

AGENDA
REGULAR MEETING OF THE BOARD OF TRUSTEES OF THE VILLAGE OF MORTON, ILLINOIS
7:00 P.M.
TUESDAY, JULY 6, 2021
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 – June 21, 2021
 - B. Approval of Bills
- VIII. CONSIDERATION OF ITEMS REMOVED FROM THE CONSENT AGENDA**
- IX. VILLAGE PRESIDENT**
 - A. Approval of \$10,000 funding for fireworks to be paid to the Morton Park District
- X. VILLAGE CLERK**
- XI. VILLAGE ADMINISTRATOR**
- XII. CHIEF OF POLICE**
- XIII. CORPORATION COUNSEL**
- XIV. DIRECTOR OF FIRE AND EMERGENCY SERVICES**
- XV. DIRECTOR OF PUBLIC WORKS**
 - A. Acceptance of Change Order #1 to R.A. Cullinan & Son, Inc. for the 2.5” pavement mill & overlay (Poly HMA Stone Matrix Asphalt w/ FRAP) of W. Ashland St. and Ashland Ct. as part of the 2021 Mill & Overlay Project in the Amount of \$ 371,554.90.
- XVI. ZONING AND CODE ENFORCEMENT OFFICER**
 - A. PC Agenda for 06/28/2021
 - B. AN ORDINANCE MAKING AMENDMENTS REGARDING SIGN REGULATIONS TO CHAPTER 9 OF TITLE 10 OF THE MORTON MUNICIPAL CODE
 - C. AN ORDINANCE MAKING AMENDMENTS REGARDING DETACHED GARAGES TO CHAPTERS 2 AND 5 OF TITLE 10 OF THE MORTON MUNICIPAL CODE
 - D. PC Minutes from 06/28/2021
 - E. PC Transcripts from 06/28/2021
- XVII. VILLAGE TRUSTEES**
 - A. Trustee Blunier
 - B. Trustee Hilliard
 - C. Trustee Leitch
 - 1. Starcom Radio Purchases
 - 2. Business Sustainability Grant – 3rd Extension
 - D. Trustee Menold
 - E. Trustee Newman
 - F. Trustee Parrott
- XVIII. CLOSED SESSIONS**

XIX. CONSIDERATION OF MATTERS ARISING FROM CLOSED SESSIONS

XXIII. ADJOURNMENT

**VILLAGE BOARD OF TRUSTEES
REGULAR MEETING
7:00 P.M., June 21, 2021**

After calling the meeting to order, President Kaufman led the Pledge of Allegiance. The Clerk called the roll, with the following members present: Leitch, Menold, Newman, Parrott – 4.

PRESENTATIONS – None

PUBLIC COMMENT

Leigh Ann Brown of the Morton Chamber of Commerce & Economic Development Council gave a projection for a gathered and connected Pumpkin Festival on grounds this Fall. She also announced that 4th Friday events were this Friday from 5-8pm. The Design Den is now in the building where Binkley Jewelers used to be and there will be a ribbon cutting ceremony during the 4th Friday events. Wayne Menold was announced as the 2021 Pumpkin Festival Parade Marshal; applications are now open for floats in this parade. New this year will be a Pumpkin Chili Cookoff event on August 7th in partnership with Potters Alley and MYBA. Noted was that Miss Vickies South location has been awarded a microgrant and they are currently remodeling for a projected opening in September. Wednesday at 9:30am will be a Grand Opening at Arby's new location.

CONSENT AGENDA

- A. Approval of Minutes.
 - 1. Regular Meeting – June 7, 2021
- B. Approval of Bills

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

Yes: Leitch, Menold, Newman, Parrott – 4.
No: None.
Absent: Blunier, Hilliard - 2.

VILLAGE PRESIDENT – None.

VILLAGE CLERK – None.

VILLAGE ADMINISTRATOR

Administrator Smick requested approval of a Business Sustainability Grant. This grant is the last of the applications for the second round and is for the Training Domain in the amount of \$5,867.92. Administrator Smick mentioned that the State of Illinois has mentioned that the Village of Morton may be able to expand these grant offerings and offer a third round with roughly just over \$100,000.00 left to spend. A motion to accept this grant was made by Trustee Leitch and seconded by Trustee Newman. The motion carried with the following roll call vote:

Yes: Leitch, Menold, Newman, Parrott – 4.
No: None.
Absent: Blunier, Hilliard - 2.

Administrator Smick then requested approval of a Business District Commission recommendation for a \$13,500.00 business improvement grant to be awarded to Miss Vickies South for new siding on their building. A motion was made by Trustee Newman to approve this grant and it was seconded by Trustee Parrott. The motion carried by the following roll call vote:

Yes: Leitch, Menold, Newman, Parrott – 4.
No: None.
Absent: Blunier, Hilliard - 2.

Administrator Smick concluded by requesting approval of Resolution 03-22: A resolution appointing authorized representatives to serve on the panel of the police pension fund. Illinois government has consolidated police pensions into one fund and this resolution allows for such. Some discussion regarding the logistics of this legislation and how it will impact our local police officers was had. Funds from our department's plan will only be sent if absolutely required by the State and more details will be given in the future as this is developed. A motion to approve this Resolution was made by Trustee Menold and seconded by Trustee Parrott. The motion passed with the following roll call vote:

Yes: Leitch, Menold, Newman, Parrott – 4.
No: None.
Absent: Blunier, Hilliard - 2.

CHIEF OF POLICE - None.

CORPORATION COUNSEL - None.

DIRECTOR OF FIRE AND EMERGENCY SERVICES – None.

ZONING AND CODE ENFORCEMENT OFFICER – None.

VILLAGE TRUSTEES

Trustee Blunier – None.

Trustee Hilliard – None.

Trustee Leitch presented a discounted package deal for new Fire and Police radios. This incentive is for a new type of radio that was previously discussed for a new Starcom system and will give 2 more years of warranty than usually given by ordering early. There was some discussion on this topic, including logistics of the system overall, and no vote or official approval was needed to proceed at this time.

Trustee Menold – None.

Trustee Newman – None.

Trustee Parrott – None.

CLOSED SESSIONS - None.

CONSIDERATION OF MATTERS ARISING FROM CLOSED SESSIONS - None.

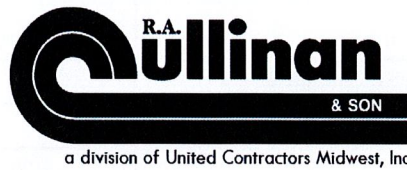
ADJOURNMENT

With no further business to come before the Board, Trustee Newman moved to adjourn. Motion was seconded by Trustee Leitch and followed by a unanimous voice vote of all present board members.

ATTEST:

PRESIDENT

VILLAGE CLERK



121 West Park St. - P.O. Box 166
Tremont, Illinois 61568

CONCRETE GRAVEL & BITUMINOUS PAVEMENTS
CONCRETE AND STEEL BRIDGES AND CULVERTS
PILE DRIVING - EXCAVATING - DRAINAGE DITCHES

OFFICE PHONE 925-2711
Area Code 309 PEORIA 676-4343
Area Code 309 PEKIN 346-7262
FAX 309-925-7131

Quote To: Village of Morton

Job Name: Morton 2021 HMA - Extra Work

Project Location:

Date of Plans:

Bid Date:

FSA: 033121MORT-1

Addendum:

Attn:

Phone:

Mobile:

Email:

ITEM	DESCRIPTION	QUANTITY	UNIT	UNIT PRICE	AMOUNT
10	Bit Surf Rem Butt Jt	960.00	SY	19.68	18,892.80
20	Bit Surf Rem VD	27,199.00	SY	4.70	127,835.30
	Total Milling Section				\$146,728.10
	HMA Section				
30	P LB MM IL-4.75 N50	1,142.00	TON	146.25	167,017.50
40	P HMA SC D N50	2,285.00	TON	136.09	310,965.65
50	P Bit Matls Pr Ct	2,720.00	GAL	8.85	24,072.00
60	RR Prot Liab Ins	1.00	LS	1,150.00	1,150.00
	Total HMA Section				\$503,205.15
1. As Bid Contract	Grand Total Base Bid (As Bid)				\$649,933.25
	HMA - Extra Work (HMA D N50)				
110	P HMA SC D N50	470.00	TON	136.09	63,962.30
120	P LB MM IL-4.75 N50	235.00	TON	146.25	34,368.75
130	P Bit Matls Pr Ct	560.00	GAL	8.85	4,956.00
140	Bit Surf Rem Butt Jt	213.00	SY	19.68	4,191.84
150	Bit Surf Rem VD	5,600.00	SY	4.70	26,320.00
160	Traffic Control (N. Morton Ave.)	1.00	LS	3,865.00	3,865.00
	Total Section 1 (D N50)				\$137,663.89
210	P HMA SC D N50	428.00	TON	136.09	58,246.52
220	P LB MM IL-4.75 N50	214.00	TON	146.25	31,297.50
230	P Bit Matls Pr Ct	510.00	GAL	8.85	4,513.50
240	Bit Surf Rem Butt Jt	227.00	SY	19.68	4,467.36
250	Bit Surf Rem VD	5,100.00	SY	4.70	23,970.00
	Total Section 2 (D N50)				\$122,494.88
310	P HMA SC D N50	333.00	TON	136.09	45,317.97
320	P LB MM IL-4.75 N50	167.00	TON	146.25	24,423.75
330	P Bit Matls Pr Ct	397.00	GAL	8.85	3,513.45
340	Bit Surf Rem Butt Jt	113.00	SY	19.68	2,223.84
350	Bit Surf Rem VD	3,967.00	SY	4.70	18,644.90
	Total Section 3 (D N50)				\$94,123.91

ITEM	DESCRIPTION	QUANTITY	UNIT	UNIT PRICE	AMOUNT
2. Contract Mix D N50	Grand Total - Extra Work (HMA D N50)				\$354,282.68
	Extra Work - HMA Mix E N70				
1110	P HMA SC E N70	470.00	TON	138.57	65,127.90
1120	P LB MM IL-4.75 N50	235.00	TON	146.25	34,368.75
1130	P Bit Matls Pr Ct	560.00	GAL	8.85	4,956.00
1140	Bit Surf Rem Butt Jt	213.00	SY	19.68	4,191.84
1150	Bit Surf Rem VD	5,600.00	SY	4.70	26,320.00
1160	Traffic Control (N. Morton Ave.)	1.00	LS	3,865.00	3,865.00
	Total Section 1 (E N70)				\$138,829.49
1210	P HMA SC E N70	428.00	TON	138.57	59,307.96
1220	P LB MM IL-4.75 N50	214.00	TON	146.25	31,297.50
1230	P Bit Matls Pr Ct	510.00	GAL	8.85	4,513.50
1240	Bit Surf Rem Butt Jt	227.00	SY	19.68	4,467.36
1250	Bit Surf Rem VD	5,100.00	SY	4.70	23,970.00
	Total Section 2 (E N70)				\$123,556.32
1310	P HMA SC E N70	333.00	TON	138.57	46,143.81
1320	P LB MM IL-4.75 N50	167.00	TON	146.25	24,423.75
1330	P Bit Matls Pr Ct	397.00	GAL	8.85	3,513.45
1340	Bit Surf Rem Butt Jt	113.00	SY	19.68	2,223.84
1350	Bit Surf Rem VD	3,967.00	SY	4.70	18,644.90
	Total Section 3 (E N70)				\$94,949.75
3. Mix E N70 (0.75" Sand)	Grand Total - HMA Mix E70				\$357,335.56
	Extra Work - HMA SMA				
2010	P HMA SC SMA	705.00	TON	148.83	104,925.15
2020	P Bit Matls Pr Ct	560.00	GAL	8.85	4,956.00
2030	Bit Surf Rem Butt Jt	213.00	SY	19.68	4,191.84
2040	Bit Surf Rem VD	5,600.00	SY	4.70	26,320.00
2050	Traffic Control (N. Morton Ave.)	1.00	LS	3,865.00	3,865.00
	Total Section 1 (SMA)				\$144,257.99
2110	P HMA SC SMA	642.00	TON	148.83	95,548.86
2120	P Bit Matls Pr Ct	510.00	GAL	8.85	4,513.50
2130	Bit Surf Rem Butt Jt	227.00	SY	19.68	4,467.36
2140	Bit Surf Rem VD	5,100.00	SY	4.70	23,970.00
	Total Section 2 (SMA)				\$128,499.72
2210	P HMA SC SMA	500.00	TON	148.83	74,415.00
2220	P Bit Matls Pr Ct	397.00	GAL	8.85	3,513.45
2230	Bit Surf Rem Butt Jt	113.00	SY	19.68	2,223.84
2240	Bit Surf Rem VD	3,967.00	SY	4.70	18,644.90
	Total Section 3 (SMA)				\$98,797.19
4. SMA Mix	Grand Total - Extra Work (SMA)				\$371,554.90
	Extra Work - Extra 1" Sand Mix				
3110	P HMA SC E N70	470.00	TON	138.57	65,127.90
3120	P LB MM IL-4.75 N50	314.00	TON	146.25	45,922.50
3130	P Bit Matls Pr Ct	560.00	GAL	8.85	4,956.00
3140	Bit Surf Rem Butt Jt	213.00	SY	19.68	4,191.84
3150	Bit Surf Rem VD - 2.5"	5,600.00	SY	4.70	26,320.00
3160	Traffic Control (N. Morton Ave.)	1.00	LS	3,865.00	3,865.00

ITEM	DESCRIPTION	QUANTITY	UNIT	UNIT PRICE	AMOUNT
Total Section 1 (1" Sand)					\$150,383.24
3210	P HMA SC E N70	428.00	TON	138.57	59,307.96
3220	P LB MM IL-4.75 N50	286.00	TON	146.25	41,827.50
3230	P Bit Matls Pr Ct	510.00	GAL	8.85	4,513.50
3240	Bit Surf Rem Butt Jt	227.00	SY	19.68	4,467.36
3250	Bit Surf Rem VD - 2.5"	5,100.00	SY	4.70	23,970.00
Total Section 2 (1" Sand)					\$134,086.32
3310	P HMA SC E N70	333.00	TON	138.57	46,143.81
3320	P LB MM IL-4.75 N50	222.00	TON	146.25	32,467.50
3330	P Bit Matls Pr Ct	397.00	GAL	8.85	3,513.45
3340	Bit Surf Rem Butt Jt	113.00	SY	19.68	2,223.84
3350	Bit Surf Rem VD - 2.5"	3,967.00	SY	4.70	18,644.90
Total Section 3 (1" Sand)					\$102,993.50
5. Mix E N70 (1" Sand)	Grand Total - (1" Sand)				\$387,463.06

NOTES:

This proposal includes multiple prices.

1. As Bid Contract Pricing Asphalt -64-28

Extra Work Pricing

2. Poly HMA Mix D N50 (Current Contract Mix) Asphalt -64-28

3. Poly HMA Mix E N70 w/ FRAP (0.75" Sand Mix) Asphalt - 76-28

4. Poly HMA Stone Matrix Asphalt (SMA) w/ FRAP Asphalt - 76-28

5. Poly HMA Mix E N70 w/ FRAP (1" Sand Mix) Asphalt - 76-28

Both alternate mixes (3,4,5) includes using fractured recycled asphalt pavement (FRAP). This is an industry standard.

Thank you for the opportunity to bid on this project. We look forward to working with you.

R. A. Cullinan & Son

a division of United Contractors Midwest, Inc.

Signed _____

Signed _____

Date

Date

ORDINANCE NO. 22-05

AN ORDINANCE MAKING AMENDMENTS REGARDING SIGN REGULATIONS TO CHAPTER 9 OF TITLE 10 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 wishes to delineate an area where free standing signs of a maximum height of 75 feet are permissible; and

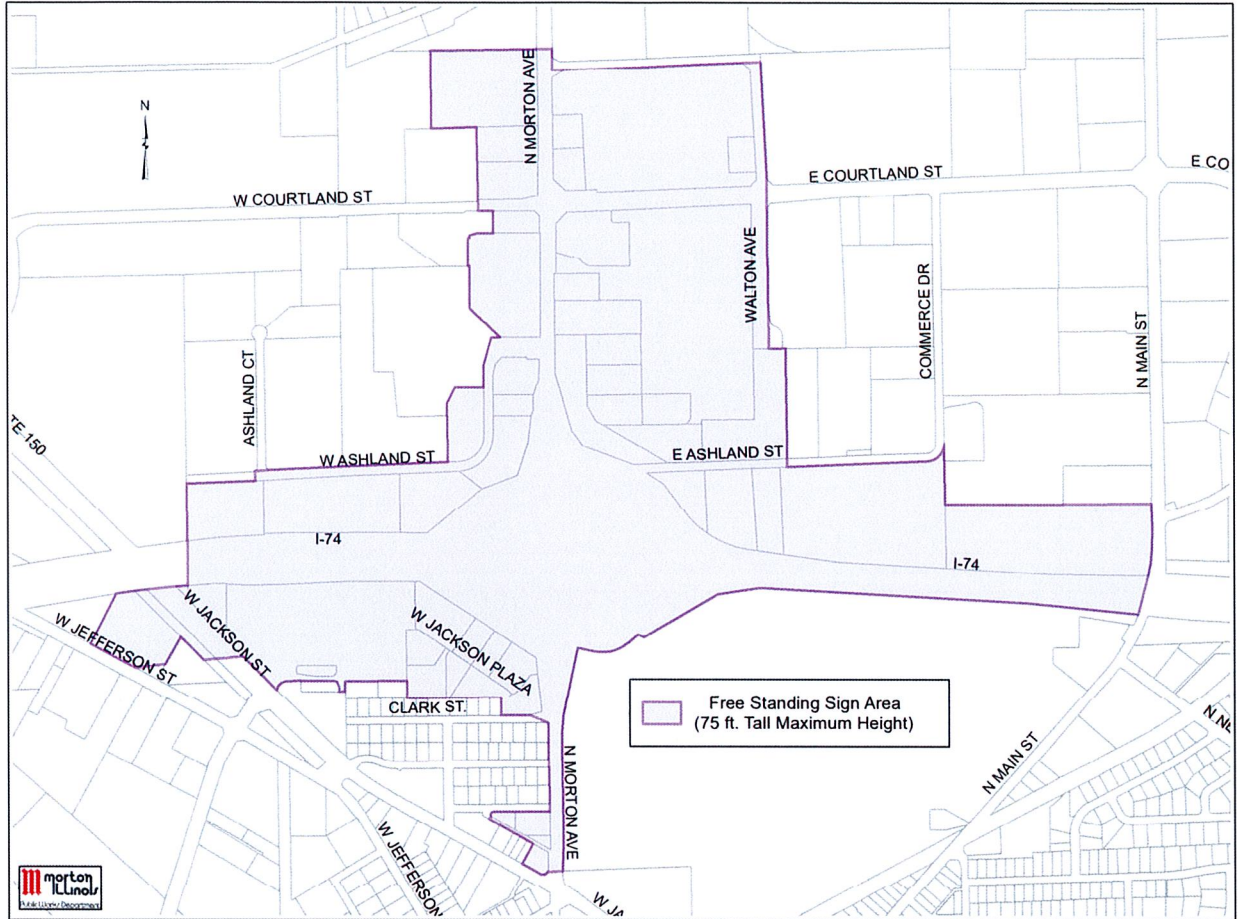
WHEREAS, the Village of Morton under the powers reserved to them under the Illinois Municipal Code has the power to adopt regulations for signage within the Village.

NOW, THEREFORE, BE IT ORDAINED BY THE PRESIDENT AND BOARD OF TRUSTEES OF THE VILLAGE OF MORTON, Tazewell County, Illinois, that the Morton Municipal Code is hereby amended by adding the following new Section 10-9-4(U) and by amending portions of Section 10-9-6 and 10-9-7 as shown in underlined text:

10-9-4: **GENERAL REGULATIONS FOR SIGNS:**

....

(U) Free standing signs up to a maximum height of 75 feet are expressly allowed in the territory shown on the following map.



10-9-6: **SIGN REGULATIONS WITHIN BUSINESS DISTRICTS:** The following sign regulations shall pertain to business districts:

(B) Business Signs in B-1 Districts: In B-1 Districts, business signs are permitted subject to the following conditions:

2. Height: No sign shall exceed twenty feet (20') in height and shall in no case extend above the roof line. However, free standing signs up to a maximum height of 75 feet are expressly allowed in the territory shown on the map in Section 10-9-4(U).

(C) Business Signs in B-2 and B-3 Districts: In B-2 and B-3 Districts, business signs are permitted subject to the following conditions:

3. Height: No attached business sign shall extend above the roof line. No free-standing business sign shall exceed thirty feet (30') in height above the curb line. However, free standing signs up to a maximum height of 75 feet are expressly allowed in the territory shown on the map in Section 10-9-4(U).

10-9-7: **SIGN REGULATIONS WITHIN INDUSTRIAL DISTRICTS:** The following sign regulations shall pertain to business and advertising signs within industrial districts:

(A) Business signs in I-1 and I-2 Districts are permitted subject to the following conditions:

3. Height: No attached business sign shall extend above the roof line. No free-standing business sign shall project higher than thirty five feet (35') above the curb level. However, free standing signs up to a maximum height of 75 feet are expressly allowed in the territory shown on the map in Section 10-9-4(U).

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.

PASSED AND APPROVED at a regular meeting of the President and Board of Trustees of the Village of Morton this _____ day of _____, 2021; and upon roll call the vote was as follows:

AYES:

NAYS:

ABSENT:

ABSTAINING:

APPROVED this _____ day of _____, 2021.

ATTEST:

President

Village Clerk

ORDINANCE NO. 22-06

AN ORDINANCE MAKING AMENDMENTS REGARDING DETACHED GARAGES TO CHAPTERS 2 AND 5 OF TITLE 10 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 Corporate Authorities of the Village of Morton desire to make certain amendments to the regulations on the size of detached garages.

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

1. Section 10-2-1 of the Morton Municipal Code is hereby amended by amending the definition of "GARAGE, PRIVATE" as follows, with additions shown in underlined font and deletions shown in strikethrough font:

GARAGE, PRIVATE: A use housing not more than four (4) motor vehicles, not more than one (1) of which may be a commercial vehicle of not more than one and one-half (1 ½) tons capacity, and not more than one (1) on which may be a camper, for the use of the occupants of the lot on which the private garage is located. Garages shall meet required yard areas as specified in this Title. Only one (1) garage per dwelling unit shall be allowed, either attached or unattached. Attached shall mean a minimum of a common roof and foundation between the dwelling unit and garage. ~~If a garage will house more than four (4) vehicles, plans shall be submitted for site plan review and shall be subject to approval of the Village.~~

2. Section 10-5-3 is hereby amended by inserting a new paragraph (G) which shall be as follows:

10-5-3 R-1 ONE-FAMILY AND PLANNED RESIDENTIAL DEVELOPMENT DISTRICT

...

(G) DETACHED GARAGE: Every detached garage erected shall conform to the following:

1. A detached garage shall have a maximum area of 1,000 square foot.

2. A detached garage shall have a maximum side wall height of twelve (12) feet.
3. A detached garage shall have a maximum roof height of twenty-five (25) feet, or the roof height of the primary structure, whichever is less.
4. A detached garage shall be set back from the sidewalk, or when no sidewalk is present, from the curb not less than twenty (20') feet
5. A detached garage shall have no more than
 - a. One overhead door not taller than ten (10') feet and not wider than ten (10') feet; and
 - b. One double stall overhead door not taller than eight (8') feet and not wider than twenty (20') feet; OR two single stall overhead doors not taller than eight (8') feet and not wider than (10') feet
6. A detached garage shall not be constructed in the front yard or within the required minimum side yard unless an exception under 10-4-3(D)(7) applies.
7. A detached garage shall not be constructed on a vacant lot or before the primary structure.
8. No portion of a detached garage shall be used as a dwelling.
9. A detached garage shall be built using materials similar in composition, quality and design of the primary structure. Detached garages shall not be constructed using post frame construction, and shall not have metal siding.

3. Section 10-5-4 is hereby amended by inserting a new paragraph (I) 1 through 9 which shall be as follows:

10-5-4 R-2 TWO-FAMILY AND PLANNED RESIDENTIAL DEVELOPMENT DISTRICT

...

(I) DETACHED GARAGE: Every detached garage erected shall conform to the following:

1. A detached garage shall have a maximum area of 1,000 square foot.
2. A detached garage shall have a maximum side wall height of twelve (12) feet.
3. A detached garage shall have a maximum roof height of twenty-five (25) feet, or the roof height of the primary structure, whichever is less.
4. A detached garage shall be set back from the sidewalk, or when no sidewalk is present, from the curb not less than twenty (20') feet
5. A detached garage shall have no more than
 - a. One overhead door not taller than ten (10') feet and not wider than ten (10') feet; and

- b. One double stall overhead door not taller than eight (8') feet and not wider than twenty (20') feet; OR two single stall overhead doors not taller than eight (8') feet and not wider than (10') feet
- 6. A detached garage shall not be constructed in the front yard or within the required minimum side yard unless an exception under 10-4-3(D)(7) applies.
- 7. A detached garage shall not be constructed on a vacant lot or before the primary structure.
- 8. No portion of a detached garage shall be used as a dwelling.
- 9. A detached garage shall be built using materials similar in composition, quality and design of the primary structure. Detached garages shall not be constructed using post frame construction, and shall not have metal siding.

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.

PASSED AND APPROVED at a regular meeting of the President and Board of Trustees of the Village of Morton this _____ day of _____, 2021; and upon roll call the vote was as follows:

AYES:

NAYS:

ABSENT:

ABSTAINING:

APPROVED this _____ day of _____, 2021.

President

ATTEST:

Village Clerk

**MORTON PLAN COMMISSION
MINUTES-JUNE 28, 2021**

The Plan Commission met on Monday, June 28, 2021, at 7:00 P.M., Chairman Keach presiding. Present: Knepp, Smock, Ritterbusch, Keach, Zobrist, Aupperle, Yordy, and Deweese. Absent: Geil. Also, in attendance: Zoning Officer Brad Marks and Attorney Pat McGrath.

Knepp made a motion to approve the minutes from the April 26, 2021, meeting. Zobrist seconded the motion to approve. The April 26, 2021, minutes were unanimously approved by a voice vote.

Public Hearing(s):

AN ORDINANCE MAKING AMENDMENTS REGARDING SIGN REGULATIONS TO CHAPTER 9 OF TITLE 10 OF THE MORTON MUNICIPAL CODE. ZEO Marks gave a summary of the proposed ordinance. There was discussion among the Plan Commission members, Attorney McGrath and ZEO Marks (see transcripts). There were no comments from the public. A motion to approve the ordinance as presented was made by Deweese. A second motion to approve was made by Aupperle. This was followed by a vote to approve.

Yes-Keach, Knepp, Aupperle, Ritterbusch, Smock, Deweese, Zobrist, and Yordy
No-None

APPROVED

AN ORDINANCE MAKING AMENDMENTS REGARDING DETACHED GARAGES TO CHAPTERS 2 AND 5 OF TITLE 10 OF THE MORTON MUNICIPAL CODE. ZEO Marks gave a summary of the proposed ordinance amendment. There was discussion among the Plan Commission members, Attorney McGrath, and ZEO Marks (see transcripts). There were no comments from the public. A motion to approve the ordinance as presented was made by Zobrist. A second motion to approve was made by Yordy. This was followed by a vote to approve.

Yes-Knepp, Ritterbusch, Smock, Aupperle, Deweese, Zobrist, Yordy, and Keach
No-None

APPROVED

Other Business:

None

Brad Marks:

None

With no further business, Ritterbusch made a motion to adjourn. A second motion to adjourn was made by Aupperle. With a voice roll call, there was a unanimous approval to adjourn.

<p style="text-align: right;">Page 1</p> <p>1 PLAN COMMISSION OF THE VILLAGE OF MORTON, ILLINOIS</p> <p>2 DATE: June 28, 2021</p> <p>3 TIME: 7:00 p.m.</p> <p>4 PLACE: Freedom Hall</p> <p>5 349 West Birchwood</p> <p>6 Morton, Illinois 61550</p> <p>7</p> <p>8 COMMISSION MEMBERS PRESENT:</p> <p>9</p> <p>10 Ms. Kara Knepp</p> <p>11 Mr. Gerald Ritterbusch</p> <p>12 Mr. Jeff Keach</p> <p>13 Mr. Phil Zobrist</p> <p>14 Mr. Chad DeWeese</p> <p>15 Mr. Bill Aupperle</p> <p>16 Mr. Mike Yordy</p> <p>17 Mr. Craig Smock</p> <p>18 Mr. Pat McGrath</p> <p>19 Mr. Brad Marks</p> <p>20</p> <p>21 MR. KEACH: Roll call.</p> <p>22 MR. MARKS: Geil.</p> <p>23 (No response)</p>	<p style="text-align: right;">Page 3</p> <p>1 MR. ZOBRIST: Second.</p> <p>2 MR. KEACH: All in favor, say aye.</p> <p>3 IN UNISON: Aye.</p> <p>4 MR. KEACH: Opposed? Approved.</p> <p>5 So we have a public hearing tonight, we have</p> <p>6 a couple of items on it, and before we do that, we</p> <p>7 typically have our counsel explain a few things about</p> <p>8 public hearings.</p> <p>9 MR. McGRATH: Thank you. A public hearing</p> <p>10 is being held tonight pursuant to published notice.</p> <p>11 Any person wishing to make a comment will be afforded</p> <p>12 an opportunity to do so under oath or affirmation.</p> <p>13 At the conclusion of the public hearing, the</p> <p>14 Planning Commission will make a recommendation to the</p> <p>15 Village Board. Planning Commission makes</p> <p>16 recommendations only. Village Board is responsible</p> <p>17 for taking final action on these matters.</p> <p>18 MR. KEACH: The first one is our ordinance</p> <p>19 making amendments regarding sign regulations to</p> <p>20 Chapter 9 of Title 10 of the Morton Municipal Code.</p> <p>21 Brad, do you want to explain that one to us.</p> <p>22 MR. MARKS: Yes, so in your packet with the</p> <p>23 ordinance there is a map. What we did was we -- so in</p>
<p style="text-align: right;">Page 2</p> <p>1 MR. MARKS: Knepp.</p> <p>2 MS. KNEPP: Here.</p> <p>3 MR. MARKS: Smock.</p> <p>4 MR. SMOCK: Here.</p> <p>5 MR. MARKS: Ritterbusch.</p> <p>6 MR. RITTERBUSCH: Here.</p> <p>7 MR. MARKS: Keach.</p> <p>8 MR. KEACH: Here.</p> <p>9 MR. MARKS: Zobrist.</p> <p>10 MR. ZOBRIST: Here.</p> <p>11 MR. MARKS: Aupperle.</p> <p>12 MR. AUPPERLE: Here.</p> <p>13 MR. MARKS: Yordy.</p> <p>14 MR. YORDY: Here.</p> <p>15 MR. MARKS: DeWeese.</p> <p>16 MR. DeWEESE: Here.</p> <p>17 MR. MARKS: We've got a quorum.</p> <p>18 MR. KEACH: Are there any comments about the</p> <p>19 meeting minutes? Hearing none, I would entertain a</p> <p>20 motion to approve the minutes.</p> <p>21 MS. KNEPP: I'll make a motion to approve</p> <p>22 the minutes.</p> <p>23 MR. KEACH: We have a motion.</p>	<p style="text-align: right;">Page 4</p> <p>1 our ordinance, in B-3 you're allowed to have a</p> <p>2 30-foot-tall sign; in the interstate corridor you can</p> <p>3 ask for a variance for that.</p> <p>4 I did give a list of signs that are in the</p> <p>5 interstate corridor and the height and that they all</p> <p>6 received a variance. It seemed to be a standard</p> <p>7 practice that a variance was granted. I don't have</p> <p>8 any records of variances not being granted.</p> <p>9 What we did was we identified all that area,</p> <p>10 and we expanded on it a little bit that would allow a</p> <p>11 75-foot sign as a permit -- as just being a permit as</p> <p>12 opposed to asking for a variance for it.</p> <p>13 So we just thought that would make it a</p> <p>14 little cleaner, a little more -- a little easier for</p> <p>15 businesses to just apply for a permit for a</p> <p>16 75-foot-tall sign in that area.</p> <p>17 MR. KEACH: Okay. Is there anyone from the</p> <p>18 public who would like to talk about that? Ask</p> <p>19 questions? What about any discussion on the board</p> <p>20 about this?</p> <p>21 MR. SMOCK: Why does the -- the map doesn't</p> <p>22 include the south side of town, the Field Shopping</p> <p>23 Center, 155. Are there taller signs in that area also</p>

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1 but maybe just not that tall?

2 MR. MARKS: That's a good question. We

3 actually looked at that area. There are no signs that

4 have a variance for height in that area, and I've not

5 ever received a request for a sign.

6 So at this point in time we felt, until

7 there was actually a need or a want for a sign, that

8 maybe it could be addressed later and this map could

9 be expanded.

10 MR. SMOCK: Thank you.

11 MR. KEACH: They could always ask for a

12 variance.

13 MR. MARKS: Yes, you're correct, they could

14 still ask for a variance in the interstate corridor.

15 MR. KEACH: There being no other comments, I

16 would entertain a motion to pass.

17 MR. DeWEESE: I would make a motion to pass.

18 MR. AUPPERLE: Second.

19 MR. KEACH: And we have a second.

20 MR. MARKS: Keach.

21 MR. KEACH: Yes.

22 MR. MARKS: Knepp.

23 Ms. KNEPP: Yes.

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1 MR. MARKS: Aupperle.

2 MR. AUPPERLE: Yes.

3 MR. MARKS: Ritterbusch.

4 MR. RITTERBUSCH: Yes.

5 MR. MARKS: Smock.

6 MR. SMOCK: Yes.

7 MR. MARKS: DeWeese.

8 MR. DeWEESE: Yes.

9 MR. MARKS: Zobrist.

10 MR. ZOBRIST: Yes.

11 MR. MARKS: Yordy.

12 MR. YORDY: Yes.

13 MR. MARKS: Approved.

14 MR. KEACH: The second one is an ordinance

15 making amendments regarding detached garages to

16 Chapters 2 and 5 of Title 10 of the Morton Municipal

17 Code. Brad?

18 MR. MARKS: So this ordinance really is --

19 this derived from benefiting myself actually. If you

20 see where it gives the definition of private garage,

21 it gives -- it gives a little bit of criteria, but

22 there is minimal criteria and there are no dimensions.

23 So the scenario would become someone would

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1 ask for a permit to build a detached garage, and they

2 would -- the question would be how big can I make it

3 or what can I do?

4 So it was always a little more of a

5 judgmental thing because it says you can house no more

6 than four motor vehicles, but we really don't give

7 dimensions.

8 I can only tell them it's got to meet

9 certain setbacks, correct, but it can't house more

10 than four vehicles from the standard. So there's

11 always a question of size.

12 So we're getting more demand for this.

13 People especially in the older part of town where they

14 currently have a detached garage and they want to tear

15 that garage down, they want to build something else.

16 So we're just trying to put a criteria of

17 that garage so that it's beneficial and it's

18 beneficial to the neighborhood, size, what it looks

19 like, and such. So we use a little bit of criteria

20 through just kind of seeking out what fits. The 1,000

21 square feet came from the 24 -- I believe the 24 by 36

22 takes us a hair under 900 square feet, and so we

23 rounded it up to give somebody a little extra.

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1 Some of the other items, if you have any

2 questions on those, we just try to keep the height

3 down so that it kind of blended with the neighborhood

4 and the house size and the doors just seemed to be

5 appropriate for residential areas.

6 MR. McGRATH: If I can add on to that, I

7 brought a revised version of the ordinance tonight.

8 The first draft, which was included in your packets,

9 struck two provisions in the definitions which we

10 didn't intend to strike. That was a typographical

11 error. That was a limit of one garage per dwelling

12 unit and the requirement that there must be common

13 roof and foundations for it to be considered attached.

14 So we did intend to leave those in, and the

15 ordinance I brought with me corrected that issue.

16 MR. MARKS: And this is for R1 and R2 only,

17 so it's just residential. This is not business or

18 multifamily.

19 MS. KNEPP: How about R1A? Do we have R1A?

20 MR. MARKS: It does not included R1A.

21 MS. KNEPP: I don't know how they would have

22 room on an R1A lot.

23 MR. MARKS: R1A is only Fieldstone

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1 subdivision. All those house currently are building
 2 garages attached to the house.
 3 MR. SMOCK: What distinguishes a shed from a
 4 garage, just out of curiosity?
 5 MR. MARKS: So a shed or storage building
 6 has a criteria size in our ordinance as well. It can
 7 be 1.6 percent of the square footage of a lot of a
 8 maximum of 480 square feet and no taller than 13 feet
 9 tall, but it can be up to 6 feet to the rear and side
 10 property line, and it has to be in the rear yard. And
 11 you cannot have a driveway to it.
 12 MR. SMOCK: That's a good memory.
 13 MS. KNEPP: Yeah, that was impressive.
 14 MR. MARKS: I do a lot of storage building
 15 permits.
 16 MR. McGRATH: If I can address one thing in
 17 R1A. I think it would cover R1A because the A is just
 18 a designation with regard to lot area and width within
 19 R1. So since we're adding this requirement to R1, it
 20 would be inclusive of traditional R1 and R1A lots.
 21 MS. KNEPP: Okay.
 22 MR. McGRATH: But Brad's point remains valid
 23 that its applicability is nonexistent right now since

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1 all the houses have attached garages.
 2 MS. KNEPP: And some of those lots, they
 3 wouldn't be able to meet the requirements as far as
 4 setback or all that type of stuff -- right? -- and
 5 still have a garage left.
 6 MR. McGRATH: Yeah.
 7 MR. KEACH: So is there another kind of
 8 garage beside private? What's the designation
 9 "private garage"?
 10 MR. MARKS: That's a great question.
 11 Sometimes I read through the ordinances and I'm not --
 12 it's kind of hard to know why things are written that
 13 way. I don't know. That was before me. Maybe, Pat,
 14 would you have a --
 15 MR. McGRATH: A lot of -- there is not a
 16 definition for a public garage in the code. A lot of
 17 use definitions are kind of historically rooted. I
 18 assume at some point in time there might have been a
 19 public garage like, you know, an automobile service
 20 station-type use.
 21 But in our code we don't have any other type
 22 of garage defined, so I don't know why they -- we
 23 don't use the term "public garage."

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1 MR. AUPPERLE: Brad, circumstantially, if
 2 someone bought an older home that had a detached
 3 garage and it was over 1,000 square feet and it was
 4 dilapidated or damaged, if they were to go and replace
 5 that garage, would they be limited by this 1,000
 6 square foot ordinance?
 7 MR. MARKS: My interpretation is, yes,
 8 because if you would -- if you're going to tear
 9 something down, you are now starting new. You can do
 10 maintenance on that, you can do upkeep, maintenance,
 11 whatever you need to do.
 12 A perfect example is there's a house that
 13 had a Morton Building on it in town, and that question
 14 came to tear down and build another one. They
 15 couldn't do it, but they completely refaced it and
 16 they redid it and kept the same building. So, yes, is
 17 that accurate, Pat?
 18 MR. McGRATH: Yeah, essentially that would
 19 become a lawful nonconforming use, so it would be
 20 subject to our existing requirements, which are under
 21 1042, and so if they were to voluntarily choose to
 22 tear it down, they would have to apply for an
 23 ordinance. But if they have, you know, a fire,

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1 natural disaster destroy it, I think we have special
 2 provisions for that, but maintenance and upkeep
 3 wouldn't trigger having to comply.
 4 MR. AUPPERLE: Does that fall under a
 5 category that would allow them to apply for a variance
 6 to replace it at that square footage or footprint that
 7 it was at?
 8 MR. McGRATH: Let me -- I don't remember the
 9 variance actually offhand.
 10 MR. MARKS: I don't believe so, but I could
 11 be wrong. I guess my question would be, even if that
 12 was allowed, variances are given on hardship cases.
 13 MR. AUPPERLE: Right.
 14 MR. MARKS: So I don't know, I guess that's
 15 just my opinion. I don't know that that's the type of
 16 thing that would allow for a variance.
 17 MS. KNEPP: How many properties would fall
 18 under that scenario currently? Are there that --
 19 MR. MARKS: That have garages --
 20 MS. KNEPP: Over 1,000.
 21 MR. MARKS: I don't know that number. I
 22 don't know -- I mean, we have a lot of -- generally
 23 the detached garages are smaller than that because

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1 they're in the parts of town where typically it's a
 2 one-stall garage and they tear that down, and they
 3 want to build a two-stall garage generally.
 4 MR. McGRATH: So if there was -- to your
 5 question, Bill, there is a provision where a variance
 6 is allowed to reconstruct a nonconforming use which
 7 was destroyed to an extent exceeding 25 percent of its
 8 fair market value because that's our trigger for
 9 coming into compliance.
 10 But that wouldn't apply if I just decide
 11 this is old and I don't want it anymore. It would be
 12 fire, you know, tornado or something like that. So
 13 that would be the variance process.
 14 MR. AUPPERLE: Have to be deemed unsafe or
 15 something like that?
 16 MR. McGRATH: Yeah, the code language is
 17 destroyed to an extent exceeding 25 percent of its
 18 fair market value.
 19 MR. KEACH: Any other questions?
 20 MR. DeWEESE: On Kara's point, I've got a
 21 detached garage and it's a two-car garage, and it's
 22 still only 24 by 24, and I can't think of that many
 23 garages in the older part of town. It's a great

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1 question, though, because, I mean, I can tell --
 2 MR. AUPPERLE: Well, my only, you know, as
 3 far as a hardship, one might say that they're going to
 4 reuse the foundation, and to rebuild a garage that's
 5 on a lesser foundation, you know, I mean, they'd have
 6 the hardship of removing that and replacing it to
 7 accommodate the smaller building.
 8 MR. KEACH: Well, in some cases when -- I
 9 don't know what the ordinance is in Morton, but I've
 10 heard of people rebuilding homes on an existing
 11 foundation, and it becomes they're grandfathered in on
 12 things like setbacks and so forth. So, I mean, if you
 13 built it on the same foundation --
 14 MR. McGRATH: Our code requirement is 25
 15 percent of fair market value. So essentially if 25
 16 percent of the cost to build that fair market value
 17 assessed, you know, what it would cost to build a new
 18 garage, tearing it down, reusing the same foundation,
 19 I imagine it would exceed 25 percent of the value of
 20 it.
 21 So we have some communities who have no
 22 provision. That's very generous. So grandfathering
 23 if you to reconstruct but ours isn't --

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1 MS. KNEPP: I believe we do have instances
 2 in town where there are detached garages where they
 3 also then put like a living area kind of above it or
 4 like a -- whatever. Right? Does that -- some sort of
 5 -- that falls under this same rule. Correct?
 6 MR. MARKS: I would believe those are
 7 existing nonconforming, so when you see that, that's
 8 not -- that's not today's code. That happened at some
 9 point in the past. So you'd only have one principle
 10 structure on a building lot. We do have those cases
 11 where there's a house and then there's a house with a
 12 garage -- or a garage with housing above it that
 13 they've rented. That's nonconforming, existing
 14 nonconforming.
 15 MR. KEACH: Okay. Any other comments or
 16 questions? If not --
 17 MR. ZOBRIST: I'll make a motion to approve.
 18 MR. YORDY: Second.
 19 MR. MARKS: Knepp.
 20 MS. KNEPP: Yes.
 21 MR. MARKS: Ritterbusch.
 22 MR. RITTERBUSCH: Yes.
 23 MR. MARKS: Smock.

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1 MR. SMOCK: Yes.
 2 MR. MARKS: Aupperle.
 3 MR. AUPPERLE: Yes.
 4 MR. MARKS: DeWeese.
 5 MR. DeWEESE: Yes.
 6 MR. MARKS: Zobrist.
 7 MR. ZOBRIST: Yes.
 8 MR. MARKS: Yordy.
 9 MR. YORDY: Yes.
 10 MR. MARKS: Keach.
 11 MR. KEACH: Yes.
 12 MR. MARKS: Approved.
 13 MR. KEACH: And I should have at the -- so
 14 that concludes our public hearing, and I should have
 15 made a couple welcoming comments to our newer board
 16 members tonight. Bill Aupperle and Mike Yordy,
 17 welcome.
 18 MR. AUPPERLE: Thank you.
 19 MR. YORDY: Thank you.
 20 MR. KEACH: Is there any other business
 21 tonight?
 22 MR. MARKS: I don't have anything else
 23 tonight. Thank you.

1 MR. KEACH: All right. Then I would
 2 entertain a motion to adjourn.
 3 MR. RITTERBUSCH: So moved.
 4 MR. KEACH: We have a motion.
 5 MR. AUPPERLE: Second.
 6 MR. KEACH: And a second.
 7 MR. MARKS: All in favor say, aye.
 8 IN UNISON: Aye.
 9 MR. MARKS: Opposed. Adjourned.
 10 (Hearing concluded at 7:15 p.m.)

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1 CERTIFIED SHORTHAND REPORTER'S CERTIFICATE
 2
 3 I, Christie C. Stephens, CSR, RDR, CRR, a
 4 Certified Shorthand Reporter in and for the State of
 5 Illinois, and the Certified Shorthand Reporter who
 6 reported the proceedings had on said day in this
 7 cause, do hereby certify that the foregoing transcript
 8 of proceedings is a true and complete transcript of
 9 proceedings had on said day in this cause.
 10 IN TESTIMONY WHEREOF, I have hereunto set my
 11 hand this 30th day of June, A.D. 2021.

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Christie Stephens

CSR, RDR, CRR
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