman Camerer stated that he would need to be assured that the enclosure will work to reduce the smell.

Ms. Grill stated that she thinks that comes back to how many times the garbage would be picked up weekly, so that is something else that they need to talk about with them.

Mr. Mancini stated that just so everyone is aware, the contract with the waste hauler is for three pickups per week.

Chairman Gabreyna asked if that was more than other restaurants.

Mr. Mallow stated that currently, their location is only picked up once per week, but their garbage can would be collected Monday, Wednesday and Friday, including the oil.

Ms. Craig stated that three times per week is more than average even for a larger restaurant than they have.

President Wallace appreciated people from both sides coming to the meeting and the Board is well aware that people on both sides have strong opinions.

The item was forwarded on to the Village Board for a final vote.

BUILDING & ZONING, CHAIRMAN HOPKINS

Jain Society Annexation

Chairman Hopkins stated that the first item on the agenda under Building and Zoning is the Jain Society Annexation. The petitioner is requesting to annex a one acre site adjacent to their existing property, directly to the south. Upon annexation, the subjects property will be zoned ER-1, Estate Residence. The property is located on the east side of Rt. 59. No improvements will be made to this property at this time, therefore, no annexation agreement or public hearing is required.

The item was forwarded to the Board for a final vote.

Express Carwash Special Use Permit

Chairman Hopkins stated that the next item on the agenda is the Express Car wash. The petitioner is requesting a site plan review and a special use permit for a carwash proposed to be located at 1255 W. Lake St. located along the south side of Lake St., 800 feet east of Naperville rd.



**VILLAGE OF BARTLETT
COMMITTEE MINUTES
October 2, 2018**

Ms. Grill stated that the site is 2.88 acres. It would be a tunnel wash with accompanied vacuums and the proposed building would be about 5,500 Sq.ft. with brick and stone veneer. It would include metal canopies as well. The tallest portion of the building would be approximately 33' 5". The average height of the car wash would be 19' 6" which meets our zoning ordinance requirement of 25'. Windows would be incorporated on both the east and west elevations which would provide a clear view through the building while vehicles are accessing the tunnel wash. They are requesting one curb cut access on to Lake St. and IDOT would have to approve the curb cut. Internal circulation on the site would primarily consist of a one way traffic pattern clockwise with vehicles queuing at the pay stations on the south end and entering the building on the same side. Vehicles would travel through the tunnel wash and exit the building on the north end. A total of 25 stacking spaces is required by the zoning ordinance and this plan shows 57. 31 vacuum parking stalls are shown including two handicap accessible spots and 5 spots for the employees. The petitioner has designed the carwash to keep the dryer portion of the carwash furthest away from the residential uses to the south. In addition, the central vacuum mechanical unit would be located adjacent to the trash enclosure and would be screened on all four sides. Additionally, it would have a metal roof matching the building. A six foot high wood fence would be installed along the south property line along with landscaping. The hours of the carwash they are proposing would be 7:00 a.m. to 9:00 p.m. Monday through Saturday and 7:00 a.m. to 7:00 p.m. on Sunday. Staff recommends forwarding the petitioners request to the Plan Commission for further review and a public hearing.

Chairman Camerer stated that when the car wash on Rt. 59 was proposed, we had some issues with decibels and calming that down because part of that was going towards the residents, is there enough detention area there with the pond to muffle the noise?

Ms. Grill stated that staff had the petitioner investigate that. The closest house to the site is 227 feet away, so there is a lot of distance between the building and the houses.

Attorney Alan Jacob, Attorney for the car wash petitioners, business address 950 N. Milwaukee, Suite 329, Glen View, IL stated that there are two noise makers on the proposed car wash. One is an interior vacuum and it has been tested to exhibit zero decibels to the outside. The other is an exterior vacuum which without a cover around it would produce 54 decibels at 30 feet, but this car wash will have an enclosure for the vacuum made of masonry and a metal roof so the sound is reduced to zero. The other question he wanted to address, is lighting. The lighting in the parking lot according to tests done from the proposal produces zero foot candles beyond the lot line.

Chairman Hopkins asked where the vacuums were located on the site plan.

Nick Spallone with Carwash Pro Designers stated that to the south of the building, there are canopy stalls that carry the vacuum stalls. All of the mechanics are built inside.



**VILLAGE OF BARTLETT
COMMITTEE MINUTES
October 2, 2018**

Chairman Hopkins asked if there were separate vacuum motors or one central vacuum.

Mr. Spallone stated that on the building side, there is a central vacuum system located in the building in an equipment room and a central vacuum system on the outside of the building in its own housing.

Chairman Reinke stated that one of his concerns was notice. He knows that the Village will mail notice to the owners of the property on Sierra Ct. He wants to be sure the residents that might be under contract with those lots are aware that the car wash is going in. He asked about putting a sign facing their direction.

Ms. Grill stated that they are required to put a sign on the property, but it will be facing Lake St.

Mr. Spallone stated that if notice needs to be sent to property owners then they can certainly do that.

Village Attorney Bryan Mraz asked if Chairman Reinke was referring to the new construction contracts.

Chairman Reinke stated that was correct.

Village Attorney Bryan Mraz stated that another sign facing those lots would be reasonable.

Chairman Hopkins stated that the item will be forwarded on to the Plan Commission for further review and to conduct the public hearing.

Moretti's Special Use for Packaged Liquor (Wine)

Chairman Hopkins stated that the petitioner is requesting a special use to sell packaged liquor, wine and start a wine club for their guests. Moretti's is located at 1175 West Lake St. located along the south side of Lake St., 1,500 feet east of Naperville Rd.

Ms. Grill stated that it is pretty straight forward, it is a wine membership.

The Moretti's representative stated that the wine club is going to be like Cooper's Hawk, only they use house wine, Moretti's will be using wines that rated from 80-100. There will be wines that might be \$22 at Binny's, but only \$15 if you belong to Moretti's wine club. You will be able to come in and have it uncorked at the table if you want and will be very similar to Cooper's Hawk.

The item was forwarded to the Village Board for a final Vote.



**VILLAGE OF BARTLETT
COMMITTEE MINUTES
October 2, 2018**

FINANCE & GOLF, CHAIRMAN DEYNE

Health Insurance

Chairman Deyne asked Janelle to explain the item.

Human Resources Manager, Janelle Terrance stated that at the last Board meeting, staff brought to you what they feel is an effective plan for a substantial reduction to the cost to the group health insurance. \$319,860 or the equivalent of 9% is a significant change that we believe adds value to the plans that the Board would like to see moving forward. Considering these changes are granular, staff will continue to move forward in the next 3-5 years with more changes to come. Staff believes that one of the major components of this plan moving forward is an educational component and our broker and staff are committed to educating the Village employees on making what we believe are responsible choices for not only themselves and their families, but also for the Village moving forward. In the memo provided to you, staff provided some more information regarding rates. If you look at the rates of the PPO plan options, the rates that are provided were the rates quoted to us by the broker. If we decide to go with a combination of a large PPO network and a hybrid option, the Village would require that the employees buy up to stay in that large network PPO option, therefore, the costs to the Village would be the same for those networks and the difference would be paid for by the employees. This is a start in the right direction, staff believes that 9% is significant in reducing those costs and staff is committed to doing what the Board had asked them to do.

Chairman Deyne stated that he agreed that it is a step in the right direction and a 9% reduction is significant in one year, considering we were looking at an increase before. As you stated, this is just the beginning, if the Village continues to work with the agent, there will be other opportunities to get an additional reduction in savings. He thanked staff for the effort they put forth on this.

President Wallace stated that he thought the health insurance discussion started about two or three months ago and he believed that the Village Administrator initially reported that we would see about a 3% increase and it is now at a 9% decrease in total costs so he thought it was a good start. He asked if any Board member had any additional items that they wanted staff to dig into for additional savings. He didn't want everyone to get happy about 9% when it could be 12%.

Village Administrator Schumacher stated that the Village President was right. This plan makes significant structural changes in that the Village is moving from the grandfathered plans into the standard plans so it is a big deal, but of course you know that there are many moving parts within those plans and some of those we are seeing changes and the list of other things that we are working with the broker to look at in the future. These is



**VILLAGE OF BARTLETT
COMMITTEE MINUTES
October 2, 2018**

going to be a big educational push and the Villages broker and staff are committed to working with the employees and retirees so that they can make this change and move along with us. She feels that the staff understands the goals set by the Board and that your commitment is to work with us as we move through this process. You're caring that our employees are looked after and that your responsibilities to the community as a whole are also looked after. It is a real partnership as we go forward and staff will continue to do that.

President Wallace asked if the Village would have been forced to change from the old plan no matter what because of the Cadillac type significance. In addition, he asked what the decrease would have been if that was all the Village changed.

Ms. Schumacher stated that she did not know off hand because it has not been discussed as an option for a long time, but staff can go back and look at that.

President Wallace stated that he thought it was important for all of staff to know that there had to be some changes, by law.

Ms. Schumacher stated that she thinks everyone gets that.

Chairman Reinke stated that he is assuming that if some of these changes are not working well for staff, then they will report back and it can be adjusted.

Ms. Terrance stated, absolutely. If the Village moves forward with the plan recommended by staff, employees are going to make some choices and it will fluctuate the enrollments of various plans. Some employees who are already in the PPO may make the change to the HMO plan and staff is going to educate the employees. A large misconception about HMO plans is that you do not get the same care that you do with a PPO plan, so we are going to educate the employees on that. Ms. Terrance stated that it is a personal choice. Some people feel very strongly against HMO because they had an issue in the past, but HMO's have come a long way and advanced in care.

Ms. Schumacher stated that she thought that after listening to the other brokers that came in, consumer education is key and moving people toward being better consumers and better advocates for their own unique medical needs is really key to where the success is and we have made a big step toward that and she thought that the Village was going to reap the benefits of it.

President Wallace stated that during these major decisions, there are always a little bit of extra things that can be done. He asked what those were.

Ms. Schumacher stated that they include further plan design changes which are the different out of pocket expenses that we have tweaked in the past. In addition, staff will



**VILLAGE OF BARTLETT
COMMITTEE MINUTES
October 2, 2018**

be looking at spousal exclusion if they have insurance under their own employer as well as evaluating the retiree carve out and requiring new employees to enroll under the HMO plan for the first year.

Ms. Terrance stated that she wanted to recognize Tracy Griese, the Villages benefits coordinator and without her help in this process, we would not have had our eyes open to some of the issues we were facing. She's very committed to educating the staff and has brought to light some of the things we need to do moving forward.

Chairman Wallace entertained a motion to adjourn to Executive Session to discuss Property Acquisition Pursuant to Section 2(c)5 and also to discuss The Sale or Lease of Real-Estate Pursuant to Section 2(c)6 of the Open Meetings Act.

Trustee Camerer moved to adjourn and Trustee Hopkins seconded the motion.

ROLL CALL VOTE TO ADJOURN THE MEETING

AYES: Trustee Camerer, Deyne, Gabrenya, Hopkins, Reinke.

NAYS: None

ABSENT: Trustee Carbonaro

MOTION CARRIED

The meeting adjourned at 9:26 p.m.

Sam Hughes
Deputy Village Clerk