



VILLAGE OF BARTLETT COMMITTEE MINUTES December 17, 2024

1. CALL TO ORDER

President Wallace called the Committee of the Whole meeting of December 3, 2024, of the President and Board of Trustees of the Village of Bartlett to order on the above date at 7:54 p.m.

2. ROLL CALL

PRESENT: Chairmen Deyne, Gandsey, Gunsteen, Hopkins, LaPorte, Suwanski, President Wallace

ABSENT: None

ALSO PRESENT: Village Administrator Paula Schumacher, Assistant Village Administrator Scott Skrycki, Assistant to the Village Administrator Sam Hughes, Finance Director Todd Dowden, Assistant Finance Director Matt Coulter, Director of Public Works Dan Dinges, Assistant Public Works Director Tyler Isham, Civic Engineer Nick Talarico, Planning & Development Director Kristy Stone, Phil Lenz, Head Golf Professional, Chief Pretkelis, Deputy Chief Will Naydenoff, Deputy Chief Sweeney, Attorney Kurt Asprooth, and Village Clerk Lorna Giles.

3. TOWN HALL

Edward Pleasa-414 Harvard Lane, Phil Stevens-1784 Penny Lane, Anabel Barajas-1760 Penny Lane

Mr. Pleasa, Mr. Stevens, and Ms. Barajas were present to speak on behalf of the Fairfax HOA. They stated they were here as follow-up to a letter that was sent to the Board regarding establishing an SSA for the purpose of grass maintenance in one detention area of the neighborhood and 13 cul-de-sac islands. They stated one of the biggest challenges they've had is HOA members not paying their dues. They went on to say that they feel that if they went with an SSA; they would be able to collect more dues.

They went on to say that they're the only three people who are willing to do this and they're getting older. They're also concerned about what would happen if one or all of them were to move. They did mention that they have an agreement with Olympic Chiropractic at the corner of Fair Oaks and Army Trail, who covers 69% of the cost of the detention area, which means the amount that the Village would have to collect from the residents is greatly reduced because of that.

Trustee Hopkins asked if the cost for administration fees would drastically impact the fees for residents.

Mayor Wallace stated that Public Works Director Dan Dinges would be going over this committee item in a few minutes.

4. STANDING COMMITTEE REPORTS

A. PUBLIC WOKS AND GOLF COMMITTEE, CHAIRMAN DEYNE



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1. Fairfax Commons HOA Request SSA

Trustee Deyne stated that the Fairfax Commons HOA has requested to establish a special service area to facilitate Village provided grass cutting/landscaping of HOA required open areas. This would be our first residential SSA that we would manage so we had our Village Attorney review and put together an overview for establishing the SSA and the process that is required to establish the SSA. We have over 60 Homeowner's Associations so we would need to be prepared for others that may request to establish an SSA as well.

Trustee Deyne stated that while he's sympathetic to their concerns, the only issue he has with this is that we'd be establishing a precedent that he's concerned about how it will affect other SSA's.

Trustee Gunsteen asked how the Village recuperates its money.

Village Attorney Kurt Asprooth stated that it's done through a tax levy. He went on to say that if we establish an SSA, the village board would have to adopt a specific SSA levy each year that would only be levied against the properties within the SSA, and then we would take that money. He stated we would then perform the mowing services which we would administer by going through a contractor. He went on to say that we would have to have the insurance and then we would be limited to that tax levy to pay for those services.

Village Attorney Kurt Asprooth went on to say that the amount of the tax levy is going to be set at that floor when it's started, and to change that amount of that levy, per the SSA Ordinance we would need to go through the whole process of setting up the SSA again by amending it. He stated the issue with that is that any SSA amendment or an initial SSA can be shot down by 51% of residents in the SSA. Which means that the cost to amend it would need to be taken into consideration.

Trustee Suwanski stated that if over the course of one year or eighteen months, the other 59 HOA's decided to approach the board for an SSA, we would have 60 separate SSA's. Village Attorney Kurt Asprooth stated that was correct.

Trustee LaPorte wanted to verify that the only house that the tax levy would impact would be lot 1 through 75 on the list. Village Attorney Kurt Asprooth stated they would have to define those properties a little bit more, but it would only be those lots listed.

Mayor Wallace stated that the biggest challenge with this is that the Village trying to enforce the homeowner's associations primary responsibility. He went on to say that they understand where they're coming from but he cannot support this.

Ms. Barajas wanted to verify if approved, whether the lawn mowing process would be outsourced or handled by Bartlett employees. Public Works Director Dan Dinges stated it would be contracted so that we would specifically have a company responsible for that particular HOA. Ms. Barajas voiced concerns once again that it's just the three of them. And the concern is that if they default on these payments, this would go back to the Village anyways.



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Trustee Gunsteen stated that their HOA is a legally binding contract. Ms. Barajas stated that's another challenge because not every realtor is advising those residents that they still need to pay the money even if they sell their house. Trustee Gunsteen stated that an attorney would be more likely to be able to help in their efforts to collect those funds by leaning those houses or those individuals that fail to pay compacting legal fees. He went on to say that he agrees, with the Mayor, Trustee Deyne, and Trustee Suwanski that it's just not a good idea for the Village to get involved as it would get very convoluted as to who gets taxed for what, not to mention all the other HOA's that would come to the board for similar issues.

Mr. Pleasa stated that it costs money to collect money, and they would have to quadruple their assessment in order to have enough funds to go after the dues that are owed.

Trustee Suwanski wanted to clarify that in the memorandum, it stated that we can't necessarily count on the County Assessor and the collectors to collect this on our behalf.

Village Attorney Kurt Asprooth stated that if we are unable to levy the tax in a standard way, we'd have to establish what's called a special tax roll. He went on to say that when it's difficult for the county to levy it like that, we would have to find a way to levy it.

Trustee Hopkins asked if we did establish this, what would be the legal cost to fund this every year to monitor it. Village Attorney Kurt Asprooth stated that there would be legal costs up front to establish the SSA. He went on to say that there's a process that involves two separate ordinances, public hearing, and notices that go out in each newspaper and then to each of the impacted residences. He stated that once the SSA is set up, there's not much legal work from a day-to-day perspective. He did say that if there's issues with how those SSA taxes are collected, that's when additional costs come in.

Trustee Deyne stated that was all for the agenda item. Mayor Wallace stated that they've heard from at least three other HOA's that are having similar challenges, and they don't really have a great solution; however, as a Board they don't want to get involved in an SSA situation. He thanked the HOA members for coming out.

5. ADJOURNMENT

Mayor Wallace moved to adjourn the Committee of the Whole Meeting. Trustee Deyne moved to approve; the motion was seconded by Trustee LaPorte.

ROLL CALL VOTE TO ADJOURN

AYES: Chairmen Deyne, Gandsey, Gunsteen, Hopkins, LaPorte, Suwanski

NAYS: None

ABSENT: None

MOTION CARRIED



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The Committee of the Whole meeting was adjourned at 7:44 p.m.

Jackie Cardoza
Executive Assistant