



**VILLAGE BOARD OF TRUSTEES
REGULAR MEETING NOTICE/AGENDA
JANUARY 23, 2024 - 7:00 PM**

**RICHARD T. FLICKINGER MUNICIPAL CENTER, COUNCIL CHAMBERS
6101 CAPULINA AVENUE, MORTON GROVE, IL 60053**

In accordance with the Illinois Open Meetings Act, all Village Board and Commission meetings are open to the public. This meeting can be viewed remotely via the live stream link found at: www.mortongroveil.org/stream. (If an Executive Session is placed on the agenda, the meeting shall commence at 6:00 pm and the time between 6:00 pm and 7:00 pm shall be used for the Executive Session per 1-5-7A of the Village of Morton Grove Municipal Code. If the Agenda does not include an Executive Session, the meeting will begin at 7:00 pm.)

- 1. Call to Order**
- 2. Pledge of Allegiance**
- 3. Approval of Minutes – Regular Meeting – January 9, 2024**
- 4. Special Reports: - None**
- 5. Public Hearings - None**
- 6. Plan Commission Reports - None**
- 7. Residents' Comments (agenda items only)**
- 8. President's Report – Administration, Council of Mayors, Northwest Municipal Conference, Strategic Plan Committee**
- 9. Clerk's Report – Family and Senior Services, Advisory Commission on Aging, Chamber of Commerce, Condominium Association**
- 10. Staff Report**
 - a. Village Administrator**
 - 1) Resolution 24-08:** Authorizing Participation in the Northern Illinois Municipal Electric Collaborative (NIMEC) and Authorizing the Village Administrator to Approve Contracts for Electricity for Village-Owned Buildings, Facilities, and Infrastructure
 - b. Corporation Counsel**

11. Reports by Trustees

- a. **Trustee Khan** – *Finance Department, Appearance Commission, Lehigh/Ferris TIF (Trustee Travis)*
- b. **Trustee Minx** – *Fire Department, Fire Pension Board, Fire and Police Commission, Special Events Commission, RED Center, NIPSTA (Trustee Thill)*
 - 1) **Resolution 24-09:** Authorizing the Execution of an Agreement between the Village of Morton Grove and the Johnny Rockets Fireworks Display Corporation for the 2024 Morton Grove Days Fireworks Display
- c. **Trustee Shiba** – *Building Department, Environment & Natural Resources Commission, Legal Department, IT Department Sawmill Station TIF (Trustee Witko)*
- d. **Trustee Thill** – *Public Works Department, SWANCC (Solid Waste Agency of Northern Cook County), MG-Niles Water Commission, Traffic Safety Commission (Trustee Minx)*
 - 1) **Resolution 24-10:** Appropriation of 2024 Motor Fuel Tax Funds for the Maintenance of Streets and Highways
 - 2) **Resolution 24-11:** Authorizing the Purchase of a New 2024 John Deere 544P Front End Loader from West Side Tractor Sales Company
- e. **Trustee Travis** – *Police Department, Police Pension Board, Fire & Police Commission, Community Relations Commission, (Trustee Khan)*
- f. **Trustee Witko** – *Community & Economic Development Department, Economic Development Commission, Plan Commission/ Zoning Board Lincoln/Lehigh TIF (Trustee Shiba)*
 - 1) **Ordinance 23-32:** *(Introduced December 12, 2023) (Third Reading):* Approving a Text Amendment to Modify and Establish Regulations Relating to Short-Term Dwelling Units in Morton Grove, Illinois.
 - 2) **Ordinance 24-02:** *(Introduced January 23, 2024) (First Reading):* An Ordinance Approving a Final Plat of Subdivision and Accepting Certain Improvements for the Ponto Collection Subdivision Located on Property Commonly Known as 9312 Shermer Road in Morton Grove, Illinois.

12. Other Business

13. Presentation of Warrants: \$468,006.14

14. Residents' Comments

15. Adjournment

**MINUTES OF A REGULAR MEETING OF THE PRESIDENT
AND THE BOARD OF TRUSTEES OF THE VILLAGE OF MORTON GROVE
RICHARD T. FLICKINGER MUNICIPAL CENTER COUNCIL CHAMBERS
JANUARY 9, 2024**

CALL TO ORDER

- I. Village President Dan DiMaria convened the Regular Meeting of the Village Board at 7:00 p.m. in the Council Chambers of Village Hall.
- II. Village Clerk Eileen Harford called the roll. Present were Trustees Rita Minx, Ashur Shiba, John Thill, Connie Travis, and Janine Witko. Trustee Saba Khan was absent with notice.

III. **APPROVAL OF MINUTES**

Mayor DiMaria asked for a motion to approve the Minutes of the December 12, 2023 Village Board Meeting as presented. Trustee Minx so moved, seconded by Trustee Witko. **Motion passed unanimously (with 1 absent) via voice vote.**

IV. **SPECIAL REPORTS**

NONE

V. **PUBLIC HEARINGS**

NONE

VI. **PLAN COMMISSION REPORTS**

NONE

VII. **RESIDENTS' COMMENTS (AGENDA ITEMS ONLY)**

1. **Bob Burkhart, 6034 Grove Ct.**, said he wanted to speak regarding Ordinance 24-01, to be introduced at this meeting under Village Administrator Czerwinski's report. He noted the proposed ordinance doesn't come right out and say this, but it's clear we're talking about the matter of immigrants from Central America being dropped off in buses. That's a large issue for communities like Morton Grove, and so, like many other communities, Morton Grove is proposing an action that would restrict that kind of thing.

VII. **RESIDENTS' COMMENTS (AGENDA ITEMS ONLY)** (continued)

- a. Mr. Burkhardt admitted our resources are limited—if we had a busload of 50 or more people dropped off here, it would be impossible to feed, clothe, and house all of them. However, he said, he is troubled by the “tone” of the Ordinance and the fact that it avoids the serious situation we face, where people are so desperate to get away from the unbearable situations they’ve been living in that they’ll walk thousands of miles to escape. He said there’s something missing when, on one hand, we call ourselves Amazingly Open, but on the other hand, we’re saying, “We don’t want the “Other” in our Village.
 - b. Mr. Burkhardt said he would like to see Morton Grove go further or offer some kind of affirmation that we are a welcoming community, regardless of where the people are coming from. That would be a positive gesture. He’d like to see the Morton Grove spiritual community to step up, stating he doesn’t see much of that community feeding/clothing/or housing people in need.
 - c. Mr. Burkhardt suggested that perhaps some of our Village entities could think about ways to respond positively instead of saying “we don’t want to do this,” instead, he hoped we could all think about what we can do to alleviate the situation, regardless of our politics, because the “situation” is here.
2. **Denyse Pashup** wanted to speak regarding Ordinance 23-32, which defines and discusses short-term rentals (air B&Bs and such). She said she is an active patron of air B&Bs when she travels; however, she had an unfortunate experience when her neighbor vacated his property and it became an air B&B. She said people were coming and going at all hours at night, and she even frightened by a strange man smoking a cigarette in her yard! She felt that Airbnb’s give a lot of opportunity to people with ill intent, and asked the Board to please consider the comfort and safety of Morton Grove residents when voting on this Ordinance.

VIII. **PRESIDENT’S REPORT**

1. Mayor DiMaria sought the Board’s concurrence with the appointment of **Mark Werwath** to the Environment and Natural Resources Commission:

Trustee Minx moved to concur with the appointment, seconded by Trustee Shiba. **Motion passed unanimously (with 1 absent) via voice vote.**

2. Mayor DiMaria announced that the Citizens Police & Fire Academy will be back in 2024. It will take place for 12 weeks every Wednesday starting March 6, 2024 to May 22, 2024. Class will be held from 6:30 to 8:30 p.m. He encouraged people to register to participate if they’re interested in getting an up-close look at what police and firefighters do. The program is designed to give participants an understanding of the operation of the Morton Grove Police and Fire Departments, and a working knowledge of what law enforcement and firefighting are all about. The classes will be held at Village Hall and are limited to 20 students, so register early. There is no cost for residents to participate. Access the Village’s website for the online application form or more information.

VIII. PRESIDENT'S REPORT (continued)

3. Mayor DiMaria also announced that February is “National Restaurant Month” and, once again, the Village will be holding a contest encouraging residents to dine at a local eatery, so that they can be in the running to win one of ten \$25 gift cards.
 - a. To enter, you need to submit a phot of you, your friends, or your family dining at a Morton Grove restaurant or submit receipts totaling at least \$25 and bearing a February 2024 date. Entries are due by Monday, March 11. Dine-in, take-out, and delivery are all eligible. Submit your receipts and/or photos to www.mortongroveil.org/dineng. There’s no need to submit photos if you’re submitting receipts. The winning entries will be announced at the March 19 Village Board meeting. Only one winner per household. And, new this year, the Village will be featuring on its social media accounts discounted coupons for participating Morton Grove restaurants!

IX. CLERK'S REPORT

Clerk Harford had no formal report this evening.

X. STAFF REPORTSA. Village Administrator:

1. Mr. Czerwinski said the Village is offering “holiday lights recycling” through February 1, 2024. A holiday light recycling bin is located in the lobby of Village Hall for people to place their non-working or unwanted holiday lights. He emphasized that it should be strings of lights ONLY—no garland or other adornment.
 - a. This program is being brought to the Village by the Solid Waste Agency of Northern Cook County (SWANCC) and Elgin Recycling. Mr. Czerwinski said residents should **NOT** place holiday lights in their home recycling containers.
2. Mr. Czerwinski then presented **Ordinance 24-01, Amending Title 5 Entitled “Motor Vehicles and Traffic,” Chapter 4 Entitled “Rules of the Road” to Regulate Certain Charter Bus Services Within the Village of Morton Grove.**
 - a. He explained that this Ordinance will approve an amendment to Title 5, Chapter 4 of the Municipal Code to establish regulations and a permit process for chartered bus services that drop off passengers in the Village of Morton Grove without provisions for their housing and safety.
 - b. Mr. Czerwinski explained that the City of Chicago recently passed an ordinance restricting the drop-off of inbound migrants to a specified landing zone with limited hours and capacity. Bus drivers failing to comply with the City’s ordinance are subject to both severe fines and impounding. As a result, buses have been dropping off migrants in the suburbs, especially those with METRA stops. The drop-offs are unscheduled and can place a significant burden on the receiving municipality to provide temporary support and/or transportation to route passengers to the designated landing zone in the city.

X. **STAFF REPORTS** (continued)A. **Village Administrator:** (continued)

- c. Mr. Czerwinski stated the Village has significant concerns for the health and safety of its residents and potential passengers who could be dropped off unannounced within the Village. Passengers dropped off outside of Metra scheduled service hours would be unable to find transportation to the designated Chicago landing zone and there is limited shelter from inclement weather available on-site. Further, an unscheduled drop-off could occur without the Village's knowledge, leaving passengers exposed to the elements and without food or water.
- d. Mr. Czerwinski said the proposed Ordinance amends Title 5, Chapter 4 of the Municipal Code and regulates private chartered bus services that will drop off ten (10) or more passengers within Morton Grove. The Ordinance does not apply to Pace or Metra buses, cabs, limousines, or ride-share vehicles or buses that operate pursuant to a published schedule or round-trip services.
- e. The Ordinance requires covered buses expecting to drop off ten (10) or more people to submit a permit application at least ten (10) calendar days before their expected arrival in Morton Grove. The application requires contact information for the operator, proof of licensing, insurance, and a plan for housing and feeding the people to be dropped off. Drop-offs are limited to the MG Metra station or an alternate designated location approved by the Police Chief during specific dates and times, and a detailed plan identifying how the individuals being dropped off will be cared for, housed, and fed, either temporarily or permanently. A violation of the Ordinance will result in fines of \$750 per offense per day, plus the impounding of the vehicle.
- f. Mr. Czerwinski noted that staff was requesting that the second reading of this Ordinance be waived due to safety concerns caused by severe weather.

Trustee Thill moved to waive the second reading of Ordinance 24-01, seconded by Trustee Minx.

Motion passed: 5 ayes, 1 absent.

Tr. Khan	<u>absent</u>	Tr. Minx	<u>aye</u>	Tr. Shiba	<u>aye</u>
Tr. Thill	<u>aye</u>	Tr. Travis	<u>aye</u>	Tr. Witko	<u>aye</u>

Trustee Minx then moved to adopt Ordinance 24-01, seconded by Trustee Shiba.

Motion passed: 5 ayes, 1 absent.

Tr. Khan	<u>absent</u>	Tr. Minx	<u>aye</u>	Tr. Shiba	<u>aye</u>
Tr. Thill	<u>aye</u>	Tr. Travis	<u>aye</u>	Tr. Witko	<u>aye</u>

B. **Corporation Counsel:**

Corporation Counsel Liston had no formal report this evening.

XI.

TRUSTEES' REPORTSA. Trustee Khan:

Trustee Khan was absent—no formal report this evening.

B. Trustee Minx:

Trustee Minx had no formal report this evening.

C. Trustee Shiba:

1. Trustee Shiba presented **Resolution 24-01, Authorizing a Contractual Agreement With BS&A Software LLC for the Licensing, Implementation, and Maintenance of Software for the Finance and Building and Inspectional Services Departments.**
 - a. He explained that the Village recognizes the need to utilize a software solution to improve the management, business process workflow, and recordkeeping for the Finance and Building and Inspectional Services Departments and is satisfied with its current provider, BS&A Software LLC.
 - b. However, the IT Manager has been informed that BS&A is phasing out its sale and maintenance plans for desktop software licenses and will only sell and service cloud-based software in the near future. Utilizing cloud-based software will provide Village staff with greater efficiencies and more flexibility, as information can be added or viewed remotely. Following vendor presentations and demonstrations, along with subsequent staff meetings, the Finance and Building Departments and the Information Technology Division are recommending the new software be purchased from BS&A Software LLC of Bath, Michigan, for \$103,360 in 2024. The contract also provides for annual maintenance of software beginning in 2025 at a cost of \$65,000 per year. The price will not change for the first two years, and cost increases thereafter will be limited to increases in the Consumer Price Index-All Urban Customers-U.S. City Average (CPI-U). The fiscal impact of this Resolution is \$103,360 in 2024 and \$65,000 each in 2025 and 2026.

Trustee Shiba moved to approve Resolution 24-01, seconded by Trustee Thill.

Motion passed: 5 ayes, 1 absent.

Tr. Khan absent
Tr. Thill aye

Tr. Minx aye
Tr. Travis aye

Tr. Shiba aye
Tr. Witko aye

XI. **TRUSTEES' REPORTS** (continued)

D. Trustee Thill:

Trustee Thill presented five (5) Resolutions this evening:

1. **Resolution 24-02, Authorizing a Contract with Core and Main of Carol Stream, Illinois for the 2024 Fire Hydrant Replacement Program.**
 - a. Over the past eight years, the Village has implemented an annual fire hydrant replacement program. This program aims to replace fire hydrants that have reached the end of their useful life, or for which parts are either unavailable or cost prohibitive. Some hydrants to be replaced were installed over 90 years ago. The contract was advertised and four sealed bids were received. The lowest bid was from Core and Main of Carol Stream, IL with a bid amount of \$74,804 for twenty fire hydrants. The bid amount is based upon unit pricing proposed by the supplier for the number of units the Village determines to purchase. This Resolution will approve a contract with Core and Main for the 2024 Fire Hydrant Replacement Program. The fiscal impact of this Resolution is \$74,804.00.

Trustee Thill moved, seconded by Trustee Travis, to approve Resolution 24-02.

Motion passed: 5 ayes, 1 absent.

Tr. Khan	<u>absent</u>	Tr. Minx	<u>aye</u>	Tr. Shiba	<u>aye</u>
Tr. Thill	<u>aye</u>	Tr. Travis	<u>aye</u>	Tr. Witko	<u>aye</u>

2. **Resolution 24-03, Authorizing a Contract With Lyons Electric Company, Inc. to Replace the Generator at Fire Station #5.**
 - a. Public Works staff maintains emergency generators at all Village-operated municipal facilities. The existing 40-kilowatt (KW) Caterpillar Olympian generator at Fire Station #5, which was installed in 2001, has reached the end of its useful service life and needs to be replaced. This contract was bid through a public process in accordance with Village requirements. Three sealed bids were received. Lyons Electric Company, Inc. submitted the lowest base bid in the amount of \$65,150. Lyons Electric Company, Inc. has performed work for the Village in the past and is qualified for this project. This contract shall conform to the requirements of the Prevailing Wage Act. The financial impact of this Resolution is \$65,150.00.

Trustee Thill moved to approve Resolution 24-03, seconded by Trustee Travis

Motion passed: 5 ayes, 1 absent.

Tr. Khan	<u>absent</u>	Tr. Minx	<u>aye</u>	Tr. Shiba	<u>aye</u>
Tr. Thill	<u>aye</u>	Tr. Travis	<u>aye</u>	Tr. Witko	<u>aye</u>

XI. **TRUSTEES' REPORTS** (continued)

D. Trustee Thill: (continued)

3. **Resolution 24-04, Authorizing an Agreement with Ciorba Group, Inc. to Provide Construction Engineering Services for Austin Avenue Improvements (MFT Section 12-00106-00-PV).**

- a. The Village has been developing a project to make improvements on Austin Avenue and Oakton Street since 2012, utilizing some federal funding provided by the State of Illinois. The Illinois Department of Transportation (IDOT) will be advertising the construction contract for bids in February and March of 2024. The construction engineering for this contract exceeds the capacity of the Public Works Department. The Village followed a qualifications-based process to select Ciorba Group, Inc. to provide construction engineering services. The Village is responsible for hiring and paying the construction engineering costs of \$369,790, and the State will reimburse the Village for eligible construction engineering expenses, estimated to be up to \$217,274. As part of the State's bidding process, the Village needs to provide the construction engineering agreement ahead of the advertisement and according to the State's schedule. The fiscal impact of this Resolution is \$369,790.00, with up to \$217,274.00 expected to be reimbursed from IDOT.

Trustee Thill moved, seconded by Trustee Witko, to approve Resolution 24-04.

Motion passed: 5 ayes, 1 absent.

Tr. Khan	<u>absent</u>	Tr. Minx	<u>aye</u>	Tr. Shiba	<u>aye</u>
Tr. Thill	<u>aye</u>	Tr. Travis	<u>aye</u>	Tr. Witko	<u>aye</u>

4. **Resolution 24-05, Authorizing an Agreement With the Illinois Department of Transportation (IDOT) for Austin Avenue Improvements (MFT Section 12-00106-00-PV).**

- a. The Village has developed improvements to Austin Avenue that include partial reconstruction and resurfacing of Austin Avenue, storm and sanitary sewer improvements, traffic signal modernization at Austin Avenue and Oakton Street, curb ramp upgrades, pavement patching, and sanitary sewer on Oakton Street. The Village has received state and federal funding to pay for construction and construction engineering costs. Additional funding will be provided through IDOT and will require matching funds from the Village. The use of these funds requires a joint funding agreement with IDOT. This Resolution will authorize the required joint funding agreement for this project, which has an estimated total cost of \$4,869,790, with \$2,737,274 of federal funding, \$98,550 of state funding, and \$2,033,966 of local (Village) funding.

Trustee Thill moved to approve Resolution 24-05, seconded by Trustee Witko.

Motion passed: 5 ayes, 1 absent.

Tr. Khan	<u>absent</u>	Tr. Minx	<u>aye</u>	Tr. Shiba	<u>aye</u>
Tr. Thill	<u>aye</u>	Tr. Travis	<u>aye</u>	Tr. Witko	<u>aye</u>

XI. **TRUSTEES' REPORTS** (continued)

D. Trustee Thill: (continued)

5. **Resolution 24-06, Appropriation of Motor Fuel Tax Funds for Austin Avenue Improvements (MFT Section 12-00106-00-PV).**

- a. Resolution 24-05 authorized a funding agreement for Austin Avenue Improvements MFT Section 12-00106-00-PV. The Village's share of the construction cost to be paid with MFT funds is \$460,000. The State of Illinois regulates spending of motor fuel tax funds through its Department of Transportation and requires the appropriation of MFT funds using state-wide forms.
- b. This Resolution shall approve the appropriation of \$460,00 of Motor Fuel Tax funds for the partial reconstruction and resurfacing of Austin Avenue, sewer separation on a segment of Austin Avenue, sanitary sewer installation on a segment of Oakton Street, traffic signal modernization at Austin and Oakton, curb ramp upgrades, and pavement patching. The fiscal impact of this Resolution is \$460,000.

Trustee Thill moved to approve Resolution 24-06, seconded by Trustee Minx.

Motion passed: 5 ayes, 1 absent.

Tr. Khan absent
Tr. Thill aye

Tr. Minx aye
Tr. Travis aye

Tr. Shiba aye
Tr. Witko aye

- 6. Trustee Thill wished everyone a happy New Year!

E. Trustee Travis:

Trustee Travis had no formal report, but said, as liaison to the Police Department, she, too, wished to acknowledge National Law Enforcement Day, and extend her and the Board's appreciation and thanks to all of our police officers who work tireless to keep Morton Grove safe. She said, "Our officers demonstrate dedication, compassion, empathy, and bravery day in and day out," and thanked Chief Simo for he and his police personnel do every day.

F. Trustee Witko:

1. **Ordinance 23-32, Approving a Text Amendment to Modify and Establish Regulations Relating to Short-Term Dwelling Units in Morton Grove, Illinois.**

- a. Trustee Witko said she was presenting for a second reading Ordinance 23-32, which would approve a Text Amendment to modify and establish regulations relating to short-term dwelling units in the Village.

XI. **TRUSTEES' REPORTS** (continued)

F. Trustee Witko: (continued)

- b. Trustee Witko said, as presented, this Ordinance would legalize short-term rentals and create standards for their operation.
- c. Trustee Witko continued, saying, "At the last Board meeting, I expressed my concerns with the legalization of this use. Based on what I've learned about short-term rentals and how they have already affected our residents, I do not believe the use is a good fit for the community. Short-term rentals have the potential to generate an unacceptable level of disruption to neighbors and neighborhoods, and the Village can only be reactionary when problems arise. I believe pressure on staff to enforce requirements and respond to complaints would be burdensome, and I personally would feel uncomfortable if a short-term rental existed next to my home."
- d. Trustee Witko noted that the Text Amendment originally presented by staff to the Plan Commission in August of 2023 clarified the existing prohibition on short-term rental units to assist with enforcement efforts against properties operating such rentals illegally. She said, for discussion purposes only, she would move to accept Ordinance 23-32 as presented. Trustee Travis seconded the motion. Trustee Witko said, "For the reasons previously noted, I move that this Ordinance be tabled and continued to the January 23, 2024 Village Board meeting, and that Staff prepare an amendment to Ordinance 23-32 to incorporate the original language presented by staff to confirm and clarify the current prohibition of short-term dwelling units." Trustee Travis seconded the motion.
- e. Trustee Minx asked if, on January 23, the Board would be able to see all the documentation the Plan Commission had seen, and also documentation about what neighboring towns are doing in this regard. Mr. Czerwinski said the Board can certainly have access to all that information.

The motion to table Ordinance 23-32 to the January 23rd Board meeting having been made and duly seconded, Mayor DiMaria called for the vote.

Motion passed: 4 ayes, 1 nay, 1 absent.

Tr. Khan	<u>absent</u>	Tr. Minx	<u>aye</u>	Tr. Shiba	<u>aye</u>
Tr. Thill	<u>nay</u>	Tr. Travis	<u>aye</u>	Tr. Witko	<u>aye</u>

- 2. Lastly, Trustee Witko presented **Resolution 24-07, Authorizing an Intergovernmental Funding Agreement Between the Commuter Rail Division of the Regional Transportation Authority (METRA) and the Village of Morton Grove for a New Commuter Station and Reconfigured Parking Facility.**
 - a. She explained that the Village is engaged in the design and construction of a new Metra commuter station and accessory parking facility located at 8501 Lehigh Avenue in Morton Grove, IL ("Project"). Metra is willing to contribute \$300,000 toward the Project cost of approximately \$2,500,000.

XI. **TRUSTEES' REPORTS** (continued)

F. **Trustee Witko: (continued)**

- b. The Village plans to seek bids to construct the Project in the first quarter of 2024, prior to which an intergovernmental funding agreement must be executed between Metra and the Village in order for the Village to receive the designated grant funds at the Project's completion. The financial impact of this Resolution is \$2,200,000.00.

Trustee Witko moved to approve Resolution 24-07, seconded by Trustee Travis.

- c. Trustee Thill asked if we have any chance of getting federal funding for this project. Mr. Czerwinski responded there are some grants out there, but others would cost us as much as we'd eventually get, and would put the project months behind. However, the Village will continue to look for additional funding resources.

Mayor DiMaria called for the vote.

Motion passed: 5 ayes, 1 absent.

Tr. Khan	<u>absent</u>	Tr. Minx	<u>aye</u>	Tr. Shiba	<u>aye</u>
Tr. Thill	<u>aye</u>	Tr. Travis	<u>aye</u>	Tr. Witko	<u>aye</u>

- d. Mayor DiMaria commented that this is a vital project, as the Metra area is a "gateway" to the Village. The project, and the resolution just passed, is critical. He said he was very proud of the Board for taking this action. He also thanked Village staff and the Metra personnel who worked with our staff.

XII. **OTHER BUSINESS**

NONE

XIII. **WARRANTS**

1. In Trustee Khan's absence, Trustee Travis presented the Warrant Register for December 26, 2023 in the amount of \$1,557,428.92. She moved to approve the Warrants as presented, seconded by Trustee Thill.

Motion passed: 5 ayes, 1 absent.

Tr. Khan	<u>absent</u>	Tr. Minx	<u>aye</u>	Tr. Shiba	<u>aye</u>
Tr. Thill	<u>aye</u>	Tr. Travis	<u>aye</u>	Tr. Witko	<u>aye</u>

XIII.

WARRANTS (continued)

2. Trustee Travis presented the Warrant Register for January 9, 2024, in the amount of \$413,731.23. She moved to approve the Warrants as presented, seconded by Trustee Minx.

Motion passed: 5 ayes, 1 absent.

Tr. Khan absent
Tr. Thill aye

Tr. Minx aye
Tr. Travis aye

Tr. Shiba aye
Tr. Witko aye

XIV.

RESIDENTS' COMMENTS

1. **Ashfaq Nagori, 7101 Emerson** testified that nothing is worthy of worship except for Allah, that Jesus, Moses, and Mohammed were prophets and messengers for Allah, and that Allah sees everything done by everyone. He said the reality is that today, there are grave injustices occurring in many parts of the world, and in particular, in the State of Palestine.
 - a. Over 30,000 innocent men, women, and children have been killed, with countless thousands under the rubble of bombed buildings. Tens of thousands of people have been injured and maimed, suffering loss of limbs, eyesight, hearing, and other faculties. Over 70% of the buildings and infrastructure in the city of Gaza has been destroyed, including schools, hospitals, churches, mosques, and homes.
 - b. This genocide and terrorism has continued in Palestine through the holiday season through the support of our own government using our hard-earned tax dollars. Mr. Nagori said, "We need to step up and implore our representatives to stop this terrorism that is being conducted by our government, to stop funding the terrorism and genocide being committed by the Israeli Zionist state, and to work towards a peaceful and just future, for all of humanity. We need to tell our representatives to utilize our hard-earned tax dollar to help the people right here in our country who are struggling, to improve our nation's infrastructure, our education system, and our healthcare system, instead of sending weapons and money to corporations and countries overseas to kill and destroy other peoples and lands. We need to tell them to stop the genocide in Palestine."
2. **Shawn M. Hallinan** said he was here this evening to ensure that our residents know about all the services and benefits now being offered by the Clerk of the Circuit Court. There are a plethora of services available, from a customer service call center (complete with translators, if necessary) to access to legal aid; from expungement of records to assistance with driver's license reinstatements; and from assistance with e-filing forms to a domestic violence survivor center. Mr. Hallinan said the Village Administrator has been given folders outlining all the numerous services being offered.

Mayor DiMaria thanked him for coming and said it's always good to be aware of these types of resources.

XV.

ADJOURNMENT

There being no further business being brought before the Board, Trustee Minx moved to adjourn the meeting, seconded by Trustee Witko. **Motion passed unanimously via voice vote.**

The meeting adjourned at 7:42 p.m.

PASSED this 23rd day of January, 2024.

Trustee Khan	_____
Trustee Minx	_____
Trustee Shiba	_____
Trustee Thill	_____
Trustee Travis	_____
Trustee Witko	_____

APPROVED by me this 23rd day of January, 2024.

Daniel P. DiMaria, Village President
Board of Trustees, Morton Grove, Illinois

APPROVED and FILED in my office this 24th day of January, 2024.

Eileen Harford, Village Clerk
Village of Morton Grove, Cook County, Illinois

Minutes by Teresa Cousar

Legislative Summary

Resolution 24-08

AUTHORIZING PARTICIPATION IN THE NORTHERN ILLINOIS MUNICIPAL ELECTRIC COLLABORATIVE (NIMEC) AND AUTHORIZING THE VILLAGE ADMINISTRATOR TO APPROVE CONTRACTS FOR ELECTRICITY FOR VILLAGE-OWNED BUILDINGS, FACILITIES, AND INFRASTRUCTURE

Introduced:	January 23, 2024
Purpose:	To authorize, the Village to participate in the Northern Illinois Municipal Electric Collaborative (NIMEC) as the Village's non-exclusive energy broker to search the open market and find electricity at a lower rate than the Commonwealth Edison rate for Village owned buildings, water pumping stations and parking lot lighting.
Background:	Since Illinois deregulated the purchase of electricity in 2007, electricity suppliers have been able to compete against Commonwealth Edison for the purchase of electricity. Commonwealth Edison no longer offers a fixed energy rate for large or medium sized commercial accounts. In 2017, in order to secure a fixed rate for electricity for municipal buildings, water pumping stations and parking lot lighting infrastructure, the Village evaluated qualified electrical energy brokers and selected Northern Illinois Municipal Electric Collaborative (NIMEC) to serve as its electrical energy broker. NIMEC has represented over 170 member municipalities, park districts, water districts and libraries in northern Illinois, and the Village has worked with NIMEC since 2008. Village staff has recommended the Village continue to use NIMEC as its electrical energy broker in 2024. If the Village chooses an electricity supplier recommended by NIMEC, NIMEC's compensation will be included in the contracted electricity prices, so there will be no direct payment made to NIMEC by the Village. This Resolution will designate NIMEC as the Village's broker for purposes of obtaining electricity. Due to time constraints and procedures required for the acceptance of a competitive bid for the supply of electricity, this Resolution will also authorize the Village Administrator to negotiate and execute a contract with the most optimal bidder for the acquisition of electrical energy for the Village-owned buildings, facilities and infrastructure including its water pumping stations and parking lot lighting for a term of up to 36 months. This authority shall begin upon the adoption of this resolution and terminate at the end of the current calendar year.
Depart. Affected	Administration, Public Works, and Finance Department
Fiscal Impact:	Savings based on electric supply market rates
Source of Funds:	N/A
Workload Impact:	The Village Administrator and his designee are authorized to finalize and take all steps necessary to negotiate and execute contracts with electrical suppliers and implement this Resolution.
Administrator Recommendation:	Approval as presented.
Second Reading:	Not Required
Special Considerations	None

Submitted by: Ralph E. Czerwinski, Village Administrator
Reviewed by: Teresa Hoffman Liston, Corporation Counsel
Prepared by: Mike Lukich, Director of Public Works

RESOLUTION 24-08

AUTHORIZING PARTICIPATION IN THE NORTHERN ILLINOIS MUNICIPAL ELECTRIC COLLABORATIVE (NIMEC) AND AUTHORIZING THE VILLAGE ADMINISTRATOR TO APPROVE CONTRACTS FOR ELECTRICITY FOR VILLAGE-OWNED BUILDINGS, FACILITIES, AND INFRASTRUCTURE

WHEREAS, the Village of Morton Grove (Village), located in Cook County, Illinois, is a home rule government under the provision of Article 7 of the 1970 Constitution of the State of Illinois, can exercise any power and perform any function pertaining to its government affairs, including but not limited to the power to tax and incur debt; and

WHEREAS on January 2, 2007, the state of Illinois implemented a plan to deregulate Commonwealth Edison; and

WHEREAS because of this deregulation, electricity may be purchased based on market price and Commonwealth Edison will no longer be the sole supplier of electricity in northern Illinois, resulting in new electricity suppliers being able to compete against Commonwealth Edison, and competitive market forces dictating the price of electricity; and

WHEREAS Commonwealth Edison no longer offers a fixed energy rate for large or medium sized commercial accounts; its charges will instead be based on a floating hourly rate; and

WHEREAS the Village desires to enter the market to secure a fixed energy rate for its municipal buildings, facilities and infrastructure including its water pumping stations and parking lot lighting for a term of up to 36 months; and

WHEREAS in December 2017, after conducting an evaluation of qualified electrical energy brokers, the Village selected Northern Illinois Municipal Electric Collaborative (NIMEC) to serve as the Village's electrical energy broker; and

WHEREAS, NIMEC has represented over 170 member municipalities, park districts, water districts, and libraries in northern Illinois, and the Village has worked with NIMEC since 2008; and

WHEREAS, Village staff has recommended the Village continue to use NIMEC as its electrical energy broker in 2024; and

WHEREAS, if the Village chooses an electricity supplier recommended by NIMEC, NIMEC's compensation for acting as the Village's broker will be included in the contracted electricity prices, so there will be no direct payment made to NIMEC by the Village; and

WHEREAS, in light of the time constraints and procedures required for the acceptance of a competitive bid for the supply of electricity, once the bids are received by NIMEC, the Village Administrator recommends he be given authority to negotiate and execute a contract with the most optimal bidder for the acquisition of electrical energy for the Village-owned buildings and infrastructure including

its water pumping stations and parking lot lighting infrastructure with such authority commencing upon adoption of this resolution and terminating at the end of the current calendar year.

NOW, THEREFORE, BE IT RESOLVED BY THE PRESIDENT AND BOARD OF TRUSTEES OF THE VILLAGE OF MORTON GROVE, COOK COUNTY, ILLINOIS AS FOLLOWS:

SECTION 1: The Corporate Authorities do hereby incorporate the foregoing WHEREAS clauses into this Resolution as though fully set forth therein thereby making the findings as hereinabove set forth.

SECTION 2: The Village Board hereby approves and designates the Northern Illinois Municipal Electric Collaborative (NIMEC) as the Village's broker for purposes of obtaining proposals for electricity.

SECTION 3: The Corporate Authorities hereby grant the Village Administrator and/or his designee the specific authority to negotiate and execute a contract with the electrical supplier deemed the most cost effective for Village-owned buildings, facilities and infrastructure including its water pumping stations and parking lot lighting as determined by the Village Administrator to be in the Village's best interest without further action by the Corporate Authorities. Said authority shall commence upon adoption of this resolution and terminate at the end of the current calendar year.

SECTION 4: This resolution shall be in full force and effect upon its passage and approval.

Passed this 23rd day of January 2024

Trustee Khan	_____
Trustee Minx	_____
Trustee Shiba	_____
Trustee Travis	_____
Trustee Thill	_____
Trustee Witko	_____

Approved by me this 23rd day of January 2024

Daniel P. DiMaria, Village President
Village of Morton Grove
Cook County, Illinois

Attested and Filed in my office this
24th day of January 2024

Eileen Scanlon Harford, Village Clerk
Village of Morton Grove
Cook County, Illinois

Legislative Summary

Resolution 24-09

AUTHORIZING THE EXECUTION OF AN AGREEMENT BETWEEN THE VILLAGE OF MORTON GROVE AND JOHNNY ROCKETS FIREWORKS DISPLAY CORPORATION, FOR THE 2024 MORTON GROVE DAYS FIREWORKS DISPLAY

Introduction:	January 23, 2024
Purpose:	To authorize a contract between the Village of Morton Grove and Jonny Rockets Fireworks Display Corporation of Vernon Hills, Illinois for the Village's 2024 Morton Grove Days fireworks display.
Background:	For several decades, the Village's Morton Grove Days festivities have included a fireworks display as part of its Fourth of July activities. The Village conducted a competitive bidding process for the fireworks display in 2023 and the Johnny Rockets Fireworks Display Corporation of Vernon Hills, IL, was determined to be the successful bidder. The Johnny Rockets Fireworks Display Corporation provided the fireworks display for the 2023 Morton Grove Days festivities met or exceeded the Village's expectation for safety, quality, and duration. The 2023 proposal from this vendor also included the option for the Village to extend the contract for three (3) additional years (2024, 2025 & 2026) at the Village's sole discretion. This Resolution will authorize a contract extension for 2024 and further authorizes the Village Administrator to execute a contract extension for 2025 and/or 2026 without further Village Board action if said contract extension(s) are warranted by the then existing circumstances. The 2024 contract extension specifications are set forth in Exhibit A which includes a full scale, safe display for a fee of \$30,000.00.
Programs, Departments or Groups Affected	Legal, Fire and Administration Departments
Fiscal Impact:	None
Source of Funds:	N/A
Workload Impact:	The implementation of this contract will be done by the Legal, Fire and Village Administration Departments as part of their normal work activities.
Administrator Recommendation:	Approval as presented.
Second Reading:	None required.
Special Considerations or Requirements:	None.

Submitted by: Ralph E. Czerwinski, Village Administrator

Reviewed by: Teresa Hoffman Liston, Corporation Counsel

Prepared by: Thomas J. Friel, Assistant to the Village Administrator

RESOLUTION 24-09

AUTHORIZING THE EXECUTION OF AN AGREEMENT BETWEEN THE VILLAGE OF MORTON GROVE AND JOHNNY ROCKETS FIREWORKS DISPLAY CORPORATION, FOR THE 2024 MORTON GROVE DAYS FIREWORKS DISPLAY

WHEREAS, the Village of Morton Grove (Village), located in Cook County, Illinois, is a home rule unit of government under the provisions of Article 7 of the 1970 Constitution of the State of Illinois, can exercise any power and perform any function pertaining to its government affairs, including but not limited to the power to tax and incur debt; and

WHEREAS, for several decades, Village residents and visitors have enjoyed Fourth of July festivities provided by the Village and the Morton Grove Park District. These festivities have traditionally included carnival rides, amusements, and a fireworks display; and

WHEREAS, a Request for Proposal for the 2023 Morton Grove Days fireworks display (the “RFP”) was issued on January 13, 2023, with responses received by January 30, 2023.

WHEREAS, after reviewing all responses to the Request for Proposal, the Morton Grove Special Events Commission determined the proposal received from the Johnny Rockets Fireworks Display Corporation (Johnny Rockets), of Vernon Hills, IL provided the most appropriate proposal for the requested activities and services, and recommended that the Village Board approve an agreement with Johnny Rockets and

WHEREAS, Johnny Rockets, Vernon Hills, IL, has provided fireworks displays for municipalities throughout Illinois in a satisfactory manner including the 2023 Morton Grove Days fireworks display; and

WHEREAS, the contract with Johnny Rockets for the 2023 fireworks display included an option to extend the 2023 contract a maximum of three (3) additional times at the sole option of the Village; at a cost of \$30,000.00; and

WHEREAS, the Village Administrator recommends that the contract with Johnny Rockets be extended for the 2024 Morton Grove Days festivities.

NOW, THEREFORE, BE IT RESOLVED BY THE PRESIDENT AND BOARD OF TRUSTEES OF THE VILLAGE OF MORTON GROVE, COOK COUNTY, ILLINOIS AS FOLLOWS:

SECTION 1: The Corporate Authorities do hereby incorporate the foregoing WHEREAS clauses into this Resolution as though fully set forth therein thereby making the findings as hereinabove set forth.

SECTION 2: The Village Administrator is hereby authorized to execute a contract extension with the Johnny Rockets Fireworks Display Corporation for the provision of a fireworks display for the

2024 Village of Morton Grove’s Fourth of July festivities pursuant to the terms and conditions outlined in the 2023 RFP and in substantial conformity with Exhibit “A”.

SECTION 3: The Village Administrator is further authorized to execute a contract extension with the Jhohny Rockets Fireworks Display Corporation for the provision of a fireworks display for the 2025 Village of Morton Grove’s Fourth of July festivities and/or the 2026 Village of Morton Grove’s Fourth of July festivities pursuant to the terms and conditions outlined in the 2023 RFP and in substantial conformity with Exhibit “A” without further Village Board action if said contract extension(s) are warranted by the then existing circumstances.

SECTION 4: The Village Administrator and/or his designees are hereby authorized to take all steps necessary to implement said contract.

SECTION 5: This Resolution shall be in full force and effect from and upon its passage and approval.

Passed his 23rd day of January 2024.

Trustee Khan	_____
Trustee Minx	_____
Trustee Shiba	_____
Trustee Travis	_____
Trustee Thill	_____
Trustee Witko	_____

Approved by me this 23rd day of January 2024.

Daniel P. DiMaria, Village President
Village of Morton Grove
Cook County, Illinois

Attested and Filed in my office this
24th day of January 2024.

Eileen Scanlon Harford, Village Clerk
Village of Morton Grove
Cook County, Illinois

VILLAGE OF MORTON GROVE
MORTON GROVE DAYS COMMISSION



REQUEST FOR PROPOSAL
2023 FIREWORKS DISPLAY

**VILLAGE OF MORTON GROVE, ILLINOIS
REQUEST FOR PROPOSAL
FIREWORKS DISPLAY
2023 MORTON GROVE DAYS EVENT
EVENT DATES: JULY 1 - JULY 4, 2023**

FIREWORK DISPLAY DATE: MONDAY, JULY 4, 2023

PROPOSAL DUE: Monday, January 30, 2023

The Morton Grove Days Commission, represented by the Village of Morton Grove ("Village"), hereinafter referred to as Village, seeks proposals from fireworks companies ("Proposer" or "Contractor") to provide professional firework display services for the 2023 Morton Grove July 4th Festival. The firework display will begin at dusk and last for 25 to 30 minutes at Harrer Park, 6250 Dempster Street, Morton Grove, IL, near Park View School, 6200 Lake Street, Morton Grove.

BACKGROUND:

The Morton Grove Days Event ("Event") has been held in various formats for over 100 years. Currently the event is operated as part of the Village's 4th of July celebration held by the Village of Morton Grove with oversight from its Special Events Commission. In addition to the carnival, the event includes a parade, live entertainment, food and beverage vendors and fireworks.

GENERAL INSTRUCTIONS TO BIDDERS

1. Preparation and Submission of Proposals

The information provided herein is intended to assist proposers in the preparation of proposals necessary to properly respond to this RFP. The RFP is designed to provide interested proposers with sufficient basic information to submit proposals meeting minimum requirements but is not intended to limit a proposal's content or exclude any relevant or essential data therefrom. Proposers are at liberty and are encouraged to expand upon the specification to evidence service capability under any agreement. The Village of Morton Grove will not be liable for any costs proposers may incur in the preparation or presentation of this proposal.

Proposals shall be submitted by using the REQUEST FOR PROPOSAL FORM that accompanies this request. Proposals must be clear, concise and legible to permit proper evaluation.

Proposers may also submit, under separate cover with their proposal, any samples of reports and documents that are necessary to meet the requirements (deliverables) of this request should the proposal be accepted. The proposal must be submitted by January 30, 2023 at 5:00 PM via email to tfriel@mortongroveil.org and DUPLICATE paper copies in a sealed envelope addressed as follows:

**PROPOSAL FOR FIREWORK DISPLAY
2023 MORTON GROVE DAYS EVENT
C/o Tom Friel, Assistant to the Village Administrator
6101 Capulina Avenue
Morton Grove, IL 60053**

Please be advised that the person signing the proposal must be authorized by the Proposer to contractually bind the Proposer to all terms including price set forth in the proposal.

A bidder may withdraw a proposal at any time prior to the above scheduled date and time. Any Proposal received after the above scheduled date and time shall not be considered or opened.

It is the responsibility of the bidder to verify prior to final submittal of a bid or bid if any addenda to this request have been issued. Any addenda to this request shall be posted on the Village of Morton Grove website www.mortongroveil.org. Bidders may also call the Village Administrator's office directly 847-470-5220 for inquiries regarding addenda.

Bids will be opened in the Administrative Offices of the Village of Morton Grove, 6101 Capulina, Morton Grove, IL 60053 on Monday, January 30, 2023, at 5:00pm (Central time).

2. INQUIRIES

All inquiries regarding this request shall be answered up to the close of business on January 30, 2023, after which time no additional questions will be accepted. To ensure consistent interpretation of certain items, answers to questions the Village deems to be in the interest of all bidders will be made available in writing or by email or fax as appropriate to all bidders. All inquiries may be directed to Tom Friel, Assistant to the Village Administrator at 847-470-5220. Inquiries may also be emailed to tfriel@mortongroveil.org. The Village reserves the right to communicate with any or all the Proposers to clarify the provisions of this request; the Village further reserves the right to request additional information from any proposer at any time after proposals are opened. Additionally, after proposals are received, the Village reserves the right to communicate with any or all the bidders to clarify the provisions of Proposals. The Village further reserves the right to request additional information from any bidder at any time after proposals are opened.

3. FIRM QUOTES

All quotes are to be firm for a period of 90 days following bid opening and any period of an agreement with the successful bidder. The Village is always interested in all cost reduction opportunities.

4. COMPLIANCE

All Proposals must meet or exceed all requirements and required specifications on all points. Unless the Village receives a letter that states otherwise, it will be presumed that a proposer agrees to comply with all required specifications.

5. AWARD AND AUTHORITY

The Village may award a contract based solely upon the merits of the initial proposal, without an oral commentary by the proposers. Proposers should present the most favorable price and service available. The Village reserves the right to reject any or all proposals received and to waive any informality or technicality in any proposal in the interest of the Village. The criteria are not limited to the lowest fee. The Village will issue notification of award in writing along with a Village contract.

CONTRACT TERMS AND MINIMUM REQUIREMENTS

6. Terms of the Contract

Upon execution of this proposal by the Village, indicating that the Village has selected and approved the Proposer's proposal, this proposal including all the terms and conditions in this Request for Proposal and all approved attachments shall become a binding contract between the Village and the Proposer. The term of the contract shall begin upon execution of the proposal by the Village and end upon the completion of the Proposer's obligations for the 2023 Morton Grove Days Event. At the sole option of the Village, the contract may be extended a maximum of three (3) additional times. The Village shall notify the Proposer of its intent to renew the contract for the next calendar year within 60 days after the last day of the current year's event.

7. Scope of Service ("THE SERVICES"):

- A. Display: The Proposal shall include an attachment detailing the firework display to be provided for a **lump sum payment not to exceed \$30,000**. The theme of the display shall be "All American/Patriotic". The proposal shall include:
 - a) The name/type and quantity of shells. Detail out and indicate how many of each size shell would be included in the show. Only shells between the sizes of two (2) and five (5) inches (inclusive) can be used due to the area utilized for display.
 - b) A description of the fireworks display, include mid-display ground displays/special effects (providing the illusion/excitement of being a finale) and at the end of the Fireworks Display a grand finale which includes a ground display component.
- B. Utilizing the attached **Display Summary Sheet**, please break down the display/performance including the name/type, number and size of shells corresponding with which segment of the show they will be utilized in as well as a total firepower number.
 - a) Main Show
 - b) Specialty Bursts - A minimum of twelve (12) Specialty Bursts shall be included in the proposal detailed separately" with the name/type of specialty burst. The Village shall approve all Specialty Bursts.
 - c) Mid-Display (providing the illusion/excitement of being a finale) - Include the number and size of shells to be used in the mid-display, a total firepower number and a description mid-display ground display.
 - d) Finale - Include the number and size of shells to be used in the finale, a total firepower number and a description finale ground display.
- C. The Proposer shall utilize a one hundred percent (100%) electronic firing system. A complete description of equipment to be used to electronically fire the show must be included in the proposal.
- D. The lump sum payment shall include all labor materials and equipment to set-up, operate, fire, and clean up the display; Music will be provided by the Village of Morton Grove.
- E. The Proposal must include a complete list of the display operators and crew members along with a listing of their credentials and years of experience.
- F. The Proposer must clean-up shooting area to the satisfaction of the Village of Morton Grove. A representative of the Proposer along with representatives from the Village of Morton Grove shall visually inspect the area at the conclusion of the fireworks display to determine the area has been satisfactorily cleaned-up.
- G. Should the shooting area require clean-up above and beyond what was provided by the Proposer, all costs incurred by the Village of Morton Grove for additional clean-up shall be deducted from any payment due to the Proposer.

- H. **Pyrotechnic Operators License:** The Proposer (and their Agents) will be required to meet the state of Illinois law (225 ILCS 227) requiring a pyrotechnic operator license for the lead operator. A notarized copy of the lead operator's pyrotechnic operator license must be provided to the Village of Morton Grove by June 1, 2023. This individual must be present at the firing on July 4, 2023, or the adverse condition date.

Safety/Show Cancellation: The Village of Morton Grove shall have the final decision on whether the display must be cancelled, postponed, halted, or altered due to unsafe conditions applicable but not limited to wind, rain, drought, lightning, public safety emergency, or any other condition applicable at the time of the fireworks display which could endanger the safety of the audience, Village residents, committee members, or the operators and/or crew members. If the performance is cancelled due to unsafe conditions, an alternate performance date may be determined by mutual agreement of the Village of Morton Grove and the Proposer. If the display is cancelled, the Village shall be liable to Proposer only for payment of its actual, completed, documented, and non-recoupable expenses incurred through the cancellation date. Proposer agrees to waive all claims and causes of action for any other damages or losses of any kind that could be brought relative to the cancellation of the contract.

8. **Suspension/Termination of Services.** The Village for any reason, may suspend work on any or all Services by issuing a written work suspension notice to Proposer. Proposer must stop the performance of all Services within the scope of the suspension notice until the Village directs Proposer in writing to resume performance of the Services.

The Village may terminate the contract for any reason, upon 10-days written notice, or notice as reasonably possible in the event of a national or state disaster declaration or such other government order which prohibits the planned activity in which case, the Village shall be liable to Proposer only for payment of its actual, completed, documented and non-recoupable expenses incurred through the date of termination. Proposer agrees to waive all claims and causes of action for any other damages or losses of any kind that could be brought relative to the termination of the contract.

9. **Payment and Invoicing.** Upon the satisfactory completion of the fireworks display, including the completion of a "post-display" inspection of the shooting area (performed by the Village) for safety and cleanliness purposes, a payment of the total amount due will be made to the Proposer. The referenced Village post display inspection will occur in the daylight hours. The Proposer must submit one invoice for the full amount. The Village will remit payment in accordance with the Illinois Prompt Payment Act (30 ILCS 540). The Morton Grove Days Commission and Village of Morton Grove are tax exempt organizations.

10. **Independent Contractor Status.** Proposer's role, and the role of its employees and its sub-consultants and sub-contractors, with respect to the performance of the Services, is solely that of an independent contractor. The following terms and conditions are operative and applicable to the Parties under this Contract:

- A. **Non-Exclusive Contractual Arrangement.** Proposer and its employees and its sub-consultants and sub-contractors are retained under a non-exclusive contractual arrangement to perform the Services only for the limited purposes set forth in this Agreement. No provision of this Contract or subsequent conduct between the Parties shall be construed to create a relationship between the Parties as that of "employer-employee," "principal and agent," "partners" or "participants in a joint venture."

- B. No Authority to Bind. Unless specifically approved by the Village in writing, Proposer and its employees and its sub-consultants and sub-contractors shall have no authority or right to enter any contract or incur any debt or liability of any nature in the name of, or on behalf of the Village.
 - C. Not Employees of Village. Proposer and its employees and its sub-consultants and sub-contractors serve only as independent contractors, and not as employees of the Village, for all purposes, including, but not limited to, the application of the Fair Labor Standards Act minimum wage and overtime payments, including any similar Illinois wage laws, the Federal Insurance Contribution Act, the Social Security Act, the Federal Unemployment Tax Act, the Illinois Unemployment Insurance Act (820 ILCS 405/1 *et seq.*), and the Illinois Worker's Compensation and Occupational Diseases Act (820 ILCS 305/1, *et seq.*). Therefore, neither federal nor state nor local income tax nor payroll tax of any kind, nor any other withholding, shall be withheld or paid by the Village on behalf of Proposer, and its employees and its sub-consultants and sub-contractors. Nothing in this Contract shall be construed as the Village requiring or acquiring or incurring any liability for Worker's Compensation, FICA, withholding tax, unemployment compensation or any other payment which would be required to be paid by the Village if Proposer, and its employees and its sub-consultants and sub-contractors, were engaged in an "employer-employee" relationship.
 - D. Payment of Taxes. Proposer and its employees and its sub-consultants and sub-contractors are responsible, pursuant to applicable law, for payment of any income and employment taxes or any other taxes of any kind arising from their receipt of compensation under this Agreement.
 - E. Ineligible Village/ Benefits. Proposer and its employees and its sub-consultants and sub-contractors agree that they shall not be entitled to receive or to participate in any employee benefits or health, life or professional liability insurance programs or other employee benefit programs or pension plans or retirement plans available to part-time or full-time Village employees, and agree that they are ineligible to file a claim for unemployment compensation benefits or for Worker's Compensation benefits against the Village and its employees and its sub-consultants and sub-contractors agree not to file any such claims in the event this contract is terminated or if they are injured or become ill as a result of performing any Services under this contract.
 - F. Use of Letterhead or Logo. Proposer, and its employees, sub-consultants and sub-contractors, shall not issue any media news releases, advertisements, promotional materials or other public statements regarding the Services without the prior written consent of the Village. Proposer shall not use the letterhead or logo or any servicemark or trademark of the Village.
- 11. Compliance with Laws.**
- A. Proposer, and its employees, sub-consultants and sub-contractors, shall comply with any and all applicable laws, regulations and rules promulgated by any Federal, State, County, local, or other governmental authority or regulatory body pertaining to all aspects of the Services, now in effect, or which may become in effect during the performance of the Services. The scope of the laws, regulations and rules referred to in this paragraph includes, but is in no way limited to, local ordinance(s) and permitting processes required by the Village and the Illinois Office of the State Fire Marshal (OSFM), the Occupational Safety and Health Act standards, the Illinois Human Rights Act, the Illinois Equal Pay Act of 2003, along with the standards and regulations promulgated pursuant thereto (including but not limited to those safety requirements involving work on elevated platforms), all forms of traffic regulations, public utility, Interstate and Intrastate Commerce Commission regulations, Workers' Compensation Laws, the Substance Abuse Prevention on Public Works Projects Act, Prevailing Wage Laws, the Smoke Free Illinois Act, the USA Security Act, the Federal Social Security Act (and any of its titles), and any other law, rule or regulation of the Illinois Department of Labor, Illinois Department of Transportation,

Illinois Environmental Protection Act, Illinois Department of Human Rights, Human Rights Commission, EEOC. In the event that Proposer, or its employees, sub-consultants and sub-contractors, in performing the Services are found to have not complied with any of the applicable laws and regulations as required by this Agreement, then Proposer shall indemnify and hold the Village harmless, and pay all amounts determined to be due from the Village for such non-compliance by Proposer, including, but not limited to fines, costs, attorneys' fees and penalties.

- B. Patriot Act Compliance. Proposer represents and warrants to the Village that neither it nor any of its principals, shareholders, members, partners, or affiliates, as applicable, is a person or entity named as a Specially Designated National and Blocked Person (as defined in Presidential Executive Order 13224) and that it is not acting, directly or indirectly, for or on behalf of a Specially Designated National and Blocked Person. Proposer further represents and warrants to the Villages that Proposer and its principals, shareholders, members, partners, or affiliates, as applicable, are not, directly or indirectly, engaged in, and are not facilitating, the transactions contemplated by this Agreement on behalf of any person or entity named as a Specially Designated National and Blocked Person. Proposer hereby agrees to defend, indemnify and hold harmless the Villages, their respective corporate authorities, and all of each Village's elected or appointed officials, officers, employees, agents, representatives, engineers, and attorneys, from and against any and all claims, damages, losses, risks, liabilities, and expenses (including reasonable attorneys' fees and costs) arising from or related to any breach of the representations and warranties in this subsection.
- C. Certification. Each Party and its officers, corporate authorities, employees and agents certify that they are not barred from entering into this Agreement as a result of a violation of either 720 ILCS 5/33E-3 or 5/33E-4 (bid rigging or bid rotating) or 5/33E-6 (interference with contract submission and award by public official) or as a result of a violation of 820 ILCS 130/1 *et seq.* (the Illinois Prevailing Wage Act) or as a result of: (1) a delinquency in the payment of any tax administered by the Illinois Department of Revenue or any fee required by any unit of local government or the State, unless the Party is contesting, in accordance with the procedures established by the appropriate revenue act, its liability for the tax or the amount of the tax or the fee, as set forth in Section 11-42.1-1 *et seq.* of the Illinois Municipal Code, 65 ILCS 5/11-42.1-1 *et seq.* Each Party and its officers, corporate authorities, employees and agents further certify by signing this Agreement that the Party and its officers, corporate authorities, employees and agents have not been convicted of, or are not barred for attempting to rig bids, price-fixing or attempting to fix prices as defined in the Sherman Anti-Trust Act and Clayton Act. 15 U.S.C. § 1 *et seq.*; and has not been convicted of or barred for bribery or attempting to bribe an officer or employee of a unit of state or local government or school district in the State of Illinois in that officer's or employee's official capacity. Nor has any of the Parties and their officers, corporate authorities, employees and agents made admission of guilt of such conduct which is a matter of record, nor has any official, officer, agent or employee of the Parties been so convicted nor made such an admission.
- D. Non-Discrimination. Each Party and its officers, corporate authorities, employees and agents agree not to commit unlawful discrimination and agree to comply with all applicable provisions of the Illinois Human Rights Act, Title VII of the Civil Rights Act of 1964, as amended, the Americans with Disabilities Act, the Age Discrimination in Employment Act, Section 504 of the Federal Rehabilitation Act, and all applicable rules and regulations. Each Party maintains a written Sexual Harassment Policy in compliance with Section 2-105 of the Illinois Human Rights Act (775 ILCS 5/2-105(A)(4)). Each Party certifies that it is an "Equal Opportunity Employer" as defined by federal and State laws and regulations and agrees to comply with the Illinois

Department of Human Rights ("IDHR") Equal Opportunity Employment clause as required by the IDHR's Regulations (44 Ill. Adm. Code, Part 750, Appendix A). As required by Illinois law and IDHR Regulation, the Equal Opportunity Employment clause is incorporated by reference in its entirety as though fully set forth herein. Each Party certifies that it agrees to comply with the Prohibition of Segregated Facilities clause, which is incorporated by reference in its entirety as though fully set forth herein. See, *Illinois Human Rights Act (775 ILCS 5/2-105)*. See also, *Illinois Department of Human Rights Rules and Regulations, Title 44, Part 750. Administrative Code, Title 44: Government Contracts, Procurement and Property Management, Subtitle B: Supplemental Procurement Rules, Chapter X: Department of Human Rights, Part 750: Procedures Applicable to All Agencies, Section 750.160: Segregated Facilities (44 Ill. Adm. Code 750.160)*

- E. Illinois Freedom of Information Act. The definition of a public record in the Freedom of Information Act (5 ILCS 140/1 *et seq.*) ("FOIA") includes a "public record that is not in the possession of a public body but is in the possession of a party with whom the agency has contracted to perform a governmental function on behalf of the public body and that directly relates to the governmental function and is not otherwise exempt under this Act." (5 ILCS 140/7(2)). Consequently, the Parties must maintain and make available to the other Parties, upon request, their public records relating to the performance of this Agreement in compliance with the requirements of the Local Records Act (50 ILCS 205/1 *et seq.*) and FOIA. To facilitate a response by the Village to any FOIA request, Proposer agrees to provide all requested public records within five (5) business days of a request being made by Village. Proposer agrees to defend, indemnify and hold harmless the Village, and agrees to pay all reasonable costs connected therewith (including, but not limited to, reasonable attorney and witness fees, filing fees and any other expenses) for the Village to defend any and all causes, actions, causes of action, disputes, prosecutions or conflicts arising from Proposer's actual or alleged violation of the FOIA or Proposer's failure to furnish all public records as requested by the Village. Furthermore, should Proposer request that the Village utilize a lawful exemption under FOIA in relation to any FOIA request thereby denying that request, Proposer agrees to pay all costs connected therewith (such as reasonable attorney and witness fees, filing fees and any other expenses) to defend the denial of the request. The defense shall include, but not be limited to, challenged or appealed denials of FOIA requests to either the Illinois Attorney General or a court of competent jurisdiction. Proposer agrees to defend, indemnify and hold harmless the Village and to pay all costs incurred by the Village, connected therewith (such as reasonable attorney and witness fees, filing fees, penalties, fines, and any other expenses) to defend any denial of a FOIA request pursuant to Proposer's request to utilize a lawful exemption.

- F. No Collusion. Proposer represents and certifies that Proposer is not barred from contracting with a unit of State or local government as a result of: (1) a delinquency in the payment of any tax administered by the Illinois Department of Revenue or any fee required by the Village unless Proposer is contesting, in accordance with the procedures established by the appropriate revenue act, its liability for the tax or the amount of the tax or the fee, as set forth in Section 11-42.1-1 *et seq.* of the Illinois Municipal Code, 65 ILCS 5/11-42.1-1 *et seq.*; or (2) a violation of either Section 33E-3 or Section 33E-4 of Article 33E of the Criminal Code of 1961, 720 ILCS 5/33E-1 *et seq.* Proposer represents that the only persons, firms or corporations interested in this Agreement as principals are those disclosed to the Village prior to the execution of this Agreement, and that this Agreement is made without collusion with any other person, firm or corporation. If at any time it shall be found that Proposer has, in procuring this Agreement, colluded with any other person, firm or corporation, then Proposer shall be liable to the Village of Morton Grove for any loss or damage that the s may suffer, and this Agreement shall, at the Village's option, be null and void.

- G. Conflict of Interest. Proposer represents and certifies that, to the best of its knowledge: (1) no Village, employee or agent is interested in the business of Proposer or this Agreement; (2) as of the date of this Agreement, neither Proposer nor any person employed or associated with Proposer has any interest that would conflict in any manner or degree with the performance of the obligations under this Agreement; and (3) neither Proposer nor any person employed by or associated with Proposer shall at any time during the Term of this Agreement obtain or acquire any interest that would conflict in any manner or degree with the performance of the obligations under this Agreement.

12. ASSIGNMENT/SUBCONTRACTING

No activities or services included as part of this proposal may be assigned or subcontracted to another organization, firm, or individual without the approval of the Village of Morton Grove. Such intent to subcontract should be clearly identified in the proposal. It is understood the contractor is responsible for the satisfactory accomplishment of the service or activities included in a subcontract.

13. INSURANCE INDEMNIFICATION AND HOLD HARMLESS REQUIREMENTS

The successful Proposer shall provide the Village with a Certificate of Insurance and ISO CG 20 10 Form (or equivalent) before work commences. All qualifying insurance must be issued on an occurrence basis. The Certificate of Insurance will also state that the coverage is primary and non-contributory. The Village of Morton Grove, the Morton Grove Days Commission, and the Morton Grove Park District, their officials, employees, agents and volunteers shall be named as an additional insured with Insurance Company licensed to write such insurance in the state with an A- or better rating from AM Best with the following limits, whichever is greater:

- A. General liability limits: at least five million dollars (\$5,000,000.00) per occurrence. The insurance/policy will specify that coverage is PRIMARY and NON-CONTRIBUTORY. In addition, Project (or per show) Aggregate coverage plus Excess Liability coverage totaling \$10,000,000 must be provided.
- B. Automobile insurance: at least one million dollars (\$1,000,000.00) per occurrence;
- C. Workers' compensation with the employer's liability at least one million dollars (\$1,000,000.00).

The insurance policy must contain the additional provision wherein the company agrees that thirty (30) days prior to termination, expiration, cancellation or reduction of the insurance afforded by this policy with respect to the contract involved, written notice will be served by registered mail to the Village of Morton Grove.

The successful Proposer (Contractor) and each Subcontractor agree that their insurance carriers waive subrogation against the Village, Village staff, its elected officials, employees, contractors and volunteers with respect to any loss covered by the Contractor's and each Subcontractor's insurance

The Proposer shall to the fullest extent permitted by law defend, indemnify and hold harmless the Village of Morton Grove, the Morton Grove Days Commission, and the Morton Grove Park District, their officials, agents and employees and volunteers (the "Village Affiliates") against all injuries, deaths, loss, damages, claims, suits, liabilities, judgments, attorney fees, cost and expenses, which may accrue

against the Village Affiliates arising in whole or in part or in consequence of the event or the grant of any license pursuant to this article or for any reason other than the negligent or wrongful conduct of the Village Affiliates.

**PROPOSAL FOR FIREWORK DISPLAY
2023 MORTON GROVE DAYS EVENT
EVENT DATES: JULY 1 - JULY 4, 2023
VILLAGE OF MORTON GROVE, ILLINOIS
FIREWORK DISPLAY DATE: JULY 4, 2023**

PROPOSAL of \$30,000
Date of Proposal: 1/3/2023

The undersigned hereby attests that except as specifically noted otherwise, this bid incorporates and meets all the requirements stated in the Request for Proposal and that this proposal shall be firm, fixed and remain in effect for 90 days. All information in this application is true to the best of the applicant's knowledge and will be updated as necessary.

The following Addenda and supporting documents are attached and are made part of this application:

1. SEE SLIDE SHOW PRESENTATION
2. Amendment #1 to bid
3. _____
4. _____

Johnny Rockets Fireworks Display Company

S-Corporation

Name of Organization Company

Type (Illinois Corporation, LLC, etc.)

36-4225907

4105-3982

Federal EIN#

Illinois tax ID #

1125 E Port Clinton

Vernon Hills, IL 60061

Address, Street

City, State, Zip

John Panchisin

johnnyrockets@comcast.net

Contact Person

Email Address

847-912-7222

847-312-8980

Telephone Number

Alternate phone/Emergency Contact

Submitted by:

john panchisin
(Signature)

John Panchisin owner/president

Printed Name & Title

- I. Provide a summary of the experience, personnel, and general qualifications of the Proposer. Include at a minimum the following information:
- a. Length of time the organization has been in business;
 - b. A list of at least 5 clients with whom you have provided similar services;
 - c. The names of key staff members who will provide services for the event, the services each will provide, the length of time each has worked for the organization and worked for similar organizations

II. References:

(Attach additional pages as necessary)

List references for similar services provided for at least three (3) clients in the past five (5) years (attach any other client references if desired).

CLIENT 1:

Organization Name: SEE SLIDE SHOW PRESENTATION

Contact Name: _____ Phone: _____

Service Dates: _____

Project/Event: _____

CLIENT 2:

Organization Name: _____

Contact Name: _____ Phone: _____

Service Dates: _____

Project/Event: _____

CLIENT 3:

Organization Name: _____

Contact Name: _____ Phone: _____

Service Dates: _____

Project/Event: _____

SHOW REFERENCES

Village of Wheaton - \$18,000
855 W Prairie Wheaton, IL
- Director of Park District
630-690-4880

Elk Grove Village \$115,000
901 Wellington Elk Grove IL
Mayor Craig Johnson
847 437-8226
847 437-0030

Village of Lincolnshire \$35,000
1 Olde Half Day Rd Lincolnshire, IL
Brad Woodbury
847-913-2381

Village of Schaumburg \$19,500
101 Schaumburg Ct Schaumburg, IL
Roxanne Benvenuti- Event Coordinator
847-923-3605

VILLAGE OF MORTON GROVE 2023 FIREWORKS DISPLAY PROPOSAL

DISPLAY SUMMARY SHEET

Fireworks Company Name: SEE SLIDE SHOW PRESENTATION

Size of Shell/No.	2"	3"	4"	5"	Other	Totals
Main Show						
Specialty Bursts (name/type)						
Mid-Display - 1						
Mid-Display - 2						
Finale						
Total of Each Size						

Note: Specialty Bursts – A minimum of twelve (12) specialty bursts shall be included in the quote; please detail separately in space provided or on another piece of paper stating the name/type of specialty burst. The Village of Morton Grove shall approve all specialty bursts.

Other Requirements:

1. Attach the following documents to the quote:
 - a. Operators Credentials
 - b. Pyrotechnic Operator's License

LUMP SUM COST: \$ 30,000

Bid Proposal \$30,000

Performance						T O T A L
Up						
to 2" 2.5" 3" 4" 5"						
Main Show	900	96	60	102	54	1212
Pyrofantasia/ Multi-breaks	1500	144	60	30	18	1752
Grand Finale	100	432	250	60	30	872
TOTAL # OF EACH	2500	672	370	192	102	3836

Pyrofantasia- Specialty Bursts

January 27, 2023

Village of Morton Grove
6101 Capulina Street
Morton Grove, IL 60053

Re: Amendment to bid proposal- General instructions to bidders.

Dear Village of Morton Grove:

Under #7. SCOPE OF WORK

F. Johnny Rockets Fireworks Display Company will perform a basic debris cleanup which includes raking directly around launch area. Card board boxes and garage bags will be left on site (neatly stacked) for the Village Public Works to dispose of in a dumpster.

G. Remove

H) Due to the extreme safety around explosives the July 4th show cannot be canceled once product is loaded into the mortars. A reschedule date needs to be July 5th. If there were a concern of severe weather forecasted Village needs decide prior to 6am July 4th. If unknown weather or circumstances arise the product would remain on site, property secured, tarped and watched by Johnny Rockets staff until the show is fired the proceeding day. If the Village of Morton Grove so chooses to completely CANCEL the show the Village will be responsible for 100% payment of the show (\$30,000). The risk and liability of breaking down a show is extremely dangerous and very unsafe even when performed by professionals. Hope you understand.

Under #13. INSURANCE INDEMNIFICATION AND HOLD HARMLESS REQUIREMENTS.

A) See Johnny Rockets certificate of insurance for approval.

SPECIAL ACKNOWLEDGEMENT

- 1) Any unfired product will be fired on site either immediately after program.
- 2) Johnny Rockets will not be responsible for the structures within the 350 ft designated fallout area.

john panchisin
John Panchisin

The undersigned agrees to all of the conditions of the 2023 Fireworks Display Quote:

Authorized Signature and Title: john panchisin President/Owner

Dated: _____ FOR VILLAGE USE ONLY

Proposal Complete: _____

Proposal Incomplete: _____

Proposal Approved: _____

Attachments Approved: _____

FOR SELECTED PROPOSAL ONLY

Certificate of Insurance Provided: _____

References Checked: _____

CONTRACT APPROVAL BY PARTIES

The term and conditions in the attached Request for Proposal, the Proposal and all approved attachments are hereby accepted and agreed to by the parties this ____ day of _____, 2023
In the event the Contractor attached an addendum or additional contract terms which are in conflict with the terms and conditions set forth in the Village's Request for Proposal the Terms and conditions of the Village's Request for Proposal shall be controlling.

Village of Morton Grove

By: _____
Ralph E. Czerwinski, Village Administrator

Johnny Rockets Fireworks Display Company
Print Contractor's Name

By: John Panchisin owner/president
Print Name & Title



Johnny Rockets Fireworks Display, Co

John Panchisin

Agenda

Introduction

History

Our Technology

Superior Product Quality

Insurability & Safety Track Record

Proposal





Introduction

- Johnny Rockets thanks you for allowing us to provide The Village of Morton Grove a proposal to celebrate their July 4th Centennial.

History

Johnny Rockets have been showcasing innovative displays in the Midwest area for 28 years. Dedicated to proving quality products and a truly personalized service. Our industry knowledge and product expertise will exceed your every expectation!

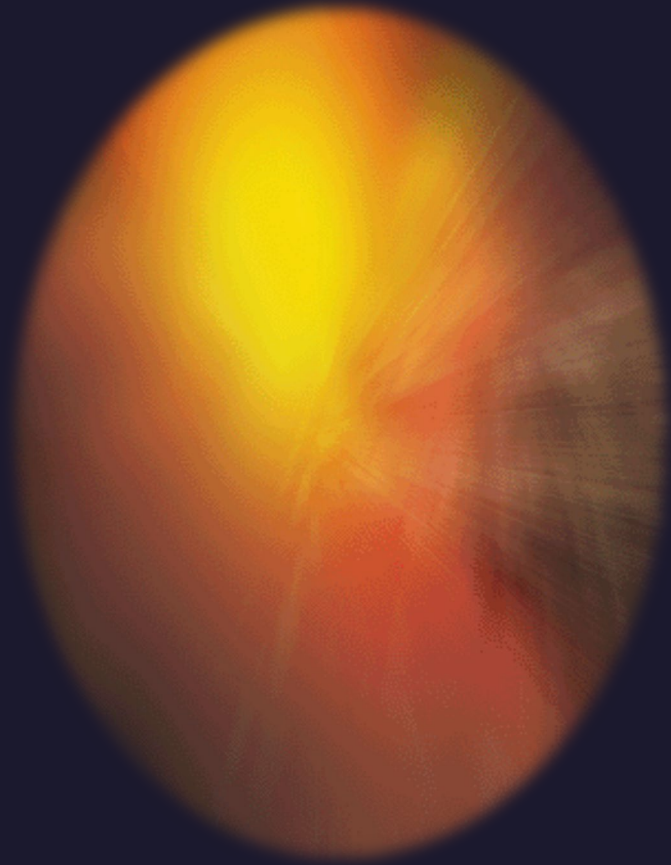


Our Technology

State-Of-The-Art Firing Systems

Our Customer Displays are electronically fired by industry Pyromate Advanced Pyrotechnic Firing Systems.

The Digital Nighthawk Firing System is the Flagship of the pyrotechnics industry.



Leading Edge Equipment & Setup



Johnny Rockets Fireworks Bunker/Product Facility



Product Quality

Our company imports exclusively from a family-managed fireworks enterprise called Sunny International. Sunny has a 30+ year history of production and worldwide sales. The company is based on the “4 S Principles”: SUNNY bright image, excellent SERVICE, guaranteed SATISFACTION, and SUPERIOR quality.

Sunny’s endless variety and unique special effect shells are what enables Johnny Rockets to provide such interesting and memorable fireworks displays!



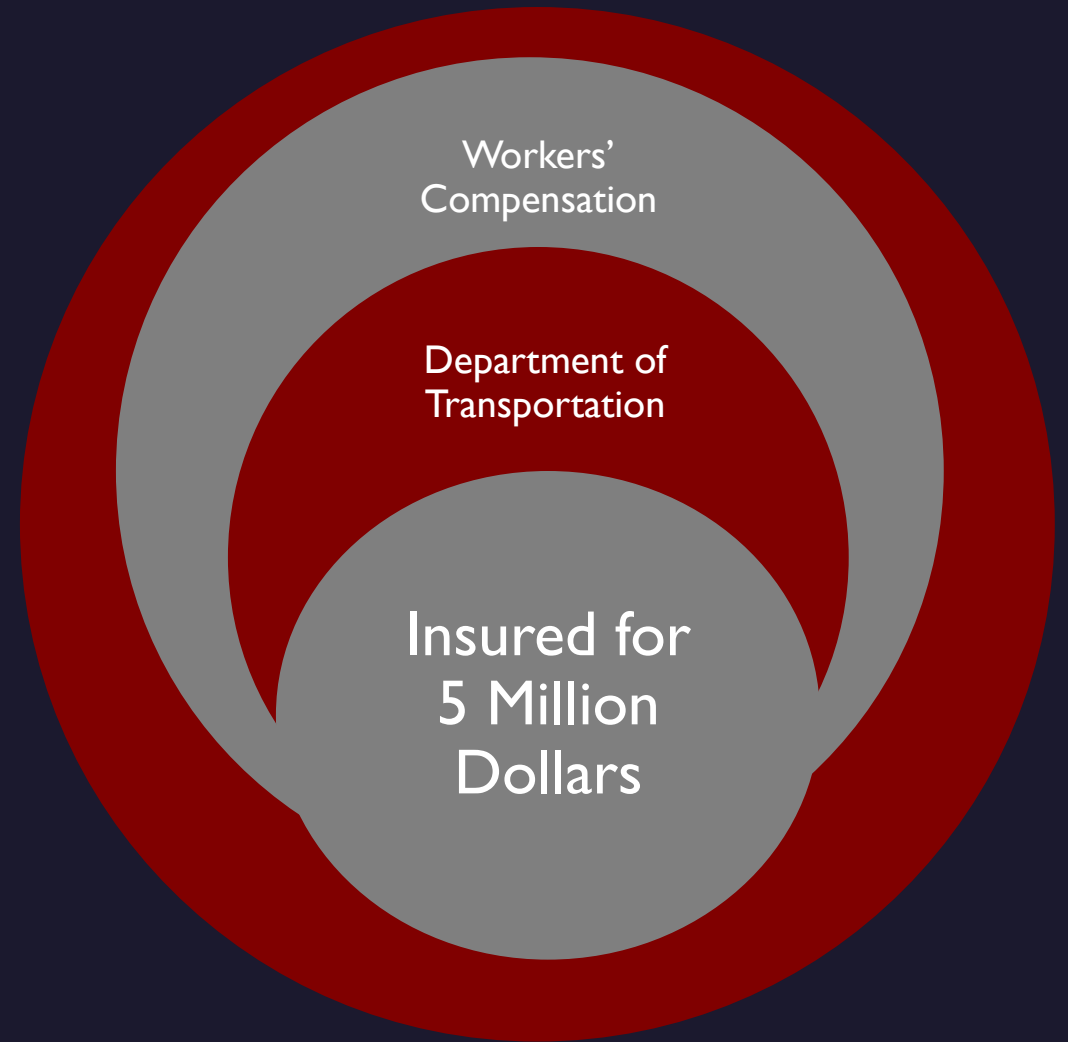
Endless Product Varieties



Crossettes	Horsetails	Kamueros	Flitters	Fans
Dahlias	Strobes	Brocades	Coconuts	Specialty Patterns
Comets	Flowers	Peonies	Glitter	Diamonds
Willows	Palms	Mines	Rains	Rings
Chrysanthemum	Waterfalls	Pistils	Fish	Spiders

Insurability & Proven Track Record

- 28 Years of perfect run/loss record.
- Insured for 5 Million Dollars
- Our Staff & Operators go through a rigorous training program certified by the American Pyrotechnic Association
- We use only the best pyrotechnic products available



References

JOHNNY ROCKETS IS UNPARALLEL TO THE INDUSTRY, KNOWN FOR:

- Extreme Shell Counts
- Premier Quality Fireworks
- Spectacular Finales



City of Wheaton -\$35,000
855 W Prairie Wheaton, IL
- Director of Park District
630-690-4880



Elk Grove Village \$115,000
901 Wellington Elk Grove IL
Mayor Craig Johnson
847 437-8226
847 437-0030

Village of Lincolnshire \$50,000
1 Olde Half Day Rd Lincolnshire, IL
Brad Woodbury
847-913-2381



Village of Schaumburg \$25,000
2101 Schaumburg Ct Schaumburg, IL
Roxane Benvenuti
847-923-3605

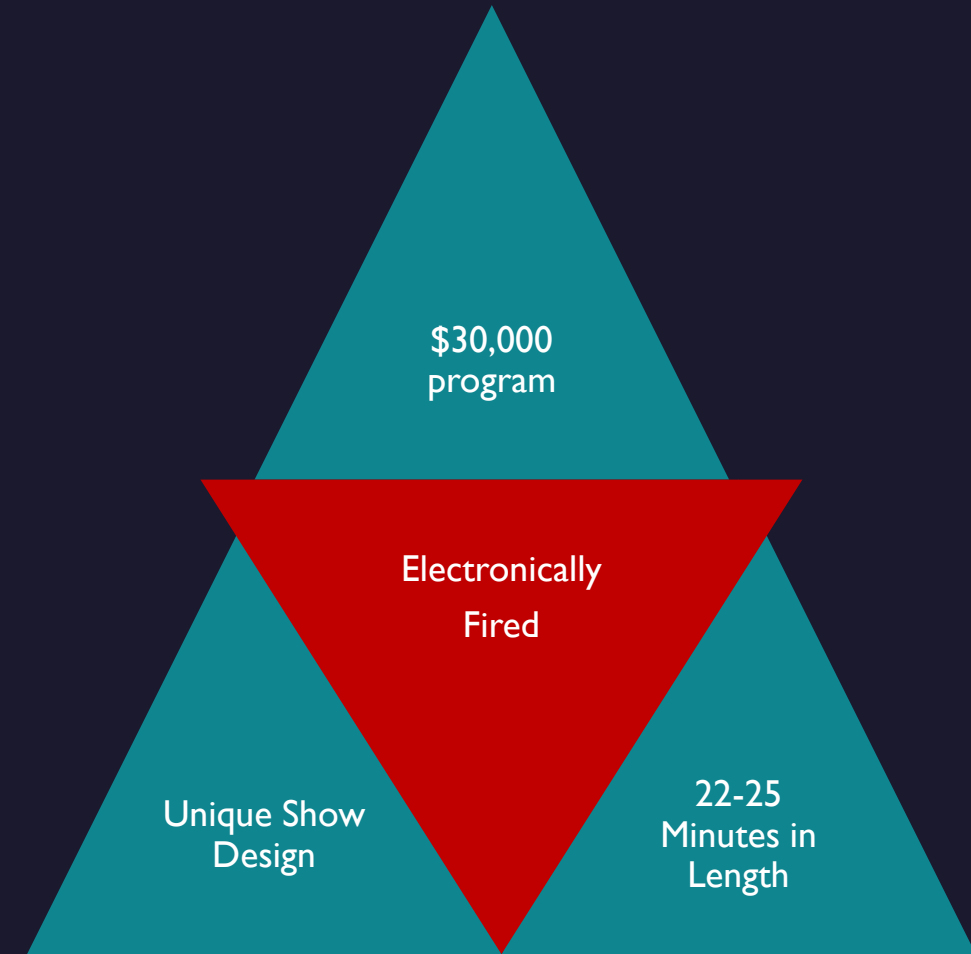


VILLAGE OF
SCHAUMBURG

Bid Proposal

- Prepared Especially for Morton Grove Days
- Total Show Cost – \$30,000

22-25 Minute Performance						
	Up to 2"	2.5"	3"	4"	5"	TOTAL
MAIN SHOW	900	96	60	102	54	1212
PYROFANTASIA Multi-breaks- Specialty shells	1500	144	60	30	18	1752
GRAND FINALE	100	432	250	60	30	872
TOTAL # OF EACH	2500	672	370	192	102	3836





Thank You

John Panchisin

Johnnyrockets@comcast.net

Legislative Summary

Resolution 24-10

APPROPRIATION OF 2024 MOTOR FUEL TAX FUNDS FOR THE MAINTENANCE OF STREETS AND HIGHWAYS

Introduced:	January 23, 2024
Purpose:	To authorize the Village Clerk to execute the documentation required by the State of Illinois for the 2024 Motor Fuel Tax program.
Background:	Each year the Village receives a portion of the motor fuel taxes collected by the State. These funds must be spent on the eligible improvements of roadways. The State requires an estimate and statement of the maintenance expenses for each year of the program.
Programs, Departments or Groups Affected	Public Works Department
Fiscal Impact:	\$738,000
Source of Funds:	State of Illinois, Motor Fuel Tax
Workload Impact:	The Public Works Department, as part of their normal work activities, will manage and implement the use of Motor Fuel Tax funds received by the Village.
Administrator Recommendation:	Approval as presented.
Second Reading:	Not Required
Special Considerations or Requirements:	None

Submitted by: Ralph E. Czerwinski, Village Administrator
Reviewed by: Teresa Hoffman Liston, Corporation Counsel
Reviewed by: Mike Lukich, Director of Public Works
Prepared by: Chris Tomich, Village Engineer

RESOLUTION 24-10

APPROPRIATION OF 2024 MOTOR FUEL TAX FUNDS FOR THE MAINTENANCE OF STREETS AND HIGHWAYS

WHEREAS, the Village of Morton Grove (Village), located in Cook County, Illinois, is a home rule unit of government under the provisions of Article 7 of the 1970 Constitution of the State of Illinois, can exercise any power and perform any function pertaining to its government affairs, including but not limited to the power to tax, purchase, and incur debt; and

WHEREAS, the Village receives motor fuel tax (MFT) funds from the state of Illinois for the construction and maintenance of streets, highways, and other eligible expenditures in the municipality according to the requirements of the Illinois Highway Code; and

WHEREAS, the Illinois Highway Code requires municipalities to develop and submit a MFT program for the purpose of maintaining streets and highways within the Village from January 1, 2024, to December 31, 2024, and also requires the proposed uses to be approved by the Illinois Department of Transportation; and

WHEREAS, the estimated expenditures from the MFT funds for the period January 1, 2024, to December 31, 2024, are \$738,000.00; and

WHEREAS, the attached “Resolution for Maintenance under the Illinois Highway Code” (BLR 14220) and the “Local Public Agency General Maintenance Estimate of Maintenance Costs” (BLR 14222) have provided for the distribution of the anticipated 2023 MFT funds for maintenance of streets within the Village.

NOW, THEREFORE, BE IT RESOLVED BY THE PRESIDENT AND BOARD OF TRUSTEES OF THE VILLAGE OF MORTON GROVE, COOK COUNTY, ILLINOIS AS FOLLOWS:

SECTION 1: The Corporate Authorities do hereby incorporate the foregoing WHEREAS clauses into this Resolution as though fully set forth therein thereby making the findings as hereinabove set forth.

SECTION 2: The Corporate Authorities hereby approve, and the Village Clerk is hereby authorized to execute the Illinois Department of Transportation Local Public Agency General Maintenance Estimate of Maintenance Costs (BLR 14222) and the Illinois Department of Transportation Resolution for Maintenance under the Illinois Highway Code (BLR 14220).

SECTION 3: One electronic copy of this Resolution will be transmitted to the Regional Engineer's District Office of the Illinois Department of Transportation at Schaumburg, Illinois.

SECTION 4: The Village Administrator and Village Clerk or their designees are authorized to take all steps necessary to amend these forms as required to obtain approval from the Illinois Department of Transportation.

SECTION 5: This Resolution shall be in full force and effect upon its passage and approval.

Passes this 23rd day of January 2024

Trustee Khan _____

Trustee Minx _____

Trustee Shiba _____

Trustee Thill _____

Trustee Travis _____

Trustee Witko _____

Approved by me this 23rd day of January 2024

Daniel P. DiMaria, Village President
Village of Morton Grove
Cook County, Illinois

Attested and Filed in my office this
24th day of January 2024

Eileen Scanlon Harford, Village Clerk
Village of Morton Grove
Cook County, Illinois



District	County	Resolution Number	Resolution Type	Section Number
1	Cook	24-	Original	24-00000-00-GM

BE IT RESOLVED, by the President and Board of Trustees of the Village of
Governing Body Type Local Public Agency Type
Morton Grove Illinois that there is hereby appropriated the sum of _____
Name of Local Public Agency
Seven hundred thirty-eight thousand and 00/100 Dollars (**\$738,000.00**)

of Motor Fuel Tax funds for the purpose of maintaining streets and highways under the applicable provisions of Illinois Highway Code from
01/01/24 to 12/31/24 .
Beginning Date Ending Date

BE IT FURTHER RESOLVED, that only those operations as listed and described on the approved Estimate of Maintenance Costs, including supplemental or revised estimates approved in connection with this resolution, are eligible for maintenance with Motor Fuel Tax funds during the period as specified above.

BE IT FURTHER RESOLVED, that Village of Morton Grove
Local Public Agency Type Name of Local Public Agency
shall submit within three months after the end of the maintenance period as stated above, to the Department of Transportation, on forms available from the Department, a certified statement showing expenditures and the balances remaining in the funds authorized for expenditure by the Department under this appropriation, and

BE IT FURTHER RESOLVED, that the Clerk is hereby directed to transmit four (4) certified originals of this resolution to the district office of the Department of Transportation.

I Eileen Scanlon Harford Village Clerk in and for said Village
Name of Clerk Local Public Agency Type Local Public Agency Type
of Morton Grove in the State of Illinois, and keeper of the records and files thereof, as
Name of Local Public Agency
provided by statute, do hereby certify the foregoing to be a true, perfect and complete copy of a resolution adopted by the

President and Board of Trustees of Morton Grove at a meeting held on 01/23/24 .
Governing Body Type Name of Local Public Agency Date

IN TESTIMONY WHEREOF, I have hereunto set my hand and seal this 24th day of January 2024 .
Day Month, Year

(SEAL, if required by the LPA)

Clerk Signature & Date

APPROVED

Regional Engineer Signature & Date
Department of Transportation

Instructions for BLR 14220

This form shall be used when a Local Public Agency (LPA) wants to perform maintenance operations using Motor Fuel Tax (MFT) funds. Refer to Chapter 14 of the Bureau of Local Roads and Streets Manual (BLRS Manual) for more detailed information. This form is to be used by a Municipality or a County. Road Districts will use BLR 14221. For signature requirements refer to Chapter 2, Section 3.05(b) of the BLRS Manual.

When filling out this form electronically, once a field is initially completed, fields requiring the same information will be auto-populated.

Resolution Number	Insert the resolution number as assigned by the LPA, if applicable.
Resolution Type	From the drop down box, choose the type of resolution: -Original would be used when passing a resolution for the first time for this project. -Supplemental would be used when passing a resolution increasing appropriation above previously passed resolutions. -Amended would be used when a previously passed resolution is being amended.
Section Number	Insert the section number of the improvement covered by the resolution.
Governing Body Type	From the drop down box choose the type of administrative body. Choose Board for County; Council or President and Board of Trustees for a City, Village or Town.
LPA Type	From the drop down box choose the LPA body type; County, City, Town or Village.
Name of LPA	Insert the name of the LPA.
Resolution Amount	Insert the dollar value of the resolution for maintenance to be paid for with MFT funds in words, followed by the same amount in numerical format in the ().
Beginning Date	Insert the beginning date of the maintenance period. Maintenance periods must be a 12 or 24 month consecutive period.
Ending Date	Insert the ending date of the maintenance period.
LPA Type	From the drop down box choose the LPA body type; County, City, Town or Village.
Name of LPA	Insert the name of the LPA.
Name of Clerk	Insert the name of the LPA Clerk.
LPA Type	From the drop down box choose the LPA body type; County, City, Town or Village.
LPA Type	From the drop down box choose the LPA body type; County, City, Town or Village.
Name of LPA	Insert the name of the LPA.
Governing Body Type	From the drop down box choose the type of administrative body. Choose Board for County; Council or President and Board of Trustees for a City, Village or Town.
Name of LPA	Insert the name of the LPA.
Date	Insert the date of the meeting.
Day	Insert the day the Clerk signed the document.
Month, Year	Insert the month and year of the clerk's signature.
Clerk Signature	Clerk shall sign here.
Seal	The Clerk shall seal the document here, if required. If a seal is required, electronic signatures should not be used.
Approved	The Department of Transportation representative shall sign and date here upon approval.

A minimum of three (3) certified signed originals must be submitted to the Regional Engineer's District office OR email PDF completed form with electronic signatures to your local District LRS office.

Following IDOT's approval, distribution will be as follows:

Local Public Agency Clerk
Engineer (Municipal, Consultant or County)



Local Public Agency General Maintenance

Submittal Type

Estimate of Maintenance Costs

District Estimate of Cost For

Local Public Agency		County	Section Number	Maintenance Period	
				Beginning	Ending
Morton Grove		Cook	24-00000-00-GM	01/01/24	12/31/24

Maintenance Items

Maintenance Operation	Maint Eng Category	Insp. Req.	Material Categories/ Point of Delivery or Work Performed by an Outside Contractor	Unit	Quantity	Unit Cost	Cost	Total Maintenance Operation Cost
Snow Removal & Ice Control	III	No	ROAD SALT	TON	3,500	\$73.22	\$256,270.00	\$256,000.00
Snow Removal & Ice Control	IIA	No	LIQUID DEICER	GAL	16,000	\$0.90	\$14,400.00	\$14,000.00
Snow Removal & Ice Control	IIA	No	SALARIES	HOUR	1,540	\$60.60	\$93,324.00	\$93,000.00
Street Patching	III	No	HOT MIX ASPHALT	TON	500	\$60.00	\$30,000.00	\$30,000.00
Street Patching	IIA	No	SALARIES	HOUR	2,600	\$52.00	\$135,200.00	\$135,000.00
Street Sweeping	IIA	No	SALARIES	HOUR	825	\$57.00	\$47,025.00	\$47,000.00
Street Ltg & Traf Sig. Maint.	IIB	No	WORK PERFORM BY AN OUTSIDE CONTRACTOR	L SUM	1	\$80,000.00	\$80,000.00	\$80,000.00
Concrete	IIA	No	CONCRETE	CU YD	80	\$228.00	\$18,240.00	\$18,000.00
Concrete	IIA	No	SALARIES	HOUR	350	\$56.00	\$19,600.00	\$20,000.00
Catch Basin Cleaning	IIA	No	SALARIES	HOUR	840	\$54.00	\$45,360.00	\$45,000.00
Total Operation Cost								\$738,000.00

Estimate of Maintenance Costs Summary

Maintenance	MFT Funds	RBI Funds	Other Funds	Estimated Costs
Local Public Agency Labor	\$340,000.00	\$0.00	\$288,000.00	\$628,000.00
Local Public Agency Equipment	\$0.00	\$0.00	\$0.00	\$0.00
Materials/Contracts(Non Bid Items)	\$32,000.00	\$0.00	\$33,000.00	\$65,000.00
Materials/Deliver & Install/Materials Quotations (Bid Items)	\$366,000.00	\$0.00	\$365,000.00	\$731,000.00
Formal Contract (Bid Items)	\$0.00	\$0.00	\$435,000.00	\$435,000.00
Maintenance Total	\$738,000.00	\$0.00	\$1,121,000.00	\$1,859,000.00

Estimated Maintenance Eng Costs Summary

Maintenance Engineering	MFT Funds	RBI Funds	Other Funds	Total Est Costs
Preliminary Engineering	\$0.00	\$0.00	\$0.00	\$0.00
Engineering Inspection	\$0.00	\$0.00	\$0.00	\$0.00
Material Testing	\$0.00	\$0.00	\$5,000.00	\$5,000.00
Advertising	\$0.00	\$0.00	\$0.00	\$0.00
Bridge Inspection Engineering	\$0.00	\$0.00	\$0.00	\$0.00
Maintenance Engineering Total	\$0.00	\$0.00	\$5,000.00	\$5,000.00
Total Estimated Maintenance	\$738,000.00	\$0.00	\$1,126,000.00	\$1,864,000.00

Remarks

Estimate of Maintenance Costs

Submittal Type **Original**

Local Public Agency	County	Section	Maintenance Period	
			Beginning	Ending
Morton Grove	Cook	24-00000-00-GM	01/01/24	12/31/24

SUBMITTED

Local Public Agency Official Signature & Date

Title

Village Clerk

County Engineer/Superintendent of Highways Signature & Date

APPROVED

Regional Engineer Signature & Date
Department of Transportation

IDOT Department Use Only

Received Location Received Date Additional Location?

☐

WMFT Entry By

Entry Date

Legislative Summary

Resolution 24-11

AUTHORIZING THE PURCHASE OF A NEW 2024 JOHN DEERE 544P FRONT END LOADER FROM WEST SIDE TRACTOR SALES COMPANY

Introduced:	January 23, 2024
Purpose:	To authorize the purchase of a new John Deere 544P Front End Loader which will replace a 1996 John Deere 544G Front End Loader
Background:	The Public Works Vehicle Maintenance Division routinely reviews vehicles and equipment for fuel economy, safety, dependability, age, and excessive repair cost. During this review, the staff has recommended the 1996 John Deere 544G be replaced. The purchase of a new John Deere 544P Front End Loader was competitively bid through Sourcewell Procurement Agency pursuant to Contract #011723-JDC with West Side Tractor Sales Company of Wauconda, Illinois being the authorized regional John Deere dealer for this contract. Village Staff negotiated a contract with Westside Tractor Sales Company who has agreed to take the 1996 John Deere 544G Front End Loader, one (1) 1996 Front End Loader Bucket and one (1) 2014 V-Plow as trade-in. The trade-in value for those three (3) items totals \$23,000.00, which has been deducted from the list price of \$319,267.22. See Exhibit A.
Programs, Departments or Groups Affected	All Public Works Departments
Fiscal Impact:	\$296,267.22
Source of Funds:	2024 General Fund Account Number 02-20-25-55-2110
Workload Impact:	The Public Works Department, as part of their normal work activities, will manage and implement this purchase.
Administrator Recommendation:	Approval as presented.
Second Reading:	Not Required
Special Considerations or Requirements:	None

Submitted by: Ralph E. Czerwinski, Village Administrator
Reviewed by: Teresa Hoffman Liston, Corporation Counsel
Reviewed by: Michael V. Lukich, Director of Public Works
Prepared by: Kevin Lochner, Director of Operations

RESOLUTION 24-11

TO AUTHORIZE THE PURCHASE OF A NEW 2024 JOHN DEERE 544P FRONT END LOADER FROM WEST SIDE TRACTOR SALES COMPANY

WHEREAS, the Village of Morton Grove (Village), located in Cook County, Illinois, is a home rule unit of government under the provisions of Article 7 of the 1970 Constitution of the State of Illinois, can exercise any power and perform any function pertaining to its government affairs, including but not limited to the power to tax, purchase, and incur debt; and

WHEREAS, the Public Works Vehicle Maintenance Division routinely reviews vehicles and equipment for fuel economy, safety, dependability, age, and excessive repair cost.; and

WHEREAS, during this review the staff has recommended the 1996 John Deere 544G be replaced.; and

WHEREAS, the purchase of a new John Deere 544P Front End Loaders was competitively bid through Sourcewell Procurement Agency pursuant to Contract #011723-JDC with West Side Tractor Sales Company of Wauconda, Illinois being the authorized regional John Deere dealer for this contract; and

WHEREAS, as part of the purchase agreement, Westside Tractor Sales Company has agreed to take the Village's 1996 John Deere 544G Front End Loader, one (1) 1996 Front End Loader Bucket and one (1) 2014 V-Plow as trade-in; and

WHEREAS, the trade in credit for those three (3) items totals \$23,000.00 which has been deducted from the total net price of \$319,267.22. See (Exhibit A); and

WHEREAS, funding for the above purchase in the amount of \$297,267.22 is available in the Adopted 2024 Budget, General Fund Account Numbers 02-20-25-55-2110.

NOW, THEREFORE, BE IT RESOLVED BY THE PRESIDENT AND BOARD OF TRUSTEES OF THE VILLAGE OF MORTON GROVE, COOK COUNTY, ILLINOIS AS FOLLOWS:

SECTION 1: The Corporate Authorities do hereby incorporate the foregoing WHEREAS clauses into this Resolution as though fully set forth therein thereby making the findings as hereinabove set forth.

SECTION 2: The Village Administrator is hereby authorized to execute a purchase order for the purchase of one (1) new 2024 John Deere 544P Front End Loader from Westside Tractor Sales Company of Wauconda Illinois in substantial conformity with Exhibit A.

SECTION 3: The Village Administrator and Director of Public Works and their designees are authorized to take all steps necessary to implement the purchase with Westside Tractor Sales Company.

SECTION 4: This Resolution shall be in full force and effect upon its passage and approval.

Passed his 23rd day of January 2024.

Trustee Khan _____

Trustee Minx _____

Trustee Shiba _____

Trustee Travis _____

Trustee Thill _____

Trustee Witko _____

Approved by me this 23rd day of January 2024.

Daniel P. DiMaria, Village President
Village of Morton Grove
Cook County, Illinois

Attested and Filed in my office this
24th day of January 2024.

Eileen Scanlon Harford, Village Clerk
Village of Morton Grove
Cook County, Illinois

EXHIBIT A



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January 8, 2024

MORTON GROVE, VILLAGE OF
6101 CAPULINA AVE
MORTON GROVE, IL
8479654100

2024 John Deere 544 P 4WD Loader
SOURCEWELL Cooperative Contract 011723-JDC

All the prices in the detailed sections are Per machine basis.

Machine Configuration

Code	Description	Qty	Unit Price
6031DW	544 P Wheel Loader	1	279,850.20
202	United States	1	-
259	English	1	-
351	Translated Text Labels	1	-
400	Standard Loader	1	-
452	High Lift Z-BAR	1	4,802.70
613	Level 3 Trim	1	9,060.45
656	Level 2 Performance	1	4,818.45
952	Rear Camera (Secondary Display)	1	750.75
1100	Less Detection System	1	-
1301	Left Side Steps	1	-
183E	JDLink™	1	-
2205	SmartWeigh Ready + Trial	1	976.50
4095	John Deere 6.8L - FT4/SV	1	21,598.50
6522	Rear Counterweight & Rear Hitch w/ Pin	1	-
7026	Joystick Controls	1	-
7054	Three Function Hydraulics	1	2,459.10
5315	Michelin XHA2 - 20.5R25 L3 1-Star Radial Tires w/ 3 PC Rims	1	20,980.05
5552	Standard Front Fenders	1	-
7403	Hydraulic Coupler - JRB 416 Pattern	1	6,387.15
7822	3.00 YD (2.30 CM) Enhanced Performance	1	11,593.05
7458	Bolt-On Cutting Edge	1	1,087.80
7500	Less Fork Frame	1	-
7700	Less Tines	1	-
8500	Cold Weather Package	1	543.90
8295	Heated And Powered Exterior Mirrors	1	784.35
8501	Debris Package	1	3,596.25
8505	Guards - Transmission & Bottom	1	2,241.75
8502	Maintenance and Service Package	1	651.00
8213	Chrome Curved Stack	1	735.00
8042	Axle Oil Cooling and Filtration	1	2,397.15

0	0	1	-
List Price			\$ 375,314.10
Discount 39%			\$ 146,372.50
Net Price			\$ 228,941.60

Custom Jobs

Code	Description	Qty	Price
	Dlr provide Pre-Delivery Inspection, Supplies and Fuel Fill	1	1,700.00
	Dealer Provided Delivery	1	800.00
	Labor for field installed kits	1	7,694.03
Ext Warranty	• Extended 60/3000 Comprehensive Warranty Machine Only	1	6,183.33
Parts	Service & Test CD/ USB	1	1,253.89
Parts	FS Micro Pulse LED Emergency Lighting	4	1,463.98
Midwest	Auto Lube Installed	1	7,121.00
6M53941	10' Metal Pless Wing Plow	1	43,173.96
HLA	Foot Diverter Switch for Plow	1	1,092.78
6T53942	3.0 YD 4-in-1 (MP) Bucket	1	16,785.85
PM CONTRACT		1	-
WORKSITE	WKSITE KIT- ADD DESC HERE	1	-
Total Price			\$ 87,268.82

Quote Summary (per unit)

Item Description	Prices
Machine Net Price	\$ 228,941.60
Custom Jobs	\$ 87,268.82
Price per Machine	\$ 316,210.42
Destination	Freight Charge
Wauconda, IL 60084	\$ 3,056.80

Total Net Price Quantity (1) **\$ 319,267.22**

Less Trade-in

1996 John Deere 544G with hours	17,000.00
Bucket	2,000.00
V-Plow	4,000.00
	-

Payoff to Trade

-

Net Price less Trade-Ins

\$ 296,267.22

Warranty Terms

544 P includes • Full Machine 12 Month -Unlimited Hour Warranty

• Extended 60/3000 Comprehensive Warranty Machine Only

Remarks:

Please note that this quote is valid for 30 days. Purchase cards are accepted -- a 3% transaction fee will be calculated into the PO total for the credit card invoice payment.

Dan Ristow - Sales Representative West Side Tractor Sales - (847) 526-7700 • Fax (847) 526-3565 -
dristow@westsidetractorsales.com

Legislative Summary

Ordinance 23-32

APPROVING A TEXT AMENDMENT TO CLARIFY REGULATIONS RELATING TO SHORT-TERM DWELLING UNITS IN MORTON GROVE, ILLINOIS

Introduction:	December 12, 2023
Purpose:	To approve a Text Amendment that clarifies regulations for short-term dwelling units in the Village of Morton Grove.
Background:	<p>Village staff currently enforces a Village-wide prohibition on short-term dwelling units pursuant to Section 12-17-1 of the Village Code, which excludes “tourist homes” from the definition of a “dwelling”, and Section 12-4-1: E.4, which states that uses not specified in the district classification lists are not allowed. The Unified Development Code (Title 12) does not define “tourist homes”, does not list the use as allowed in any zoning district, and does not establish use standards. Due to an increasing number of short-term dwelling units (e.g. Airbnb and VRBO rentals) in Morton Grove and resident complaints received by staff relating to the unauthorized use, staff made an application under Case PC 23-16 requesting a text amendment to define “short-term dwelling units” and list the use as a prohibited use in the zoning district matrices to provide greater clarity in the code and support enforcement efforts (“Application”).</p> <p>At public hearings held on August 15, September 19, October 17, and November 21, 2023, the Plan Commission considered the proposed amendments relating to short-term dwelling units and considered public comment both in support of and against legalization of the use. At the request of the Plan Commission, staff prepared draft language that legalized the use and established use standards, which was considered by the Commission at the November 21, 2023, meeting. On November 21, 2023, staff appeared before the Plan Commission to present the draft language legalizing short-term dwelling units. The Plan Commission voted 4-2 (Commissioner Gabriel absent, Chairperson Blonz and Commissioner Kintner voting no) to recommend legalizing short-term rentals in the Village subject to certain conditions.</p> <p>Ordinance 23-32 legalizing short-term dwelling units as recommended by the Plan Commission, was presented to the Village Board for a first reading on December 12, 2023, and a second reading on January 9, 2024. Due to concerns with legalization the use, the Village Board at their January 9, 2024, meeting voted to continue the case and requested that Ordinance 23-32 be rewritten to conform to the original Application confirming and clarifying the prohibition on short-term dwelling units.</p>
Programs, Dept’s, Groups Affected	Department of Community and Economic Development
Fiscal Impact:	N/A
Source of Funds:	N/A
Workload Impact:	The Text Amendment will be implemented and supervised by staff as part of their normal work activities.
Administrative Recommendation:	Approval as presented
Third Reading:	January 23, 2024 (Second reading occurred January 9, 2024)
Special Considerations or Requirements:	None

ORDINANCE 23-32

APPROVING A TEXT AMENDMENT TO CLARIFY REGULATIONS RELATING TO SHORT-TERM DWELLING UNITS IN MORTON GROVE, ILLINOIS

WHEREAS, the Village of Morton Grove (the Village), located in Cook County, Illinois, is a home rule unit of government under the provisions of Article 7 of the 1970 Constitution of the State of Illinois, can exercise any power and perform any function pertaining to its government affairs, including but not limited to the power to tax and incur debt; and

WHEREAS, the Village continuously reviews and, as it deems necessary, updates existing Municipal Codes to assure they are kept current and relevant; and

WHEREAS, the Village of Morton Grove submitted a complete Text Amendment Application to the Morton Grove Plan Commission under Case PC 23-16 to consider and recommend adoption of a Text Amendment to Title 12 of the Village of Morton Grove Unified Development Code (Ordinance 07-07) (“Application”); and

WHEREAS, the proposed Text Amendment modifies and establishes regulations pertaining to short-term dwelling units in the Village’s residential and commercial zoning districts; and

WHEREAS, pursuant to the applicable provisions of the Municipal Code, notice of a public hearing for case PC 23-16 on August 15, 2023, was duly published in the Morton Grove Champion, a newspaper of general circulation in the Village of Morton Grove, on July 27, 2023; and

WHEREAS, as required by ordinance, the Morton Grove Plan Commission held a public hearing relative to the above referenced case on August 15, 2023, and at said public hearing, all concerned parties were given the opportunity to be present and express their views for consideration by the Plan Commission, and in order to provide more time for discussion and consideration of the Application, the Commission voted to continue Case PC 23-16 to the September 19, 2023, meeting of the Plan Commission; and

WHEREAS, at the September 19, 2023, meeting of the Plan Commission, the Commission voted to continue Case PC 23-16 to the October 17, 2023, meeting of the Plan Commission to provide greater Commissioner attendance for discussion and consideration of the Application; and

WHEREAS, at the October 17, 2023, public hearing for Case PC 23-16, all concerned parties were given the opportunity to be present and express their views for consideration by the Plan Commission, and in order to provide more time for discussion and consideration of the Application, the Commission voted to continue Case PC 23-16 to the November 21, 2023, meeting of the Plan Commission; and

WHEREAS, at the November 21, 2023, public hearing for Case PC 23-16, all concerned parties were given the opportunity to be present and express their views for consideration by the Plan Commission and as a result of said public hearing, the Plan Commission considered all the evidence and testimony

presented to it, discussed the merits of the Application and made certain recommendations through a report dated December 5, 2023, which was presented to the Village Board on December 12, 2023, and a copy of that report is contained in “**Exhibit A**”; and

WHEREAS, Ordinance 23-32 was considered by the Village Board for a first reading at the December 12, 2023, meeting and a second reading at the January 9, 2024, meeting, at which the public was given the opportunity to be present and express their views for consideration; and

WHEREAS, due to concerns with the Plan Commission’s recommendation to legalize short-term dwelling units, the Village Board at their January 9, 2024, meeting voted to continue the case and request modification of Ordinance 23-32 to incorporate the language presented by staff at the first Plan Commission meeting to consider the Application on August 15, 2023, which confirmed and clarified the prohibition on short-term dwelling units; and

WHEREAS, the Corporate Authorities have considered this matter at a Public Meeting and find the Text Amendment, when evaluated in the context of the whole Village, serves the public good; and

WHEREAS, the Village is desirous of assuring all policies are kept current and relevant.

NOW, THEREFORE, BE IT ORDAINED BY THE PRESIDENT AND BOARD OF TRUSTEES OF THE VILLAGE OF MORTON GROVE, COOK COUNTY, ILLINOIS, AS FOLLOWS:

SECTION 1: The Corporate Authorities do hereby incorporate the foregoing WHEREAS clauses into this Ordinance, as though fully set forth herein, thereby making the findings as hereinabove set forth.

SECTION 2: Title 12, Chapter 4, Section 2, Subsection C, entitled, “Uses,” is hereby amended to insert the following use in alphabetic order and to read as follows:

12-4-2: RESIDENTIAL DISTRICTS

C. Uses:

Categories Of Use	R-1	R-2	R-3
<u>Short-term dwelling units</u>	<u>X</u>	<u>X</u>	<u>X</u>

SECTION 3: Title 12, Chapter 4, Section 3, Subsection D, entitled, “Uses,” is hereby amended to insert the following use in alphabetic order and to read as follows:

12-4-3: COMMERCIAL DISTRICTS

D. Uses:

Categories Of Use	C-1	C-2	C/R
<u>Short-term dwelling units</u>	<u>X</u>	<u>X</u>	<u>X</u>

SECTION 5: Title 12, Chapter 17, Section 1, entitled, “Terms Defined,” is hereby amended to add the following terms defined, to be listed in alphabetical order:

SHORT-TERM DWELLING UNIT. All or part of a residential dwelling unit located in any zoning district, being leased, rented, offered for rent, hired out, licensed, or otherwise let to a person or persons other than the owner of the subject property or a family member of the owner thereof for a period shorter than thirty (30) consecutive days. A short-term dwelling unit shall not include a hotel/motel or bed and breakfast as defined herein or a dwelling or dwelling unit rented for a limited period of time prior to transfer of possession pursuant to the terms of a rental agreement executed in conjunction with a contract to sell the dwelling or dwelling unit.

SECTION 6: The terms and conditions of this ordinance shall be severable and if any section, term, provision, or condition is found to be invalid or unenforceable for any reason by a court of competent jurisdiction, the remaining sections, terms, provisions, and conditions shall remain in full force and effect.

SECTION 7: Except as to code amendments set forth in this ordinance, all chapters and sections of the Morton Grove Village Code shall remain in full force and effect.

SECTION 8: This ordinance shall be effective from and after its adoption, approval, and publication as provided by law.

Passed his 23rd day of January 2024.

Trustee Khan	_____
Trustee Minx	_____
Trustee Shiba	_____
Trustee Travis	_____
Trustee Thill	_____
Trustee Witko	_____

Approved by me this 23rd day of January 2024.

Daniel P. DiMaria, Village President
Village of Morton Grove
Cook County, Illinois

Attested and Filed in my office this
24th day of January 2024.

Eileen Scanlon Harford, Village Clerk
Village of Morton Grove
Cook County, Illinois

EXHIBIT A

Plan Commission Report for PC 23-16

Dated December 5, 2023

To: Village President and Board of Trustees

From: Steve Blonz, Plan Commission Chairperson
Ralph Czerwinski, Village Administrator
Teresa Hoffman Liston, Corporation Counsel
Zoe Heidorn, Community Development Administrator

Date: December 5, 2023

Re: **Case PC 23-16: Request for approval of a Text Amendment to Chapter 12-5 and Sections 12-4-2, 12-4-3, and 12-17-1 to modify and establish regulations relating to short-term dwelling units. The applicant is the Village of Morton Grove.**

Executive Summary

On July 11, 2023, the Department of Community and Economic Development of the Village of Morton Grove ("applicant") submitted a complete application requesting approval of a Text Amendment to various sections of the Morton Grove Unified Development Code (Title 12) to provide better control over certain land uses, including short-term dwelling units.

The Text Amendment Application was considered by the Plan Commission at four meetings on August 15, 2023, September 19, 2023, October 17, 2023, and November 21, 2023. For the reasons set forth in this report, on November 21, 2023, the Plan Commission recommended by a vote of 4-2 (Commissioner Gabriel absent, Chairperson Blonz and Commissioner Kintner voting no) that the Village Board of Trustees should approve the Text Amendment as specifically modified by recommendation of the Plan Commission. The Plan Commission previously forwarded other portions of the application considered under Case PC 23-16 relating to accessory uses and structures, commercial and industrial uses, and commercial building design, which were considered by the Village Board for a first reading on November 14, 2023, and approved under Ordinance 23-23 on November 28, 2023.

Application

Under the original Text Amendment Application presented to the Plan Commission on August 15, 2023, staff recommended amending Section 12-17-1 to define short-term dwelling units and list the use as a prohibited use in the residential zoning matrix to provide greater clarity and support enforcement efforts.

Staff currently enforces a Village-wide prohibition on short-term dwelling units using Section 12-17-1, which explicitly excludes tourist homes from the definition of a "dwelling" and Section 12-4-1:E.4, which states that uses not specified in the list for each district classification are not allowed. Currently, "tourist homes" is not defined by Section 12-17-1 and there is also no codified minimum length of stay that staff can refer to in enforcement. Consistent with other communities, staff recommended adding a new use, "short-term dwelling unit" to better address short-term rental uses. The new definition proposed to be added to Section 12-17-1 established a minimum period of stay of 90 days. Listing the use as a prohibited use in the use matrix of Section 12-4-2:C would have provided staff with a clear and effective reference point for enforcement.

At the Plan Commission hearings to consider the proposed amendments relating to short-term dwelling units, the Commissioners discussed the land use and received public comment both in support of and against legalization of the use in the Village's commercial and residential zoning districts. At the request of the Plan Commission, staff prepared draft language that legalizes the use and establishes use standards, which was considered by the Commission at the November 21, 2023, meeting. These proposed regulations, as specifically modified and recommended by the Plan Commission at the November meeting, are attached hereto as "**Attachment A.**"

Departmental Review

- **Building Department:** No comments at this time.
- **Fire Department:** (Issued November 22, 2023, and subsequently incorporated into the draft legislation.)

"The International Fire Code (IFC), 2018 Ed. designates the proposed purpose of "Permitted Short Term Dwelling Units", as defined by the proposed amendment definition, as Residential Group 3. Specifically, it further specifies the use as a *Lodging House*. Per the IFC a Lodging House is defined as "A one-family dwelling where one or more occupants are primarily permanent in nature and rent is paid for guestrooms." The code allows **Owner-occupied** lodging houses with five or fewer guestrooms and

10 or fewer total occupants shall be permitted to be constructed in accordance with the *International Residential Code, 2018 Ed.*

“The IFC designates the proposed purpose of “Special Use Short Term Dwelling Units”, as defined by the proposed amendment criteria, as Residential Group 3. Specifically, it further specifies the use as *Lodging houses (transient)*. This is the same definition of *Lodging House* except it implies that one or more occupants are primarily transient in nature.

“After review of the Village’s adopted Fire Code the following life safety requirements apply for:

Permitted Use Short Term Dwellings:

1. All permitted short-term dwelling units shall comply with the applicable life safety codes of the Village.
2. Smoke Alarms are required:
 - a. **R314.1 General.** Smoke alarms shall comply with NFPA 72 and Section R314.
 - b. **R314.3 Location.** Smoke alarms shall be installed in the following locations:
 - i. In each sleeping room.
 - ii. Outside each separate sleeping area in the immediate vicinity of the bedrooms.
 - iii. On each additional *story* of the *dwelling*, including *basements* and *habitable attics*.
 - c. **R314.4 Interconnection.** Where more than one smoke alarm is required to be installed within an individual dwelling unit in accordance with Section R314.3, the alarm devices shall be interconnected in such a manner that the actuation of one alarm will activate all of the alarms in the individual *dwelling unit*. Physical interconnection of smoke alarms shall not be required where listed wireless alarms are installed and all alarms sound upon activation of one alarm.
 - d. **R314.5 Combination alarms.** Combination smoke and carbon monoxide alarms shall be permitted to be used in lieu of smoke alarms.
 - e. **R314.6 Power source.** Smoke alarms shall receive their primary power from the building wiring where such wiring is served from a commercial source and, where primary power is interrupted, shall receive power from a battery. Wiring shall be permanent and without a disconnecting switch other than those required for overcurrent protection.
 - i. **Exceptions:** Smoke alarms installed in accordance with Section R314.2.2 can be permitted to be battery powered if the house was not remodeled after December 31, 1987.

Special Use Short Term Dwellings

1. All Special Use short-term dwelling units shall comply with the applicable life safety codes of the Village.
2. A Fully Automatic Detection Fire Alarm System monitored by the Fire Department’s Dispatch Center is required.”

- **Public Works Department/Engineering:** No comments at this time.

Public Hearings

Appearance & Traffic Safety Commission

Because the application is for an amendment to the Unified Development Code and not in relation to any specific property or project, review by the Appearance and Traffic Safety Commissions was not required.

Plan Commission

The Village of Morton Grove provided public notice for the August 15, 2023, Plan Commission public hearing for Case PC 23-16 in accordance with the Unified Development Code. The Morton Grove Champion published a public notice on July 27, 2023. Mailed letters to property owners and a public notice sign were not required due to the application being for a Text Amendment to the Unified Development Code and not in relation to a particular property.

At the August 15, 2023, meeting, the Commissioners voted to continue the case to the September 19, 2023, meeting to allow additional time to consider proposed regulation relating to short term dwelling units. At the September 19, 2023, meeting, the Commissioners voted to continue the case to the October 17, 2023, meeting without discussion due to low attendance. No additional public notice was required for the September 19, 2023, October 17, 2023, and November 21, 2023, public hearings.

Plan Commission – August 15, 2023, Proceedings: Five members of the Plan Commission were in attendance at the public hearing for Case PC 23-16 held on August 15, 2023. Commissioners Dorgan and Stein were absent.

Zoe Heidorn, Community Development Administrator, provided a brief introduction to the application. The staff report dated August 8, 2023, and attached hereto as “**Attachment B**,” was entered into the public record.

Ms. Heidorn said this will be an informal presentation and discussion of the proposed amendments to Title 12. Because public members in the audience are here to speak to the short-term dwelling units amendment, Ms. Heidorn asked if that could be discussed first to accommodate the audience.

Ms. Heidorn explained that homes (Airbnb, VRBO) are excluded from the Village's zoning ordinance, which is what staff has interpreted to be short term dwelling units. When a use is not listed in the code and use matrix, it is not permitted. Staff has been responsive to complaints by residents and now seeks to codify by defining units as short-term dwelling unit. This would allow units to be occupied for not less than 90 days.

Commissioner Gabriel asked how a lease could be enforced. Ms. Heidorn said enforcement is by observation and the use of websites. Discussion ensued regarding the 90-day limitation. Commissioner Liston asked how the requirements can be enforced by the listing companies.

Commissioner Gabriel asked if this amendment is to control unwanted behavior. If so, there are other codes that control nuisances. Ms. Heidorn said these types of rentals are not allowed and the code is being amended due to an onslaught of complaints of disturbance from neighbors.

Commissioner Kintner and Ms. Heidorn clarified that the amendment provides a specific definition of short-term rentals and continues to not allow them in the Village.

Commissioner Gabriel said we are eliminating month-to-month rentals. Ms. Heidorn said the staff suggestion is 90 days, but this is open to modification.

Chairman Blonz asked how many Airbnb type rentals are in the Village. Ms. Heidorn said she was aware of approximately four to six homes offered on websites, and ten rooms or portions of homes.

Commissioner Kintner asked if these could be allowed by Special Use Permit. Ms. Heidorn said they could be based on Plan Commission recommendation and Board approval. are prohibiting,

Chairman Blonz asked for public comment.

Laura and Steve Yates, owners of 7821 Linder Avenue, were invited to speak.

Laura Yates and her husband explained that they have rented their home without incident through Airbnb. She said she had spoken to someone in the Village Hall who said there were no permits required for Airbnbs in July of 2022. Now they were notified to cease the rental by the Village or be fined. She thanked Ms. Heidorn for her time explaining the draft amendment and for the opportunity to speak tonight.

Ms. Yates explained that their rental income has allowed them to make improvements to their house and keep up with the mortgage. She described their control over tenants, the vetting process, the rule imposed by the owners, use of surveillance technologies, and the numerous Village Codes which prohibit noise. The same concerns that neighbors may have are the concerns of the renter.

Ms. Yates provided examples from the Morton Grove Chamber of Commerce and the Village of Morton Grove Strategic Plan promoting economic development efforts and moving the community forward. She described the potential tax benefits to the Village, as the rentals can be taxed the same rate as hotels and motels, which is administered by the rental agency. Skokie, Niles, Evanston and Des Plaines allow short term rentals. This occupancy tax is collected on rentals of 28 days or less.

Ms. Yates opposes the insertion of the definition of short-term rentals with a 90-day time limit and the continued prohibition.

Chairman Blonz and the Commissioners thanked Ms. Yates for her thorough comments. She will provide copies of her presentation to the Commissioners.

Commissioner Gabriel asked for surveys of surrounding communities. Ms. Heidorn responded that she will provide more information on how other communities treat the use.

A motion was made by Commissioner Liston to continue the discussion of short-term rentals to the next meeting to discuss surveys of surrounding communities' policies.

The motion was seconded by Commissioner Gabriel.

Motion passes 5-0.

Plan Commission – September 19, 2023, Proceedings: Four members of the Plan Commission were in attendance at the public hearing for Case PC 23-16 held on September 19, 2023. Commissioners Kintner, Stein, and Liston were absent.

Commissioner Gabriel moved to postpone the agenda item and meeting to the October 17, 2023, meeting due to the lack of Commissioners present.

The motion was seconded by Commissioner Mohr.

Motion passes 4-0.

Plan Commission – October 17, 2023, Proceedings: Six members of the Plan Commission were in attendance at the public hearing for Case PC 23-16 held on October 17, 2023. Commissioner Gabriel was absent.

Zoe Heidorn, Community Development Administrator, provided a brief introduction to the application. The staff report dated September 12, 2023 (revised October 10, 2023), and attached hereto as "**Attachment C**," was entered into the public record. Ms. Heidorn said that since this was first presented on August 15, 2023, minor amendments were made based on Commissioner comments. At the August meeting, there was compelling public comment regarding short-term rental units and the agenda item was again continued at the September 19, 2023, meeting.

Ms. Heidorn said the draft amendment for short-term rental units includes a definition, which was read into the record. The use is currently prohibited. The Plan Commission may vote on the amendment of the definition and continue prohibition. The Plan Commission may also want to discuss this further and recommend legalization and regulation.

Commissioner Dorgan asked if there were any complaints by neighbors for any of the rentals. He discussed his experience when using short-term rentals on vacations.

Ms. Heidorn said this was brought to the Plan Commission due to complaints received for noise, safety concerns, and code violations.

Commissioner Liston asked if the Village would be able to better regulate the units if they were allowed.

Commissioner Mohr said we should license the units. We can control the nuisances with regulations.

Commissioner Kintner said that specific controls are needed, and he wondered if that was even feasible for the Village. The conditions need to be further studied.

Chairman Blonz said has had favorable experiences with short-term rentals. He would like to continue this discussion and react to possible regulations put together by staff.

Ms. Heidorn said licensing and regulations will be presented as recommendations next month.

Laura Yates provided favorable comment from one of her Airbnb renters, a Morton Grove resident, in support of the short-term rental use. The letter thanks Ms. Yates for her welcoming stays when renting her home in Morton Grove. She notes that Niles allows short-term rentals and defines them as hotels. She said she has had no complaints from her neighbors. Homes that rent rooms or portions of the home and remain owner-occupied have great control over nuisances. Morton Grove has six of these rentals. She said she knows of two homes that are rented by agencies with surveillance. She read the proclamation by Mayor DiMaria protecting Morton Grove's constitutional rights.

Ms. Heidorn read the following public comment provided by email:

Casimir & Denyse Pashup, 8522 Marmora Avenue, Morton Grove IL 60053

I'm very sorry I can't make tonight's meeting. As I explained I am someone who has rented private homes via Air BnB on many occasions while traveling for both personal and business reasons. Airbnbs do not belong in family neighborhoods, they belong in second home/vacation rental markets where they do not become negative externalities on families. The situation next door to me involves renting individual rooms in the home out for \$30-40 per night and I think that invites unsavory individuals to the property for questionable reasons. As a homeowner in Morton Grove where I pay high taxes, I don't feel I should have to be subjected to transients coming and going (sometimes at all hours) to and from the property. The cars almost always have out of state license plates, the people take clothing from their trunks and back seats (not in suitcases) and carry it into the house like they are going to a laundromat. I've gone to let my dog out to find a random person smoking in the yard in the dark scaring me half to death. I don't feel comfortable walking in the neighborhood after dark now either. I live here because it's a quiet, peaceful neighborhood but in the past 6 months its become a constant parade of strangers. They park in front the fire hydrants, park the wrong way on the street, there has been police activity there a time or two. I don't feel safe and further, this particular property owner no longer lives here and the property isn't properly cared for and has become a dumping ground for junk. There is no pride in ownership when you aren't living here.

There was no further public comment.

Commissioner Kintner made a *motion to continue Case PC 23-16, a request by the Village of Morton Grove for approval of a Text Amendment relating to, short-term dwelling units, (sections 12-4-2:C and 12-17-1) to the next regularly scheduled meeting of the Plan Commission on November 17, 2023.* The motion was seconded by Commissioner Dorgan.

Motion passes 6-0.

Plan Commission – November 21, 2023, Proceedings: Six members of the Plan Commission were in attendance at the public hearing for Case PC 23-16 held on November 21, 2023. Commissioner Gabriel was absent.

Ms. Heidorn provided a brief introduction to the case. The staff report dated November 14, 2023, and attached hereto as "**Attachment D**," was entered into the public record. Ms. Heidorn noted this is a continuation of a case to legalize short term dwelling units or as originally proposed to provide clarification of existing regulations in Title 12 prohibiting the use.

Ms Heidorn explained that staff has gone back to the drawing board and come up with some modifications to Title 12 that would permit short-term dwelling units in a manner that staff feels is consistent with other communities in the area. A list of standards is presented that mitigates the negative impacts of the use with the understanding that Morton Grove has limited resources for enforcement. She indicated that staff is supportive of a one-time inspection, as recommended by the Fire Department, with other inspection and enforcement done on an as-needed basis.

Ms. Heidorn presented the regulations allowing short-term dwelling units as permitted and special uses in the residential and commercial zoning districts. She presented the new Section 12-5-13:A outlining general requirements, including compliance certificates, use limitations, minimum rental period, on-site parking, notice to neighbors, hosting platforms, code compliance, and insurance.

Commissioner Kintner thanked staff for the work they had done for this application and asked if the notice to neighbors should be done with the application for a compliance certificate. Ms. Heidorn said that this could be done, but that staff would not

have the discretion to deny an application based on resident complaints or comments submitted. This may put staff in a difficult position.

Commissioner Kintner said that is the crux of the discussion. The use may be innocent but one bad egg may spoil it for everyone. We need to effectively manage the use, and that is the biggest risk.

Commissioner Gabriel asked if there is a time period between the issuance of a certificate and the notice to neighbors. The notice is only required prior to the first rental, but theoretically a certificate could be obtained much earlier. Ms. Heidorn reiterated that staff does not want to review a certificate based on the level of response from neighbors.

Chairman Blonz asked if an independent host could be approved. Ms. Heidorn said that this was a general requirement but that they could allow this through a special use permit.

Commissioner Liston asked if the hosting platform should be required to verify guest information if the Village has no ability to monitor this. Ms. Heidorn responded that this could be modified or removed from the proposed language.

Ms. Heidorn then presented Section 12-5-13:B, which listed requirements for the use as a permitted use. Owners will be required to reside on the premises and the size of the Airbnb will be limited. If the requirements of Sections A or B are not met, a special use permit will be required. She also reviewed the proposed amendments to Section 12-17-1, which establishes definitions for “hosting platform” and “short-term dwelling unit.”

Commissioner Dorgan asked if payment is required. Ms. Heidorn responded that if payment is not being collected, the residential stay would not be considered to be part of a “short-term dwelling unit.” Persons staying on the property would be considered guests of the owner. She clarified that the hosting platform would track any fees to be collected for the Village.

Commissioner Gabriel discussed the fees collected for the Village. Ms. Heidorn said additional fees will be proposed and considered by Administration and the Village Board. If the amendment to legalize the use is to move forward, there will likely be subsequent amendments to Titles 1 and 4 of the Municipal Code to establish standards for business licensing and applicable fees.

Commissioner Gabriel asked how neighbors could have recourse if the unit did not operate in compliance with Village regulations. Discussion ensued regarding occupancy limits and how to control the use as a permitted or special use.

Commissioner Gabriel would like to see more power invested in the Village to may expel occupants if needed. Ms. Heidorn responded that she understood the concern about unruly guests, but that staff would not want to interfere in enforcing a hosting platform’s or a private residence’s guest rules.

Commissioner Dorgan said the Police Department would be involved for matters disturbing the peace. He thanked staff for their work.

Commissioner Liston thanked staff for the work on the revisions. He asked if language could be added to allow the Village Administrator the power to revoke a certificate for good cause. Commissioner Kintner asked if that clause was already provided. Ms. Heidorn said it would be helpful to allow an immediate revocation.

Chairman Blonz asked if special use would need to come before the Plan Commission. Ms. Heidorn responded that all special use applications would be reviewed by the Plan Commission, with final approval being by the Trustees.

Chairman Blonz asked if guests in addition to the renters be allowed. Staff will consider a modification as recommended by the Plan Commission. Discussion ensued regarding occupancy and guests.

Commissioner Liston asked if by not mentioning children excludes them altogether. Language could be added to exclude dependent children under the age of 18 from the limitations on guests.

Chairman Blonz asked for comments from the audience. Commissioner Kintner asked if the new audience member could speak ahead of Mrs. Yates, who has offered comment at the past months' meetings.

Denise Pashup of 8522 Marmora Avenue has been a resident along with her husband for 16 years and raised their children in Morton Grove. She bought a home in Morton Grove for the friendly neighborhood, low crime rate, and quiet atmosphere. She is an avid user of Airbnb when she travels. Ms. Pashup stated that the use belongs in vacation destinations and not in family neighborhoods. For the last six months, the home next door to has been renting individual rooms in the home out for \$30 to \$60 per night. She has seen people rent for a few hours, days, and weeks. Renters come from all over, with many out of state license plates. Renters take clothing from their trunks and back seats (not in suitcases) and carry it into the house like they are going to a laundromat. She has gone to let my dog out to find a random person smoking in the yard in the dark, scaring her half to death. She has called the Morton Grove police regarding the property many times. She went on to describe parking problems and lack of maintenance of the property. Code enforcement has resolved the maintenance issues, but the home is still being rented. She appreciates the requirements put forth by staff but does not know how this can be enforced. She said her experience has been horrible. She lastly noted that studies show short-term rentals increase crime.

Chairman Blonz asked for further comment from Mrs. Yates and reminded her that she has spoken extensively at 2 previous meetings and asked her to add new comments.

Ms. Yates said she was sorry to hear of Ms. Pashup's negative experience. She provided more community information in binders to the Commission and staff. She noted that staff referred to their work as taken from existing middle of the road regulations in surrounding communities. She did not agree and said that neighboring communities were not included. Ms. Yates said she is concerned with the parking requirement and other requirements proposed by staff. She questioned the notice and neighbor's reactions.

Ms. Yates is specifically concerned with Section B of the proposed use standards. Renters want a whole house to enjoy, not just one bedroom. One bedroom for two adults and any amount of children is very restrictive. Northbrook, Highland Park, Oak Park and surrounding communities allow for more. A whole house without the owner present what renters desire, and security measures like cameras can provide protection. She added that hosting platforms require renters to provide the number and names of renters and guests.

Ms. Yates said that requiring a special use permit is burdensome. A special use application takes several steps and a very long time for review and approval. She said that there is plenty of evidence from other communities indicating that short-term rentals work. They are not just short-term party houses. They provide housing during hospital stays, during house renovations (as her letter of support from last month noted), and for families visiting. She is very upset that the Village's proposed provisions are so restrictive. She provided the positive comment from last month to Commissioner Gabriel and thanked the Commission.

There was no further public comment.

Commissioner Kintner thanked the audience for their comments. He said he is not sure how the Village can successfully regulate this use. There has not been a lot of public comment for or against the use. He is not sure there is a right or wrong answer. He noted that the Village could take no action and continue to monitor.

Commissioner Liston said per our code this use is not allowed and, therefore, those in operation should be shut down. The Village should have mechanisms codified to regulate this use if deemed wanted. He thanked staff for working to address the use.

Commissioner Gabriel seconded Commissioner Liston's comments and asked if the whole house rental of Ms. Yates would be a special use. Ms. Heidorn responded that it would be. Discussion ensued regarding public noticing for special use applications and the one-time notice for a short-term rentals as a permitted use. The Commissioners agreed that the proposed regulations should have enough strength to allow a rental to be shut down by the Village Administrator.

Chairman Blonz said he is struggling with the issue and is not sure that Morton Grove should allow them. A motion is required to move the case to the Trustees. Commissioner Kintner said this may be opening Pandora's Box, but it does need to be presented to the Trustees.

Commissioner Kintner made a motion to recommend the approval of Case PC 23-16, a request by the Village of Morton Grove for approval of a Text Amendment to Chapter 12-5 and Sections 12-4-2, 12-4-3, 12-5-5, and 12-17-1 to modify and establish regulations relating to short-term dwelling units as presented in the staff report and commented on this evening for case PC 23-16 dated November 14, 2023.

Chairman Blonz asked for clarification for voting in favor of prohibition or allowing. The motion stands.

The motion was seconded by Commissioner Liston.

Commissioner	Dorgan voting	aye
Commissioner	Gabriel voting	aye
Commissioner	Kintner voting	no
Commissioner	Liston voting	aye
Commissioner	Stein voting	aye
Chairman	Blonz voting	no

Motion passed 4-2. Chairperson Blonz stated that this case will be presented at the December 12, 2023, meeting of the Village Board of Trustees for a first reading of the approving ordinance.

Final Proposed Text Amendment

The final text amendment recommended for approval by the Plan Commission is attached hereto as "**Attachment A**".

Attachments

- **Attachment A** – Final Text Amendment proposed for PC 23-16
- **Attachment B** – Staff Report to the Plan Commission for PC 23-16, prepared by Zoe Heidorn, Community Development Administrator, dated August 8, 2023
- **Attachment C** – Staff Report to the Plan Commission for PC 23-16, prepared by Zoe Heidorn, Community Development Administrator, dated September 12, 2023 (revised October 10, 2023)
- **Attachment D** – Staff report to the Plan Commission for PC 23-16, prepared by Zoe Heidorn, Community Development Administrator, dated November 14, 2023

Attachment A
Final Text Amendment proposed for PC 23-16

12-4-2: RESIDENTIAL DISTRICTS

C. Uses:

Categories Of Use	R-1	R-2	R-3
<u>Short-term dwelling units</u>	<u>P/S³</u>	<u>P/S³</u>	<u>P/S³</u>

³ See chapter 5, "Special Zoning Provisions", of this title.

12-4-3: COMMERCIAL DISTRICTS

D. Uses:

Categories Of Use	C-1	C-2	C/R
<u>Short-term dwelling units</u>	<u>P/S³</u>	<u>P/S³</u>	<u>P/S³</u>

³ See chapter 5, "Special Zoning Provisions", of this title.

12-5-13: SHORT-TERM DWELLING UNITS

A. General Requirements:

- a. Compliance Certificate Required: It shall be unlawful to operate a short-term dwelling unit without a certificate of compliance issued pursuant to Title 4.
- b. Use Limitations: Only residential dwelling units may be used or offered as short-term rentals. No exclusively commercial, office, industrial, or institutional property or portion thereof may be used or offered as a short-term dwelling unit. No accessory building or structure may be used or offered as a short-term dwelling unit.
- c. Minimum Rental Period: A short-term dwelling unit may not be rented for any period of time shorter than twenty-four (24) consecutive hours.
- d. Parking: All overnight parking for persons renting a short-term dwelling unit must be provided on the same zoning lot as the short-term dwelling unit and must be located on an improved hard surface.
- e. Signage: No sign advertising or otherwise promoting a short-term dwelling unit may be installed or erected on the premises.
- f. Notice Required: Prior to the first rental of a short-term dwelling unit, the owner of the short-term dwelling unit must deliver written notice by mail or personal delivery to the owners of all parcels that abut the property on which the short-term dwelling unit will be located of the owner's intent to offer the short-term dwelling unit for rental. The written notice must include contact information for the owner of the short-term dwelling unit.
- g. Hosting Platform: The owner of a short-term dwelling unit shall use a hosting platform to market and make lease arrangements with any persons renting the short-term dwelling unit unless otherwise authorized by a special use permit.
- h. Code Compliance: All short-term dwelling units shall comply with the applicable life safety, building, and property maintenance codes of the Village. Compliance with applicable code requirements shall be verified by inspection of Village staff prior to issuance of a compliance certificate and on an annual basis thereafter.
- i. Insurance: The owner must provide proof of homeowner's insurance or host protection insurance in the amount of at least five hundred thousand dollars (\$500,000.00) to the Village prior to the issuance of a certificate of compliance.

B. Permitted Use: Short-term dwelling units shall be a permitted use for residential dwelling units provided the following conditions are met:

1. The dwelling unit shall be limited to a maximum of one (1) short-term dwelling unit.
2. The dwelling unit shall not be used or offered as a short-term dwelling unit as its principal use.
3. The dwelling unit shall be the primary residence of the owner and operator of the short-term dwelling unit located therein.

4. The owner of the dwelling unit shall reside on the premises for the entire duration of any short-term dwelling unit rental.
 5. No more than one (1) bedroom or similar living area within the dwelling unit shall be used or offered as a short-term dwelling unit at any one time. At no time may all bedrooms within the dwelling unit be offered as a short-term dwelling unit.
 6. The short-term dwelling unit shall not be used or occupied by more than two (2) adult renters simultaneously and two (2) adult guests of the renters simultaneously. Individuals under the age of eighteen (18) who are dependents of the adult renters or adult guests shall be allowed on the premises without limitation.
- C. **Special Use:** Any short-term dwelling unit not meeting the requirements of Section 12-5-13:B shall be considered a special use.
- D. **Suspension and Revocation:** A compliance certificate and business license issued for a short-term dwelling unit may be suspended or revoked pursuant to Section 4-4-9.

12-17-1: TERMS DEFINED

HOSTING PLATFORM. A marketplace entity, in whatever form or format which facilitates short-term dwelling unit rentals through advertising, matchmaking or other means, using any medium or facilitation, or from which the operator of the hosting platform derives revenue, including booking fees or advertising revenues from providing or maintaining the marketplace information.

SHORT-TERM DWELLING UNIT. All or part of a residential dwelling unit located in any zoning district, being leased, rented, offered for rent, hired out, licensed, or otherwise let to a person or persons other than the owner of the subject property or a family member of the owner thereof for a period shorter than thirty (30) consecutive days. A short-term dwelling unit shall not include a hotel/motel or bed and breakfast as defined herein or a dwelling or dwelling unit rented for a limited period of time prior to transfer of possession pursuant to the terms of a rental agreement executed in conjunction with a contract to sell the dwelling or dwelling unit.

Attachment B

Staff Report to the Plan Commission for PC 23-16
Prepared by Zoe Heidorn, Community Development Administrator
Dated August 8, 2023



Village of Morton Grove

Department of Community & Economic Development

To: Chairperson Blonz and Members of the Plan Commission

From: Zoe Heidorn, Community Development Administrator; Anne Ryder Kirchner, Assistant Land Use Planner

Date: August 8, 2023

Re: Case PC 23-16: Request for approval of a Text Amendment to Sections 12-2-5, 12-4-2, 12-4-3, 12-4-4, 12-5-5, 12-7-3, 12-12-1, and 12-17-1 to establish and modify regulations relating to accessory uses and structures, off-street parking, massage establishments, truck-related uses, truck parking requirements, automotive and truck repair uses, short term dwelling units, and design standards. The applicant is the Village of Morton Grove.

STAFF REPORT

Public Notice

The Village of Morton Grove provided public notice for the August 15, 2023, Plan Commission public hearing for Case PC 23-16 in accordance with the Unified Development Code. The *Morton Grove Champion* published a public notice on July 27, 2023. Mailed letters to property owners and a public notice sign were not required due to the application being for a Text Amendment to the Unified Development Code and not in relation to a particular property.

Application

On July 11, 2023, the Department of Community and Economic Development submitted a complete application requesting approval of a Text Amendment to various sections of the Unified Development Code (Title 12) to provide better control over certain land uses, detached accessory structures, and commercial building design. The proposed amendment is provided as **Attachment A**.

Discussion

The proposed amendments to Title 12 are discussed in further detail below.

Section 12-2-5:A: Accessory Temporary Uses

Staff recommends adding provisions to allow for administrative approval of temporary accessory uses that do not comply with applicable zoning requirements, provided the temporary use does not exceed seventy-two (72) hours in duration. Examples of temporary uses may include outdoor sales and entertainment, mobile food vending, temporary residential storage containers, and blood collection drives sponsored by businesses. The regulation will legalize special events that are already occurring but do not fit with the requirements of Title 12 and are not covered by the requirements of Chapter 8-11, "Special Events."

Section 12-2-5:B: Detached Accessory Buildings in Residential Districts

Staff recommends reducing the maximum height of a detached accessory building in a residential district from 17 feet to 15 feet, unless otherwise authorized by a Special Use Permit. On certain properties in Morton Grove, the overall height of a detached garage exceeds the height of the one-story principal structure. With a maximum building height of 17 feet, the overall garage height can significantly exceed 17 feet with a gable or hip roof because the building height is measured at the mean level of the underside of the rafters between the eaves and the roof ridge, pursuant to Section 12-17-1. With a minimum setback of 3 feet within a rear yard, a 17-foot-tall garage can seem imposing to an adjacent property. The vast majority of permitted garages comply with a 15-foot height maximum. On larger lots where greater setbacks are possible, a Special Use Permit can be requested to increase the maximum height of a detached accessory building.

A Special Use Permit is more appropriate than a variation because variations are intended for cases where a structure or property cannot meet certain dimensional requirements due to unique characteristics of the property and where strict

application of the Code would deprive the owner of reasonable use of property. Per Section 12-16-4:C.1, the purpose of a Special Use Permit is to address “certain uses because of their unique characteristics cannot be properly classified in any district without consideration of their impact upon adjacent land use and the public need for the specific use in that particular location, and thus require plan commission and Village board evaluation.”

Staff also recommends limiting the maximum floor area of a detached accessory building in a residential district to 750 square feet, which can comfortably accommodate a three-car garage. This maximum floor area could also be modified by a Special Use Permit. Currently, the only control limiting a garage’s floor area is overall maximum floor area for a lot. At this time, a detached garage could theoretically be of a similar size to a home.

Staff is proposing modifications to the bulk regulation of detached accessory buildings in residential districts due to many complaints received over the years about new garages that are overly bulky and not fitting with the surrounding neighborhood but do meet current zoning requirements. Staff surveyed other communities in the region on their treatment of detached accessory buildings or garages, the results of which are provided below:

Lincolnwood:	Max. 17 feet height or 1 story. No stairs shall be allowed to access the attic area of a detached garage
Niles:	Max. 15 feet height (to peak), Max. 770 square feet.
Northbrook:	Max. 15 feet height
Park Ridge:	Max. 18 feet height (to peak), Max. 720 square feet
Riverside:	Max. 20 feet height with variable setback (3-5 feet). Max. 800 square feet.
Schaumburg:	Max. 15 feet height. Max. 600 square feet.
Skokie:	Max. 15 feet or 1 story. The distance from grade to the top of eave or to the top of the highest point on a flat roofed building cannot exceed 10' above grade, except that an open roof deck railing cannot exceed 15' above grade. Area. The ground floor area of all accessory buildings must not exceed the ground floor area of the principal grade.

Section 12-4-2:C: Residential District Use Matrix

Staff recommends modifying the residential district use matrix as follows:

- Staff is simplifying the “community residence” definitions of Section 12-17-1 to include only one definition for “community residence.” Currently, there are two separate uses defined under this category, “community residence - family” and “community residence - group.” The definitions are redundant, with the only difference being the number of residents living on the premises. Listing the difference in the table eliminates the need to reference Section 12-17-1. Staff also seeks removal of the word “family” because it has been ruled in court to discriminate against non-normative families. There is no change to how the use is regulated, only how the regulations are presented in the Code.
- Staff is listing “detached accessory structures exceeding the maximum height and floor area requirements of Section 12-2-5:B” in the residential use matrix pursuant to Section 12-16-4:C.1: “The special uses within each zoning district are identified in chapter 4, “Zoning Districts”, of this title.”
- Staff has enforced a Village-wide prohibition on short-term dwelling units such as Airbnb and VRBO rentals using Section 12-17-1, which explicitly excludes tourist homes from the definition of a “dwelling” and Section 12-4-1:E.4, which states that uses not specified in the list for each district classification are not allowed. Currently, “tourist homes” is not defined by Section 12-17-1 and there is also no codified minimum length of stay that staff can refer to in enforcement. Consistent with other communities, staff recommends adding a new use, “short-term dwelling unit” to better address short-term rental uses. The new definition to be added to Section 12-17-1 establishes a minimum period of stay of 90 days. Listing the use as a prohibited use in the use matrix of Section 12-4-2:C provides staff with a clear and effective reference point for enforcement.

Section 12-4-3:D: Commercial District Use Matrix

Staff recommends modifying the commercial district use matrix as follows:

- Staff recommends removing “(excluding massage establishment)” from “barbershops, beauty parlor” to reduce ambiguity and confusion.
- Staff recommends modifying the community residence uses to provide all differences between uses in the use matrix and avoid the need to reference Section 12-17-1. See additional notes in the previous section.

- Staff recommends adding “limited-service massage as an accessory service” as a separate use and allowing the use as a Permitted Use. Limited-service massage establishments are being made a Special Use in the commercial districts to avoid future issues of enforcing additional regulation of full-body massage establishments. The limited-massage services use can be administratively approved as an accessory Permitted Use to any other principal use in the district. Staff also recommends modifying the definition for limited-service massage establishments to define the activity rather than the establishment, which allows for broader application of the term.

Section 12-4-4:E: Manufacturing District Use Matrix

Staff recommends modifying the manufacturing district use matrix as follows:

- Currently, heavy manufacturing uses are listed as a Permitted Use in the M-2 General Manufacturing District. With the vast majority of the Village’s manufacturing district area zoned M-2, this opens many industrial properties that abut single-family residential districts, specifically along Austin Avenue, Elm Street, and McVicker Avenue, to the following land use:

MANUFACTURING, HEAVY: The assembly, fabrication or processing of goods and materials using processes that ordinarily have greater than minimal impacts on the environment, or that ordinarily have significant impacts on the use and enjoyment of adjacent property in terms of noise, smoke, fumes, visual impact, odors, glare, or health and safety hazards, or that otherwise do not constitute “Manufacturing, Light”. Heavy manufacturing generally includes processing and fabrication of large or bulky products made from extracted or raw materials or products involving flammable or explosive materials and processes that require extensive floor areas or land area for the fabrication and/or incidental storage of the products. “Manufacturing, Heavy” shall not include any use that is otherwise listed specifically in a zoning district as a permitted or special use.

Classifying the use as a Permitted or Special Use (P⁷/S) provides the Village Administrator with the discretion to require a Special Use Permit if he or she expects the use will generate significant exterior impacts.

- Currently, passenger vehicle repair and truck repair are classified under the same land use, “automotive or other motor vehicle repair.” Similarly, Title 12 does not distinguish between passenger vehicle body shops and truck body shops. Staff recommends separating automotive (passenger or similar vehicle) repair, automotive body shops, truck repair, and truck body shops as defined land uses and establishing greater control over the truck-related repair and body work uses, which tend to generate more truck movements and exterior truck parking. Traditional automotive repair facilities and body shops will be allowed as a Permitted Use in the M-2 District, whereas truck repair facilities and body shops will be classified as a Special Use in the M-2 District.
- Staff recommends classifying car washes as a Special Use in the M-2 District rather than a Permitted Use. The use creates significant traffic volumes and is often prone to maintenance issues. New car washes should be subject to review by the Traffic Safety Commission, Appearance Commission, and Plan Commission in all districts. Car washes are generally undesirable in communities due to the low tax generation and significant impacts on infrastructure and traffic. That the M-2 District abuts residentially zoned property was also a consideration in staff’s recommendation.
- Staff recommends prohibiting “cartage facilities” and “freight terminals with or without maintenance facilities.” Cartage facilities are defined by Section 12-17-1 as follows:

CARTAGE SERVICE: An establishment which provides the hauling of large quantities of material for commercial or industrial users.

Freight terminals are not defined by Title 12 but are generally accepted to include large-scale trucking terminal operations involving intrastate and interstate motor carriers. Freight may be brought to the facility, assembled, and sorted for routing. The uses both involve the movement of large quantities of goods and materials and heavy truck traffic on large zoning lots. The uses are generally undesirable, especially considering Morton Grove’s limited industrial land area.

- Due to the potential for heavy truck volumes and other exterior impacts, staff recommends classifying “distribution centers,” “warehouses,” “warehouses, public,” and “heavy construction businesses” as Permitted or Special Uses

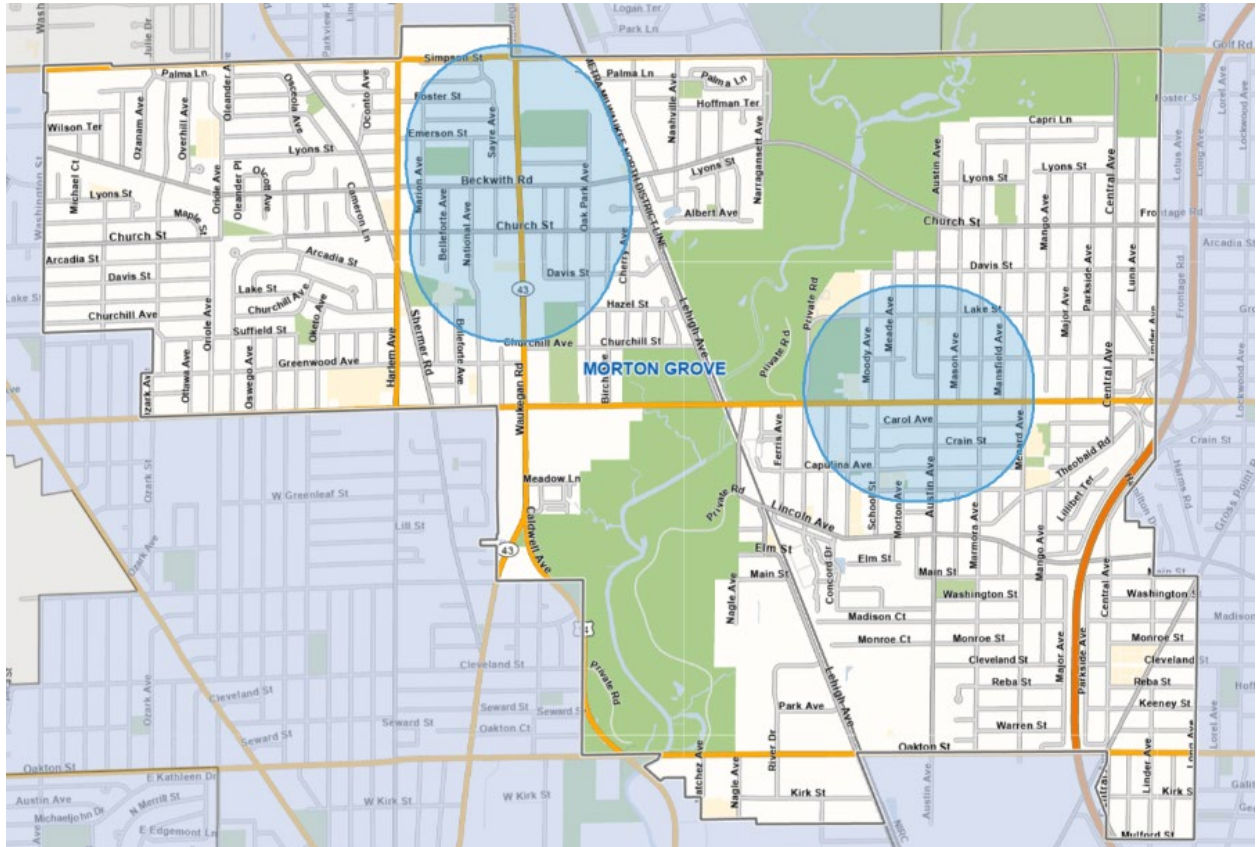
(P7/S) in the M-2 District, which provides the Village Administrator with the discretion to require a Special Use Permit. Considering the M-2 District abuts residential properties in select areas, the reclassification will provide additional protection and ensure land use compatibility.

- Staff recommends classifying “office – contractors, with on-site exterior material storage (excluding heavy construction businesses)” as a Permitted or Special Use (P7/S) in the M-1 and M-2 Districts, which provides the Village Administrator with the discretion to require a Special Use Permit if significant exterior impacts are expected. The land use is too broad to be allowed simply by-right.

Section 12-5-5: Use Standards

Staff recommends amending the Village use standards as follows:

- A 2023 text amendment application relating only to moving and storage facilities established certain restrictions on truck parking for that particular use. The Code is otherwise silent on truck parking regulation, meaning many Permitted Uses in the manufacturing districts could involve a heavy amount of truck parking. Truck parking that is not appropriately scaled to indoor operations is undesirable because it (a) occupies excessive land area that could otherwise be used for taxable building area or employee parking, (b) generates heavy truck traffic, (c) is unsightly, and (d) damages Village infrastructure. Staff proposes eliminating the truck-related use standards specific to moving and storage facilities and applying the same requirements Village-wide as an amendment to Section 12-7-3, “Off-Street Parking.”
- To avoid a proliferation of massage establishments in any one area along the Village’s commercial corridors, staff recommends adding a use standard for massage establishments (full-body and limited-service) that will prohibit any new massage establishment from locating within 1,500 feet of a preexisting massage establishment. Staff mapped 1,500-foot buffers around existing massage establishments (see map below) and found that the restriction would provide adequate spacing between establishments but still leave considerable available area for future establishments along Waukegan and Dempster.



Section 12-7-3: Truck Parking Requirements & Off-Street Parking Requirements

Staff recommends adopting Village-wide truck parking requirements as follows:

- Staff recommends clarifying that truck parking is permitted only as accessory parking to a principal use. This is an implicit restriction in the Code, but clarification would be helpful in enforcement by staff.
- Based on previous issues with the long-term parking and storage of trucks that are not actively under repair or being used for business activities, staff recommends establishing a time restriction on truck parking. When issues of long-term truck parking arise, indicating that the property is being used for illegal truck parking and not accessory truck parking associated with a permitted use, the time restriction gives staff an effective tool for enforcement.
- Recently adopted for moving and storage facilities only, staff recommends Village-wide regulation of the number of trucks that may be parked on a property and how the trucks are parked on-site. The restriction ensures that the volume of truck parking occurring at a property is appropriately scaled to the activities being conducted within the enclosed building. The ratios were taken from the Village of Franklin Park's zoning code, which has been tailored over the years to specifically control truck parking across a large and diverse industrial base.
- Staff recommends cleaning up the "Required Spaces by Use" table to eliminate freight terminals and "local trucking with or without storage," which is a vague and undefined land use.

Section 12-12-1: Exterior Color Changes for Buildings in Commercial Districts

Currently, the Village has no control over exterior modifications to commercial structures when a building permit is not required. This means that a building can be painted in a manner that is disturbing and inappropriate to surrounding properties and the district. The proposed amendment gives staff the authority to require Appearance Commission review if the proposed color change is found to be incompatible with the surrounding area. Staff plans to notify commercial property and business owners by mail if the amendment is adopted.

Section 12-17-1: Terms Defined

Staff is recommending revisions to or adoption of the following defined terms:

- **AUTOMOTIVE REPAIR:** This modified term will include only automobiles, vans, pick-ups, motorcycles, ATVs, and similar vehicles. Truck repair facilities are now defined as a separate term.
- **COMMUNITY RESIDENCE:** Currently three terms, this term will be simplified to one land use definition. Nuances in regulation will be located in the use matrices, limiting the need to cross-reference.
- **LIMITED-SERVICE MASSAGE:** This modified term addresses the activity rather than a facility, making it more broadly applicable.
- **MOTOR VEHICLE BODY SHOP:** This modified term specifically excludes truck body shops.
- **OFFICE-CONTRACTORS:** This new term complements the existing defined term, "office-contractors, with on-site exterior material storage." Contractor offices are listed as a Permitted Use in the commercial districts, but there is no defined term for office-contractors without on-site material storage. The Village has faced issues with contractor offices moving into commercial spaces by-right and parking large quantities of contractor vehicles on surrounding public rights of way. The new definition specifically prohibits off-site parking of contractor vehicles and on-site storage of equipment and materials, limiting the use to an office use only in the commercial districts.
- **OFFICE - CONTRACTORS, WITH ON-SITE EXTERIOR MATERIAL STORAGE:** This term is modified slightly for clarity and consistency.
- **SHORT-TERM DWELLING UNIT:** This new term specifically addresses short-term rental units, but does not discriminate against rental units (versus owned units), and serves to prohibit any stay in a residential unit less than 90 days. Hotels and motels will continue to be controlled as a separate land use.
- **TRUCK:** This new term defines a truck to include similarly sized vehicles to ensure consistency in the Code and allow simplification of other terms.
- **TRUCK PARKING AREA OR YARD:** This modified term expands the definition of truck parking areas to include cartage facilities and truck dispatch yards, which are similar in land use activity.
- **TRUCK BODY SHOP:** This new term specifically addresses body shops that service trucks and larger vehicles, which have different impacts and activities than a passenger vehicle body shop.
- **TRUCK REPAIR FACILITY:** This new term specifically addresses repair shops that service trucks and larger vehicles,

which have different impacts and activities than a passenger vehicle repair facility.

Recommendation

Should the Plan Commission recommend approval of this application, staff suggests the following motion:

Motion to recommend the approval of Case PC 23-16, a request by the Village of Morton Grove for approval of a Text Amendment to Sections 12-2-5, 12-4-2, 12-4-3, 12-4-4, 12-5-5, 12-7-3, 12-12-1, and 12-17-1 to establish and modify regulations relating to accessory uses and structures, off-street parking, massage establishments, truck-related uses, truck parking requirements, automotive and truck repair uses, short term dwelling units, and design standards.

ATTACHMENT A

12-2-5: ACCESSORY USES AND STRUCTURES

A. Accessory Uses:

1. Accessory uses are permitted in all zoning districts in connection with a principal use which is permitted within such district, provided it is located on the same zoning lot as the principal building or use served. Accessory uses shall not be established prior to the establishment of the principal use, and shall comply with the use limitation applicable in the zoning district in which it is located.
2. Temporary accessory uses:
 - a. Temporary accessory uses that do not comply with applicable use limitations may be authorized in writing by the Village Administrator provided the temporary accessory use does not exceed seventy-two (72) hours in duration.

B. Accessory Structures:

2. Residential Districts: In residential districts, detached accessory buildings:
 - a. Shall not be located in the front yard or required side yards;
 - b. Shall not be located closer than three feet (3') to the rear or side lot line, or to another detached accessory building;
 - c. Shall not occupy more than thirty percent (30%) of the rear yard in building area;
 - d. Shall be at least ten feet (10') from the principal structure;
 - e. Shall not have more than one story nor exceed ~~seventeen~~ fifteen feet (~~17~~ 15') in height unless otherwise authorized by special use permit.
 - f. Shall not exceed seven hundred and fifty (750) square feet unless otherwise authorized by special use permit.

12-4-2: RESIDENTIAL DISTRICTS

C. Uses:

Categories Of Use	R-1	R-2	R-3
Antenna and antenna support structures	P,S ²	P,S ²	P,S ²
Assisted living facilities	X	X	S
Colleges and universities and uses accessory and incidental thereto, not for profit	S	S	S
Community residence - family <u>no more than 8 residents</u>	P ³ ,S	P ³ ,S	P ³ ,S
Community residence - group <u>between 9 and 15 residents</u>	S ³	S ³	S ³
Daycare centers when conducted on nonresidential properties	S	S	S
Daycare homes	P	P	P
Decks, patios and terraces	P ¹	P ¹	P ¹
<u>Detached accessory structures exceeding the maximum height and floor area requirements of Section 12-2-5:B</u>	<u>S</u>	<u>S</u>	<u>S</u>
Dwellings:			
Attached dwellings (townhomes, row houses)	X	X	P,S
Multi-family dwellings	X	X	P,S
Single-family detached dwellings	P	P	P
Two-family dwellings	X	X	P

Small Lot Single-family dwellings	X	X	S ⁵
Garages and carports	P ¹	P ¹	P ¹
Gazebos	P ¹	P ¹	P ¹
Golf courses, but not commercially operated driving ranges or miniature golf courses	S	X	X
Greenhouses	S	S	S
Halfway houses	X	X	S
Home occupations	P ²	P ²	P ²
Hospices	X	X	S
Houses of worship and uses accessory and incidental thereto on lots less than 3.5 acres	S	S	S
Houses of worship and uses accessory and incidental thereto on lots 3.5 acres or more, or where relief beyond authorized variations is requested (excluding megahouses of worship)	S	S	S
Libraries as a principal use	S	S	S
Libraries as an accessory use to a permitted use	P	P	P
Municipal buildings	S	S	S
Nursing homes	X	X	S
Parking lots adjacent to a commercial property, even if separated by a public alley	P	P	P
Parking lots not adjacent to a commercial property, even if separated by a public alley, but located within 300 feet of the premises served	S	S	S
Parks and playgrounds, publicly owned	P	P	P
Planned developments on tracts of land not less than 1 1/2 acres	S ⁴	S ⁴	S ⁴
Playhouses	P ¹	P ¹	P ¹
Public utilities (except those listed in chapter 10 of this title)	S	S	S
Recreation centers	S	S	S
Recreational facilities, not for profit and privately owned for exclusive use of residents and their guests	S	S	S
Schools, nonboarding - elementary, junior high and high on lots of less than 3.5 acres	S	S	S
Schools, nonboarding - elementary, junior high and high on lots of more than 3.5 acres	S	S	S
Senior citizen housing	X	X	S ³
<u>Short-Term Dwelling Unit</u>	X	X	X
Stables for renting and boarding of horses	S	X	X
Swimming pools and tennis courts for exclusive use of residents and their guests	P ¹	P ¹	P ¹
Temporary trailers	P, S ²	P, S ²	P, S ²
Toolsheds or similar storage areas	P ¹	P ¹	P ¹

12-4-3: COMMERCIAL DISTRICTS

D. Uses:

Categories Of Use	C-1	C-2	C/R
Accessory uses	P ¹	P ¹	P ¹

Amusement establishment (bowling, game room, etc.)	S	X	X
Animal hospitals	P	X	X
Animal shelters	S	X	S
Appliance sales and service	P	X	X
Art galleries	P	P	P
Assisted living facilities	S	S	S
Audiovisual equipment, accessories and supply	P	X	X
Automobile minimart station	S ³	S ³	X
Automobile parking lots within 300 feet of the use served	P	P	P
Automobile service station	S ³	S ³	X
Automobile, truck or trailer rental	S	X	X
Automotive accessory stores - retail (installation allowed)	S	X	X
Automotive accessory stores - retail (no service or installation)	P	X	X
Automotive repair (oil change, tires, brakes, auto glass, other mechanical items only)	S	S	X
Barbershops, Beauty Parlor (excluding massage establishment)	P	P	P
Bed and Breakfast	X	X	S
Bicycle sales and repair	P	P	P
Building material sales (no outside storage)	P	P	X/P ⁷
Cannabis Dispensing Organizations	S ³	X	X
Car wash	S	X	X
Catering - including accessory uses such as shared rental kitchen and retail sale of food products	P	X	P ⁹ /S
Catering (not in conjunction with other food sales or service)	P	X	X
Clothing, Costume & Tuxedo rental	P	P	X
Clubs and lodges	S	S	S ⁵
Commercial services	P	P	P
Commercial wireless communication services, as a principal use	S ²	S ²	S ²
Community residence - family <u>no more than 8 residents</u> (minimum spacing distance less than 330 feet)	S ³	S ³	S ³
Community residence - family <u>no more than 8 residents</u> (minimum spacing distance - 330 feet)	P ³	P ³	P ³
Community residence - group <u>between 9 and 15 residents</u> (minimum spacing distance - 330 feet)	S ³	S ³	S ³
Convenience store	P	P	P
Daycare	S	S	S
Daycare, adult	S	S	S
Department store	P	X	X
Domestic pet service (grooming)	P	X	P
Drive-through facilities	S ³	S ³	S ³
Drive-thru facilities located within a shopping center that meets the criteria set forth in Section 12-5-5B-3.	P ³	S ³	S ³

Drugstores (pharmacies)	P	P	P
Dry cleaning establishment of 5,000 square feet or less, consisting of on site cleaning and/or laundering limited to articles dropped off at the same location	P	X	X
Dry cleaning - retail	P	P	P
Dwellings:			
Attached dwellings	S ³	S ³	P/S ³
Multiple-family dwellings	S ³	S ³	P ⁸ /S ³
Senior citizen housing	S ³	S ³	S ³
Small Lot Single-Family Development	X	X	S ¹⁰
Electrical and telephone substations	S	S	S
Electrical fixtures	P	X	S
Employment agencies	P	X	X
Entertainment venue - principal use (live music, vocal entertainment, etc.)	S	X	S
Financial Institution	P	X	P
Financial Institution-Alternative	S	X	X
Furniture stores (including upholstery as an accessory use)	P	P	P
Garden supply stores and greenhouse	S	X	S
General Retail Goods Establishment	P	P	P
Governmental offices and other facilities	S	S	S
Grocery stores (sales area 10,000 square feet or less)	P	P	P
Grocery stores (sales area >10,000 square feet)	P	S	S
Height of structure - in excess of the permitted height	S	X	S
Home Finishes & Treatments- Retail	P	P	X/P ⁷
Home improvement center	P	X	X
Houses of worship	P ⁹ /S	P ⁹ /S	P ⁹ /S
Houses of worship, mega	S	S	X
Kennels	S	S	S
Kitchen and bathroom cabinet store (Sales and Showroom only, no production)	P	X	X/P ⁷
Laundromats (attendant on premises)	P	P	P
Libraries	P ⁹ /S	P ⁹ /S	P ⁹ /S
<u>Limited-service massage as an accessory service</u>	<u>P</u>	<u>P</u>	<u>P</u>
Liquor stores - retail	P	S	S
Mail order direct pickup	P	X	X
Massage establishments, as a principal use	S	S	S
Massage establishments - full body <u>or limited service</u>	S	S	S
Massage therapy establishments – limited service	P	P	P
Medical and dental offices/clinics -including laboratories as accessory use (first floor)	P ⁹ /S	P ⁹ /S	X/P ^{7,9} /S
Medical and dental offices/clinics -including laboratories as accessory uses (other than first floor)	P ⁹ /S	P ⁹ /S	P ⁹ /S

Medical appliances, laboratories, and supply stores (not manufacturers)	P	X	X
Microbrewery/microdistillery - as accessory use to bar, tavern or cocktail lounge or sit down restaurant	P	X	S
Microbrewery/microdistillery - as principal use, with an accessory tasting room, bar, and/or retail sales area that accounts for at least 15 percent of the gross floor area	S	X	X
Mixed use developments	S ³	S ³	P/S ³
Motel/hotel	S	X	S
Motor vehicle dealer sales and service (automobiles, motorcycles, trucks, etc.)	P	P	X
Multiple structures on zoning lot	S	S	P/S ¹
Nursing homes	P	X	X
Office equipment supply and service	P	X	X
Offices - business, contractor, professional and public (first floor)	P	P	X ¹ /P ⁷
Offices - business, contractor, professional and public (other than first floor)	P	P	P
Open sales lots	S	X	X
Optician and optometrist offices -including labs as accessory use (First Floor)	P	P	X/P ⁷
Optician and optometrist offices -including labs as accessory use (other than first floor)	P	P	P
Outdoor seating areas for restaurants, taverns and specialty food stores	P ³	P ³	P ³
Permanent cosmetics services, accessory (less than 20% of customer floor space)	P	P	P
Permanent cosmetics services (greater than or equal to 20% of customer floor space)	S ³	S ³	S ³
Pet shops	S	S	S
Photographic studios (including develop and print of on premises pictures)	P ⁹ /S	P ⁹ /S	P ⁹ /S
Physical fitness and health services 1,000 square feet or less	P	X	P
Physical fitness and health services greater than 1,000 square feet	P ⁹ /S	X	X
Planned unit development on 1 acre tracts or larger	S ⁴	S ⁴	S ⁴
Post office	P	X	X
Printing and photocopy shops (less than 2,000 square feet)	P	P	P
Printing and photocopy shops (greater than 2,000 square feet)	P	X	P ⁹ /S
Public utility and public service use	S	S	S
Radio and television broadcasting studios	S	X	X
Radio and television sales and service	P	P	S
Recording studios	P	X	X
Recreation centers	S	S	X
Rental - household goods and merchandise	P ⁹ /S	P ⁹ /S	X/P ^{7,9} /S
Restaurants - drive-in	S ³	S ³	S ³
Restaurants - sit down and carryout	P	S	P
Schools - commercial (e.g., driving, martial arts, learning center, etc.) less than 1,000 square feet	P	X	P
Schools - commercial (e.g., driving, martial arts, learning center, etc.) greater than 1,000 square feet	P ⁹ /S	X	P ⁹ /S
Sewing machine sales and service	P ⁹ /S	P ⁹ /S	X/P ^{7,9} /S

Sign and lettering shop	P	X	X
Specialty food stores (bakeries, ice cream stores, meat market, coffee/tea shops, etc.)	P	P	P
Tattoo and body art establishment	S ³	S ³	S ³
Taverns and cocktail lounges - music and vocal entertainment only	S	S	S
Taverns, bars, and cocktail lounges	P/S ⁶	S	S
Taverns, bars and cocktail lounges with live music and/or vocal entertainment as accessory use	S	S	S
Taxidermists	P	P	X
Temporary buildings - construction site	P ²	P ²	P ²
Theaters	P ⁹ /S	X	P ⁹ /S
Tobacco and pipe shops (no on-site smoking lounges)	P	P	P
Undertaking establishments	S	X	X
Upholstery shops	P ⁹ /S	P ⁹ /S	X/P ^{7,9} /S

12-4-4: MANUFACTURING DISTRICTS

E. Uses¹:

		M-O/R	M-1	M-2
Manufacturing:				
	Low nuisance industrial facilities	P	P	P
	Manufacturing, Light	S	P	P
	Manufacturing, Heavy	X	S	P P ⁷ /S
	Microbrewery/Micro-distillery—as principal use, with accessory tasting room, bar and/or retail sales area that accounts for at least 15 percent of the gross floor area.	S	S	S
	Pilot Plants for Research and Development laboratories	P ² /S	P	P
	Research and Development laboratories	P ² /S	P	P
Retail Trade:				
	Home improvement center	X	S	S
	Lumber and other building or construction materials dealers	X	X	S
	Machinery, sales	S	P	P
	Manufacturer outlet sales, selling only products manufactured on the premises	P ³ /S	P	P
	Manufacturer outlet sales, selling products not manufactured on the premises	S	S	S
	Motor Vehicle Dealer, sales and service	S	S	S
	Restaurants	S	S	S
Services:				
	Animal hospitals	S	P	P
	Artist studios/ Art galleries (may include accessory educational programs)	P	X	X
	Automobile minimart station	X	S ⁴	S ⁴
	Automobile service stations	X	S ⁴	P ⁴

Automobile, truck and trailer rental and leasing services	X	P	P
Automotive or other motor vehicle repair	X	S	P
Building maintenance and cleaning	P	P	P
Car wash	X	S	P <u>S</u>
Catering services facilities	S	P	P
Commercial Services (such as electronics repair, reproduction and mailing services, camera repair, etc.)	P	P	P
Commercial art and photography	P ⁵ /S	P	P
Commercial tutoring/learning centers	S	X	X
Electrical supply	S	P	P
Equipment rental and leasing services	P	P	P
Exterminators	S	P	P
Industrial launderers	X	X	S
Motion picture production and allied services	P	P	P
Motor vehicle body shop (body work, painting, glass repair, reconstruction, undercoating)	X	S	P
Physical fitness and health services	P	P	P
Schools - college/university	S	S	X
Schools- vocational and trade	S	S	S
<u>Truck body shops</u>	X	X	S
<u>Truck repair facilities</u>	X	X	S

Transportation And Utilities:

Antenna and antenna support structures	P ⁶ /S	P ⁶ /S	P ⁶ /S
Cable television service	P	P	P
Cartage service	X	X	S
Commercial wireless communication services, as a principal use (subject to height restrictions)	P ⁶ /S	P ⁶ /S	P ⁶ /S
Electric services	S	P	P
Electric substations	X	P	P
Freight terminals with or without maintenance facilities	X	X	S
Heliport	X	P	P
Natural gas distribution	X	P	P
Parcel and express service	S	X	S
Radio and television broadcasting	P	P	P
Railroad rights of way/facilities	X	P	P
Telephone communication	P	P	P
Transit and public transportation facilities	S	S	S
Water distribution	S	P	P

Wholesale Trade:

Wholesale Trade Establishment	P	P	P
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	Lumber and other construction materials	X	X	S
	Metal service centers (not including scrap operation)	X	X	S
Warehouse:				
	Distribution Center	P ⁷ /S	P ⁷ /S	P P ⁷ /S
	Moving and storage facilities – 20,000 square feet gross floor area or less	S ⁴	S ⁴	P ⁴
	Moving and storage facilities – more than 20,000 square feet gross floor area	S ⁴	S ⁴	S ⁴
	Self-storage facility	X	S	S
	Warehouse	P ⁷ /S	P ⁷ /S	P P ⁷ /S
	Warehouse, public	P ⁷ /S	P ⁷ /S	P P ⁷ /S
Medical:				
	Clinic, Medical or Dental	S	X	X
	Medical Cannabis Dispensing Organizations	S ⁸	S ⁸	S ⁸
	Cannabis Cultivation Centers	S ⁸	S ⁸	S ⁸
Office:				
	Office - Business/professional	P	P	P
	Office - Contractors, with on-site exterior material storage (excluding Heavy construction businesses)	X	P P ⁷ /S	P P ⁷ /S
	Office - Municipal	P	P	P
	Office – Technology Incubators, research and development, engineering and testing	P ⁹ /S	P ⁹ /S	P
Other:				
	Adult entertainment facilities	X	X	S
	Entertainment uses	S	S	S
	Exterior storage of products and materials, as an accessory use to an adjacent principal use	S	S	S
	Height of structures - over 40 feet	S	S	S
	Heavy construction business	X	S	P P ⁷ /S
	Indoor recreational Facilities (such as archery, bowling, paint ball, etc.)	S	S	S
	Municipal Facilities	X	S	P
	Parking lots - tracts of land not more than 1½ acres within 300 feet of use served	S	S	S
	Planned unit developments - tracts of land not less than 2 acres	S ¹⁰	S ¹⁰	S ¹⁰
	Recycling centers	X	X	S

Key:	P = Permitted	S = Special	X = Not Permitted
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¹ See chapter 2, "General Provisions", of this title.

² Use is allowed as a Permitted use if it is a low nuisance production or assembly facility and allowed as a Special Use if it is a light manufacturing facility.

³ Use is allowed as a Permitted use if manufactured products are via a low nuisance production or assembly facility; allowed as a Special Use if through a light manufacturing facility; and not allowed if manufactured via Heavy manufacturing facilities.

⁴ See chapter 5, "Special Zoning Provisions", of this title.

⁵ A photography laboratory is allowed as a Permitted use if digital development and reproduction are employed; allowed as a Special use if Use involves traditional photo/film developing such as through a laboratory, dark room, etc.

⁶ See chapter 3, "Regulations Of Specific Uses In All Zoning Districts", of this title.

⁷ Uses which are low nuisance and do not generate any significant noise, odors, vibrations, or heavy truck traffic volumes may be allowed as a permitted use, subject to review and approval by the Village Administrator; otherwise such uses require a special use permit.

⁸ See chapter 5, "Special Zoning Provisions", of this title.

⁹ Use is allowed as a Permitted use if accessory laboratories or Pilot Plants are low nuisance; allowed as a Special Use if accessory laboratories or Pilot Plants are light manufacturing.

¹⁰ See chapter 6, "Planned Unit Developments", of this title.

12-5-5: USE STANDARDS

~~F. Moving and Storage Facilities: [DELETE ENTIRE SECTION]~~

F. Massage Establishments:

1. No massage establishment shall be located within one thousand, five hundred (1,500) feet of a preexisting massage establishment, as measured from property line to property line.

12-7-3: OFF-STREET PARKING

H. Truck Parking Requirements.

1. Truck parking is permitted only as accessory parking to a principal use.
2. Truck parking spaces intended for use by semitrailers, wheeled containers, or truck-trailer combinations means the temporary outdoor stationing of an operable vehicle, semitrailer, or wheeled container (or similar item capable of lawful intrastate or interstate travel without modification) that has been loaded, off loaded, or repaired within the previous seven (7) days or that will be loaded, off loaded, or repaired within the next seven (7) days. Outdoor parking or storage for longer periods of time is prohibited.
3. Unless authorized by a special use permit, the maximum number of truck parking spaces for use by semitrailers, wheeled containers, or truck-trailer combinations (not including trailer positions immediately adjacent to a loading berth) at a facility cannot exceed the greater of either:
 - a. One (1) parking space for every two thousand five hundred (2,500) square feet of GFA under roof for the principal use.
 - b. Two-and-a-half (2½) parking spaces for each loading dock serving the principal use.
4. All truck parking must occur in off-street parking facilities designed to accommodate the size of the trucks parked. Off-street truck parking facilities must delineate parking spaces with paint or other permanent materials which must be maintained in clearly visible condition.

I.J. Required Spaces by Use: Off street parking spaces accessory to designated uses shall be required as identified below:

Residential:	
Attached dwellings (townhomes)	2.0 spaces per dwelling unit ¹
Housing for senior citizens	0.5 spaces per dwelling unit
Multi-family dwellings	1.75 spaces per dwelling unit ²
Single-family dwellings	2.0 spaces per dwelling unit ³
Two-family dwellings	2.0 spaces per dwelling unit ³
Commercial uses:	
Commercial services	1.0 spaces per 300 square feet of gross floor area

Permitted and special uses in commercial zoning districts except for those uses specified below:	1.0 space per 250 square feet of gross floor area
Animal hospitals	1.5 spaces per examination/treatment room
Appliance sales and service	1.0 space per 500 square feet of gross floor area
Automobile minimart station	1.0 space per employee, not to exceed 5 spaces of which 2 spaces shall be for handicapped individuals
Automobile repair	1.0 space per employee plus 2.0 spaces per service stall
Automobile sales and service	1.0 space per 500 square feet of gross floor area
Automobile service station	1.0 space per employee plus 2.0 spaces per service stall (minimum of 2.0 spaces)
Automobile, truck and trailer rental	1.0 space per employee plus 1.0 space per maximum number of rental vehicles
Barber or beauty shops (hair stylist, manicurist, skin care)	1.0 space per 250 square feet of gross floor area
Bowling alleys	4.0 spaces per lane
Cannabis dispensing organizations	1.0 space per 150 square feet of gross floor area
Home improvement centers	1.0 space per 350 square feet of gross floor area, excluding outdoor storage areas
Hotels and motels	1.0 space per rental lodging room
Houses of worship	1.0 space per 3.0 occupants in the main meeting room or any other room that can be used simultaneously for group assembly purposes. The maximum occupancy load shall be authorized by the fire prevention code and standards adopted by the Village of Morton Grove fire department from time to time and incorporated herein by reference (title 9, chapter 1 of this code)
Clubs and lodges	1.0 space per 3.0 occupants in the main meeting room or any other room that can be used simultaneously for group assembly purposes. The maximum occupancy load shall be authorized by the fire prevention code and standards adopted by the Village of Morton Grove fire department from time to time and incorporated herein by reference (title 9, chapter 1 of this code)
Daycare centers	1.0 space per 300 square feet gross of floor area
Dry cleaning and laundry - self-service	1.0 space per 250 square feet of gross floor area
Furniture and upholstery stores	1.0 space per 700 square feet of gross floor area
Libraries and museums	1.0 space per 1,000 square feet of gross floor area, and for any group assembly meeting space or auditorium, 1.0 space per 3.0 occupants. The maximum occupancy load shall be authorized by the fire prevention code and standards adopted by the Village of Morton Grove fire department from time to time and incorporated herein by reference (title 9, chapter 1 of this code)
Lounges, bars, or taverns	1.0 space per 50 square feet of gross floor area
Nursing homes	1.0 spaces per 670 square feet gross floor area
Pharmacies	1.0 space per 300 square feet of gross floor area
Physical fitness and health service	1.0 space per 150 square feet of gross floor area
Restaurants	1.0 space per 150 square feet of gross floor area
Restaurants - drive-in or carryout	1.0 space per 100 square feet of gross floor area

Theaters	1.0 space per 3.0 seats
Undertaking establishments/funeral parlors	10.0 spaces per chapel or parlor plus 1.0 space per vehicle owned by the business
Manufacturing uses:	
Permitted and special uses in the manufacturing zoning district except for those uses specified below or where requirements have been set in other sections of this chapter	1.0 space per 250 square feet of gross floor area
Building material sales	1.0 space per 500 square feet of gross floor area
Cannabis cultivation centers	1.0 space per employee, plus 1.0 space per vehicle owned and used by the cultivation center only
Freight terminals, with or without maintenance facilities	1.0 space per 1,000 square feet of gross floor area or 1.0 space per employee, whichever is greater
Manufacturing uses	1.0 space for each 2.0 employees plus 1.0 parking space for each vehicle owned and used by the local plant only
Moving and storage facilities	1.0 space per employee plus 1.0 space for each vehicle owned or used in the business
Parcel and express services/local trucking with or without storage	1.0 space per 1,000 square feet of gross floor area or 1.0 space per employee whichever is greater
Public utility and public service use	1.0 space per each employee (minimum of 2.0 spaces)
Self-service storage or miniwarehouse facilities	1.0 space per 3,000 square feet of gross square feet of floor area
Warehouse and storage establishments	1.0 space per 1,000 square feet of gross floor area or 1.0 space per employee whichever is greater
Wholesale sales	1.0 space per 500 square feet of gross floor area plus 1.0 space for each vehicle owned or used in the business
Other uses:	
Public administrative offices	1.0 space per 500 square feet of gross floor area
Recreational centers	1.0 space per 250 square feet of gross floor area devoted to office space plus 1.0 space per 150 gross square feet of floor area devoted to recreational use, and for any meeting space or group assembly use, 1.0 space per 3.0 occupants. The maximum occupancy load shall be authorized by the prevention code and standards adopted by the Village of Morton Grove fire department from time to time and incorporated herein by reference (title 9, chapter 1 of this code)
Schools - business, commercial, trade or other	1.0 space per each faculty member and other full or part time employee plus 1.0 space per 4.0 students design seating capacity
Schools - nursery, elementary, or junior high	1.0 space for each faculty member and other full or part time employees
School, high	1.0 space for each faculty member and other full or part time employee plus 1.0 space for each 4.0 students design seating capacity
Miscellaneous uses, not specifically identified in any section of this title	1.0 space per 100 square feet of gross floor area, or otherwise determined by the Morton Grove plan commission

12-12-1: GENERAL PROVISIONS

B. Applicability of Regulations: The regulations herein apply to all properties designated below:

1. Multiple dwelling developments in excess of two (2) units.
2. Business and commercial unit developments.
3. Industrial units and developments.
4. All planned unit developments and special uses.
5. All common, single-family subdivision developments, including streets, rights of way, public areas and other general development features and models to be offered for sale.
6. Municipal and other public facilities and lands.
7. One- and two-family residential dwellings, not in a subdivision but which require a building permit for exterior modification, are exempt from the regulations in this chapter, but are required to complete a design workbook which demonstrates how the project is compatible with the existing neighborhood. Any project which is deemed not to be compatible by the building commissioner and/or his/her designee shall be sent to the appearance review commission for review.

C. Review Required:

1. All site, landscape and building plans are to be reviewed by the appearance review commission, and an appearance certificate by the commission granted, prior to the issuance of a building permit.

2. Prior to changing the exterior color of any building located in a commercial district, a design workbook shall be submitted which demonstrates how the project is compatible with the existing neighborhood. Any project which is deemed not to be compatible by the building commissioner and/or his/her designee shall be sent to the appearance review commission for review.

12-17-1: TERMS DEFINED

AUTOMOBILE MINIMART STATION: Any building land area, or other premises or portion thereof, intended to be used for the retail dispensing or sale of petroleum fuel, lubricants, tires, and supplies and offering as an ancillary service the sale of the following categories of merchandise: health and beauty aids; salty snacks; cleaning and paper goods; books, newspapers, and magazines; milk and dairy products; fresh brewed coffee and coffee drinks; soda, water, and similar bottled or canned beverages; and convenience type food in a prepackaged wrapper or container in a ready to consume state. Convenience foods may also include precooked foods such as donuts, bakery items, and limited sandwiches, which may be assembled and/or heated (microwave or toaster oven only) and repackaged for takeout consumption.

AUTOMOBILE OR OTHER MOTOR VEHICLE RENTAL: An open area, other than a street, used for the display of automobiles or other motor vehicles offered for rent to the general public, and where no repair work is done other than incidental.

AUTOMOBILE OR OTHER MOTOR VEHICLE WRECKING YARD: Any area of land where three (3) or more motor vehicles not in running condition, or the parts thereof, are stored in the open and are not being restored to operation, or any land, building, or structure used for the wrecking or storing of such automobiles or parts thereof.

AUTOMOBILE SERVICE STATION (GAS STATION OR FILLING STATION): Any building or portion thereof, or premises used for dispensing or offering for sale at retail automotive fuels or oils having pumps and storage tanks thereon; or where battery, tire, and other similar services are rendered, but only if rendered wholly within lot lines. When dispensing, sale, or offering for sale is incidental to the conduct of automobile repair, the premises are classified as automobile repair. Automobile service stations do not include open sales lots as defined herein.

AUTOMOTIVE ACCESSORY STORE: An establishment which retails new or used automotive parts.

AUTOMOTIVE ~~OR OTHER MOTOR VEHICLE~~ REPAIR: Any building or portion thereof or premises where battery, tire, and other similar services are rendered to automobiles, vans, pick-ups, motorcycles, and/or all-terrain vehicles (ATV), and similar motorized transportation vehicles, but only if rendered wholly within lot lines. If automotive fuel dispensed, or offered for sale, is incidental to the conduct of automobile repair, the premises are classified as automobile repair. Automotive repair facilities do not include automotive repair beyond mechanical repair and auto glass. Any type of body work shall be considered a motor vehicle body shop. Automobile repair facilities do not include open sales lots or truck repair facilities as defined herein.

CARTAGE SERVICE: An establishment which provides the hauling of large quantities of material for commercial or industrial users.

COMMUNITY RESIDENCE: A single dwelling unit occupied on a relatively permanent basis in a familylike environment by a group of unrelated persons with disabilities, plus paid professional support staff provided by a sponsoring agency, either living with the residents on a twenty four (24) hour basis or present whenever residents with disabilities are present at the dwelling and which complies with the zoning regulations for the district in which the site is located. A community residence does not include a residence which serves persons as an alternative to incarceration for a criminal offense, persons with a history of antisocial behavior, or persons whose reason for placement is substance or alcohol abuse or for treatment of a communicable disease.

~~COMMUNITY RESIDENCE, FAMILY: A single dwelling unit occupied on a relatively permanent basis in a familylike environment by a group of no more than eight (8) unrelated persons with disabilities, plus said professional support staff provided by a sponsoring agency, either living with the residents on a twenty four (24) hour basis, or present whenever residents with disabilities are present at the dwelling and which complies with the zoning regulations for the district in which the site is located.~~

~~COMMUNITY RESIDENCE, GROUP: A single dwelling unit occupied on a relatively permanent basis in a familylike environment by a group of nine (9) to fifteen (15) unrelated persons with disabilities, plus paid professional support staff provided by a sponsoring agency, either living with the residents on a twenty four (24) hour basis, or present whenever residents with disabilities are present at the dwelling and which complies with the zoning regulations for the district in which the site is located.~~

~~MASSAGE ESTABLISHMENT LIMITED-SERVICE~~ MASSAGE: ~~An establishment which offers limited m-~~ Massage services by a licensed massage therapist, which uses any method of applying pressure on or friction against or stroking, kneading, rubbing, tapping, pounding, vibrating, touching or stimulating the external soft body parts of the body with the hands, any body part, or with the aid of any mechanical or electrical apparatus or appliance, with or without supplementary aids such as rubbing alcohol, liniments, antiseptics, oils, powder, creams, lotions, ointments, or other similar preparations. Limited-service massage ~~establishments~~ includes s hand/foot massage, head/neck massage, etc., and which does not require partial or full disrobement, other than removal of socks, shoes, and/or outerwear (coats, gloves, scarves).

MOTOR VEHICLE BODY SHOP: Any building where automotive vehicles are painted, repaired for body damage including auto glass, rebuilt, or reconstructed. Motor vehicle body shops do not include truck body shops as defined herein.

MOTOR VEHICLE REPAIR: See definition of AUTOMOTIVE OR OTHER MOTOR VEHICLE REPAIR.

OFFICE - CONTRACTORS: A building or structure for a person or company within a building trade or building craft that undertakes a contract to provide materials or labor to perform a service or do a job and but not including any on-site storage of equipment or materials. All contractor's vehicles shall be parked on the same zoning lot.

OFFICE - CONTRACTORS, WITH ON-SITE EXTERIOR MATERIAL STORAGE: A building or structure for a person or company within a building trade or building craft that undertakes a contract to provide materials or labor to perform a service or do a job and includes exterior, on-site storage of equipment, materials, and a limited amount of ~~construction~~ contractor's vehicles (excluding types of material and vehicles associated with heavy construction business).

OUTDOOR STORAGE: The holding of materials, products, goods, and refuse relating to the principal permitted use for more than twenty-four (24) hours in an area open to the sky.

OUTDOOR STORAGE AREA: The location on a lot where outdoor storage exists. Such area shall be completely screened with no visible evidence of the material stored from any exterior view of the storage area.

SHORT-TERM DWELLING UNIT. All or part of a residential building, dwelling unit, or accessory building located in any zoning district, being leased, rented, offered for rent, hired out, licensed, or otherwise let as an accessory use or occupancy to a person or persons other than the owner of the subject property or a family member of the owner thereof for a period or term that is less than ninety (90) days. Short term dwelling unit shall not include a hotel/motel or bed and breakfast as defined herein or a dwelling or dwelling unit rented for a limited period of time prior to transfer of possession pursuant to the terms of a rental agreement executed in conjunction with a contract to sell the dwelling or dwelling unit.

TRUCK. Trucks, tractors, truck-trailers, and industrial and commercial vehicles in excess of one-and-a-half (1½) tons capacity.

TRUCK PARKING AREA OR YARD: Any land used or intended to be used principally for the storage or parking of trucks, ~~tractors, truck trailers and including commercial vehicles,~~ while not loading or unloading or under repair, and ~~which exceed one and one-half (1½) tons in capacity.~~ A truck parking area or yard includes the meaning customarily assigned to cartage facilities and truck dispatch yards.

TRUCK BODY SHOP. Any building where trucks are painted, repaired for body damage including auto glass, rebuilt, or reconstructed.

TRUCK REPAIR FACILITY. A business that provides services in repairs to trucks. Truck repair facilities do not include repair beyond mechanical repair and auto glass. Any type of body work shall be considered a truck body shop. If automotive fuel dispensed, or offered for sale, is incidental to the conduct of truck repair, the premises are classified as truck repair.

Attachment C

Staff Report to the Plan Commission for PC 23-16
Prepared by Zoe Heidorn, Community Development Administrator
Dated September 12, 2023 (revised October 10, 2023)



Village of Morton Grove

Department of Community & Economic Development

To: Chairperson Blonz and Members of the Plan Commission

From: Zoe Heidorn, Community Development Administrator; Anne Ryder Kirchner, Assistant Land Use Planner

Date: September 12, 2023, **revised October 10, 2023 (additions in red text)**

Re: **Case PC 23-16: Request for approval of a Text Amendment to Sections 12-2-5, 12-4-2, 12-4-3, 12-4-4, 12-5-5, 12-7-3, 12-12-1, and 12-17-1 to establish and modify regulations relating to accessory uses and structures, off-street parking, massage establishments, truck-related uses, truck parking requirements, automotive and truck repair uses, short term dwelling units, and design standards. The applicant is the Village of Morton Grove.**

STAFF REPORT

Public Notice

Case PC 23-16 was continued from the August 15, 2023, **and September 19, 2023**, Plan Commission meetings. No additional public notice was required.

Continuation of Application

At the August 15, 2023, Plan Commission meeting, the Commissioners voted to continue Case PC 23-16 to the next regularly scheduled meeting on September 19, 2023, to allow more time for staff to research short-term rental units and how they are regulated in other communities. A member of the public submitted a packet of information related to short-term rental units following the August hearing and requested distribution to the Plan Commissioners. The packet is included in the hearing packet for PC 23-16. Staff has included some information relating to short-term dwelling units in this report but is requesting another continuation of this portion of the amendment application to allow additional time for staff review **if the Plan Commission recommends legalizing short-term dwelling units and adopting use standards.**

At the September 19, 2023, meeting, the Plan Commission voted to continue the case again due to the lack of Commissioners in attendance at the meeting.

If the Plan Commission wishes to continue its consideration of the amendment relating to short-term rental units, staff recommends that the balance of the application relating to accessory uses and structures, off-street parking, massage establishments, truck-related uses, truck parking requirements, automotive and truck repair uses, and design standards is considered separately and hopes to move the amendment forward to the Village Board of Trustees with minor modifications recommended at the August meeting **and additional revisions recommended by staff, which are discussed in further detail below.** The proposed amendment with revisions is provided as **Attachment A**. Revisions made following the August Plan Commission meeting are highlighted in yellow. **Revisions made following the September Plan Commission meeting are highlighted in green.**

A request to modify “Office – Contractors” to “Contractors Office” was not incorporated into the current version of the proposed amendment after further review of how other office-related terms are structured. To modify this term would create inconsistency with other office-related terms and necessitate redundancy. Other office-related terms are included in Attachment A to provide reference.

Following the September Plan Commission meeting, new information has caused staff to recommend revision of the proposed amendment to Section 12-4-3:D relating to massage establishments in the commercial districts. Based on continuing issues with illegal activities associated with businesses authorized for massage uses, staff is recommending a Village-wide prohibition on both limited-service massage establishments and full body massage establishments. Staff recommends that limited-service massage is allowed as an accessory use to other principal Permitted or Special Uses,

including, but not limited to salons, medical clinics, and fitness facilities.

The proposed prohibition on massage establishments as a principal use would allow the continuation of three existing authorized full body massage businesses: Heavenly Massage (9330 Waukegan), Family Foot Smile Spa (9235 Waukegan), and Massage by Bogdan (9136 Waukegan, Unit B). The newly proposed prohibition means that staff is eliminating previously proposed amendments to Section 12-5-5:F to establish minimum separation between massage establishments.

Since 2022, two limited-service massage establishments in Morton Grove have been shut down by emergency order as the result of sting operations conducted by the Morton Grove Police Department in conjunction with outside agencies.

Short-Term Rental Units

The Plan Commission and Village Board may consider legalizing short-term rental units, which are already operated in the Village limits but are not permitted by the Unified Development Code. Short-term rental units, when regulated and taxed, can add to the local economy and Village revenues. Short-term rental units may also come with negative impacts, such as increased noise and parking demand, reduced availability of affordable housing units, conflicts with permanent residents, and safety and enforcement issues. However, the Village's current ordinances and additional regulations specific to short-term rental units can be used to address issues so that the use can be integrated into the Village's residential and mixed-use zoning districts in a manner that protects permanent residents and property values.

Staff looked to surrounding communities and reviewed a recent survey on short-term rental units conducted by the Northwest Municipal Conference (NWMC) to provide an overview of how the land use is being handled by other municipalities. The following table outlines the findings. Some communities' codes do not define the use, but their staff interprets the use to be prohibited as reported by the NWMC survey.

Community	Use	Allowed	Notable Regulations
Barrington	"SHORT-TERM RENTAL" means the accessory use and/or occupancy for a period of less than one (1) month of a dwelling unit or related accessory structure pursuant to a written or oral agreement which permits and/or provides for occupancy of all or part of such structure by any person other than the owner thereof, or an immediate family member of the owner thereof, and whether or not the permission of such occupancy is in exchange for consideration therefor.	No	Minimum 30-day rental period
Elk Grove Village	SHORT TERM RESIDENTIAL RENTALS: A Residential Structure, offered for rent for a period which does not exceed thirty (30) consecutive days. The term "Short-Term Residential Rental" shall not include hotels or motels.	No	
Evanston	"VACATION RENTAL UNIT" means a dwelling unit or a habitable unit that is offered for rent, lease or hire that is rented, leased or hired for which an owner or operator receives consideration from a person and that person has the right to use, occupy or possess the dwelling unit or habitable unit for said period.	Yes	Business license required, tax imposed, property maintenance inspections required
Glencoe		No	
Grayslake		Yes	
Hanover Park	SHORT-TERM RENTAL means the use and/or occupancy for a period of 30 or less days of a principal single-family residence, multiple family dwelling unit, single-family detached dwelling, townhome, cluster house, or a unit in a two-family dwelling together with any accessory or any portion of the foregoing, pursuant to a written or oral agreement which permits and/or provides for occupancy by any person other than the owner thereof, or an immediate family member of the owner thereof, and whether or not the permission of such occupancy is in exchange for consideration therefore or not. Except as otherwise provided herein, leasing, renting, offering or inviting the leasing or renting, or otherwise permitting the short-term rental as defined above located within the village for 30 days or less at a time shall be prohibited, with the exception of a hotel or similar establishment duly licensed by the village, and such conduct shall be prohibited, whether engaged in or participated in by the owner(s) of the property, one or more agent(s) of the property owner(s), and/or by any person(s) leasing, or seeking to lease as a lessor(s), or renting or seeking to rent as lessee(s) and/or otherwise occupy a premises as tenant(s) and/or temporary occupant(s) thereof.	No	
Lincolnshire	SHORT-TERM RENTAL: The accessory use of a residential dwelling under a written or oral agreement providing for occupancy of all or part of the dwelling by any person other than the owner thereof in exchange for consideration therefor.	Yes	
Lincolnwood	SHORT-TERM RENTAL PROPERTIES. No property may be used more than once per 365-day period as a short-term rental property.	No	
Niles	Bed and breakfasts and SHORT-TERM RESIDENTIAL RENTALS are considered a hotel/motel.	No	
Northbrook	SHORT-TERM RENTAL: Part or all of a dwelling or dwelling unit that is rented for transient occupancy by guests for a period shorter than 30 consecutive days. The term "short-term rental" does not include either (i) hotels or motels as defined in this Section or (ii) a dwelling or dwelling unit rented for a limited period of time prior to transfer of possession pursuant to the terms of a rental agreement executed in conjunction with a contract to sell the dwelling or dwelling unit.	Yes	No dwelling unit may be offered as a short-term rental as a principal use, owner or long-term tenant must reside on property, overnight parking must be

			provided on the same lot, written notice of abutting properties required
Northfield	SHORT TERM DWELLING RENTAL. A single room, dwelling, or portion of a dwelling offered or advertised for rent or other consideration for a period of less than sixty (60) consecutive days	No	
Palatine	SHORT-TERM RESIDENTIAL RENTALS PROHIBITED. It shall be unlawful for any person or entity to operate, use, offer for rent or use, or advertise for rent or use, any property within the Village of Palatine as a short-term residential rental. Notwithstanding the provisions set forth in above, it shall not be considered a short-term residential rental when the preceding owner of a property maintains possession of a residential structure after closing for the sale thereof, but leases the property back from the successor owner for a period of time pursuant to a written agreement.	No	Minimum 30-day rental period
Skokie	SHORT-TERM RENTAL UNIT: An owner-occupied dwelling unit or portion thereof offered for rent for a period of 1 night to 29 consecutive nights to any person other than a member of the owner's family that is being advertised to rent or is rented, through the exchange of money, goods, or services.	Yes	Annual license required, use of intermediary to collect fees required, written notice of properties within 250 feet required, inspection required, condo association approval required (no more than 25% of units)
Schaumburg		Yes	
Wheeling		No	
Wilmette		No	

Unless the Plan Commission determines that short-term rental units are not a desirable use, should continue to be prohibited, and that the Unified Development Code should be modified to clarify restrictions as proposed in the original amendment presented on August 15, 2023, staff requests a continuation of this portion of the application to the next regularly scheduled meeting of the Plan Commission to provide time to prepare draft regulations.

Recommendation

Should the Plan Commission recommend a continuation of the amendment proposed under Case PC 23-16 relating to short-term dwelling units, staff suggests the following motion:

Motion to continue Case PC 23-16, a request by the Village of Morton Grove for approval of a Text Amendment relating to, short-term dwelling units, to the next regularly scheduled meeting of the Plan Commission on October 17, 2023.

Should the Plan Commission recommend approval of the balance of the Text Amendment application, staff suggests the following motions:

*Motion to recommend the approval of Case PC 23-16, a request by the Village of Morton Grove for approval of a Text Amendment to Sections 12-2-5, 12-4-2, 12-4-3, 12-4-4, 12-5-5, 12-7-3, 12-12-1, and 12-17-1 to establish and modify regulations relating to accessory uses and structures, off-street parking, massage establishments, truck-related uses, truck parking requirements, automotive and truck repair uses, and design standards as presented in **Attachment A** [or as otherwise modified by the Plan Commission].*

Attachment D

Staff Report to the Plan Commission for PC 23-16
Prepared by Zoe Heidorn, Community Development Administrator
Dated November 14, 2023



Village of Morton Grove

Department of Community & Economic Development

To: Chairperson Blonz and Members of the Plan Commission

From: Zoe Heidorn, Community Development Administrator; Anne Ryder Kirchner, Assistant Land Use Planner

Date: November 14, 2023

Re: Case PC 23-16: Request for approval of a Text Amendment to Sections 12-4-2, 12-4-3, 12-5-5, and 12-17-1 to modify and establish regulations relating to short-term dwelling units. The applicant is the Village of Morton Grove.

STAFF REPORT

Public Notice

The Village provided public notice in accordance with the Unified Development Code for the initial public hearing of Case PC 23-16 on August 15, 2023. Case PC 23-16 was continued from the August 15, September 19, and October 17, 2023, Plan Commission meetings. No additional public notice was required.

Continuation of Application

At the October 17, 2023, Plan commission meeting, the Commissioners voted to recommend approval of the Text Amendment Application submitted under Case PC 23-16, with the exception of all language relating to short-term dwelling units. That portion of the application was continued to the November 21, 2023, meeting of the Plan Commission for further consideration. At the request of the Commissioners, staff drafted proposed amendments to Title 12 that would legalize and regulate short-term dwelling units in the Village. The proposed amendments are presented in the following sections. Additional amendments to Titles 1 and 4 of the Morton Grove Municipal Code to establish fees and other business regulations relating to short-term dwelling units may be considered by the Board of Trustees if the Plan Commission recommends the amendments to Title 12 as proposed herein.

Proposed Amendments

If the Plan Commission desires to recommend the legalization of short-term dwelling units, staff recommends the following amendments to Title 12:

Section 12-4-2 & 12-4-3: Use Matrices

Staff recommends listing short-term dwelling units as a Permitted/Special Use in all residential and commercial zoning districts, with a footnote providing reference to Chapter 5, "Special Zoning Provisions," for additional applicable regulations. Under a new section in Chapter 5, staff recommends allowing the use as Permitted Use if certain conditions are met and a Special Use if those conditions are not met.

12-4-2: RESIDENTIAL DISTRICTS

C. Uses:

Categories Of Use	R-1	R-2	R-3
<u>Short-term dwelling units</u>	<u>P/S³</u>	<u>P/S³</u>	<u>P/S³</u>

³ See chapter 5, "Special Zoning Provisions", of this title.

12-4-3: COMMERCIAL DISTRICTS

D. Uses:

Categories Of Use	C-1	C-2	C/R
<u>Short-term dwelling units</u>	<u>P/S³</u>	<u>P/S³</u>	<u>P/S³</u>

³ See chapter 5, "Special Zoning Provisions", of this title.

Section 12-5-3: Use Standards

Staff recommends that a new section is added to Chapter 12-5, "Special Zoning Provisions," to establish regulations pertaining specifically to short-term dwelling units. Various general requirements will apply to all short-term dwelling units, including the requirement for an annual compliance certificate. For short-term dwelling units that are the principal use of a residential dwelling unit or property, and the owner does not reside on the premises, the use would be considered a Special Use. The following proposed regulations were drafted based on existing regulations in Highland Park, Northbrook, Oak Park, Roselle, and Schaumburg.

12-5-13: SHORT-TERM DWELLING UNITS

A. General Requirements:

- a. Compliance Certificate Required: It shall be unlawful to operate a short-term dwelling unit without a certificate of compliance issued pursuant to Title 4.
- b. Use Limitations: Only residential dwelling units may be used or offered as short-term rentals. No exclusively commercial, office, industrial, or institutional property or portion thereof may be used or offered as a short-term dwelling unit. No accessory building or structure may be used or offered as a short-term dwelling unit.
- c. Minimum Rental Period: A short-term dwelling unit may not be rented for any period of time shorter than twenty-four (24) consecutive hours.
- d. Parking: All overnight parking for persons renting a short-term dwelling unit must be provided on the same zoning lot as the short-term dwelling unit and must be located on an improved hard surface.
- e. Signage: No sign advertising or otherwise promoting a short-term dwelling unit may be installed or erected on the premises.
- f. Notice Required: Prior to the first rental of a short-term dwelling unit, the owner of the short-term dwelling unit must deliver written notice by mail or personal delivery to the owners of all parcels that about the property on which the short-term dwelling unit will be located of the owner's intent to offer the short-term dwelling unit for rental. The written notice must include contact information for the owner of the short-term dwelling unit.
- g. Hosting Platform: The owner of a short-term dwelling unit shall use a hosting platform to market and make lease arrangements with any persons renting the short-term dwelling unit. The hosting platform shall be responsible for determining the guest's identification information and the accuracy of that information.
- h. Code Compliance: All short-term dwelling units shall comply with the applicable life safety codes of the Village. It will be the obligation of the owner of the short-term dwelling unit to determine whether the property complies with the Village's life safety codes prior to advertising the short-term dwelling unit's availability on a hosting platform.
- i. Insurance: The owner must provide proof of homeowner's insurance or host protection insurance in the amount of at least five hundred thousand dollars (\$500,000.00) to the Village prior to the issuance of a certificate of compliance.

B. Short-term dwelling units shall be a permitted use for residential dwelling units provided the following conditions are met:

1. The dwelling unit shall be limited to a maximum of one (1) short-term dwelling unit.
2. The dwelling unit shall not be used or offered as a short-term dwelling unit as its principal use.
3. The dwelling unit shall be the primary residence of the owner and operator of the short-term dwelling unit located therein.
4. The owner of the dwelling unit shall reside on the premises for the entire duration of any short-term dwelling unit rental.
5. No more than one (1) bedroom or similar living area within the dwelling unit shall be used or offered as a short-term dwelling unit at any one time. At no time may all bedrooms within the dwelling unit be offered as a short-term dwelling unit.
6. The short-term dwelling unit shall not be used or occupied by more than two (2) adults simultaneously.

C. Any short-term dwelling unit not meeting the requirements of Section 12-5-13:B shall be considered a special use.

Section 12-17-1: Use Standards

Staff recommends that the following definitions are added to Section 12-17-1, "Terms Defined." The language was developed based on existing regulations of the same communities referenced above.

HOSTING PLATFORM. A marketplace entity, in whatever form or format which facilitates short-term dwelling unit rentals through advertising, matchmaking or other means, using any medium or facilitation, or from which the operator of the hosting platform derives revenue, including booking fees or advertising revenues from providing or maintaining the marketplace information.

SHORT-TERM DWELLING UNIT. All or part of a residential dwelling unit located in any zoning district, being leased, rented, offered for rent, hired out, licensed, or otherwise let to a person or persons other than the owner of the subject property or a family member of the owner thereof for a period shorter than thirty (30) consecutive days. A short-term dwelling unit shall not include a hotel/motel or bed and breakfast as defined herein or a dwelling or dwelling unit rented for a limited period of time prior to transfer of possession pursuant to the terms of a rental agreement executed in conjunction with a contract to sell the dwelling or dwelling unit.

Recommendation

Should the Plan Commission recommend the Text Amendment Application submitted under Case PC 23-16, staff suggests the following motion:

Motion to recommend the approval of Case PC 23-16, a request by the Village of Morton Grove for approval of a Text Amendment to Sections 12-4-2, 12-4-3, 12-5-5, and 12-17-1 to modify and establish regulations relating to short-term dwelling units, as presented in the staff report for Case PC 23-16 dated November 14, 2023 [or as otherwise modified by the Plan Commission].

Legislative Summary

Ordinance 24-02

AN ORDINANCE APPROVING A FINAL PLAT OF SUBDIVISION AND ACCEPTING CERTAIN IMPROVEMENTS FOR THE PONTO COLLECTION SUBDIVISION LOCATED ON PROPERTY COMMONLY KNOWN AS 9312 SHERMER ROAD IN MORTON GROVE, ILLINOIS

Introduction:	January 23, 2024
Purpose:	To approve a Final Plat of Subdivision for the Ponto Collection Subdivision at 9312 Shermer Road and accept public improvements for the Ponto Collection Subdivision pursuant to Section 12-8-3 of the Unified Development Code.
Background:	<p>The property commonly known as 9312 Shermer Road is a 1.565-acre site ("Subject Property") and is zoned R-1 Single Family Residence. Based on Planned Unit Development (PUD) Special Use Permit and Subdivision Applications submitted for the Subject Property by Varda and Company, LLC ("Developer") under Case PC 22-13, on January 24, 2023, the Village Board of Trustees passed Ordinance 23-02 approving for the Subject Property a PUD Special Use Permit authorizing the development of six (6) single-family detached dwellings and a preliminary plat of subdivision to create seven (7) new lots of record, one for each new single-family residence and one for the common areas to be owned and maintained by a homeowner's association.</p> <p>The Developer has completed site improvements required by Ordinance 23-02 and the site improvement permit issued for the Subject Property. Pursuant to Section 12-8-3:A.3, the Village Board may approve a final plat of subdivision that is substantially consistent with the approved preliminary plat of subdivision upon receipt of a statement signed by the Village Engineer certifying that the improvements described in the applicant's plans and specifications, together with the supporting documents and agreements, meet the requirements of the Village and other authorities having jurisdiction and that the improvements have been constructed in compliance with the approved plans and all applicable regulations. The Village Engineer has provided a certificate of conformance for the development's required improvements and the Developer has fulfilled the requirements and obligations required by Section 12-8-3 prior to the Village Board's approval of the final plat of subdivision. Upon Village Board approval of the final plat of subdivision, the plat and declaration will be recorded with the Cook County Clerk and the Department of Building and Inspectional Services will be able to issue permits for vertical construction of the six (6) single-family residences.</p>
Programs, Dept's, Groups Affected	Department of Community and Economic Development
Fiscal Impact:	N/A
Source of Funds:	N/A
Workload Impact:	The Final Plat of Subdivision will be implemented and supervised by staff as part of their normal work activities.
Administrative Recommendation:	Approval as presented
Second Reading:	February 13, 2024
Special Considerations or Requirements:	None

Submitted by - Ralph Czerwinski, Village Administrator

Reviewed by - Teresa Hoffman Liston, Corporation Counsel

Reviewed by - Zoe Heidorn, Assistant Village Administrator

Prepared by - Brandon Nolin, Community Development Administrator

ORDINANCE 24-02

AN ORDINANCE APPROVING A FINAL PLAT OF SUBDIVISION AND ACCEPTING CERTAIN IMPROVEMENTS FOR THE PONTO COLLECTION SUBDIVISION LOCATED ON PROPERTY COMMONLY KNOWN AS 9312 SHERMER ROAD IN MORTON GROVE, ILLINOIS

WHEREAS, the Village of Morton Grove (“Village”), located in Cook County, Illinois, is a home rule unit of government under the provisions of Article 7 of the 1970 Constitution of the State of Illinois, and can exercise any power and perform any function pertaining to its government and affairs, including, but not limited to, the power to tax and incur debt; and

WHEREAS, 9312 Shermer Road, legally described in “**Exhibit A**” and depicted in the Plat of Survey prepared by Gremley & Biedermann, a Division of PCLS Corporation, dated June 29, 2022, and attached hereto as “**Exhibit B**” and made a part of this Ordinance, is a 1.565-acre property (“Subject Property”) and is currently zoned R-1 Single Family Residence; and

WHEREAS, on January 24, 2023, pursuant to the application of Varda and Company, LLC (“Developer”) under Case PC 22-13, the Village Board of Trustees passed Ordinance 23-02, which approved a planned unit development (PUD) special use permit authorizing the development of six (6) single-family detached dwellings and a preliminary plat of subdivision for the Subject Property to create seven (7) new lots of record, in accordance with the submitted preliminary plat of subdivision, “Plat of the Ponto Collection Subdivision,” prepared by A.P. Surveying Company, P.C., dated October 5, 2022 (“Preliminary Plat of Subdivision”); and

WHEREAS, pursuant to Section 12-8-3:A.1, the Developer submitted a final plat of subdivision, “Plat of the Ponto Collection Subdivision,” prepared by A.P. Surveying Company, P.C., dated January 3, 2024 (“Final Plat of Subdivision”), a copy of which is attached hereto and made a part hereof, and is marked as “**Exhibit C**”; and

WHEREAS, pursuant to Section 12-8-3:A.2, the Building Commissioner, Plan Commission Chairperson, Village Administrator, and Corporation Counsel reviewed the Final Plat of Subdivision and unanimously find that the proposed Final Plat is in substantial compliance with the approved Preliminary Plat of Subdivision and recommend approval of the Final Plat to the Village Board of Trustees; and

WHEREAS, the Developer has installed, except as noted within the list and plan of uncompleted work attached hereto as “**Exhibit D**”, surface and underground improvements within the Subject Property and public right-of-way dedicated to the Village including, but not limited to,

street pavement, curb and gutter, sidewalk, parkway grass, storm sewer system, sanitary sewer system, water distribution system, stormwater volume control and detention facilities, and street lighting system in accordance with the permitted site improvement plan, “Site Development, Ponto Collection Subdivision,” prepared by Civiland PLLC, dated January 19, 2023 (revised August 23, 2023), and approved by the Village on September 1, 2023, under Permit PB 23-0038, a copy of which is attached hereto and made a part hereof and is marked as “**Exhibit E**” (“Site Improvement Plan”); and

WHEREAS, pursuant to Section 12-8-3:A.3, the Village Engineer provided a signed statement, “Certificate of Substantial Conformance of Constructed Improvements,” dated January 18, 2023, a copy of which is attached hereto and made a part hereof, and is marked as “**Exhibit F**”, certifying that the improvements described in Developer’s plans and specifications, together with the supporting documents and agreements, meet the minimum requirements of the Village, county, state, and other authorities having jurisdiction and that improvements comply as herein provided, except as noted on “Exhibit D”; and

WHEREAS, the Village staff has recommended that street pavement, curb and gutter, sidewalk, and parkway area constructed or installed in the public right-of-way dedicated to the Village as depicted the Site Improvement Plan should be accepted by the Corporate Authorities following completion of applicable restoration identified in “Exhibit D”; and

WHEREAS, the Village staff has recommended and the Developer has agreed the ownership of the water distribution system and sanitary sewer system improvements installed as part of the Site Improvement Plan within the right-of-way or on the Subject Property should be accepted by the Corporate Authorities up to and including the connection to the Village’s water and sanitary sewer mains under Shermer Road, but the Developer and, ultimately the homeowner’s association, will be responsible for the continuity, care, conservation, maintenance and operation up to and including the connection to the Village’s water mains; and

WHEREAS, the Village staff has recommended, and Developer has agreed that the following improvements will NOT be accepted by the Village and shall remain the property of the Developer or its successor:

1. All portions of the street improvements installed as part of the Site Improvement Plan within the Subject Property;

2. The storm sewer system and stormwater volume control and detention facilities improvements installed as part of the Site Improvement Plan within the public right-of-way or on the Subject Property up to and including the connection to the Village's Shermer Road storm sewer; and
3. Street lighting system improvements installed or to be installed as part of the Site Improvement Plan within the Subject Property

WHEREAS, pursuant to Section 12-8-3:C.7, the Developer furnished a required good and sufficient security to guarantee the performance of and payment for the improvements included in the approved site plan; and

WHEREAS, Section 12-8-3:D requires a maintenance agreement for the repair or replacement of defective materials and workmanship for a period of time extending two (2) years for improvements constructed in the public right-of-way and a guarantee in the amount of ten percent (10%) of the value of those improvements; and

WHEREAS, Developer has met all of the conditions required for accepting public improvements and releasing the security specified in Section 12-8-3:D, except delivering an executed maintenance agreement and guarantee and the improvements and restoration identified in "Exhibit D"; and

WHEREAS, the Corporate Authorities have considered this matter at a Public Meeting and find, pursuant to the relevant provisions of the Village of Morton Grove Unified Development Code, the proposed Final Plat of Subdivision to be in accordance with applicable ordinances of the Village of Morton Grove for a Subdivision, subject to the conditions and restrictions as set herein.

NOW, THEREFORE, BE IT ORDAINED BY THE PRESIDENT AND BOARD OF TRUSTEES OF THE VILLAGE OF MORTON GROVE, COOK COUNTY, ILLINOIS, AS FOLLOWS:

SECTION 1: Incorporation by Reference. The Corporate Authorities do hereby incorporate the foregoing WHEREAS clauses into this Ordinance, as though fully set forth herein, thereby making the findings as hereinabove set forth:

SECTION 2: Approval of Final Plat of Subdivision. The Corporate Authorities do hereby approve the Final Plat of Subdivision for a Subdivision to be known as the Ponto Collection Subdivision to create seven (7) new lots of record for the property commonly known 9312 Shermer Road and legally described in **Exhibit A**.

SECTION 3: Conditions. The Final recorded Plat of Subdivision shall be subject to the following conditions:

- A. The Final recorded Plat of Subdivision shall be in accordance with the approved “Plat of the Ponto Collection Subdivision,” prepared by A.P. Surveying Company, P.C., dated January 3, 2024.
- B. The property and buildings shall be operated consistent with the plans and supporting documents in the application, and any necessary modifications to accommodate code compliance requirements as finalized and specifically approved in writing by the Village Administrator or his/her designee, including:
 - a. “Plat of the Ponto Collection Subdivision,” prepared by A.P. Surveying Company, P.C., dated January 3, 2024;
 - b. “Declaration Of Rights, Covenants, Conditions, Restrictions, and Easements for the Ponto Collection Single Family Homeowner Association,” prepared by Kolpak Law Group LLC, dated November 7, 2023; and
 - c. “Site Development, Ponto Collection Subdivision,” prepared by Civiland PLLC, dated January 19, 2023 (revised August 23, 2023), and approved by the Village on September 1, 2023, under Permit PB 23-0038.
- C. Prior to the issuance of a certificate of occupancy for any single-family detached dwelling unit on the Subject Property, all improvements within the Subject Property and adjacent public right-of-way depicted in the Site Improvement Plan shall be constructed by the Developer in accordance with approved plans, specifications, and Ordinance 23-02, subject to review and approval of the Village Engineer.

SECTION 4: Filing of Final Plat of Subdivision. The Developer or his/her successor shall file the Final Plat of Subdivision and declaration with the Clerk of Cook County, Illinois, in accordance with Section 12-8-3 of the Village Code.

SECTION 5: Acceptance of Improvements

- A. The Corporate Authorities hereby accept ownership and perpetual maintenance of the curb and gutter, sidewalk, and parkway constructed or installed in the public right-of-way as part of the Site Improvement Plan.
- B. The Corporate Authorities hereby accept ownership of the water mains (not including water service lines) installed as part of Site Improvement Plan within the public right-of-way or on private property up to and including the connection to the Village’s water main under Shermer Road, provided that the Developer and, ultimately the homeowner’s association, retains responsibility for the continuity, care, conservation, maintenance and operation up to and including the connection to the Village’s water mains.

- C. The Corporate Authorities hereby accept ownership of the sanitary sewer main (not including building sewer lines) installed as part of Site Improvement Plan within the public right-of-way or on private property up to and including the connection to the Village's sanitary sewer main under Shermer Road, provided that the Developer and, ultimately the homeowner's association, retains responsibility for the continuity, care, conservation, maintenance and operation up to and including the connection to the Village's sanitary sewer main.
- D. The Corporate Authorities do NOT accept ownership or maintenance obligations of any improvements not specifically described in Subsection A, B or C of this Section 5 including, but not limited to:
 - a. All portions of the street pavement curb and gutter, sidewalk, parkway, parking area, and driveway improvements installed as part of the Site Improvement Plan within the Subject Property;
 - b. The storm sewer improvements and stormwater volume control and detention facilities installed as part of the Site Improvement Plan within the public right-of-way or on the Subject Property up to and including the connection to the Village's Shermer Road storm sewer;
 - c. The street lighting improvements installed or to be installed as part of the Site Improvement Plan within the Subject Property.

SECTION 6: Performance Guarantee. The Village Administrator or his designee is authorized to take all steps necessary to release all performance guarantees on behalf of the Village when appropriate.

SECTION 7: Effective Date. The Ordinance shall be in full force and effect from and after its passage, approval and publication in pamphlet form according to law; the Developer or his/her successors had recorded Final Plat of Subdivision, in accordance with Section 12-8-3 of the Village Code, recorded this Ordinance with the Recorder of Deeds of Cook County, Illinois, and has provided the evidence of such recordings to the Village of Morton Grove; completion by the Developer and approval by the Village of all outstanding work identified in "Exhibit D"; and following receipt of an executed maintenance agreement and guarantee from Developer.

Passed this 13th day of February 2024.

Trustee Khan _____

Trustee Minx _____

Trustee Shiba _____

Trustee Travis _____

Trustee Thill _____

Trustee Witko _____

Approved by me this 13th day of February 2024.

Daniel P. DiMaria, Village President
Village of Morton Grove
Cook County, Illinois

Attested and Filed in my office this
14th day of February 2024.

Eileen Scanlon Harford, Village Clerk
Village of Morton Grove
Cook County, Illinois

LIST OF EXHIBITS

EXHIBIT A	Legal Description
EXHIBIT B	Plat of Survey
EXHIBIT C	Final Plat of Subdivision
EXHIBIT D	List and Plan of Uncompleted Required Work
EXHIBIT E	Site Improvement Plan
EXHIBIT F	Certificate of Conformance of Constructed Improvements

EXHIBIT A

LEGAL DESCRIPTION

9312 SHERMER ROAD, MORTON GROVE 60053

THE SOUTH HALF OF THE NORTH 30 ACRES OF THE SOUTH HALF OF THE NORTHEAST QUARTER OF SECTION 13, TOWNSHIP 41 NORTH, RANGE 12 EAST OF THE THIRD PRINCIPAL MERIDIAN (EXCEPT THAT PART LYING EAST OF THE WEST LINE OF TELEGRAPH ROAD, ALSO KNOWN AS SCHERMERVILLE AVENUE) EXCEPT THE WEST 1885.88 FEET;

ALSO

THAT PART LYING EAST OF THE WEST 1885.88 FEET OF THAT PART OF THE NORTHEAST QUARTER OF SECTION 13, TOWNSHIP 41 NORTH, RANGE 12 EAST OF THE THIRD PRINCIPAL MERIDIAN, LYING NORTH OF AND ADJOINING THE SOUTH 818.40 CHAINS NORTH OF NORTH LINE OF SOUTH 1/2 OF SOUTH 1/2 NORTH 30 ACRES THEREOF ALSO BEING THE NORTH LINE OF LOTS 1-5 INCLUSIVE IN GROVEDALE HOMES UNIT 4 AND LYING SOUTH OF AND ADJOINING THE SOUTH HALF OF THE NORTH 30 ACRES OF THE SOUTH HALF OF THE NORTHEAST QUARTER AFORESAID (EXCEPT THAT PART LYING EAST OF THE WEST LINE OF TELEGRAPH ROAD) IN COOK COUNTY, ILLINOIS.

PROPERTY INDEX NUMBER:

09-13-219-042-0000

LEGEND

- Storm CB
San Clean Out
Water MH
Water Buffalo Box
Water Fire Hydrant
Utility Pole
Guy Anchor
Tree - Deciduous
Tree - Evergreen
Sign Post
Unclassified Manhole
Iron Pipe
JULIE Mark - Water

A=ASPHALT ELEVATION
GR=GRAVEL ELEVATION
FFE=FINISHED FLOOR ELEVATION
W=WALK ELEVATION
X=CONCRETE ELEVATION
TOE=TOP OF SLOPE ELEVATION
TOB=TOP OF BANK ELEVATION
C=CURB ELEVATION
G=GUTTER ELEVATION
EL=ELEVATION
TW=TOP OF WALL ELEVATION
BK=BRICK ELEVATION

GREMLEY & BIEDERMANN

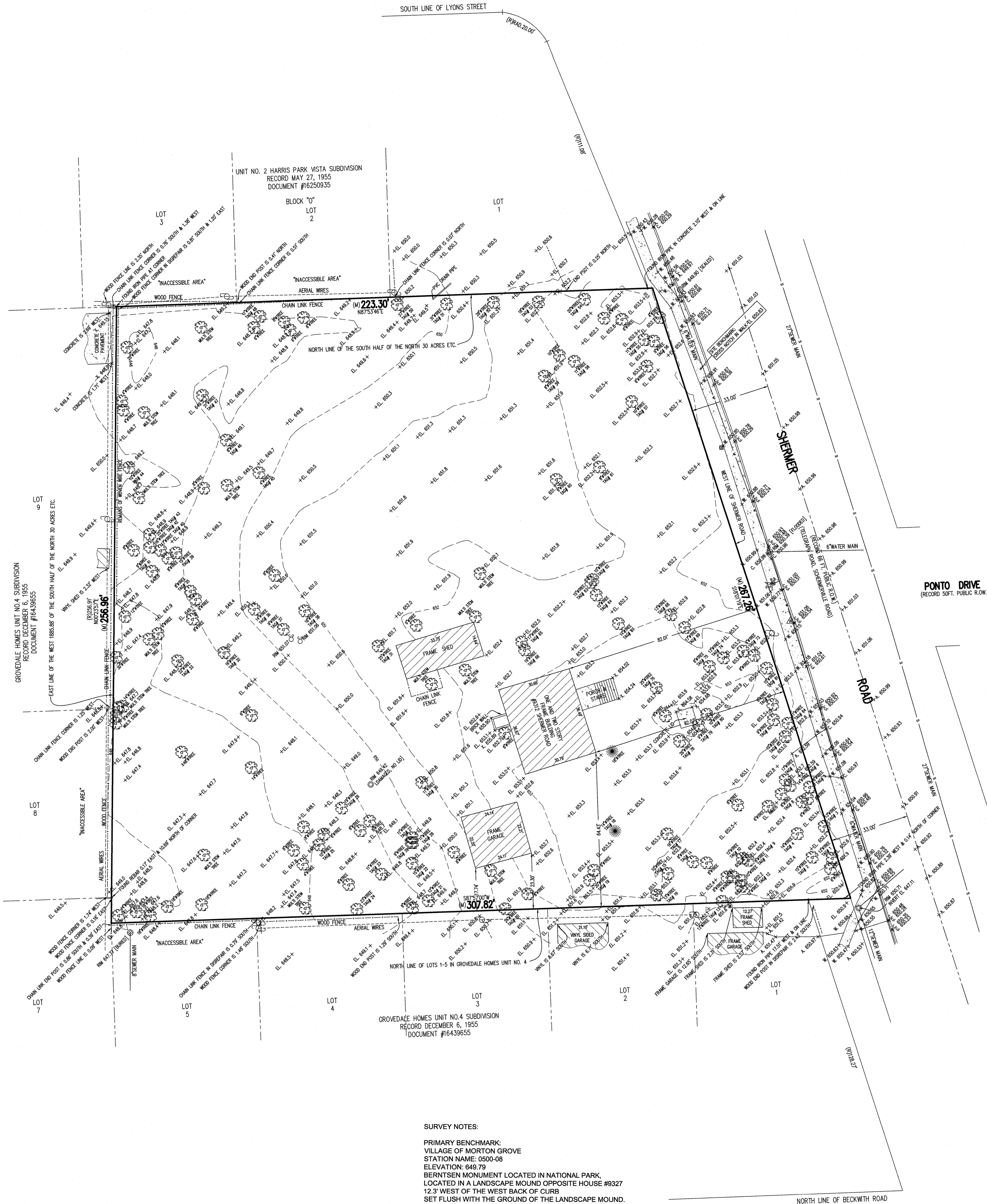
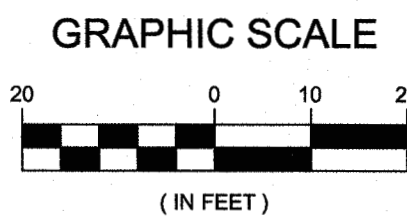
A DIVISION OF
PLCS Corporation
LICENSE NO. 184-005332
PROFESSIONAL LAND SURVEYORS
4505 NORTH ELSTON AVENUE, CHICAGO, IL 60630
TELEPHONE: (773) 685-5102 EMAIL: INFO@PLCS-SURVEY.COM

Plat of Survey

THE SOUTH HALF OF THE NORTH 30 ACRES OF THE SOUTH HALF OF THE NORTHEAST QUARTER OF SECTION 13, TOWNSHIP 41 NORTH, RANGE 12 EAST OF THE THIRD PRINCIPAL MERIDIAN, LYING NORTH OF AND ADJOINING THE SOUTH 818.40 CHAINS NORTH OF NORTH LINE OF SOUTH 1/2 OF SOUTH 1/2 NORTH 30 ACRES THEREOF ALSO BEING THE NORTH LINE OF LOTS 1-5 INCLUSIVE IN GROVEDALE HOMES UNIT 4 AND LYING SOUTH OF AND ADJOINING THE SOUTH HALF OF THE NORTH 30 ACRES OF THE SOUTH HALF OF THE NORTHEAST QUARTER AFORESAID (EXCEPT THAT PART LYING EAST OF THE WEST LINE OF TELEGRAPH ROAD) IN COOK COUNTY, ILLINOIS.

CONTAINING 68,207 SQUARE FEET OR 1.565 ACRES MORE OR LESS.

EXHIBIT B



SURVEY NOTES:

PRIMARY BENCHMARK:
VILLAGE OF MORTON GROVE
STATION NAME: 0500-08
ELEVATION: 649.79
BERNTSEN MONUMENT LOCATED IN NATIONAL PARK,
LOCATED IN A LANDSCAPE MOUND OPPOSITE HOUSE #9327
12.3' WEST OF THE WEST BACK OF CURB
SET FLUSH WITH THE GROUND OF THE LANDSCAPE MOUND.

SECONDARY BENCHMARK:
VILLAGE OF MORTON GROVE
STATION NAME: 0500-09
ELEVATION: 652.96
BERNTSEN MONUMENT LOCATED IN NATIONAL PARK,
LOCATED IN A LANDSCAPE MOUND NORTH OF A PARKING LOT
9.5' SOUTHWEST OF THE CENTERLINE OF A POLE LINE
SET FLUSH WITH THE GROUND OF THE LANDSCAPE MOUND.

UTILITY WARNING

The underground utilities shown have been located from field survey information and existing drawings. The surveyor makes NO guarantee that the underground utilities shown comprise all such utilities in the area, either in service or abandoned. The surveyor further does not warrant that the underground utilities shown are in the exact location indicated although he does certify that they are located as accurately as possible from information available. The surveyor has not physically located the underground utilities.

Call DIGGER - (312) 744-7000 within the City of Chicago.

Outside of the City of Chicago call J.U.L.I.E. (800) 892-0123 prior to construction or excavation.

STATE OF ILLINOIS
COUNTY OF COOK

WE, GREMLEY & BIEDERMANN, INC. HEREBY CERTIFY THAT WE HAVE SURVEYED THE ABOVE DESCRIBED PROPERTY AND THAT THE PLAT HEREON DRAWN IS A CORRECT REPRESENTATION OF SAID SURVEY CORRECTED TO A TEMPERATURE OF 62° FAHRENHEIT.

FIELD MEASUREMENTS COMPLETED ON JUNE 23, 2022.

SIGNED ON JUNE 23, 2022.

BY: *Robert G. Biedermann*

PROFESSIONAL ILLINOIS LAND SURVEYOR NO. 2802
THIS PROFESSIONAL SERVICE CONFORMS TO THE CURRENT ILLINOIS MINIMUM STANDARDS FOR A BOUNDARY SURVEY.



ORDERED BY: VARGA & CO LLC	CHECKED: LB	DRAWN: RL
ADDRESS: 9312 SHERMER ROAD		
GREMLEY & BIEDERMANN A DIVISION OF PLCS CORPORATION LICENSE NO. 184-005332 PROFESSIONAL LAND SURVEYORS 4505 NORTH ELSTON AVENUE, CHICAGO, IL 60630 TELEPHONE: (773) 685-5102 EMAIL: INFO@PLCS-SURVEY.COM		
ORDER NO. 2022-30217-001	DATE: JUNE 23, 2022 SCALE: 1 INCH = 20 FEET	PAGE NO. 1 OF 1

G:\CAD\2022\2022-30217\2022-30217-001.dwg

SURVEY NOTES:

SURVEYOR'S LICENSE EXPIRES November 30, 2022

Note (R&M) denotes Record and Measured distances respectively.

Distances are marked in feet and decimal parts thereof. Compare all points BEFORE building by same and at once report any differences BEFORE damage is done.

For easements, building lines and other restrictions not shown on survey plat refer to your abstract, deed, contract, title policy and local building line regulations.

NO dimensions shall be assumed by scale measurement upon this plat.

Unless otherwise noted hereon the Bearing Basis, Elevation Datum and Coordinate Datum if used is ASSUMED.

COPYRIGHT GREMLEY & BIEDERMANN, INC. 2022 "All Rights Reserved"



A. P. SURVEYING COMPANY, PC.
LICENSE No. 184-003309
PROFESSIONAL DESIGN FIRM-LAND SURVEYING CORPORATION

2121 PARKVIEW COURT
WILMETTE, ILLINOIS 60091
PHONE: 847.853.9364
FAX: 847.853.9391
E-mail: apsurveying@yahoo.com

PLAT OF THE PONTO COLLECTION SUBDIVISION

LOT 1 IN THE PONTO COLLECTION SUBDIVISION, A SUBDIVISION OF THE EAST 1/2 OF THE NORTHEAST 1/4 OF SECTION 13, TOWNSHIP 41 NORTH, RANGE 12, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

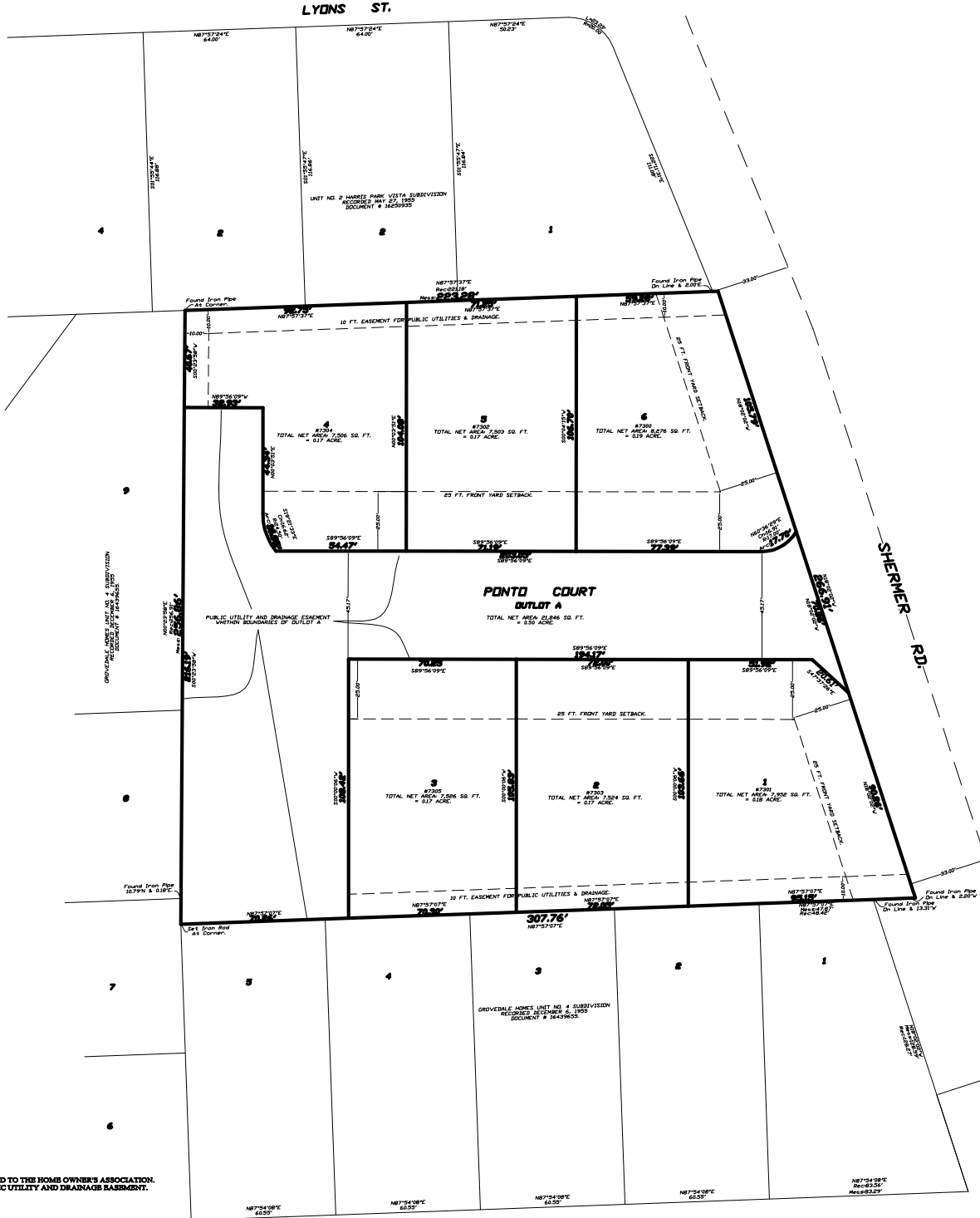
LOT 2 IN THE PONTO COLLECTION SUBDIVISION, A SUBDIVISION OF THE EAST 1/2 OF THE NORTHEAST 1/4 OF SECTION 13, TOWNSHIP 41 NORTH, RANGE 12, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

LOT 3 IN THE PONTO COLLECTION SUBDIVISION, A SUBDIVISION OF THE EAST 1/2 OF THE NORTHEAST 1/4 OF SECTION 13, TOWNSHIP 41 NORTH, RANGE 12, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

LOT 4 IN THE PONTO COLLECTION SUBDIVISION, A SUBDIVISION OF THE EAST 1/2 OF THE NORTHEAST 1/4 OF SECTION 13, TOWNSHIP 41 NORTH, RANGE 12, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

LOT 5 IN THE PONTO COLLECTION SUBDIVISION, A SUBDIVISION OF THE EAST 1/2 OF THE NORTHEAST 1/4 OF SECTION 13, TOWNSHIP 41 NORTH, RANGE 12, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

LOT 6 IN THE PONTO COLLECTION SUBDIVISION, A SUBDIVISION OF THE EAST 1/2 OF THE NORTHEAST 1/4 OF SECTION 13, TOWNSHIP 41 NORTH, RANGE 12, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.



NOTES:

- 1) OUTLOT A TO BE DEDICATED TO THE HOME OWNERS ASSOCIATION.
- 2) P. U. & D. S. DENOTES PUBLIC UTILITY AND DRAINAGE EASEMENT.

THE BEARING BASIS, AND COORDINATE DATUM IS NAD 83 SPC IL EAST ZONE (2011 ADJUSTMENT).
I HAVE MADE NO INDEPENDENT SEARCH OF THE RECORDS FOR EASEMENTS, ENCUMBRANCES, OWNERSHIP OR ANY OTHER FACTS WHICH AN ACCURATE AND CURRENT TITLE SEARCH MAY DISCLOSE AS PART OF THIS SURVEY, BUT HAVE RELIED UPON THE INFORMATION SUPPLIED TO ME BY THE OWNER'S REPRESENTATIVE. I ALSO STATE THAT A TITLE COMMITMENT WAS NOT FURNISHED FOR THIS SURVEY. DIMENSIONS ARE NOT TO BE ASSUMED FROM SCALING.

Order No. 23-9921-SURVEY-01-03-24

Scale: 1 inch = 30 feet.

Date: January 3, 2024

Ordered by: KOLPAK LAW GROUP
ATTORNEYS AT LAW

BECKWITH RD

THIS PROFESSIONAL SERVICE CONFORMS TO THE CURRENT ILLINOIS MINIMUM STANDARDS FOR A BOUNDARY SURVEY. DISTANCES ARE MARKED IN FEET AND DECIMAL PART THEREOF. BUILDING LINES AND EASEMENTS ARE SHOWN ONLY WHERE THEY ARE SO RECORDED IN THE MAPS. OTHERWISE REFER TO YOUR DEED OR ABSTRACT. COMPARE ALL POINTS BEFORE BUILDING BY SAME AND AT ONCE REPORT ANY DIFFERENCE.

State of Illinois s.s.
County of Cook

We, A. P. SURVEYING COMPANY, PC. do hereby certify that we have surveyed the above described property and that, to the best of our knowledge, the plat hereon drawn is an accurate representation of said survey.

Hylton E. Donalson

PROF. IL. LAND SURVEYOR No. 2819
License Expiration: November 30, 2024.



PLAT OF THE PONTO COLLECTION SUBDIVISION



A. P. SURVEYING COMPANY, P.C.
LAND - SURVEYORS
LICENSE No. 184-03309
PROFESSIONAL DESIGN FIRM-LAND SURVEYING
CORPORATION
2121 PARKVIEW COURT
WILMETTE, ILLINOIS, 60091
TEL: 847-833-9364
FAX: 847-833-9391
E-MAIL: apsurveyingcompany@gmail.com

ORDER NUMBER: RS-5581-S-P2
DATE: October 6, 2008

OWNER'S CERTIFICATE AND SCHOOL DISTRICT STATEMENT

STATE OF ILLINOIS)
} SS
COUNTY OF COOK)

9312 SHERMER ROAD DEVELOPMENT LLC, ILLINOIS, DOES HEREBY CERTIFY THAT IT IS THE OWNER OF THE PROPERTY DESCRIBED HEREON AND THAT IT HAS CAUSED SAID PROPERTY TO BE SURVEYED AND RESUBDIVIDED AS SHOWN HEREBON FOR THE USES AND PURPOSES THEREIN SET FORTH AND DOES HEREBY ACKNOWLEDGE AND ADOPT THE SAME UNDER THE STYLE AND TITLE HEREBON SHOWN. IT FURTHER CERTIFIES TO THE BEST OF ITS KNOWLEDGE, THAT THE LAND INCLUDED HEREIN FALLS WITHIN GRADE SCHOOL DISTRICT 63, HIGH SCHOOL DISTRICT 63, AND JUNIOR COLLEGE DISTRICT 207.

SIGNED AT _____, ILLINOIS, THIS ____ DAY OF _____, 20____.

BY: _____ TITLE: _____

NOTARY CERTIFICATE

STATE OF ILLINOIS)
} SS
COUNTY OF COOK)

I, THE UNDERSIGNED, A NOTARY PUBLIC IN AND FOR THE SAID COUNTY IN THE STATE AFORESAID DOES

HEREBY CERTIFY THAT

PERSONALLY KNOWN TO ME OR PROVED TO ME ON THE BASIS OF SATISFACTORY EVIDENCE TO BE THE SAME PERSON WHOSE NAME IS SUBSCRIBED TO THE FOREGOING INSTRUMENT, APPEARED BEFORE ME THIS DAY IN PERSON AND ACKNOWLEDGE THAT HE SIGNED AND DELIVERED SAID INSTRUMENT AS HIS OWN FREE AND VOLUNTARY ACT AND AS THE FREE AND VOLUNTARY ACT OF SAID CORPORATION FOR THE USES AND PURPOSES THEREIN SET FORTH.

GIVEN UNDER MY HAND AND NOTARIAL SEAL THIS ____ DAY OF _____, 20____.

PRINTED NAME

SIGNATURE & SEAL

COOK COUNTY CLERK'S CERTIFICATE

STATE OF ILLINOIS)
} SS
COUNTY OF COOK)

I DO HEREBY CERTIFY THAT THERE ARE NO DELINQUENT GENERAL TAXES, NO UNPAID CURRENT TAXES, NO UNPAID FORFEITED TAXES, AND NO REDEEMABLE TAX SALES AGAINST ANY OF THE LAND INCLUDED IN THIS PLAT.

I FURTHER CERTIFY THAT I HAVE RECEIVED ALL STATUTORY FEES IN CONNECTION WITH THIS PLAT.

GIVEN UNDER MY HAND AND SEAL OF THE COUNTY CLERK,

THIS ____ DAY OF _____, 20____.

SIGNED: _____ COUNTY CLERK

COOK COUNTY RECORDER'S CERTIFICATE

STATE OF ILLINOIS)
} SS
COUNTY OF COOK)

THIS INSTRUMENT, WAS FILED FOR RECORD IN THE RECORDER'S OFFICE OF COOK COUNTY, ILLINOIS, ON

THIS ____ DAY OF _____, 20____ AT ____ O'CLOCK ____M.

AND WAS RECORDED IN BOOK ____ OF PLATS ON PAGE ____

SIGNED: _____ RECORDER OF DEEDS

DESIGN STANDARDS AND ZONING COMPLIANCE

STATE OF ILLINOIS)
} SS
COUNTY OF COOK)

I, COMMUNITY AND ECONOMIC DEVELOPMENT DIRECTOR FOR THE VILLAGE OF MORTON GROVE, HEREBY APPROVE THIS PLAT OF SUBDIVISION FOR COMPLIANCE WITH THE DESIGN STANDARDS ESTABLISHED IN THE SUBDIVISION REGULATIONS AND CONFIRM THAT THE LOTS MEET THE MINIMUM LOT AREA AND FRONTAGE REQUIREMENTS FOR THE UNDERLYING R-1 ZONING DISTRICTS.

DATED THIS ____ DAY OF _____, 20____.

SIGNED: _____ COMMUNITY AND ECONOMIC DEVELOPMENT DIRECTOR

VILLAGE BOARD CERTIFICATE

STATE OF ILLINOIS)
} SS
COUNTY OF COOK)

IN ACCORDANCE WITH (RESOLUTION/ ORDINANCE) NO. _____, THIS PLAT WAS HEREBY ACCEPTED AND APPROVED BY THE PRESIDENT AND BOARD OF TRUSTEES OF THE VILLAGE OF MORTON GROVE, ILLINOIS, AT A MEETING HELD ON

THIS ____ DAY OF _____, 20____.

BY: _____ PRESIDENT

ATTEST: _____ CLERK

PLAN COMMISSION CERTIFICATE

STATE OF ILLINOIS)
} SS
COUNTY OF COOK)

APPROVED BY THE VILLAGE OF MORTON GROVE PLAN COMMISSION AT A MEETING HELD

THIS ____ DAY OF _____, 20____.

BY: _____ CHAIRPERSON

ATTEST: _____ SECRETARY

VILLAGE FINANCE DIRECTOR CERTIFICATE

STATE OF ILLINOIS)
} SS
COUNTY OF COOK)

I, FINANCE DIRECTOR OF THE VILLAGE OF MORTON GROVE, ILLINOIS, DO HEREBY CERTIFY THAT THERE ARE NO DELINQUENT OR UNPAID CURRENT OR FORFEITED SPECIAL ASSESSMENTS OR ANY DEFERRED INSTALLMENTS THEREOF THAT HAVE BEEN APPORTIONED AGAINST THIS TRACT OF LAND.

BY: _____ VILLAGE FINANCE DIRECTOR

DATE: _____

VILLAGE ENGINEER CERTIFICATE

STATE OF ILLINOIS)
} SS
COUNTY OF COOK)

APPROVED BY THE VILLAGE ENGINEER OF THE VILLAGE OF MORTON GROVE ON

THIS ____ DAY OF _____, 20____.

BY: _____ VILLAGE ENGINEER

SURFACE WATER DRAINAGE CERTIFICATE

STATE OF ILLINOIS)
} SS
COUNTY OF COOK)

TO THE BEST OF OUR KNOWLEDGE AND BELIEF, THE DRAINAGE OF SURFACE WATERS WILL NOT BE CHANGED BY THE CONSTRUCTION OF SUCH SUBDIVISION OR ANY PART THEREOF. OR THAT IF SUCH SURFACE WATER WILL BE CHANGED, ADEQUATE PROVISION HAS BEEN MADE FOR COLLECTION, DIVERSION AND DISCHARGE OF SUCH WATERS INTO PUBLIC COLLECTION, DIVERSION AND DISCHARGE OF SUCH WATERS INTO PUBLIC AREAS OR DRAINS WHICH THE SUBDIVIDER HAS THE RIGHT TO USE AND THAT SUCH SURFACE WATERS WILL BE PLANNED FOR IN ACCORDANCE WITH GENERALLY ACCEPTED ENGINEERING PRACTICES SO AS TO REDUCE THE LIKELEHOOD OF SUBSTANTIAL DAMAGE TO THE ADJOINING PROPERTY BECAUSE OF THE CONSTRUCTION OF THE SUBDIVISION.

BY: _____ OWNER

BY: _____ ILLINOIS PROFESSIONAL ENGINEER NO. _____

EASEMENT PROVISIONS

A NON-EXCLUSIVE EASEMENT FOR SERVING THE SUBDIVISION AND OTHER PROPERTY WITH ELECTRICAL AND COMMUNICATIONS SERVICES, GAS, CABLE TELEVISION, STORM WATER DRAINAGE AND SANITARY SEWERS IS HEREBY RESERVED FOR AND GRANTED TO:

COMMONWEALTH EDISON COMPANY,

AT&T TELEPHONE COMPANY,

COMCAST CABLE COMMUNICATION, INC.,

NORTHERN ILLINOIS GAS COMPANY, AN ILLINOIS CORPORATION, DOING BUSINESS AS NICOR GAS COMPANY

THE VILLAGE OF MORTON GROVE

COLLECTIVELY THE "GRANTEE",

THEIR RESPECTIVE SUCCESSORS AND ASSIGNS, JOINTLY AND SEVERALLY, FOR THE PLACEMENT, INSTALLATION, USE, OPERATION, MAINTENANCE, REPAIR, RELOCATION, REPLACEMENT AND REMOVAL OF WATER MAINS, STORM SEWERS, SANITARY SEWERS, DRAINAGE DITCHES AND SWALES, RETENTION PONDS, GAS MAINS, ELECTRICAL LINES, TELEPHONE LINES, FACILITIES USED IN CONNECTION WITH UNDERGROUND TRANSMISSION AND DISTRIBUTION OF ELECTRICITY AND SOUNDS AND SIGNALS, INCLUDING BUT NOT LIMITED TO TELEVISION, DATA AND RADIO SIGNALS, TOGETHER WITH ALL BRACES, GUYS, ANCHORS, MANHOLES, VALVES AND ALL OTHER EQUIPMENT AND APPURTENANCES NECESSARY IN CONNECTION UPON AND UNDER THE SUBDIVISION IN, UNDER, ACROSS, ALONG AND UPON THE SURFACE OF THE PROPERTY SHOWN WITHIN THE DOTTED LINES ON THE PLAT AS A COMMON AREA OR AREAS, AND THE PROPERTY DESIGNATED ON THE PLAT FOR STREETS AND ALLEYS, WHETHER PUBLIC OR PRIVATE, TOGETHER WITH THE RIGHT TO INSTALL REQUIRED SERVICE CONNECTIONS OVER OR UNDER THE SURFACE OF EACH LOT AND COMMON AREA OR AREAS TO SERVE IMPROVEMENTS THEREON OR ON ADJACENT LOTS, COMMON AREA OR AREAS, THE RIGHT TO CUT, TRIM, OR REMOVE TREES, BUSHES AND ROOTS AS MAY BE REASONABLY REQUIRED INCIDENT TO THE RIGHTS HEREIN GIVEN, AND THE RIGHT TO ENTER UPON THE SUBDIVIDED PROPERTY FOR ALL SUCH PURPOSES, OBSTRUCTIONS SHALL NOT BE PLACED OVER THE GRANTEE'S FACILITIES OR IN, UPON OR OVER THE PROPERTY WITHIN THE DOTTED LINES MARKED EASEMENT WITHOUT THE PRIOR WRITTEN CONSENT OF GRANTEE, EXCEPT GARDEN, SHRUBS AND LANDSCAPING MAY BE PLACED OVER ANY SUB SURFACE FACILITIES THAT DO NOT UNREASONABLY INTERFERE WITH THE SAFETY, USEFULNESS OF UNREASONABLY RESTRICT TO, OR PREVENT THE PROMPT MAINTENANCE OF REPAIR OF ANY SUCH SUB SURFACE FACILITIES. AFTER INSTALLATION OF ANY SUCH FACILITIES, THE GRADE OF THE SUBDIVIDED PROPERTY SHALL NOT BE ALTERED IN A MANNER SO AS TO INTERFERE WITH THE PROPER OPERATION AND MAINTENANCE THEREOF.

THE TERM "COMMON ELEMENTS" SHALL HAVE THE MEANING SET FORTH FOR SUCH TERM IN SECTION 2(b) OF "AN ACT IN RELATION TO CONDOMINIUMS" (ILLINOIS REVISED STATUTES, CH. 30, PAR. 302 (b)), AS AMENDED FROM TIME TO TIME.

THE TERM COMMON AREA OR AREAS IS DEFINED AS A LOT, PARCEL OR AREA OF REAL PROPERTY, THE BENEFICIAL USE AND ENJOYMENT OF WHICH IS RESERVED IN WHOLE AS AN APPURTENANCE TO THE SEPARATELY OWNED LOTS, PARCELS OR AREAS WITHIN THE PLANNED DEVELOPMENT, EVEN THOUGH SUCH MAY BE OTHERWISE DESIGNATED ON THE PLAT BY TERMS SUCH AS OUT LOTS, COMMON ELEMENTS, OPEN SPACE, OPEN AREA, COMMON GROUND, PARKING AND COMMON AREA THE TERM COMMON AREA OR AREAS AND COMMON ELEMENTS INCLUDES REAL PROPERTY SURFACED WITH INTERIOR DRIVEWAYS AND WALKWAYS, BUT EXCLUDES REAL PROPERTY PHYSICALLY OCCUPIED BY A BUILDING, SERVICE BUSINESS DISTRICT OR STRUCTURES SUCH AS A POOL OR RETENTION POND, OR MECHANICAL EQUIPMENT

RELOCATION OF FACILITIES WILL BE DONE BY GRANTEE AT COST OF GRANTEE/LOT OWNER, UPON WRITTEN REQUEST.

MUNICIPAL AND UTILITY EASEMENT PROVISION CERTIFICATES:

PLAT AND EASEMENT PROVISIONS SHOWN ON THIS PLAT APPROVED BY:

COMMONWEALTH EDISON COMPANY

APPROVED BY: _____

THIS ____ DAY ____ OF, 20____.

PRINTED NAME: _____ TITLE: _____

AT&T, ILLINOIS BELL TELEPHONE CO. (AMERITECH),

APPROVED BY: _____

THIS ____ DAY ____ OF, 20____.

PRINTED NAME: _____ TITLE: _____

COMCAST CABLE COMMUNICATION, INC.

APPROVED BY: _____

THIS ____ DAY ____ OF, 20____.

PRINTED NAME: _____ TITLE: _____

NORTHERN ILLINOIS GAS COMPANY (NICOR)

APPROVED BY: _____

THIS ____ DAY ____ OF, 20____.

PRINTED NAME: _____ TITLE: _____

VILLAGE OF MORTON GROVE, ILLINOIS

APPROVED BY: _____

THIS ____ DAY ____ OF, 20____.

PRINTED NAME: _____ TITLE: _____

PREPARED BY:

APSURVEYING COMPANY, PC.
2121 PARKVIEW COURT.
WILMETTE, ILLINOIS. 60091
TEL: 847-833-9364
FAX: 847-833-9391
E-MAIL: APSURVEYINGCOMPANY@GMAIL.COM

PLAT PREPARED FOR, SUBMITTED BY AND SEND NEW TAX BILL TO:

MAIL PLAT TO:

VILLAGE OF MORTON GROVE
6101 CAPULINA AVENUE
MORTON GROVE, ILLINOIS 60053

PROFESSIONAL AUTHORIZATION

STATE OF ILLINOIS)
} SS
COUNTY OF COOK)

I, JACK A. ZLOTEK, A PROFESSIONAL LAND SURVEYOR OF THE STATE OF ILLINOIS, LICENSE NUMBER 035-3186, DO HEREBY AUTHORIZE THE VILLAGE OF MORTON GROVE, COOK COUNTY, ILLINOIS, ITS STAFF OR AUTHORIZED AGENT, OR MEDINA GARDENS, LLC. OR ITS AUTHORIZED AGENT, TO PLACE THIS DOCUMENT OF RECORD IN THE COUNTY RECORDERS OFFICE IN MY NAME AND IN COMPLIANCE WITH THE ILLINOIS STATUTES CHAPTER 109 PARAGRAPH 2, AS AMENDED.

SIGNED: _____ DATE: _____

JACK A. ZLOTEL
ILLINOIS PROFESSIONAL LAND SURVEYOR NO. 035-3186
MY LICENSE EXPIRES NOVEMBER 30, 2020.

SURVEYOR'S CERTIFICATE

STATE OF ILLINOIS)
} SS
COUNTY OF COOK)

I, JACK A. ZLOTEK, A REGISTERED LAND SURVEYOR, DO HEREBY CERTIFY THAT I HAVE SURVEYED AND RESUBDIVIDED THE FOLLOWING DESCRIBED PROPERTY:

THE SOUTH 1/2 OF THE NORTH 30 ACRES OF THE SOUTH 1/2 OF THE NORTHEAST 1/4 OF SECTION 13, TOWNSHIP 41 NORTH, RANGE 12, EAST OF THE THIRD PRINCIPAL MERIDIAN, (EXCEPT THAT PART LYING EAST OF THE WEST LINE OF TELEGRAPH ROAD, ALSO KNOWN AS SCHERMERVILLE AVENUE), EXCEPT THE WEST 1885.88 FEET; ALSO THAT PART LYING EAST OF THE WEST 1885.88 FEET OF THAT PART OF THE NORTHEAST 1/4 OF SECTION 13, TOWNSHIP 41 NORTH, RANGE 12, EAST OF THE THIRD PRINCIPAL MERIDIAN, LYING NORTH OF AND ADJOINING THE SOUTH 12.40 CHAINS THEREOF AND LYING S OF AND ADJOINING THE SOUTH 1/2 OF THE NORTH 30 ACRES OF THE SOUTH 1/2 OF THE NORTHEAST 1/4 AFORESAID (EXCEPT THAT PART LYING EAST OF THE WEST LINE OF TELEGRAPH ROAD) ALL IN COOK COUNTY, ILLINOIS

COMMONLY KNOWN AS: 9312 SHERMER ROAD, MORTON GROVE, ILLINOIS.

P.I.N.: 09-13-219-042-0000

I FURTHER CERTIFY THAT UPON COMPLETION OF CONSTRUCTION, IRON PIPES AT ALL INTERIOR LOT CORNERS AND POINTS OF CHANGE IN ALIGNMENT WILL BE SET, AS REQUIRED BY THE PLAT ACT (765 ILCS 205/0.01 ET SEQ.). I FURTHER CERTIFY THAT ALL EXTERIOR CORNERS OF THE SUBDIVISION HAVE BEEN MONUMENTED PRIOR TO RECORDATION OF THE SUBDIVISION PLAT AND THAT CONCRETE MONUMENTS HAVE BEEN SET AS REQUIRED.

I FURTHER CERTIFY THAT THE ABOVE DESCRIBED PROPERTY IS WITHIN THE CORPORATE LIMITS OF THE VILLAGE OF MORTON GROVE, COOK COUNTY, ILLINOIS, WHICH HAS ADOPTED A COMPREHENSIVE CITY PLAN AND IS EXERCISING THE SPECIAL POWER AUTHORIZED BY DIVISION 12 OF ARTICLE 11 OF THE ILLINOIS MUNICIPAL CODE.

I FURTHER CERTIFY THAT BASED ON INFORMATION PROVIDED ON THE FLOOD INSURANCE RATE MAP COMMUNITY - PANEL NO.17031C02411, DATED AUGUST 19, 2008 PRODUCED BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA) FOR COOK COUNTY, ILLINOIS, THE PROPERTY SHOWN AND DESCRIBED HEREON IS LOCATED WITHIN ZONE X, WHICH IS DEFINED BY FEMA AS "AREAS DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOODPLAIN"

THIS PROFESSIONAL SERVICE CONFORMS TO THE CURRENT ILLINOIS MINIMUM STANDARDS FOR A BOUNDARY SURVEY.

SIGNED IN WILMETTE, ILLINOIS, DATE: _____

BY: _____

ILLINOIS PROFESSIONAL LAND SURVEYOR NO. 035-3186

EXPIRATION DATE: NOVEMBER 30, 2022

BLANKET EASEMENT PROVISIONS

An easement for serving the subdivision and other property with electric and communication service is hereby reserved for and granted to

Commonwealth Edison Company
and
SBC - Ameritech Illinois s.k.a. Illinois Bell Telephone Company, Grantees,

their respective licensees, successors and assigns jointly and severally, to construct, operate, repair, maintain, modify, reconstruct, replace, supplement, relocate and remove, from time to time, poles guys, anchors, wires, cables, conduits, manholes, transformers, pedestals, equipment cabinets or other facilities used in connection with overhead and underground transmission and distribution of electricity, communications, sounds and signals in, over, under, across, along and upon the surface of the property shown within the dashed or dotted lines (or similar designation) on the plat and marked "Easement", "Utility Easement", "Public Utility Easement", "P.U.E." (or similar designation), the property designated in the Declaration of Condominium and/or on this plat as "Common Elements", and the property designated on the plat as "common area or areas", and the property designated on the plat for streets and alleys, whether public or private, together with the rights to install required service connections over or under the surface of each lot and common area or areas to serve improvements thereon, or on adjacent lots, and common area or areas, the right to cut, trim or remove trees, bushes, roots and saplings and to clear obstructions from the surface and subsurface as may be reasonably required incident to the rights herein given, and the right to enter upon the subdivided property for all such purposes. Obstructions shall not be placed over Grantees' facilities or in, upon or over the property within the dashed or dotted lines (or similar designation) marked "Easement", "Utility Easement", "Public Utility Easement", "P.U.E." (or similar designation) without the prior written consent of Grantees. After installation of any such facilities, the grade of the subdivided property shall not be altered in a manner so as to interfere with the proper operation and maintenance thereof.

The term "Common Elements" shall have the meaning set forth for such term in the "Condominium Property Act", Chapter 765 ILCS 605/2, as amended from time to time.

The term "common area or areas" is defined as a lot, parcel or area of real property, the beneficial use and enjoyment of which is reserved in whole or as an appurtenance to the separately owned lots, parcels or areas within the planned development, even though such be otherwise designated on the plat by terms such as "outlots", "common elements", "open space", "open area", "common ground", "parking" and "common area". The term "common area or areas", and "Common Elements" include real property surfaced with interior driveways and walkways, but excludes real property physically occupied by a building, Service Business District or structures such as a pool, retention pond or mechanical equipment.

Relocation of facilities will be done by Grantees at cost of the Grantor/Lot Owner, upon written request.

Exhibit D

The following required improvements are included in the PERMITTED SITE IMPROVEMENT PLAN,” prepared by Civiland PLLC, dated June 5, 2023, approved by the Village on September 1, 2023, under Permit PB 23-0038, but the installation or construction of improvements has not been fully completed.

1. Retaining walls in north and south open basins of stormwater management facility.
2. Sidewalk gaps across driveways.
3. Driveway aprons.
4. Hot-mix asphalt pavement surface course.
5. Shermer Road pavement patches and pavement markings.
6. Ditch grading along north and south property lines.
7. Street lighting units.

These locations are graphically depicted on the following page.

This work is to be completed prior to issuing a certificate of occupancy:

EXHIBIT E

SITE IMPROVEMENT PLAN

ON FILE WITH THE DEPARTMENT OF BUILDING AND INSPECTIONAL SERVICES

EXHIBIT F

CERTIFICATE OF CONFORMANCE AND SUBSTANTIAL COMPLETION OF CONSTRUCTED IMPROVEMENTS

Development Legal Name: Ponto Collection Subdivision (9312 Shermer Road, Morton Grove, Illinois)

Developer: Varda and Company, LLC
4900 Madison Street Unit B
Skokie, Illinois 60077

I, Chris Tomich, as Village Engineer of Morton Grove, certify the following, specific, individual improvements required to be constructed or installed in, or upon, such streets or thoroughfares in connection with the approval of the plat of subdivision by the village board of trustees, have been fully completed and the construction or installation thereof has been approved by him:

- Curb and gutter, pavement aggregate base, pavement hot-mix asphalt binder course, brick paver pavement, and parkway grass on Ponto Court.
- Curb and gutter, sidewalk, and parkway grass on Shermer Road.
- Storm sewer system.
- Sanitary sewer system.
- Water distribution system.
- Stormwater detention facility.

I further certify the following work has not been fully completed due to inclement weather or the lack of availability of necessary materials, but that the site improvements are substantially complete for the purpose of constructing residential buildings:

- Retaining walls in north and south open basins of stormwater management facility.
- Sidewalk gaps across driveways.
- Driveway aprons.
- Hot-mix asphalt pavement surface course.
- Shermer Road pavement patches and pavement markings.
- Ditch grading along north property line.
- Street lighting units

The Village shall not issue a certificate of occupancy for any lot within Ponto Collection Subdivision until the improvements are completed and approved by the Village.

Signed



Date

1/18/24