

AGENDA
REGULAR MEETING OF THE BOARD OF TRUSTEES OF THE VILLAGE OF MORTON, ILLINOIS
7:00 P.M.
MONDAY, OCTOBER 4, 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 – September 20, 2021
 - B. Approval of Bills
- VIII. CONSIDERATION OF ITEMS REMOVED FROM THE CONSENT AGENDA**
- IX. VILLAGE PRESIDENT**
- X. VILLAGE CLERK**
- XI. VILLAGE ADMINISTRATOR**
- XII. CHIEF OF POLICE**
 - A. An Ordinance making amendments regarding vehicle impoundments to Title 9 of the Municipal Code of the Village of Morton.
- XIII. CORPORATION COUNSEL**
- XIV. DIRECTOR OF FIRE AND EMERGENCY SERVICES**
- XV. DIRECTOR OF PUBLIC WORKS**
 - A. A Resolution authorizing agreement with Keach Architectural Design, Inc. for design of gas & water utility building.
 - B. An Ordinance making amendments regarding no parking restrictions near Morton Junior High School to Chapter 6 of Title 9 of the Morton Municipal Code.
- XVI. ZONING AND CODE ENFORCEMENT OFFICER**
- XVII. VILLAGE TRUSTEES**
 - A. Trustee Blunier
 - B. Trustee Hilliard
 - C. Trustee Leitch
 - a. DCEO ES Business Grant (Final Round)
 - 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., September 20, 2021**

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

PUBLIC HEARING – None.

PRESENTATIONS – None

PUBLIC COMMENT – None.

CONSENT AGENDA

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

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

Yes: Blunier, Hilliard, Leitch, Menold, Newman, Parrott - 6.
No: None - 0.
Absent: None - 0.

VILLAGE PRESIDENT – President Kaufman notified the Board that a bird found in Morton had tested positive for the West Nile Virus. The Trustee Assignments were also presented to the Board and President Kaufman made a note that the Gas Department was not included on the original list, but that it would be the responsibility of Trustee Menold. A motion to approve these assignments was made by Trustee Hilliard and seconded by Trustee Leitch. The assignments were approved with the following roll call vote:

Yes: Blunier, Hilliard, Leitch, Menold, Newman, Parrott - 6.
No: None - 0.
Absent: None - 0.

VILLAGE CLERK – None.

VILLAGE ADMINISTRATOR – None.

CHIEF OF POLICE – Chief Miller gave a special thanks to the Public Works Department for their efforts in setting up for the Pumpkin Festival events.

CORPORATION COUNSEL – Attorney McGrath presented a resolution approving second amendment to real estate exchange agreement between Morton Community Unit School District No. 709 and the Village of Morton. Trustee Newman moved to approve this resolution and Trustee Parrott seconded the motion; it carried with the following roll call vote:

Yes: Blunier, Hilliard, Leitch, Menold, Newman, Parrott - 6.
No: None - 0.
Absent: None - 0.

Then, due to the absence of DFES Kelley, Attorney McGrath presented a resolution authorizing the execution of a side letter agreement between the Village of Morton and the International Association of Firefighters Local #4952 (Paramedics). Trustee Hilliard motioned to approve this resolution and it was seconded by Trustee Newman, passing with the following roll call vote:

Yes: Blunier, Hilliard, Leitch, Menold, Newman, Parrott - 6.
No: None - 0.
Absent: None - 0.

DIRECTOR OF FIRE AND EMERGENCY SERVICES – None.

DIRECTOR OF PUBLIC WORKS – DPW Loudermilk requested approval of landscape waste program extension with R&R Services of Illinois. This request was motioned for approval by Trustee Menold with a second by Trustee Hilliard. The request was approved with the following roll call vote:

Yes: Blunier, Hilliard, Leitch, Menold, Newman, Parrott - 6.
No: None - 0.
Absent: None - 0.

DPW Loudermilk then presented an ordinance declaring GPS equipment surplus property and authorizing sale of same to Oak Grove Landscaping, Inc. GPS equipment upgrade was budgeted for this year. Trustee Menold asked what this equipment was used for and DPW Loudermilk noted that multiple departments use these pieces of equipment for grading in construction and multiple other necessary things. Trustee Parrott briefly expressed his approval. Trustee Newman moved to approve and it was seconded by Trustee Leitch, carrying with the following roll call vote:

Yes: Blunier, Hilliard, Leitch, Menold, Newman, Parrott - 6.
No: None - 0.
Absent: None - 0.

The last items from DPW Loudermilk was a resolution authorizing agreement with TOPCON Positioning Systems, Inc. (“TPS”). This resolution was motioned for approval by Trustee Menold and seconded by Trustee Parrott. The resolution carried with the following roll call vote:

Yes: Blunier, Hilliard, Leitch, Menold, Newman, Parrott - 6.
No: None - 0.
Absent: None - 0.

ZONING AND CODE ENFORCEMENT OFFICER – ZCO Marks presented a resolution authorizing filing of a zoning amendment with the plan commission for the rezoning of portions of First Avenue. ZCO Marks requested that Trustee Hilliard explain this proposed resolution and the need for such. Trustee Hilliard explained the situation warranting the resolution and then Administrator Smick made a few comments in agreement before Trustee Hilliard finished his explanation. After some discussion regarding how this resolution would potentially hinder existing

businesses in these locations, the Board was satisfied and concluded their discussion. Trustee Newman motioned approval and Trustee Leitch seconded the motion. The resolution was approved with the following roll call vote:

Yes: Blunier, Hilliard, Leitch, Menold, Newman, Parrott - 6.

No: None - 0.

Absent: None - 0.

VILLAGE TRUSTEES

Trustee Blunier – None.

Trustee Hilliard recognized the Morton Police Department and the Fire and Emergency services Department for their long hours and efforts during the Pumpkin Festival.

Trustee Leitch – None.

Trustee Menold also commended everyone involved in the orchestration of the Pumpkin Festival and noted that he is proud to be part of a community that can put on an event of such magnitude and success.

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 Parrott and followed by a unanimous voice vote of all present board members.

ATTEST:

PRESIDENT

VILLAGE CLERK

ORDINANCE NO. 21-_____

**AN ORDINANCE MAKING AMENDMENTS REGARDING VEHICLE
IMPOUNDMENTS TO TITLE 9 OF THE MUNICIPAL CODE OF
THE VILLAGE OF MORTON**

WHEREAS, the Village of Morton (“Village”) maintains a rotation tow list consisting of tow companies authorized by the Village to respond to the tow requests of the Village of Morton Police Department (“Police Department”); and

WHEREAS, the Village Board of Trustees finds that it is necessary to make regulations governing its rotation tow list to better regulate participation on such list and to have the Village’s policies, procedures, and fees reflect similar policies, procedures, and fees of the region so that there is consistency and compliance by such tow companies; and

WHEREAS, pursuant to Section 11-1-1 of the Illinois Municipal Code (65 ILCS 5/11-1-1), the Village has the authority to pass and enforce all necessary police ordinances for the health, safety, and welfare of its residents; and

WHEREAS, the Village Board of Trustees finds that it is necessary to pass and enforce the proposed amendments to the towing services provisions of the Village Code as set forth herein for the health, safety, and welfare of its residents when a towing company is called by the Police Department; and

WHEREAS, the Village Board of Trustees finds that the adoption of these proposed amendments serves the best interests of the Village, its residents, and the general public;

NOW, THEREFORE, BE IT ORDAINED BY THE PRESIDENT AND BOARD OF TRUSTEES OF THE VILLAGE OF MORTON:

Section I: Title 9 of the Village Code is hereby amended by adding a new Section 9-6-21 to Chapter 6, which shall be as follows:

9-6-21: **TOWING SERVICES:**

A. Definitions: The following words, terms and phrases, when used in this chapter, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

CHIEF OF POLICE The executive head of the Morton Police Department or anyone designated by him to perform the functions prescribed under this chapter.

POLICE DEPARTMENT The Village of Morton Police Department.

ROTATION TOW LIST A list maintained by the Police Department containing the names of those tow operators approved by the Chief of Police to respond to requests by the Police Department for the towing of vehicles for the Police Department or towing of vehicles which are disabled where the person in charge of the vehicle has no preference for any particular tow service or is unable to make such a decision.

TOW OPERATOR A person engaged in the business of, or offering the services of, vehicle towing whereby motor vehicles are or may be towed or otherwise removed or moved from one place to another by the use of a tow truck.

TOW TRUCK Every truck designed or altered and equipped for and used to push, tow, and draw disabled vehicles by means of a crane, hoist, tow bar, tow line or auxiliary axle, and to render assistance to disabled vehicles.

B Application for placement on list:

1. Any person desiring to perform towing at the Police Department's request shall submit an application for placement on the rotation tow list to the Chief of Police. Said applications can be obtained from the office of the Chief of Police.
2. Applications shall include the following information:
 - (a) The name of the tow operator;
 - (b) The names, addresses and phone numbers of all partners or shareholders for both home and businesses;

- (c) The name of the firm under which the tow operator will do business;
 - (d) The location, size, and security features of the storage lot on which the towed vehicles will be stored;
 - (e) The location to which the public must come to claim stored or impounded vehicles;
 - (f) A statement of willingness to provide full service on a continuous twenty-four-hour-a-day basis each day of the year;
 - (g) A list of towing equipment including its size and capacity;
 - (h) A complete listing of insurance policies, carriers, and agents that the tow operator will have in effect upon approval of said application;
 - (i) A description of the two-way mobile communication system to be used at the base station and on each tow truck and at the office where calls are received.
3. No person, business partners, silent partners, or other business affiliate shall submit an application for the "rotation tow list" for more than one (1) towing service or more than one (1) towing service business address. No towing service whose owner(s), partners or stockholders who are also owners, partners or shareholders of a separate approved towing service shall submit an application for the "rotation tow list." This prohibition shall not be applicable to those towing services that have been approved and appear on the "rotation tow list" prior to August 1, 2021. Purchase of a towing service on or off the list after August 1, 2021, by an owner, partner, or shareholder of a towing service which is on the list, shall not be exempt from the prohibition.
 4. Violation of this section shall disqualify an applicant. An approved towing service found in violation of this section shall be removed from the rotation tow list as provided for in Part N of this Section.
 5. Any transfer of ownership or partnership shall be grounds for reapplication and the tow company under new ownership must be approved through the application process in order to remain on the rotation tow list.
 6. Any fraudulent statements made on the application will be grounds for rejection of the application and permanent removal from the rotation tow list.

(C) Investigation and Approval:

1. Within thirty (30) days after receiving an application for placement on the rotation tow list, the Chief of Police shall conduct an investigation to determine

the truth and accuracy of the information contained in such application. The Chief of Police shall also check to determine whether the location, if within the municipal boundaries of the Village of Morton, meets the Village's zoning code, building code, and fire code requirements. Upon completion of this investigation, the Chief of Police may, at his discretion, place the tow operator on the rotation tow list for a one-year probationary period or notify the tow operator in writing that his application is disapproved. Said notice of disapproval shall state the reasons for such disapproval and shall be either hand delivered to the tow operator or sent via U.S. mail, first-class, certified, or registered.

2. No tow operator's application shall be disapproved unless:
 - (a) The applicant has knowingly furnished false or misleading information, or withheld relevant information on the application;
 - (b) The applicant does not have or will not acquire insurance as required by part D of this Section;
 - (c) The location where the applicant will conduct his business fails to meet the zoning, building, or fire codes of the Village as applicable;
 - (d) The applicant or any of its owners have been permanently removed from the rotation tow list for cause pursuant to Part N of this Section;
 - (e) The applicant has any outstanding fines or fees due to the Village of Morton; or
 - (f) The applicant fails to qualify under the Section.
3. Once a towing company's application is approved, it will be added to the rotation tow list for a one-year probationary period. During that probationary period, any documented complaints, violations, or other issues will be investigated by the Police Department and if well founded, the tow company will be removed from the rotation tow list permanently.
4. The rotation tow list shall be comprised of no more than eight (8) tow companies. However, this amount may fluctuate based upon the needs of the Police Department as determined by the Chief of Police.

(D) Insurance:

1. No tow operator shall be placed on the rotation tow list until such operator has deposited with the Chief of Police a certificate of insurance or a copy of the following policies:

- (a) *Garage keeper's policy.* A garage keeper's legal liability policy covering fire, theft, windstorm, vandalism, and explosion in the amount of fifteen thousand dollars (\$15,000.00) with "voluntary payment" or "direct primary" endorsement to cover loss of property in a towed vehicle, with each vehicle suffering damage being a separate claim.
 - (b) *Garage liability policy.* A garage liability policy covering the operation of the owner's business, equipment or other vehicles for any bodily injury or property damage. This policy shall be in the minimum amount of one hundred thousand dollars (\$100,000.00) for any one (1) person killed or injured, and a minimum amount of three hundred thousand dollars (\$300,000.00) for more than one (1) person killed or injured in any accident and an additional fifty thousand dollars (\$50,000.00) for property damage.
- 2. Each policy required under this section must contain an endorsement by the carrier providing ninety (90) days' notice to both the Village and the insured in the event of any change of coverage under the policy including cancellation.
 - 3. The tow operator must have the Village added on such insurance policies as a certificate holder and provide proof of such within five (5) days of approval of said application. Failure to provide such proof will result in the automatic removal from the rotation tow list.

(E) Operation of List:

- 1. The Chief of Police shall ensure that tow operators on the rotation tow list are called in the order of the rotation as far as practicable. The Police Department shall not, except upon request of the owner, operator, or person legitimately in possession of the vehicle to be serviced or pursuant to paragraph (b) below, call any tow operator not on the rotation tow list unless all such tow operators are unavailable.
- 2. It is specifically permitted for the Police Department to call a tow operator out of sequence in a life-threatening emergency where there is an urgent need for services of the tow operator in the proximity to the location or estimated response time makes it more practical to do so.

(F) Fees:

1. The following schedule of maximum fees shall be in effect for all tow calls received off the rotation tow list and shall be prominently displayed at every office or storage facility of the tow operator. For all Police Department ordered tows, each tow company must send the proper notifications under Sections 4-205 and 4-209 of the Illinois Vehicle Code (625 ILCS 5/4-205 and 5/4-209) as amended from time to time.

(a) Standard towing fee (i.e., use of flatbed truck, clean-up, dollies, etc.). A cost-of-living adjustment shall be established which will increase the standard tow fee five dollars (\$5.00) a year as follows not to exceed one hundred eighty dollars (\$180.00).

Effective as of January 1 of each year:

2021—\$160.00 standard tow fee - effective 8/1/2021
2022—\$165.00 standard tow fee
2023—\$170.00 standard tow fee
2024—\$175.00 standard tow fee
2025—\$180.00 standard tow fee

(b) An exceptional location fee (winching) of sixty dollars (\$60.00) applies when the use of a winch is needed to remove vehicles from the scene such as on a concrete center median or on a curb/parking block, or when two (2) vehicles are stuck together. An additional recovery fee, to be determined according to the service and equipment provided, applies where a vehicle is up to seventy-five (75) feet off of the roadway and cannot be driven from scene. A rotary crane fee applies where a crane is used to hoist a vehicle out of difficult locations where a tow truck would not work.

- (1) Lot storage fee (per day)\$35.00
- (2) Inside storage fee (per day)\$40.00
- (3) Interrupted tow fee\$50.00
- (4) Service fee (i.e., jump start, tire change, fuel etc.)\$80.00
- (5) Snow emergency tow\$150.00
- (6) Emergency openings after the end of posted business hours/special trips\$60.00
- (7) Lien holder notification fee\$85.00
- (8) Clean up fee\$25.00

2. Where special or unusual circumstances require an exceptional amount of work or equipment, a higher fee may be charged, provided that the owner or operator of the vehicle to be serviced is informed of the additional fee in advance if such person is available to be notified.
3. A twenty-five-dollar (\$25.00) fee may be charged for the removal of personal belongings from towed vehicles. Property that can be removed from the towed vehicle is defined under Section 4-203(g)(4) of the Illinois Vehicle Code (625 ILCS 5/4-203(g)(4)), as amended from time to time.
4. No vehicle may be towed by any person from private property if the owner or other person entitled to possession of the vehicle is present, or arrives at the scene prior to the vehicle's removal from such private property, exhibits the ignition key of said vehicle, and offers to remove such vehicle voluntarily prior to the time such person attempting to tow actually removes such vehicle from the private property in question, provided that such other person so removes such vehicle immediately. However, the owner must pay an interrupted tow fee. If the owner refuses to pay the interrupted tow fee, the tow truck operator may proceed to tow the vehicle.
5. All tow companies must accept all of the following forms of payment: credit, debit, or cash. Major credit and debit cards: to the extent that the Village is authorized to enact regulations on the use of credit and debit cards, a relocater or towing company holding a properly signed credit or debit card receipt shall become a holder in due course, and neither the holder of the credit or debit card nor the company which issued the credit or debit card may thereafter refuse to remit payment in the amount shown on the credit or debit card receipt minus the ordinary charge assessed by the credit or debit card company for processing the charge.
6. Pursuant to state law, tow operators may charge up to a four (4) percent convenience fee/surcharge for accepting payment made via credit card. This fee must be disclosed to customers in advance. Pursuant to state law, this fee does not apply to debit card payments under Section 25 of the Local Governmental Acceptance of Credit Cards Act (50 ILCS 345/25).

(G) Collection of Costs; Inspection of Records:

1. Collection of authorized towing charges from the owner or driver of the towed vehicles shall be the sole responsibility of the tow operator or its employee. The Village and the Police Department will not be responsible for nor assist in the collection of such fees.
2. The tow operator shall maintain complete records and a system of releasing vehicles which assures that vehicles are released only to the rightful owner or authorized person. All records involving towing from the rotation tow list shall

be open to the Chief of Police for inspection during normal business hours or at such time as there is existing a dispute concerning the amount or validity of any towing or storage charges.

(H) Duties and Requirements of Tow Operators on List.

1. Each tow operator shall maintain a secured storage lot with an office at that location. This office must be open and staffed during reasonable business hours. Reasonable business hours (8:00 a.m. - 4:00 p.m. or 9:00 a.m. - 5:00 p.m.) shall be set, posted, and adhered to by all operators. The attendant on-site shall be able to receive or release stored vehicles during posted business hours. If the tow operator's office is found closed or unstaffed during set business hours, the tow operator will be found to be in violation of these provisions.
2. Each tow operator shall provide continuous twenty-four-hour-per-day service each day of the year. There shall be an attendant or answering service on duty at all times for the purpose of receiving calls. There shall also be a person on call at all times for the purpose of releasing stored vehicles from the end of posted business hours until 7:00 p.m. No vehicle releases are required after 9:00 p.m., but vehicles may be released after 7:00 p.m. at the operator's discretion. All vehicles released after the end of the operator's posted business hours may be charged an emergency opening or special trip fee as identified in Part (F)(a)(2)(f) of this Section.
3. Based on the Tollway Roadway Traffic Control and Communication Guidelines and Federal Regulations regarding proper safety attire, all tow operators must comply with the following:
 - (a) All operator personnel responding to a tow or accident scene during daytime operations must wear a fluorescent orange, fluorescent yellow/green, or a combination of fluorescent orange and fluorescent yellow/green vest meeting the requirements of ANSI/ISEA 107-1999 for conspicuity Class 2 garments. Other types of garments may be substituted for the vest as long as the garments have manufacturer tag identifying them as meeting the ANSI Class 2 requirement.
 - (b) All tow operator personnel responding to a tow or accident scene during nighttime operations must wear garments of fluorescent orange or fluorescent orange and fluorescent yellow/green meeting the ANSI Class 3 requirements.
 - (c) Any tow operator personnel that responds to a tow without the appropriate vest or safety equipment shall be asked to leave the scene and the next tow operator on the rotation tow list shall be called.

4. Flatbed trucks and wheel lift equipment must be readily available to all towing operators. A tow operator must have a minimum of one flatbed truck available at all times. Dispatch will advise the tow operator of the type of vehicle and of any special instructions for the tow operator. The tow operator will then be allowed to decide which truck is best suited for a job, unless a specific type of tow is requested by the officer on scene.
5. All tow trucks shall be equipped to safely transport motorcycles.
6. All tow trucks shall be equipped with warning lights and all other equipment required by state law including one (1) or more brooms and shovels; one (1) or more trash cans at least eighteen (18) inches in height; one (1) fire extinguisher of a dry chemical or carbon dioxide type with an aggregate rating of at least 40B:C and bearing the approval of a laboratory qualified by the division of fire prevention for this purpose (i.e., UL approval); and have a working two-way communication equipment on the same commercial frequency as the base station located at the point where calls are received. All tow trucks shall carry dollies at all times.
7. The tow operator shall sign an agreement to indemnify and hold the Village harmless from any liability for damages sustained by vehicles by being towed or stored and for all personal injuries occurring to any of the tow operator's firms, employees, or other persons, and shall maintain the required insurance policies.
8. Tow operators shall not release any vehicle directly impounded by the Police Department without written authorization from the Police Department. This includes both impounded and abandoned vehicles.
9. All tow operator personnel who respond to the scene must have photo identification displayed on their person so that they are easily and quickly identifiable to police and rescue personnel.

(I) Tow Operator Personnel Qualifications:

1. A person who has been convicted under the laws of this state, or any other state, of an offense which under the laws of the state would be a felony theft of a vehicle or a felony offense under Section 4-103 of the Illinois Vehicle Code (625 ILCS 5/4-103), or convicted of any felony sex offense as defined in Article 11 of the Illinois Criminal Code of 1961 (720 ILCS 5/11-0.1 et seq.), first degree murder as defined by Section 9-1 of the Illinois Criminal Code (720 ILCS 5/9-1), or any similar offense under the laws of another state, shall not be approved as a tow operator to be placed on the rotation tow list, nor shall any tow operator knowingly permit such a person to operate a tow truck on rotation tow list calls; provided, however, that a person whose last conviction was more

than four (4) years past, and who has shown evidence of rehabilitation, may be approved by the Chief of Police if otherwise eligible.

2. Each tow operator shall furnish to the Police Department a complete and current list of all drivers who may respond to rotation tow list calls. No driver shall be permitted to respond to any rotation tow list call unless the person's name, sex, date of birth and driver's license number have been furnished to the Police Department at least twenty-four (24) hours in advance by the tow operator on forms provided by the Police Department.
3. All tow personnel responding to a call from the Police Department shall have personal identification displayed in compliance with Part H of this Section.

(J) Tow Truck Operation.

1. All tow operators and drivers must be in possession of a state issued traffic incident management card (TIM card). Drivers without TIM cards shall be asked to leave the scene and the next tow operator on the rotation tow list shall be called.
2. No tow operator or driver of a tow truck shall respond to a call for service while under the influence of intoxicants.
3. Tow operators must be able to respond to calls within thirty (30) minutes or less for tows occurring inside the Village limits under reasonable road conditions.
4. If a tow operator is unable to respond to a request for service immediately, the tow operator or his employee shall advise the Police Department that their company is not available. No substitute tow truck or operator will be allowed. The police dispatcher will then call the next tow operator on the list.
5. Tow operators must respond to all types of tow calls. A tow operator may not pick and choose to which calls the tow operator will respond. Dispatch will not indicate the type of tow until the tow operator has indicated whether or not they will accept the tow. Once accepted, the tow operator will be advised of the situation, so they can best determine the truck and equipment necessary to respond to said call.
6. A tow operator must respond to eighty-five (85) percent of requests for towing. If a tow operator fails to respond to at least eighty-five (85) percent of tow requests, the tow operator will be found to be in violation of these provisions and will be disciplined appropriately by the Chief of Police including, but not limited to, being removed from the tow list.
7. If a tow operator will be unable to provide towing services or towing for specific types of vehicles for any period of time, the tow operator should notify and get

approval from the Police Department for special circumstances (i.e., vacation, injury, illness, or damaged equipment with set time frame for repairs).

8. If a tow truck is cancelled by the Police Department after being dispatched off the rotation tow list, it shall be put back at the head of the rotation tow list.
9. If a tow operator calls the Police Department to cancel a tow after agreeing to accept it, they must provide a valid reason for the cancellation. The Police Department may investigate the reason for cancellation, and if the cancellation is found to be in bad faith, the cancellation may count as a violation of these provisions, and the tow operator will be disciplined appropriately.
10. Towed vehicles shall be taken to the location designated by the vehicle owner, driver, or agent, should such person not wish to store the vehicle at the tow operator's facility once towing fees are paid to the towing provider, provided however that the location designated shall be within thirty (30) miles of the Village of Morton. However, all vehicles towed upon the direction of the Police Department shall be towed to the location designated by the police officer in charge at the scene.
11. Every tow operator or driver of a tow truck shall remove or cause to be removed all glass and debris deposited on any street or highway by the disabled vehicle being serviced, and shall also spread dirt, sand, or other oil-absorbing materials upon that portion of any street or highway where oil or grease has been deposited by the disabled vehicle being serviced.
12. All tow operator personal who respond to a tow or accident scene shall have photo identification displayed on their person so that they are easily and quickly identifiable to police and rescue personnel.

(K) Storage Facility: Each tow operator shall maintain a secure storage lot of adequate size to store all towed vehicles safely, but in no event, shall the capacity be smaller than forty (40) vehicles. Such lot shall be enclosed by a fence. Such lot shall be located within a thirty (30) mile radius of the Morton Police Station.

(L) Solicitation of Business:

1. No tow operator may respond to the scene of an accident or emergency for the purpose of towing vehicles unless called there by the Police Department or persons involved in the accident or emergency. Tow operators responding to an accident or emergency at the request of an individual other than a Police Department employee must record the name and address of the person making the request and make such information available to the Chief of Police upon request.

2. This section is intended only to prohibit the soliciting of business at the scene of accidents and emergencies and shall not be construed to prohibit any tow operator from contracting with any person, provided that the tow operator, his agents, and employees do not solicit tow contracts at the scene of accidents or emergencies.

(M) Tow Trucks for Semi-Tractor Trailer Vehicles: A separate tow list for tow trucks capable of towing semi-tractor trailer vehicles shall be maintained by the Police Department consisting of tow operators on the rotation tow list. The tow truck must be a tandem axel truck capable of towing a minimum of twenty-five (25) tons.

(N) Removal from Rotation Tow List:

1. The Chief of Police may remove any tow operator temporarily or permanently from the rotation tow list when the Chief of Police finds:
 - (a) Placement on the list was secured by fraud or concealment of a material fact, which if known would have caused disapproval of the application;
 - (b) The tow operator has violated any of the provisions of this Section;
 - (c) The service provided by the tow operator has been substantially inadequate, which shall include but not be limited to, failing to be available for or not accepting at least eighty-five (85) percent of all calls, slow response time, excessive damage claims, substantial and repeated complaints from citizens, or abuse of special circumstance fees under Part F of this Section; or
 - (d) Any violations of this Code, including but not limited to, code enforcement, building code, or fire code violations relating to any properties the tow operator owns that are within the municipal boundaries of the Village.
2. Following three (3) infractions, a tow company will be automatically removed from the rotation tow list.
3. At any time, a tow operator may choose to remove themselves from the rotation tow list by submitting in writing such notice to the Chief of Police.
4. Investigation of complaints: Complaints with respect to towing services may be investigated by the Police Department.
 - (a) If the allegations of the complaint are confirmed, the Police Department shall notify the tow operator in writing of the results of the investigation. The tow operator shall have ten (10) days from receipt of the notice to file

a written response to the allegations. All written responses shall be addressed to the Chief of Police.

(b) Thereafter, the Chief of Police shall take whatever corrective action is deemed appropriate in light of the investigation conducted by the Police Department and the tow operator's response. Discipline may consist of corrective action, a reprimand, temporary suspension, removal from the tow rotation list, or any other action deemed appropriate by the Chief of Police.

(O) Appeals, Hearing, Notice: Removal from Rotation Tow List: Any tow operator aggrieved by an action of the Chief of Police removing the tow operator from the rotation tow list or refusing to place or reinstate the tow operator on the rotation tow list may appeal the Chief of Police's decision to the mayor. Such appeal must be in writing and delivered to the office of the mayor within five (5) days after the decision of the Chief of Police. Within 15 days of receipt of the appeal, the mayor shall conduct a public hearing affording such tow operator an opportunity to appear and be heard. The mayor shall provide at least three (3) days' written notice to the tow operator of such hearing. Within five (5) days of such hearing, the mayor shall determine whether the tow operator should remain off the rotation tow list. The mayor shall state the reasons and such determination in a written order and shall serve a copy of such order within the said five (5) days upon said tow operator.

(P) Appeal—Involuntary Tow: For the purposes of this chapter, the term “involuntary tow” means any direction by the Police Department to tow a private vehicle without the permission of the owner or operator thereof. Involuntary tows shall include the direction to tow issued by the Police Department on behalf of another Village department.

1. *Appeal.* Whenever an involuntary tow was directed by the Police Department and the owner of the vehicle believes that the tow was incorrectly ordered, such owner shall have the right to appear before a person designated by the department head of the department ordering the tow and present the owner's reasons for believing such tow was incorrectly ordered. If the department head ordered the tow, the owner shall have the right to appear before a day-shift Deputy Chief of the Police Department to present the owner's reasons for believing such tow was incorrectly ordered. In no case shall such opportunity to contest the tow be held more than seventy-two (72) hours after it is requested, unless the owner requests such opportunity to contest be held after the expiration of seventy-two (72) hours. The person designated by the Village under this section to hear the owner's reasons shall in no case be the same person who ordered the tow.
2. *Notification of rights.* The Police Department shall give all persons contacting them concerning an involuntarily towed vehicle a written notice of the rights accorded by this chapter. Such notice shall include the name, address, phone

number, and email where the complainant can request to be heard. The department ordering the tow shall provide to the Police Department a copy of such notice completely and accurately filled out at the time the tow is ordered.

3. *Disposition of owner's claim for impounded vehicles.* After hearing the owner's reasons for believing the tow was improper and doing such other investigation as may be appropriate, if the designated Village representative determines that the tow was improper, the vehicle shall be immediately released, and the Village shall pay the cost of towing and storage to the date of the release. If the tow is found to have been proper, the vehicle shall continue to be held subject to such conditions as may be appropriate. Nothing in this section shall prohibit the Village from seeking reimbursement of such costs through a court of law.

(Q) Violation and Penalty: Any person who violates any of the provisions of this chapter shall, upon conviction thereof, be fined not less than one hundred dollars (\$100.00) nor more than seven hundred fifty dollars (\$750.00).

Section II: If any section or part of this Ordinance is held invalid, it shall not affect the validity of the remainder of this ordinance.

Section III: This Ordinance shall take effect 10 days after publication thereof as provided by law.

Section IV: In codifying the provisions of this ordinance into the Morton Municipal Code, the Village Clerk is authorized to make ministerial changes in formatting and punctuation so as to preserve continuity in the formatting of the Morton Municipal Code.

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 role call the vote was as follows:

AYES:

NAYS:

ABSENT:

ABSTAINING:

APPROVED this _____ day of _____, 2021.

Attest:

President

Village Clerk

RESOLUTION NO. _____

**RESOLUTION AUTHORIZING AGREEMENT
WITH KEACH ARCHITECTURAL DESIGN, INC. FOR
DESIGN OF GAS & WATER UTILITY BUILDING**

WHEREAS, the Village of Morton has acquired land with the intent of constructing a new building for its natural gas and water utilities; and

WHEREAS, the Director of Public Works has recommended the Village enter into an agreement with Keach Architectural Design, Inc. for architectural services in connection with the design of the gas & water utility building.

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 agreement with Keach Architectural Design, Inc. in the form as attached to this resolution is approved.
2. That the President and the Village Clerk are authorized to execute the same and to cause a copy of the resolution to be recorded.

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 _____, 2021; and upon roll call the vote was as follows:

AYES:

NAYS:

ABSENT:

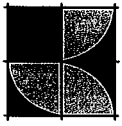
ABSTAINING:

APPROVED this _____ day of _____, 2021.

President

ATTEST:

Village Clerk



August 24, 2021

Mr. Craig Loudermilk
Village of Morton
120 N. Main Street
Morton, IL 61550

Re: Proposal for Architectural / Engineering Services
Village of Morton Illinois, Gas and Water Building

Mr. Loudermilk:

Based some preliminary work we have done with you, we understand that the Village of Morton would like to construct a building to support Morton Gas and Water Utilities as follows:

- The building will be sited at the corner of Birchwood and Fourth Avenue.
- The building layout will be substantially like the attached exhibit "A" Floorplan. Building area +/- 19,000 Square Feet.
- The intended structural system will be structural precast bearing walls with steel joists and deck roof structure.
- The site will incorporate a public bike path along its northern boundary.

Where necessary to facilitate the scopes of work above, architectural, mechanical, electrical and plumbing design will be included in this design proposal. Work will be performed by Keach Architectural Design (KEACH) along with our consultants Mohr and Kerr (Structural,) Midwest Engineering Professionals (Mechanical Electrical,) Midwest Engineering Associates (Site / Civil / Landscape / Bike path,) and Computerized Estimating Services (Cost Estimating.)

PROPOSAL FOR SERVICES

The following design services will be provided as **Basic Services** for this project:

Parts 1 through 4

1. Design Development Phase (DD):
 - a Develop Civil, Landscape Architectural, Structural, Architectural, Mechanical, Electrical and Plumbing plans, elevations, and sections for Owner review.
 - i. Site Layout and Storm Water Management concept.
 - ii. Location of new site utilities from Village right-of-way to the building.
 - iii. Location and preliminary sizing of building structural systems.
 - iv. Building floor plans, elevations, roof plan, ceiling plan, building sections.
 - v. One-line diagrams of MEP systems.
 - b Landscaping concept
 - c Bike path concept
 - d Develop Draft Specifications / Narrative for the Project.
 - e Prepare preliminary opinion of probable cost for scope of work.

- f KEACH team will meet with Owner to review design development scope of work and opinion of probable cost.

2. Construction Documents Phase (CD):

- a Upon approval to proceed from the Owner, KEACH team will prepare bid and construction drawings for work outlined in scope of work outlined above and in Design Development.
 - i. Cover Sheet and general information sheets showing general notes, symbols, code information and general details.
 - ii. Site design and construction drawings including site demolition, layout, utility and grading plans and details.
 - iii. Bike Path design and construction drawings.
 - iv. Structural design and construction drawings including footings, foundations, wall and roof systems, details and schedules.
 - v. Architectural design and construction drawings including floor plans, elevations details and schedules.
 - vi. Mechanical, electrical and plumbing plans, details and schedules.
- b Landscape design and construction drawings including planting plans and details.
- c Bike Path design and construction drawings.
- d Bid specification for the project to define the scope of work and the nature of the contract documents.
 - i. Specifications will be completed based on CSI format.
 - ii. "Front End" specifications will be based on AIA Contracts around the AIA A101 and AIA A201 contracts.
- e KEACH team will attend required review meetings during this phase of the project. .

3. Bidding Phase (BN):

- a Administrate the bidding process on behalf of Village of Morton as follows:
 - i. Provide the Village with Bid Advertisement for publication.
 - ii. Coordinate the distribution of bid documents to prospective bidders utilizing local plan rooms and printers.
 - iii. Schedule and conduct pre-bid meeting for interested contractors.
 - iv. Conduct and Assist with the opening, reading and reviewing bids.
 - v. Provide letter of recommendation for awarding contract to responsible bidder.
- b Attend a Village board meeting as required communicate bid results to board.

4. Construction Phase (CA):

- a Write AIA contract for execution by owner and awarded contractor based on AIA A101, A201 contract.
- b Attend pre-construction meeting with contractors and Village personnel to review procedures for the construction phase of the project.
- c Review shop drawings required for the project.
- d Administrate the contract on behalf of Village which includes as follows.
 - i. Attend contractor job progress meetings.

- ii. Review contractor's pay requests and make recommendation for payment of work.
- iii. Answer contractor RFI's, prepare RFP's, prepare Change Orders, and other contract related forms.
- iv. Provide punch list and statement of Substantial Completion at the end of construction.
- e KEACH team will prepare observation reports as required through the duration of the construction.
- f KEACH will prepare required close out documents.

**COST OF SERVICES PROVIDED BY
KEACH ARCHITECTURAL DESIGN, INC.**

Basic Services will be provided as indicated below and billed monthly in proportion to work completed and as time is accrued for each part.

Parts 1-3: For **Base Site and Building Design** - Fixed sum of **\$301,000**, broken out as follows:

DD Part 1:	\$131,500
CD Part 2:	\$150,000
BN Part 3:	\$19,500

For **Landscape Design** - not included in Base Site and Building design, fixed sum of **\$3,450**, broken out as follows:

DD Part 1.b:	\$1,610
CD Part 2.b:	\$1,840
BN Part 3:	No cost if performed at same time with Base Site and Building

For **Bike Path Design** - not included in Base Site and Building design, fixed sum for of **\$7,430**, broken out as follows:

DD Part 1.c:	\$3,770
CD Part 2.c:	\$3,480
BN Part 3:	No cost if performed at same time with Base Site and Building

Part 4: CA performed on a Professional Hourly Rate Basis.

Village of Morton
Gas and Water Building
Project #: 21010
August 24, 2021

Additional Services will be billed on a Professional Hourly Rate Basis. Consultant's Additional Services if needed and Reimbursable expenses will be billed at 105% of direct cost. Reimbursable expenses will be limited to mileage or printing costs related to meetings, presentations, and construction documents. Additional services may include but are not limited to:

- Specialty Interior Design Services or Furniture procurement assistance.
- Radio communication design.
- Changes in the original scope of building design or professional service.
- Developing designs for multiple building systems and materials.
- Design of off-site utility work.

If you have any questions, please feel free to ask. If this proposal is acceptable to you, we will proceed with preparing an AIA contract.

Sincerely,

A handwritten signature in black ink, appearing to read "Lee Gerrietts", written in a cursive style.

Lee Gerrietts, AIA
Principal
Keach Architectural Design, Inc.

ORDINANCE NO. _____

AN ORDINANCE MAKING AMENDMENTS REGARDING NO PARKING RESTRICTIONS NEAR MORTON JUNIOR HIGH SCHOOL TO CHAPTER 6 OF TITLE 9 OF THE MORTON MUNICIPAL CODE

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

WHEREAS, substantial significant improvements have been made near the Morton Junior High School to increase parking and improve safety; and

WHEREAS, the Village of Morton desires to adopt ordinances regulating parking in and around Morton Junior High School

NOW, THEREFORE, BE IT ORDAINED BY THE PRESIDENT AND BOARD OF TRUSTEES OF THE VILLAGE OF MORTON, Tazewell County, Illinois, that Section 9-6-2 of the Morton Municipal Code is hereby amended by deleting the existing paragraphs (FFF) and (HHH) and inserting in their place new paragraphs (FFF) and (HHH) which shall be as follows:

9-6-2: NO PARKING AREAS; TEIMES DESIGNATED: Unless otherwise stated below, there shall be no parking at any time upon the streets set forth as follows:

	<u>Thoroughfare</u>	<u>Side</u>	<u>Extent</u>
(FFF)	N. Second Ave.	East side West side	From E. Jackson St. to E. Tyler St. From E. Jackson St. to 205' north of E. Jackson St.
(HHH)	N. Third Ave.	East side West side	From E. Jackson to 120' north of E. Jackson From N. Main to E. Polk From E. Jackson to N. Main

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 _____, 2021; and upon roll call the vote was as follows:

AYES:

NAYS:

ABSENT:

ABSTAINING:

APPROVED this _____ day of _____, 2021.

President

ATTEST:

Village Clerk