

AGENDA
REGULAR MEETING OF THE BOARD OF TRUSTEES OF THE VILLAGE OF MORTON, ILLINOIS
7:00 P.M.
MONDAY, DECEMBER 17, 2018
FREEDOM HALL, 349 W. BIRCHWOOD, MORTON, ILLINOIS

- I. CALL TO ORDER**
- II. ROLL CALL**
- III. PLEDGE OF ALLEGIANCE TO THE FLAG**
- IV. PUBLIC HEARING**
- V. PRESENTATIONS AND SPECIAL REPORTS**
- VI. PUBLIC COMMENT**
 - A. Public Comments
 - B. Requests for Removal of Items from the Consent Agenda
- VII. CONSENT AGENDA**
 - A. Approval of Minutes
 - 1. Regular Meeting – December 3, 2018
 - B. Approval of Bills
- VIII. CONSIDERATION OF ITEMS REMOVED FROM THE CONSENT AGENDA**
- IX. VILLAGE PRESIDENT**
- X. VILLAGE CLERK**
- XI. VILLAGE ADMINISTRATOR**
 - A. Fall Tourism Grant Recommendations.
- XII. CHIEF OF POLICE**
- XIII. CORPORATION COUNSEL**
- XIV. DIRECTOR OF FIRE AND EMERGENCY SERVICES**
- XV. DIRECTOR OF PUBLIC WORKS**
 - A. Resolution 16-19 – A Resolution Approving Intergovernmental Cooperation Agreement Between the County of Tazewell and the Village of Morton Regarding Digital Orthophotography.
 - B. Ordinance 19-18 - An Ordinance Making Amendments Regarding Storm Water Improvement Grants to Chapter 5 of Title 8 of the Morton Municipal Code.
- XVI. PLANNING AND ZONING OFFICER**
- XVII. VILLAGE TRUSTEES**
 - A. Trustee Belsley
 - B. Trustee Blunier
 - C. Trustee Leman
 - D. Trustee Heer
 - E. Trustee Newman
 - F. Trustee Parrott
- XVIII. CLOSED SESSIONS**
- XIX. CONSIDERATION OF MATTERS ARISING FROM CLOSED SESSIONS**
- XX. ADJOURNMENT**

**VILLAGE BOARD OF TRUSTEES
REGULAR MEETING
7:00 P.M., DECEMBER 3, 2018**

After calling the meeting to order, President Kaufman led the Pledge of Allegiance. The Clerk called the roll, with the following members present: Belsley, Blunier, Heer, Leman, Newman, Parrott – 6.

PUBLIC HEARING – None.

PRESENTATIONS – Don Welch and Cara Allen from the Peoria Area Convention and Visitors Bureau gave an update presentation on what they've been doing and plan to do to in the future to continue promoting the Village of Morton through their organization.

PUBLIC COMMENT – Leigh Ann Brown with the Chamber of Commerce and Economic Development Council praised the work of the PACVB and thanked Don and Cara for all they do and for giving the presentation. She also thanked everyone who was involved in hosting Hometown Holidays and noted it was a great kickoff to the holiday season. She then gave a list of several companies in Morton who are growing and currently hiring.

CONSENT AGENDA

- A. Approval of Minutes.
 - 1. Regular Meeting – November 19, 2018
- B. Approval of Bills

Trustee Heer moved to approve the Consent Agenda. Motion was seconded by Trustee Leman and approved with the following roll call vote:

Yes: Belsley, Blunier, Heer, Leman, Newman, Parrott – 6.
No: None.
Absent: None.

VILLAGE CLERK – Clerk Ritthaler reminded the public that candidate petition filing period for the April 2, 2019 municipal election will be December 10th through December 17th.

PLANNING AND ZONING OFFICER

PZO Spangler presented Special Use Petition No. 18-11 SP, for 915 W. Jackson Plaza. He noted that it is for a car wash that will go in the empty lot between the remodeled KFC and Pizza Ranch. It came with a unanimous favorable recommendation from the Plan Commission. Trustee Blunier moved to approve. Motion was seconded by Trustee Heer and approved with the following roll call vote:

Yes: Belsley, Blunier, Heer, Leman, Newman, Parrott – 6.
No: None.
Absent: None.

VILLAGE TRUSTEES

BELSLEY – Nothing to report.

BLUNIER – Nothing to report.

HEER – Nothing to report.

LEMAN – Nothing to report.

NEWMAN – Nothing to report.

PARROTT – Nothing to report.

ADJOURNMENT

With no further business to come before the Board, Trustee Heer moved to adjourn. Motion was seconded by Trustee Leman and followed by a unanimous voice vote.

ATTEST:

PRESIDENT

VILLAGE CLERK



Memo

To: President & Board of Trustees

From: Julie Smick

Date: December 5, 2018

Re: Morton Fall Tourism Grant Round Recommendations

The Morton Tourism Grant Committee met on December 4 to review their scoring of the Tourism Grant applications received for the fall grant round.

There are two types of grants an organization can apply for:

- **Community Grant** is capped at \$3,000 and is for events which bring people into town and gain recognition for the community. These do not generate a lot of overnight hotel stays but do increase restaurant traffic, educational opportunities and improve the quality of life for residents.
- **Overnight Grant** is capped at \$10,000. The Overnight Grant requires at least 50 overnight hotel stays. These events normally provide greater economic benefits to the community and provide a higher level of non-economic benefits for the community and its visitors.

Below are their recommendations:

Event	Hosting Organization	Requested Grant Amount	Recommended Grant Amount	Comments
Fourth Fridays	Chamber of Commerce	\$3,000	\$2,700	Grant scored lower on restaurant benefit
8 th Grade Boys Basketball Tournament	Blessed Sacrament Church	\$3,000	\$3,000	None
Winter Concert Series	Morton Fine Arts Assoc.	\$3,000	\$3,000	None
Pastor's Conference	Rural Home Ministries	\$10,000	\$10,000	None
Civil War Days	Tri-County Living History Assoc.	\$10,000	\$10,000	None
Civil War School Daze	Tri-County Living History Assoc.	\$10,000	\$9,000	Grant scored lower on expected hotel stays

If you have any questions, please feel free to contact me.

RESOLUTION NO. 16-19

**RESOLUTION APPROVING INTERGOVERNMENTAL COOPERATION
AGREEMENT BETWEEN THE COUNTY OF TAZEVELL AND THE VILLAGE OF MORTON**

WHEREAS, the Village and Tazewell County desire to upgrade digital orthophotography;
and

WHEREAS, there has been presented to the Village a proposed Agreement to be
entered into.

**NOW, THEREFORE, BE IT RESOLVED BY THE PRESIDENT AND BOARD OF TRUSTEES OF
THE VILLAGE OF MORTON**, Tazewell County, Illinois, as follows:

1. That the Intergovernmental Cooperation Agreement Between the County of Tazewell
and the Village of Morton (the "Agreement") in the form as attached to this Resolution is
approved.

2. That the Village President and Village Clerk are authorized and directed to execute
the Agreement.

BE IT FURTHER RESOLVED that this resolution shall be in full force and effect upon its
passage and approval.

PASSED AND APPROVED at a regular meeting of the President and Board of Trustees of
the Village of Morton, Tazewell County, Illinois, this _____ day of December, 2018; and upon
roll call the vote was as follows:

AYES:

NAYS:

ABSENT:

ABSTAINING:

APPROVED this _____ day of _____, 2018.

President

ATTEST:

Village Clerk

**INTERGOVERNMENTAL COOPERATION AGREEMENT
BETWEEN THE COUNTY OF TAZEVELL
AND THE VILLAGE OF MORTON, ILLINOIS**

WHEREAS, the County of Tazewell, hereafter “County”, is a body politic and corporate organized under the laws of the State of Illinois; and

WHEREAS, the Village of Morton, Illinois, hereafter “Village”, is municipal corporation organized under the laws of the State of Illinois; and

WHEREAS, the Village and County mutually desire to upgrade digital orthophotography; and

WHEREAS, Tri-County Regional Planning Commission on the behalf of Tazewell County, Peoria County, Logan County and Woodford County collectively advertised a Request for Proposal for a regional digital orthophotography acquisition project and to share in reduced costs for the acquisition; and

WHEREAS, representatives from each of the Counties graded the responses to the RFP and selected Pictometry, to perform the project; and

WHEREAS, the Intergovernmental Cooperation Act of the State of Illinois authorizes the County and the Village to enter into Intergovernmental Agreements; and

WHEREAS, the County will be partnering with various municipalities to share in the cost of the digital orthophotography to include a buy up for additional services and deliverables in the total amount of \$221,500; and

WHEREAS, the County has been awarded a grant through IDOT’s Statewide Planning and Research Funds in the amount of \$45,000 to be utilized for aerial flight funding therefore reducing the cost of all requested services and deliverables to \$176,500; and

WHEREAS, as result of partnering with other municipalities the County’s share of the digital orthophotography project will be \$88,250; and

WHEREAS, the Village has agreed to partner with the County in the orthophotography acquisition project and share in the reduced costs; and

WHEREAS, of the \$176,500 the Village has agreed to contribute their share of the cost totaling \$13,932 to be paid to the County upon project completion and at the time of delivery.

NOW THEREFORE, in consideration of the mutual promises contained in this agreement the County of Tazewell, and the Village of Morton, Illinois, agrees as follows:

1. That the foregoing is true, accurate and factual
2. That should any the forgoing be found to be false, inaccurate or not factual, such finding shall have no bearing on this agreement and this agreement shall remain in full force and effect.
3. That the Village shall reimburse the County for the Village's pro-rata share of the digital orthophotography based upon 6,288 improved parcels in the amount of \$13,932 upon project completion and at the time of delivery.

THIS AGREEMENT, approved by the County Board of Tazewell County, Illinois at their regularly scheduled board meeting on this _____ day of _____, 2019, with

Ayes, _____ Nays, _____ Absent, _____ Abstain, _____ Present _____

COUNTY OF TAZEWell, ILLINOIS

David Zimmerman, Chairman

ATTEST:

County Clerk
Tazewell County

THIS AGREEMENT approved by the Village Council of the Village of Morton, Illinois at their regularly scheduled council meeting on this _____ day of _____, 2019, with

Ayes, _____ Nays, _____ Absent, _____ Abstain, _____ Present

VILLAGE MORTON, ILLINOIS

Village President

ATTEST:

Village Clerk
Village of Morton

MEMO

To: Mayor Kaufman and Board of Trustees
From: Pat McGrath, Village Attorney
Subject: Storm Water Grant Program
Date: December 13, 2018

Superintendent Loudermilk and I have had the opportunity to speak at length recently regarding the Village's existing storm water grant program. This is a program which to my knowledge was implemented some years ago when the storm water tax was implemented. Having learned more about how the program has operated, I have concerns and recommended changes moving forward.

The current incarnation the storm water grant program often and generally involves the Village staff designing and aiding with the direct implementation of solutions to private storm water drainage issues. While Superintendent Loudermilk can comment more extensively regarding specific instances where the program has been used, it is my understanding that in general terms the program is invoked when a property owner brings a complaint regarding a private drainage issue to the Village. The Village, especially Jamey Bullard, then becomes involved with shooting grades and otherwise identifying and designing a potential solution to the drainage issue. The Village then participates financially in the cost of implementing that solution.

I have substantial concerns regarding the continued viability of this program. I believe it is an undue risk for the Village to become involved in essentially engineering solutions to private drainage issues. In general terms, our responsibility as a municipality for resolving surface water drainage issues is to accept and redirect water which comes off private properties onto the Village's streets and other public property. It is similar to a sanitary sewer system in that it is a homeowner's responsibility to get the surface water to us and our responsibility to handle it thereafter. We are assuming additional liability and risk by shooting grades and defining solutions to private drainage issues. The existing grant program is further of concern because it places the Village often in a position where it is perceived that it is the Village's responsibility to solve purely private drainage problems. For lack of a better word, homeowners often hand off the problem to the Village and expect us to fix it.

As a fundamental policy question the Board must determine if the storm water grant program should continue. If it is to continue, the program needs to operate under clearly defined rules which place the burdens of designing and implementing a solution on the private property owner so the Village's participation would merely be to review and

approve a proposed drainage plan and to award grants to reimburse private property owners for the cost of development.

I would prefer the storm water drainage grant program, if it is to continue, to operate in the following fashion: if a private property owner contacts the Village regarding a private drainage issue, the Village would advise the private property owner in general terms of the laws of drainage in the State of Illinois using a prepared handout which I will prepare and provide to the Village. This handout would explain to the private property owner that the Village is not generally responsible for resolving storm water drainage issues on private property. The Village would inform the private property owner of the availability of a grant program and provide the owner information regarding the terms and conditions of that grant program.

The Village would control the financial commitment to the grant program in two ways. A limit would be set per project, and a maximum amount for all projects in a fiscal year would also be set by the Board.

I have prepared a proposed ordinance for the Board's review and consideration. I look forward to your feedback. Please do not hesitate to contact me with any questions or concerns regarding this proposal.

PBM:cb

ORDINANCE NO. 19-18

**AN ORDINANCE MAKING AMENDMENTS REGARDING STORM WATER IMPROVEMENT
GRANTS TO CHAPTER 5 OF TITLE 8 OF THE MORTON MUNICIPAL CODE**

WHEREAS, the Morton Municipal Code was adopted on March 2, 1970, and duly published in book form; and

WHEREAS, the Village of Morton has previously awarded grants from its stormwater utility fund for private drainage improvement projects within the Village of Morton; and

WHEREAS, it is necessary and desirable to adopt by ordinance those rules and regulations which shall apply to future awards of grants for private drainage improvement projects within the Village of Morton.

NOW, THEREFORE, BE IT ORDAINED BY THE PRESIDENT AND BOARD OF TRUSTEES OF THE VILLAGE OF MORTON, Tazewell County, Illinois, that Chapter 5 of Title 8 of the Morton Municipal Code is hereby amended by inserting a new section 8-5-8, which shall read as follows:

§ 8-5-8 Storm Water Improvement Grant Program: A Storm Water Improvement Grant program is hereby established subject to the rules, terms and conditions of this Section:

(A) At the discretion of the Superintendent of Public Works, the Village of Morton may from time to time award grants from storm water utility funds for eligible storm water improvement projects completed on private property to improve storm water drainage within the Village of Morton.

(B) A project shall be an eligible project for this grant program if all of the following criteria is met:

- 1) A grant application shall be submitted to the Village of Morton on the form and containing such substance as the Superintendent of Public Works may require

- 2) The grant applicant shall submit with the grant application plans for the proposed storm drainage improvements prepared under seal of a licensed engineer.
 - 3) The Village of Morton shall review the plans submitted by the applicant. The approval of the plans by the Village of Morton must be obtained before construction is commenced for the project to be eligible for a grant.
 - 4) The grant applicant shall be responsible for demonstrating at the time of the grant application that the applicant has obtained any necessary easements, permissions or authorities from all landowners upon whose land the proposed drainage improvements will be constructed.
 - 5) Grants shall only be available to storm drainage improvement projects to improve surface water drainage on, over or across existing residential and commercial properties within the Village of Morton. Grants shall not be available for new residential, industrial or commercial developments, or for ordinary site work or grading performed in conjunction with unrelated land improvements.
- (C) The Village of Morton's role shall be expressly limited to reviewing the grant application, reviewing the engineering documents and any and all associated submittals to verify the sufficiency of the design, verifying that the proposed project is likely to improve storm water drainage for the affected properties, verifying that the property owner has obtained all necessary consents, easements and supporting legal documents, and verifying in all other regards compliance with the requirements of this grant program. The Village of Morton shall not be responsible for engineering a solution to a private storm water drainage issue or for constructing private storm water drainage improvements under the authority of this grant program.
- (D) If a storm water grant is awarded pursuant to the provisions of this Section, the grant shall be paid as reimbursement to the grant applicant after the proposed drainage improvements are completed and upon receiving such verification as may be necessary to confirm completion of the project and to confirm that all involved contractors have been paid.
- (E) The amount of the grant shall be limited to the lesser of the reimbursement of 50% of the construction cost or the sum of \$10,000.00 per project. Multiple grant applications may not be submitted for the same project even though drainage improvements may be constructed for one project across several properties.

(F) The total amount of grants awarded in any fiscal year shall not exceed the amount appropriated by the Village of Morton for the express purpose of funding grants pursuant to this section.

BE IT FURTHER ORDAINED that this ordinance shall be in full force and effect upon its passage, approval, and publication as may be required by law.

BE IT FURTHER ORDAINED that if any section or part of this Ordinance is held invalid, it shall not affect the validity of the remainder of this Ordinance.

BE IT FURTHER ORDAINED that this Ordinance shall take effect 10 days after publication thereof as provided by law.

PASSED AND APPROVED at a regular meeting of the President and Board of Trustees of the Village of Morton this _____ day of _____, 2018; and upon roll call the vote was as follows:

AYES:

NAYS:

ABSENT:

ABSTAINING:

APPROVED this _____ day of _____, 2018.

President

ATTEST:

Village Clerk