



**VILLAGE BOARD OF TRUSTEES
REGULAR MEETING NOTICE/AGENDA
July 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 – July 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**
 - b. Corporation Counsel**
- 11. Reports by Trustees**
 - a. Trustee Khan** – *Finance Department, Appearance Commission, Lehigh/Ferris TIF (Trustee Travis)*

- 1) **Ordinance 24-11** (*Introduced July 9, 2024*)(*Second Reading*): Amending Title 1 Chapter 8a Section 2 Entitled “Village Administrator” and Title 1 Chapter 9a Section 8 Entitled “Change Orders” to Increase the Purchasing Authority of the Village Administrator
 - 2) **Ordinance 24-12** (*Introduced July 9, 2024*)(*Second Reading*): Amending Title 1 Chapter 11 and Title 7 Chapter 1 Section 9 of the Municipal Code of the Village of Morton Grove to Update the Village Fee Schedule and Establish a Process to Permit Encroachments in the Public Right of Way
- b. **Trustee Minx** – *Fire Department, Fire Pension Board, Fire and Police Commission, Special Events Commission, RED Center, NIPSTA (Trustee Thill)*
 - 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 24-42:** Authorizing a Contract with Alliance Contractors Inc. for Construction of the Gateway Plaza Improvements Project
 - 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 24-13** (*Introduced July 9, 2024*)(*Second Reading*): Amending Title 4 Chapter 4 Section 9 Entitled “Suspension and Revocation” and Amending Title 4 Chapter 4 Section 10 Entitled “Appeal” to Modify and Establish Regulations Relating to the Suspension or Revocation of Certificates of Occupancy of Business Operations in Morton Grove, Illinois

12. Other Business

13. Presentation of Warrants: \$1,058,046.51

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
JULY 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 and led the assemblage in the Pledge of Allegiance.
- II. Village Clerk Eileen Harford called the roll. Present were Trustees Saba Khan, Rita Minx, Ashur Shiba, John Thill, Connie Travis, and Janine Witko.

III. **APPROVAL OF MINUTES**

Mayor DiMaria asked for a motion to approve the Minutes of the June 25, 2024 Village Board Meeting as presented. Trustee Minx so moved, seconded by Trustee Witko. **Motion passed via voice vote with 6 ayes, 0 nays.**

IV. **SPECIAL REPORTS**

NONE

V. **PUBLIC HEARINGS**

NONE

VI. **PLAN COMMISSION REPORTS**

NONE

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

NONE

VIII.

PRESIDENT'S REPORT

1. Mayor DiMaria said this is the first Village Board meeting with the new Village Administrator, Charles L. (Chuck) Meyer. The only thing left to do before Mr. Meyer is “official” is to administer the Oath of Office to him, which Mayor DiMaria came to the podium to do. Mr. Meyer was accompanied by his wife, Alyssa, and their two daughters, Dorothy and Eileen. Chuck noted that Alyssa’s grandparents had been 60-year residents of Morton Grove.
 - a. Following the Oath, Mayor DiMaria said that Chuck had been “thrown into the fire” with the Morton Grove Days event. He said that he knew Chuck was the right choice, especially after he’d seen Chuck helping someone who had overindulged in the Beer Garden get across Dempster street. The mayor said he found that thoughtfulness impressive.
2. Speaking of Morton Grove Days, Mayor DiMaria said the Village once again hosted this event, which saw four days of music and entertainment for the whole family. This year’s festivities continued the Village’s tradition of a great and safe event as it celebrated the 248th anniversary of declaring our independence from England. Mayor DiMaria thanked the entire Special Events Commission, headed by Park Board Trustee Paul Minx and Village Trustee Rita Minx. He noted that they had spent countless hours at the event, and without their leadership and dedication, this would NOT be the same event.
 - a. Mayor DiMaria also thanked the Morton Grove residents for continuing to demonstrate how special we are as a community. He said he was able to show how Morton Grove is the best Village in the world to representatives from Norway, the President of the Parliament, Masud Gharakhani, and the Ambassador to Norway, Anniken Krutnes. Both men joined the Mayor on the Fourth of July for a “meet and greet” and also to visit and mingle with our residents.
3. Mayor DiMaria noted that, on Tuesday, August 6, from 5:30 to 8:30pm, the Morton Grove Police Department will host “National Night Out.” This is a free event to enhance the relationship between residents and law enforcement while fostering a greater sense of community. It gets bigger and better every year! Family-friendly activities, entertainment, and refreshments will be available. This event takes place in the parking lot of the American Legion Memorial Civic Center, 6140 Dempster.
4. Mayor DiMaria encouraged everyone to stay up-to-date on the latest Village events and news by signing up for E-News and following the Village on Facebook and Instagram.

IX.

CLERK'S REPORT

Clerk Harford had no formal report this evening.

X. **STAFF REPORTS**

A. Village Administrator:

Mr. Meyer had no formal report this evening.

B. Corporation Counsel:

Corporation Counsel Liston had no formal report this evening.

XI. **TRUSTEES' REPORTS**

A. Trustee Khan:

1. Trustee Khan presented for a first reading **Ordinance 24-11, Amending Title 1, Chapter 8A, Section 2 Entitled "Village Administrator" and Title 1, Chapter 9A, Section 8 Entitled "Change Orders" to Increase the Purchasing Authority of the Village Administrator.**
 - a. Trustee Khan explained that in February 2022, the Corporate Authorities amended Section 1-9A-4 of the Village Code to modify the Village's competitive bidding process to allow the Village Administrator to approve Village expenditures under the amount of \$25,000 without the approval of the Village Board, in conformity with Illinois Public Act 100-338 (65ILCS 5/8-9-1) and (65 ICLS 5/4-5-11). A recent review of the Village Code has disclosed a discrepancy among Sections 1-9A-4 and Sections 1-8A-2 and 1-9A-8. This Ordinance will amend Sections 1-8A-2 and 1-9A-8 to confirm that the Village Administrator's authority to approve purchases and change orders less than \$25,000 without Board approval is consistent with Village Code, Section 1-9A-4.

As this is the first reading of this Ordinance, no action will be taken this evening.

B. Trustee Minx:

1. Trustee Minx had no formal report this evening, but wanted to give a long-overdue report on the Highlights from the Fire Department's 2023 Annual Report. She said the department had a productive year planning and implementing new projects and processes. Planning for a new engine and construction projects at both fire stations took place. Department members spent over 18,000 hours training in emergency medicine and fire operations. This included training with our mutual aid partners as well as the MG Police Department and Public Works. The Fire Prevention Bureau completed over 1,000 inspections, plan reviews, and public education events.
 - a. Also, for the first time, the Fire Department participated in the Citizens Police and Fire Academy. The department had two nights where personnel gave a history of the department, explaining the day-in and day-out activities of being a firefighter, presented in both classroom and hands-on activities for the attendees.

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

B. Trustee Minx: (continued)

- b. In an effort to expand the cancer prevention program, the Fire Department implemented a third-party personal protective equipment cleaning and inspection program. The department again provided auto extrication training to the paramedic class from Lutheran General Hospital. The department has been doing this since 2013.
- c. In October, the department hosted its second open house, attracting over 300 community members for a day filled with both learning and hands-on activities. This year, the department had food trucks available and partnered with Morton Grove’s animal rescue organization, Wright-Way Rescue, by raising over \$1,000 through t-shirt sales and generous donations.
- d. By the end of the year, the Fire Department had been out on 2,626 EMS calls and 1,669 fire calls. She asked for a round of applause for Chief Ensign and all the members of the Morton Grove Fire Department for doing a great job of protecting the lives of the residents of the community.

C. Trustee Shiba:

Trustee Shiba announced the 2024 Sustainability Expo has been set for Saturday, September 14, from 10:00am to 1:00pm at the Morton Grove Civic Center. The Village is currently looking for exhibitors and sponsors to join this year’s event. For more information, visit the Village’s website.

D. Trustee Thill:

- 1. Trustee Thill presented **Resolution 24-41, Appointing a Director and Alternate Director to the Solid Waste Agency of Northern Cook County (SWANCC),**
 - a. Trustee Thill said SWANCC is an intergovernmental agency serving 23 municipalities, including Morton Grove. It was established in 1988 to facilitate effective, competitive, and environmentally sound collection, transportation, transfer, processing, treatment, storage, disposal, recovery and reuse of municipal waste for its members. The Board of Directors approves the yearly budget for the Agency and sets policy for the region’s long-term plan to manage the area’s solid waste. Every two years, the Village appoints a Direct and Alternate Director to serve on SWANCC’s Board of Directors to represent the Village’s interests. This Resolution will appoint Trustee John Thill as the Village’s Director and Village Administrator Charles Meyer as its Alternate Director.

Trustee Thill moved to approve Resolution 24-41, seconded by Trustee Travis.

Motion passed: 6 ayes, 0 nays.

Tr. Khan	<u>aye</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)

Trustee Thill told Mr. Meyer, "Chuck, I will be using a lot of back up!"

2. Next, Trustee Thill introduced **Ordinance 24-12, Amending Title 1, Chapter 11, Section 4 Entitled "Fees For Specific Permits, Licenses, Certificates, and Services" of the Municipal Code of the Village of Morton Grove to Update the Fees for Small Cell Facilities.**
 - a. In June of 2020, the Village Board amended Title 1 of the Village Code to add a new Chapter 11 entitled "Fees" to provide a comprehensive fee schedule for various licenses, permits, and services authorized by the Code set forth in one location of the Code so that it could be easily referenced by the public and annually reviewed by Village staff as part of the annual budget process. A recent review of the Village's fees disclosed that fees related to small cell facilities on utility-owned structures, currently \$1,500 for the permit application fee and \$1,500 for the first year's license fee exceed the maximum application fees set by Public Act 100-0585, Section 15(e)(1), which is \$650 for the permit application for co-locating a small wireless facility on an existing utility pole or wireless support structure, and \$350 for multiple facilities after the initial \$650 fee has been paid, and an annual license fee for co-location on a Village-owned utility pole within the right-of-way of \$200 (or the actual, direct, and reasonable costs related to the usage). This Ordinance will amend Sections 1-11-4 of the Village Code to make fees related to small cell facilities in conformance with Public Act 100-0585.

As this is the first reading of this Ordinance, no action will be taken this evening.

3. Trustee Thill complimented the Public Works Department. He said he went down Dempster Street the day after the Parade and the Fireworks, and the street was so clean, you'd never know the parade even happened! He asked Mike Lukich to pass on his compliments to the Public Works staff.

E. Trustee Travis:

1. Trustee Travis gave a Community Relations report. She said, regarding the Adopt-A-Planter Summer Program, that all the planters are blooming. She gave special thanks to the program's volunteers, and reminded them to visit their planters regularly, and to let the Village know if they have any questions or concerns.
 - a. Also, the Summer Photo Contest opened on May 27 and ends on Labor Day. The theme is "Summer in Morton Grove." More information can be found on the Village's website.
 - b. Block Party Kits are available on the Village's website. They include everything you need to plan and host a successful block party.

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

E. Trustee Travis: (continued)

2. Lastly, Trustee Travis had a Public Safety comment. She said all residents are encouraged to visit the Village's website or go to smart911.com to create a safety profile and access emergency alerts and notifications. This will help first responders in emergency situations and help keep the residents aware of any ongoing emergencies.

F. Trustee Witko:

1. Trustee Witko introduced **Ordinance 24-13, Amending Title 4, Chapter 4, Section 9 Entitled "Suspension and Revocation" and Amending Title 4, Chapter 4, Section 10 Entitled "Appeal" to Modify and Establish Regulations Relating to the Suspension or Revocation of Certificates of Occupancy of Business Operations in Morton Grove, Illinois.**
 - a. She explained that, currently, Village staff enforces Village-wide regulations regarding business compliance pursuant to Title 4, Chapter 4 of the Village Code, which establishes requirements for compliance certificates (Section 4-4-1) and the process for the suspension or revocation of compliance certificates or business licenses (Section 4-4-9). These regulations currently do not provide adequate recourse for the Village if the businesses are noncompliant with applicable regulations and are non-responsive to appropriately issued citations, fines, and the adjudication process.
 - b. Trustee Witko said, in accordance with Section 4-4-1, staff have withheld issuing Business Compliance Certificates (BCC) to numerous businesses for a variety of reasons, such as failure to pay fees or taxes, or for outstanding code violations. While most businesses comply with Village regulations and receive their BCC, some businesses continue to operate without a BCC and fail to respond to citations or administrative hearing requests. When this occurs, staff does not have a means of obtaining compliance except for levying additional fines, which has proven to be ineffective in many cases. The ability to revoke Certificates of Occupancy will help obtain compliance in extreme cases and help ensure all businesses in the Village are operating safely and within the confines of the law.
 - c. The amendments proposed by this Ordinance will:
 - Grant the Village Administrator the authority to suspend or revoke certificates and licenses. Currently this authority is granted to the Village's Adjudication Officer;
 - Expand the list of items that may be suspended or revoked to include Certificates of Occupancy, Business Compliance Certificates, and Business Licenses;
 - Extend the maximum suspension period from 30 days to 60 days;
 - Clarify the basis for suspending or revoking permits, licenses, and certificates; and
 - Modify the appeal and notification process to provide that appeals are heard by the Village Adjudication Hearing Officer.

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

F. Trustee Witko: (continued)

Trustee Witko said, as this is a first reading of this Ordinance, no action will be taken this evening.

XII. **OTHER BUSINESS**

NONE

XIII. **WARRANTS**

Trustee Khan presented the Warrant Register for July 9, 2024 in the amount of \$433,557.11. She moved to approve the Warrants as presented, seconded by Trustee Minx.

Motion passed: 6 ayes, 0 nays.

Tr. Khan	<u>aye</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>

XIV. **RESIDENTS' COMMENTS**

1. **Rudy Vilk** expressed concern with the way the Village handles auctioning off its obsolete vehicles. Only one vehicle had its mileage listed. He also objected to the fact that the Mayor had not called him by name to come forward for Residents Comments at the last meeting. Mr. Vilk had a number of other unintelligible complaints.

2. Trustee Thill pointed out that this portion of the meeting was to allow any resident an opportunity to address the Board for the good of the community. Mr. Vilk, for the last seven years, has done nothing but make false and outlandish accusations against the Board and the Village staff. He claims that the Board members do not want to speak with him after the meeting. This is true, and the reason is, because when they do speak with him, he distorts what they say. He claims the answers he gets are not the "true" answers—not the answers he wants. He will not accept the truth. He says that we do not read his letters. Trustee Thill said, "I'd like to read a few of the statements he's made in his last letter: 'Any visitor to the Village, which is a public place, should not see the blinds of the windows of the Village employees, unless they are facing a sunny side, regardless of who is sitting there, because it raises a lot of questions. The employee is not at work and the lights in the office are on, portraying the presence of the employee at work. Is the employee in there sleeping? Is the employee playing on the computer? Is the employee doing something illegal? The employee is trying to hide their absence from work. And it's almost impossible to check what's going on with Mr. Czerwinski's office?'" Trustee Thill told Mr. Vilk, "That's not your business."

XIV. RESIDENTS' COMMENTS (continued)

- a. Trustee Thill continued reading statements from Mr. Vilks's most recent letter. He read, "The mayor is the chairman of the meeting, but he has no right to give his opinion. I think that the members of the Board of Trustees will soon realize what a mistake they made, as any lies from the administration, they will be responsible for. The mayor refuses to sign his answers when he gives them to me." Trustee Thill said to Mr. Vilks, "You have no right to ask for that."
- b. Trustee Thill said Mr. Vilks comes to Village Hall and disrupts Village staff whenever he wants. Trustee Thill said, personally, he thinks Mr. Vilks should be banned from Village Hall during business hours. He said Mr. Vilks writes, "They think everyone is stupid." Trustee Thill said, "We don't think *everyone* is stupid."

XV. ADJOURNMENT

Trustee Minx moved to adjourn the meeting, seconded by Trustee Witko. **Motion passed unanimously via voice vote.**

The meeting adjourned at 7:25 p.m.

PASSED this 23rd day of July, 2024.

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

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

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

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

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

Minutes by Teresa Cousar

Legislative Summary

Ordinance 24-11

**AMENDING TITLE 1 CHAPTER 8A SECTION 2 ENTITLED “VILLAGE ADMINISTRATOR” AND
TITLE 1 CHAPTER 9A SECTION 8 ENTITLED “CHANGE ORDERS” TO INCREASE THE
PURCHASING AUTHORITY OF THE VILLAGE ADMINISTRATOR**

Introduction:	July 9, 2024
Purpose:	To amend sections of Title 1 Chapters 8 and 9 to correct a discrepancy with Section 1-9A-4 of the Village Code to confirm the Village Administrator’s authority to approve purchases and change orders up to \$25,000.
Background:	On February 15, 2022, pursuant to Ordinance 22-01, the Corporate Authorities amended Section 1-9A-4 of the Village Code to modify the Village’s competitive bidding process to allow the Village Administrator to approve Village expenditures under the amount of \$25,000 without the approval of the Village Board in conformity with Illinois Public Act 100-338, (65 ILCS 5/8-9-1) and (65 ILCS 5/4-5-11). A recent review of the Village Code has disclosed a discrepancy among Sections 1-9A-4 and Sections 1-8A-2 and 1-9A-8. This Ordinance will amend Sections 1-8A-2 and 1-9A-8 to confirm that the Village Administrator’s authority to approve purchases and change orders less than \$25,000 without Board approval consistent with Village Code Section 1-9A-4.
Programs, Dept’s, Groups Affected	Administration and Finance
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
Second Reading:	July 23, 2024
Special Considerations or Requirements:	None

Submitted by – Charles L. Meyer, Village Administrator
Reviewed by – Zoe Heidorn, Assistant Village Administrator
Reviewed by – Hanna Sullivan, Finance Director
Prepared by – Teresa Hoffman Liston, Corporation Counsel

ORDINANCE 24-11

AMENDING TITLE 1 CHAPTER 8A SECTION 2 ENTITLED “VILLAGE ADMINISTRATOR” AND TITLE 1 CHAPTER 9A SECTION 8 ENTITLED “CHANGE ORDERS” TO INCREASE THE PURCHASING AUTHORITY OF THE VILLAGE ADMINISTRATOR

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, on February 15, 2022, pursuant to Ordinance 22-01, the Corporate Authorities amended Section 1-9A-4 of the Village Code to modify the Village’s competitive bidding process to allow the Village Administrator to approve Village expenditures under the amount of \$25,000.00 without the approval of the Village Board in conformity with Illinois Public Act 100-338, (65 ILCS 5/8-9-1) and (65 ILCS 5/4-5-11); and

WHEREAS, a recent review of the Village Code has disclosed a discrepancy among Sections 1-9A-4 and Sections 1-8A-2 and 1-9A-8; and

WHEREAS, in order to correct this discrepancy, it is necessary to amend Sections 1-8A-2 and 1-9A-8 to confirm that the Village Administrator’s powers include the authority to make purchases and change orders for less than \$25,000 without Board approval.

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 1, Chapter 8A, Section 2, entitled, “Village Administrator,” is hereby amended to read as follows:

1-8A-2: VILLAGE ADMINISTRATOR

1. Residency. Within twelve months after first being appointed, the Village administrator shall become a resident of the Village of Morton Grove or shall reside within 15 miles of the Village.
2. Powers and Duties. The Village Administrator shall be responsible for the day-to-day administration of the Village and of its affairs. The administrator shall have power and be required to devote his/her entire and exclusive time to the discharge of his/her official duties, including:
 1. Direct and supervise all departments: The administrator shall direct, supervise, and coordinate the administration of all departments, offices, and agencies of the Village including supervising the activities of department directors and insuring all municipal services and programs are efficiently and effectively managed, except as otherwise provided by law.
 2. Employ and discharge of all employees: The administrator shall employ, and when necessary for the good of the service, suspend or remove all employees of the Village except department directors and administrative officers appointed by the Village president and board of trustees, all board and commission members and those employees over which, by ordinance or statute, the Village administrator and corporate authorities have no such authority. Prior to his/her taking any such action, the administrator shall consult with the head of the department under consideration and the Village president. The administrator shall also be responsible for the conduct of all collective bargaining processes within the Village and shall make recommendations to the Village board regarding collective bargaining agreements for consideration and approval by the board. The administrator shall, subsequent to approval, be responsible for administering all collective bargaining agreements reached through the collective bargaining process.
 3. Preparation of Budget/Budget Officer: The administrator, in cooperation with the director of finance/treasurer shall prepare an annual operating and capital budget which shall include a five (5) year capital improvements program (CIP) which shall be submitted to the corporate authorities for their review and consideration and shall prepare a budget adoption ordinance which shall be placed on the agenda for board consideration prior to the start of each fiscal year. The administrator shall also be responsible, in conjunction with the director of finance/treasurer, for the administration of the adopted budget and capital improvement program.
 4. Financial Reports: Prepare and submit to the corporate authorities in conjunction with the director of finance/treasurer reports on finances which shall include amounts budgeted and the amounts spent, showing the unexpended budgeted items and amounts, and shall keep the corporate authorities advised of the financial condition and future needs of the Village.
 5. Tax levy ordinance and abatement resolutions: The Village administrator, in conjunction with the director of finance/treasurer, shall cause the tax levy ordinance and any necessary abatement resolutions to be prepared and placed on the board agenda for consideration by the corporate authorities in a timely manner so the levy ordinance and any abatement resolutions can be acted upon and a certified copy of the tax levy ordinance and any abatement resolutions properly filed with the county clerk within the time frames prescribed by law.

6. Property custody and inventory: The Village administrator in conjunction with the director of finance shall maintain an inventory of all fixed assets owned by the Village and shall be responsible for the care and custody of all Village property which is not by law or ordinance otherwise assigned to some other officer or person for care and control.
7. Administrative recommendations: The administrator shall make written or verbal recommendations to the corporate authorities for the adoption of such measures or policies as the administrator may deem necessary and expedient for the improvement of the Village and its administration.
8. Board of trustees' agenda preparation: The administrator, with the approval of the mayor, shall prepare an agenda for each meeting of the corporate authorities which shall contain those matters to be considered at the meeting.
9. Board of trustees' meeting attendance: The administrator shall attend all meetings of the corporate authorities, unless excused there from. The Village administrator shall be entitled to take part in the discussion of all matters coming before the corporate authorities but shall have no right to vote.
10. Administrative complaints, enforcement: The administrator shall see all laws and ordinances are duly enforced and investigate into the affairs of the Village or any department or division thereof. He shall investigate all complaints in relation to all matters concerning the administration of the Village and in regard to service maintained by the public utilities in the Village, and see that all franchises, permits and privileges granted by the Village are faithfully observed.
11. Publication of documents: The administrator shall publish all ordinances, maps and other documents and instruments required by law to be published where publication is by printing in a book or pamphlet form the printing shall contain the legend "*Published by Authority of the President and Board of Trustees of the Village of Morton Grove, Illinois*" and the date of publication. The provision of duplicated copies of the document either bound or unbound shall be deemed to satisfy this requirement.
12. Purchase and contract authority: Unless directed otherwise by the Village code or the corporate authorities, the administrator may approve and be responsible for all purchases and contracts for services and supplies as provided in chapter 9 of this Code and may execute contracts or agreements for the purchase or goods or services or to settle or resolve disputes for amounts less than ~~\$20,000~~ \$25,000.
13. General responsibility: Perform such other duties as may be required of him/her by the corporate authorities, not inconsistent with Village ordinances and laws. (Ord. 72-26, 9-5-1972; amd. Ord. 01-53, 11-26-2002; amd. Ord 24-11, 7-23-24)

SECTION 3: Title 1, Chapter 9A, Section 8, entitled, “Change Orders” is hereby amended to read as follows:

1-9A-8: CHANGE ORDERS

A change order is a revision of the contract term, other than as specifically provided for in the contract, which authorizes an addition, deletion, or revisions in the work or necessitates an increase or decrease in the cost of the contract or time of completion. All change orders must be in writing and approved by the purchasing agent. Change orders which require an additional cost or expense to the Village of ~~\$20,000~~ \$25,000 or more must be approved by the corporate authorities.

SECTION 4: 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 5: 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 6: This ordinance shall be effective from and after its adoption, approval, and publication as provided by law.

Passed this 23rd day of July 2024.

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

Approved by me this 23rd day of July 2024.

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

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

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

Legislative Summary

Resolution 24-42

AUTHORIZING A CONTRACT WITH ALLIANCE CONTRACTORS INC. FOR CONSTRUCTION OF THE GATEWAY PLAZA IMPROVEMENTS PROJECT

Introduced:	July 23, 2024
Purpose:	To authorize the Village Administrator to execute a contract with Alliance Contractors Inc. for construction of the Gateway Plaza Improvements Project and to execute change orders as necessary to complete the project on schedule.
Background:	The Village owns an approximately 10,000-square-foot parcel at the intersection of Ferris and Lincoln Avenues, just east of the Metra Milwaukee District North Line, that is currently used for grassed open space, an emergency accessway serving the Woodlands development, and public bicycle parking. To enhance use of the property and the appearance of the transit-oriented district, the Village plans to construct a public plaza at the property that includes bicycle parking, bench seating, and landscape areas and maintains the existing emergency accessway. On June 4, 2024, the Public Works Department advertised on the Village’s website inviting bids for construction of the “Gateway Plaza Improvements Project.” Two bids were received. Alliance Contractors Inc. was the lowest bidder with a bid amount of \$244,582.15. Staff considers it practical to authorize the Village Administrator to issue contract change orders not to exceed \$40,000.00 to be prepared to accommodate extra costs including, but limited to, costs of excavation and removal of material and design changes, to keep construction on schedule and completed in 2024. This Resolution will authorize a contract with Alliance Contractors Inc. for the Gateway Plaza Improvements Project in an amount not to exceed \$284,582.15.
Departments Affected	Public Works Department; Administration
Fiscal Impact:	Not to exceed \$284,582.15
Source of Funds:	2024 Adopted Budget Account Number 15-10-79-57-1031 (Lehigh/Ferris TIF District)
Workload Impact:	The Public Works Department, in coordination with Administration, will manage and implement the project as part of their normal work activities.
Administrator Recommendation:	Approval as presented.
Second Reading:	Not Required
Special Considerations or Requirements:	None

Submitted by: Charles L. Meyer, Village Administrator
Reviewed by: Teresa Hoffman Liston, Corporation Counsel
Reviewed by: Mike Lukich, Director of Public Works
Prepared by: Zoe Heidorn, Assistant Village Administrator

RESOLUTION 24-42

AUTHORIZING A CONTRACT WITH ALLIANCE CONTRACTORS INC. FOR CONSTRUCTION OF THE GATEWAY PLAZA IMPROVEMENTS PROJECT

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 owns an approximately 10,000-square-foot parcel of property located at the intersection of Ferris Avenue and Lincoln Avenues in Morton Grove (“Subject Property”) that is currently used for grassed open space, an emergency accessway serving the Woodlands of Morton Grove townhome and condominium development, and public bicycle parking; and

WHEREAS, the Village plans to construct a public plaza at the Subject Property that includes bicycle parking, bench seating, and landscape areas and maintains the existing emergency accessway; and

WHEREAS, the Public Works Department advertised on the Village’s website beginning June 4, 2024, inviting bids the “Gateway Plaza Improvements Project”; and

WHEREAS, two bids were received, publicly opened and read at the Public Works Facility at 10:00 a.m. on June 18, 2024, with the bid tabulation included in “**Exhibit A**”; and

WHEREAS, Alliance Contractors Inc. is the low bidder with a bid amount of \$244,582.15, which is \$56,038.43 higher than the Engineer’s Estimate of Cost and \$107,464.95 less than the second bid received; and

WHEREAS, the bid amount is based upon unit pricing proposed by the contractor for the number of units estimated by the Village, however, the final price of the contract will be based upon the number of units the Village determines to be in the best interest of the Village; and

WHEREAS, Public Works Department staff considers it practical to authorize the Village Administrator to issue contract change orders not to exceed \$40,000.00 in order to be prepared to accommodate extra costs including, but limited to, costs of excavation and removal of material and design changes, to keep construction on schedule and completed in 2024; and

WHEREAS, Public Works Department staff has verified Alliance Contractors Inc. is qualified and available to complete the work; and

WHEREAS, this contract must conform to the requirements of the Prevailing Wage Act; and

WHEREAS, funding for the above work for the lump sum amount of \$244,582.15 and the recommended authorized change order amount is available in the 2024 Adopted Budget Account Number 15-10-79-57-1031 for the Lehigh/Ferris Tax Increment Financing District.

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 accept the bid of Alliance Contractors Inc. of Woodstock, Illinois, in the amount of \$244,582.15.

SECTION 3: The Village Administrator is hereby authorized to execute a contract with Alliance Contractors Inc. for the Gateway Plaza Improvements Project consistent with its bid.

SECTION 4: The Village Administrator and Director of Public Works or their designees are authorized to take all steps necessary to implement the contract with Alliance Contractors Inc. for a contract amount not to exceed \$284,582.15.

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

Passed this 23rd day of July 2024.

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

Approved by me this 23rd day of July 2024.

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

Approved and Filed in my office this
24th day of July 2024

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

**Village of Morton Grove, Cook County, Illinois
GATEWAY PLAZA IMPROVEMENTS PROJECT**

Bid Tabulation

Bid Opening: JUNE 18, 2024, 10:00 A.M.

PAY ITEM NO.	CODED PAY ITEM	PAY ITEM DESCRIPTION	UNIT	QUANTITY	Engineer's Estimate		AGAE Contractors, INC. 189 Gordon Street Elk Grove Village, IL 60007		Alliance Contractors Inc. 1166 Lake Avenue Woodstock, IL 60098	
					UNIT COST	ITEM COST	UNIT COST	ITEM COST	UNIT COST	ITEM COST
1		TREE PROTECTION FENCE	FOOT	500	\$8.00	\$4,000.00	\$8.06	\$4,030.00	\$5.60	\$2,800.00
2	44000200	DRIVEWAY PAVEMENT REMOVAL	SQ YD	58	\$21.00	\$1,218.00	\$63.86	\$3,703.88	\$20.00	\$1,160.00
3	44000500	COMBINATION CURB AND GUTTER REMOVAL	FOOT	10	\$31.00	\$310.00	\$20.46	\$204.60	\$15.00	\$150.00
4	44000600	SIDEWALK REMOVAL	SQ FT	1,276	\$2.35	\$2,998.60	\$5.01	\$6,392.76	\$3.00	\$3,828.00
5		BRICK PAVER REMOVAL	SQ FT	840	\$4.00	\$3,360.00	\$4.34	\$3,645.60	\$3.00	\$2,520.00
6	20200100	EARTH EXCAVATION	CU YD	178	\$123.00	\$21,894.00	\$244.28	\$43,481.84	\$10.00	\$1,780.00
7	42300400	PORTLAND CEMENT CONCRETE DRIVEWAY PAVEMENT, 8"	SQ YD	20	\$158.00	\$3,160.00	\$259.16	\$5,183.20	\$466.60	\$9,332.00
8	42400200	PORTLAND CEMENT CONCRETE SIDEWALK 5"	SQ FT	2,619	\$15.50	\$40,594.50	\$29.76	\$77,941.44	\$34.65	\$90,748.35
9	20201200	REMOVAL AND DISPOSAL OF UNSUITABLE MATERIAL	CU YD	50	\$135.00	\$6,750.00	\$163.68	\$8,184.00	\$15.00	\$750.00
10		CONCRETE RIBBON CURB	FOOT	228	\$42.00	\$9,576.00	\$44.64	\$10,177.92	\$69.60	\$15,868.80
11		RAISED CURB PLANTER, 6" HIGH (CENTER PLANTER)	FOOT	90	\$42.00	\$3,780.00	\$63.24	\$5,691.60	\$69.60	\$6,264.00
12		TEMPORARY WASHOUT BASIN	EACH	1	\$1,855.00	\$1,855.00	\$1,550.00	\$1,550.00	\$750.00	\$750.00
13	28000400	PERIMETER EROSION BARRIER	FOOT	282	\$5.00	\$1,410.00	\$18.60	\$5,245.20	\$5.00	\$1,410.00
14	60603800	COMBINATION CONCRETE CURB AND GUTTER, TYPE B-6.12	FOOT	10	\$77.40	\$774.00	\$68.20	\$682.00	\$188.00	\$1,880.00
15		PAVER PLAZA OVER GRAVEL BASE	SQ FT	1,254	\$18.75	\$23,512.50	\$34.41	\$43,150.14	\$35.00	\$43,890.00
16		BENCH (INSTALL ONLY)	EACH	3	\$600.00	\$1,800.00	\$1,450.80	\$4,352.40	\$795.00	\$2,385.00
17		BICYCLE RACK (INSTALL ONLY)	EACH	2	\$600.00	\$1,200.00	\$2,814.80	\$5,629.60	\$795.00	\$1,590.00
18		TRASH AND RECYCLING RECEPTACLE (INSTALL ONLY)	EACH	1	\$600.00	\$600.00	\$1,202.80	\$1,202.80	\$795.00	\$795.00
19		REBOUND POSTS	EACH	3	\$475.00	\$1,425.00	\$930.00	\$2,790.00	\$250.00	\$750.00
20	56109210	WATER VALVES TO BE ADJUSTED	EACH	1	\$387.00	\$387.00	\$3,720.00	\$3,720.00	\$475.00	\$475.00

**Village of Morton Grove, Cook County, Illinois
GATEWAY PLAZA IMPROVEMENTS PROJECT**

Bid Tabulation

Bid Opening: JUNE 18, 2024, 10:00 A.M.

PAY ITEM NO.	CODED PAY ITEM	PAY ITEM DESCRIPTION	UNIT	QUANTITY	Engineer's Estimate		AGAE Contractors, INC. 189 Gordon Street Elk Grove Village, IL 60007		Alliance Contractors Inc. 1166 Lake Avenue Woodstock, IL 60098	
					UNIT COST	ITEM COST	UNIT COST	ITEM COST	UNIT COST	ITEM COST
21	56400300	FIRE HYDRANTS TO BE ADJUSTED	EACH	1	\$3,500.00	\$3,500.00	\$4,340.00	\$4,340.00	\$3,600.00	\$3,600.00
22	60205605	CATCH BASINS, TYPE A, 5'-DIAMETER	EACH	1	\$10,032.12	\$10,032.12	\$66,836.00	\$66,836.00	\$9,850.00	\$9,850.00
23	60255500	MANHOLES TO BE ADJUSTED	EACH	2	\$300.00	\$600.00	\$620.00	\$1,240.00	\$500.00	\$1,000.00
24	28000510	INLET FILTERS	EACH	6	\$325.00	\$1,950.00	\$409.20	\$2,455.20	\$25.00	\$150.00
25		SOIL PREPARATION, LANDSCAPE EXCAVATION AND BACKFILL	CU YD	93	\$98.00	\$9,114.00	\$122.76	\$11,416.68	\$80.00	\$7,440.00
26		TOPSOIL	CU YD	93	\$95.00	\$8,835.00	\$84.32	\$7,841.76	\$95.00	\$8,835.00
27		MULCH, SHREDDED HARDWOOD (NEW PLANTINGS)	CU YD	19	\$75.00	\$1,425.00	\$101.68	\$1,931.92	\$75.00	\$1,425.00
28		MULCH, SHREDDED HARDWOOD (EXISTING TREES)	CU YD	2	\$75.00	\$150.00	\$101.68	\$203.36	\$75.00	\$150.00
29		SOIL AMENDMENTS	CU YD	7	\$300.00	\$1,950.00	\$89.28	\$580.32	\$300.00	\$1,950.00
30		SOIL AMENDMENTS (WITHIN CURBED PLANTER)	CU YD	1	\$355.00	\$355.00	\$89.28	\$89.28	\$355.00	\$355.00
31		SOD LAWNS	SQ YD	105	\$30.00	\$3,150.00	\$14.88	\$1,562.40	\$30.00	\$3,150.00
32		PICEA GLAUCA 'DENSATA', BLACK HILLS SPRUCE 6' HIGH	EACH	2	\$835.00	\$1,670.00	\$775.00	\$1,550.00	\$835.00	\$1,670.00
33		PICEA GLAUCA 'DENSATA', BLACK HILLS SPRUCE 8' HIGH	EACH	2	\$1,190.00	\$2,380.00	\$930.00	\$1,860.00	\$1,190.00	\$2,380.00
34		MALUS X 'RED JEWEL', RED JEWEL CRABAPPLE, 6' HIGH	EACH	2	\$800.00	\$1,600.00	\$713.00	\$1,426.00	\$800.00	\$1,600.00
35		MALUS X 'ROYAL RAINDROPS', ROYAL RAINDROPS CRABAPPLE, 6' HIGH	EACH	1	\$935.00	\$935.00	\$713.00	\$713.00	\$835.00	\$835.00
36		ARONIA ARBUTIFOLIA 'BRILLIANTISSIMA', BRILLIANT RED CHOKEBERRY, 36"	EACH	12	\$103.00	\$1,236.00	\$74.40	\$892.80	\$103.00	\$1,236.00
37		CORNUS SERICEA 'ISANTI', ISANTI REDTWIG DOGWOOD, 36"	EACH	3	\$104.00	\$312.00	\$74.40	\$223.20	\$104.00	\$312.00
38		ROSA, X 'AMERICAN BEAUTY, 36"	EACH	4	\$98.00	\$392.00	\$74.40	\$297.60	\$185.00	\$740.00
39		VIBURNUM CARLESII 'COMPACTUM', DWARF KOREANSPICE VIBURNUM, 36"	EACH	3	\$196.00	\$588.00	\$130.20	\$390.60	\$196.00	\$588.00
40		VIBURNUM DENTATUM 'BLUE MUFFIN', BLUE MUFFIN VIBURNUM, 36"	EACH	4	\$106.00	\$424.00	\$93.00	\$372.00	\$106.00	\$424.00
41		VIBURNUM DENTATUM 'SYNNESVEDT', CHICAGO LUSTER VIBURNUM, 36"	EACH	2	\$109.00	\$218.00	\$93.00	\$186.00	\$109.00	\$218.00

**Village of Morton Grove, Cook County, Illinois
GATEWAY PLAZA IMPROVEMENTS PROJECT**

Bid Tabulation

Bid Opening: JUNE 18, 2024, 10:00 A.M.

PAY ITEM NO.	CODED PAY ITEM	PAY ITEM DESCRIPTION	UNIT	QUANTITY	Engineer's Estimate		AGAE Contractors, INC. 189 Gordon Street Elk Grove Village, IL 60007		Alliance Contractors Inc. 1166 Lake Avenue Woodstock, IL 60098	
					UNIT COST	ITEM COST	UNIT COST	ITEM COST	UNIT COST	ITEM COST
42		ROSA 'MEISWETDOM', SWEET DRIFT GROUNDCOVER ROSE, #3 CONT.	EACH	7	\$89.00	\$623.00	\$74.40	\$520.80	\$89.00	\$623.00
43		SPIRAEA BUMALDA 'GOLDFLAME', GOLDFLAME SPIREA, 5 GAL./24"	EACH	12	\$89.00	\$1,068.00	\$74.40	\$892.80	\$89.00	\$1,068.00
44		WEIGELA FLORIDA 'MIDNIGHT WINE', MIDNIGHT WINE WEIGELA, 5 GAL./24"	EACH	5	\$97.00	\$485.00	\$74.40	\$372.00	\$97.00	\$485.00
45		SESLERIA AUTUMNALIS, AUTUMN MOOR GRASS, 1 GAL.	EACH	14	\$19.00	\$266.00	\$24.80	\$347.20	\$19.00	\$266.00
46		SPOROBOLUS HETEROLEPSIS, PRAIRIE DROPSEED, 1 GAL.	EACH	69	\$19.00	\$1,311.00	\$24.80	\$1,711.20	\$19.00	\$1,311.00
47		ALLIUM X 'MILLENIUM', MILLENIUM ORNAMENTAL ONION, 1 GAL.	EACH	21	\$18.00	\$378.00	\$24.80	\$520.80	\$18.00	\$378.00
48		EUPATORIUM PURPUREUM 'FLOREUPRE1', EUPHORIA RUBY JOE PYE WEED, 1 GAL.	EACH	26	\$21.00	\$546.00	\$24.80	\$644.80	\$21.00	\$546.00
49		GERANIUM SANGUINEUM 'MAX FREI', MAX FREI CRANESBILL, 1 GAL.	EACH	26	\$18.00	\$468.00	\$24.80	\$644.80	\$18.00	\$468.00
50		IRIS SIBERICA 'CEASAR'S BROTHER', CEASAR'S BROTHER SIBERIAN IRIS, 1 GAL.	EACH	20	\$19.00	\$380.00	\$24.80	\$496.00	\$19.00	\$380.00
51		NEPETA FAASSENII 'KIT KAT', KIT KAT CATMINT, 1 GAL.	EACH	17	\$19.00	\$323.00	\$24.80	\$421.60	\$19.00	\$323.00
52		SEDUM, FLAT	EACH	17	\$75.00	\$1,275.00	\$124.00	\$2,108.00	\$100.00	\$1,700.00
CORRECTED TOTAL PROPOSAL AMOUNT						\$188,543.72		\$352,047.10		\$244,582.15
AS-READ PROPOSAL AMOUNT								\$352,036.00		\$244,582.15
<p>Apparent Low Bidder: Alliance Contractors Inc. Apparent Low Bid Amount: \$244,582.15 Engineer's Estimate of Cost: \$188,543.72 Difference: \$56,038.43</p>										

Village of Morton Grove, Cook County, Illinois
 GATEWAY PLAZA IMPROVEMENTS PROJECT

Bid Tabulation

Bid Opening: JUNE 18, 2024, 10:00 A.M.

					Engineer's Estimate		AGAE Contractors, INC. 189 Gordon Street Elk Grove Village, IL 60007		Alliance Contractors Inc. 1166 Lake Avenue Woodstock, IL 60098	
PAY ITEM NO.	CODED PAY ITEM	PAY ITEM DESCRIPTION	UNIT	QUANTITY	UNIT COST	ITEM COST	UNIT COST	ITEM COST	UNIT COST	ITEM COST
Alternate Bid Items (item costs in table below will not be evaluated in the determination of the lowest bid, but will be added to the contract award at the option of the Village)										
53		ALTERNATE: VEHICULAR GATE - ORNAMENTAL STEEL, 4' HIGH	EACH	1	\$9,544.00	\$9,544.00	\$17,050.00	\$17,050.00	\$14,395.00	\$14,395.00
54		ALTERNATE: PEDESTRIAN GATE - ORNAMENTAL STEEL, 4' HIGH	EACH	1	\$1,440.00	\$1,440.00	\$6,820.00	\$6,820.00	\$2,095.00	\$2,095.00
55		ALTERNATE: FENCE - ORNAMENTAL STEEL - FURNISH & INSTALL (4' HIGH - South Property Line)	LF	112	\$102.00	\$11,424.00	\$122.62	\$13,733.00	\$196.35	\$21,991.20
56		ALERNATE: PERMANENT IRRIGATION (turf & plantings - per Vill. water tap location)	EACH	1	\$60,000.00	\$60,000.00	\$80,600.00	\$80,600.00	\$80,755.00	\$80,755.00
57		ALERNATE: PEDESTRIAN POST LIGHT	EACH	3	\$11,000.00	\$33,000.00	\$19,426.67	\$58,280.00	\$24,495.00	\$73,485.00
58		ALERNATE: FEATURE UP-LIGHT	EACH	1	\$920.00	\$920.00	\$16,120.00	\$16,120.00	\$11,815.00	\$11,815.00
59	81028220	ALERNATE: UNDERGROUND CONDUIT, COILABLE NONMETALLIC CONDUIT, 1" DIA.	FOOT	227	\$4.00	\$908.00	\$177.93	\$40,390.52	\$70.25	\$15,946.75
60		ALERNATE: UNDERGROUND CONDUIT, GALVINIZED STEEL, 3" DIA.	FOOT	155	\$60.00	\$9,300.00	\$375.55	\$58,201.88	\$160.50	\$24,877.50
61	8100730	ALERNATE: HANDHOLE, COMPOSITE CONCRETE	EACH	2	\$720.00	\$1,440.00	\$4,960.00	\$9,920.00	\$6,930.00	\$13,860.00
62	81028720	ALERNATE: ELECTRIC CABLE IN CONDUIT, 600 V (XLP-TYPE USE) 2-1/C NO. 10, 1/C NO. 10 GROUND	FOOT	750	\$2.00	\$1,500.00	\$34.72	\$26,040.00	\$11.65	\$8,737.50
63		ALERNATE: MODIFY EXISTING LIGHTING CONTROLLER	EACH	1	\$510.00	\$510.00	\$6,200.00	\$6,200.00	\$11,635.00	\$11,635.00
64	89502376	ALERNATE: REBUILD EXISTING HANDHOLE	EACH	1	\$1,200.00	\$1,200.00	\$3,720.00	\$6,200.00	\$12,895.00	\$12,895.00

Legislative Summary

Ordinance 24-12

**AMENDING TITLE 1 CHAPTER 11 SECTION 4 ENTITLED
“FEES FOR SPECIFIC PERMITS, LICENSES, CERTIFICATES, AND SERVICES”
OF THE MUNICIPAL CODE OF THE VILLAGE OF MORTON GROVE
TO UPDATE THE FEES FOR SMALL CELL FACILITIES**

Introduction:	July 9, 2024
Purpose:	To amend Title 1 Chapter 11 of the Morton Grove Municipal Code to update the fee schedule for fees relating to small cell facilities.
Background:	On June 22, 2020, pursuant to Ordinance 20-12, the Village Board amended Title 1 of the Village Code to add a new Chapter 11 entitled “Fees” to provide a comprehensive fee schedule for various licenses, permits, and services authorized by the Code set forth in one location of the Village Code so that it could be easily referenced by the public and annually reviewed by Village staff as part of the annual budget process. A recent review of Village fees disclosed that the fees related to small cell facilities on utility-owned structures, currently \$1,500.00 for the permit application fee and \$1,500.00 for the first year’s license fee, exceed the maximum fees set by Public Act 100-0585, Section 15(e)(1), which is \$650.00 for the permit application fee for collocating a small wireless facility on an existing utility pole or wireless support structure and \$350.00 for multiple facilities after the initial \$650.00 fee has been paid, and an annual license fee for collocation on a Village-owned utility pole within the right of way of \$200.00 (or the actual, direct, and reasonable costs related to the usage). This Ordinance will amend Sections 1-11-4 of the Village Code to make fees related to small cell facilities in conformance with Public Act 100-0585.
Programs, Departments or Groups Affected	Administration, Public Works, and Finance
Fiscal Impact:	N/A
Source of Funds:	N/A
Workload Impact:	Staff will implement these revisions as part of its normal duties
Administrator Recommend:	Approval as presented
Second Reading:	July 23, 2024
Special Considerations or Requirements:	None

Submitted by – Charles L. Meyer, Village Administrator
Reviewed by – Zoe Heidorn, Assistant Village Administrator
Reviewed by – Michael Lukich, Director of Public Works
Reviewed by Chris Tomich, Village Engineer
Prepared by – Teresa Hoffman Liston, Corporation Counsel

ORDINANCE 24-12
AMENDING TITLE 1 CHAPTER 11 SECTION 4 ENTITLED
“FEES FOR SPECIFIC PERMITS, LICENSES, CERTIFICATES, AND SERVICES”
OF THE MUNICIPAL CODE OF THE VILLAGE OF MORTON GROVE TO UPDATE THE
FEES FOR SMALL CELL FACILITIES

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 Constitution of the State of Illinois, and 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 June 22, 2020, pursuant to Ordinance 20-12, the Village Board amended Title 1 of the Village Code to add a new Chapter 11 entitled “Fees”.

WHEREAS, the intent of Ordinance 20-12 was to provide a comprehensive fee schedule for various licenses, permits, and services authorized by the Code set forth in one location of the Village Code so that it could be easily referenced by the public and annually reviewed by Village staff as part of the annual budget process; and

WHEREAS, a review of Village fees has disclosed that the fees related to small cell facilities on utility-owned structures, currently \$1,500.00 for the permit application fee and \$1,500.00 for the first year’s license fee, exceed the maximum fees set by Public Act 100-0585, Section 15(e)(1) which is \$650.00 for the permit application fee for collocating a small wireless facility on an existing utility pole or wireless support structure and \$350.00 for multiple facilities after the initial \$650.00 fee has been paid, and an annual license fee for collocation on a Village-owned utility pole within the right of way, of \$200.00 or the actual, direct, and reasonable costs related to the usage; and

WHEREAS, it is necessary to amend Sections 1-11-4 of the Village Code to update the fees related to small cell facilities in conformance with Public Act 100-0585.

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 1 Chapter 11 Section 4 Entitled “FEES FOR SPECIFIC PERMITS, LICENSES, CERTIFICATES, AND SERVICES” of the Municipal Code of the Village of Morton Grove is hereby amended as follows:

A. The rows in the fee schedule pertaining Title 7 Chapter 11 Section 3B are hereby amended to read as follows:

Code Section	Description	Fee	Unit or Description
7-11-3B	Distributed Antenna System or Small Cell Facility in ROW Application Fees - New Facility	\$2,000.00	Each
7-11-3B	Distributed Antenna System or Small Cell Facility in ROW Application Fees Attachment or replacement on Village-owned facility	\$2,000.00	Each
7-11-3B	Distributed Antenna System or Small Cell Facility in ROW Application Fees Attachment on non-Village-owned facility to utility owned facility	\$1,500.00	Each
7-11-3B	Distributed Antenna System or Small Cell Facility in ROW License Fee - New facility	\$3,600.00	/Year
7-11-3B	Distributed Antenna System or Small Cell Facility in ROW License Fee Attachment to and replacement on Village-owned facility	\$3,600.00	/Year
7-11-3B	Distributed Antenna System or Small Cell Facility in ROW License Fee Attachment to utility-owned facility	\$1,500.00	/Year
<u>7-11-3B</u>	<u>Distributed Antenna System or Small Cell Facility in ROW Application Fees - Applicant’s First Facility</u>	<u>\$650.00</u>	<u>Each</u>
<u>7-11-3B</u>	<u>Distributed Antenna System or Small Cell Facility in ROW Application Fees - Applicant’s Additional Facility</u>	<u>\$350.00</u>	<u>Each</u>
<u>7-11-3B</u>	<u>Distributed Antenna System or Small Cell Facility in ROW- License Fee - Collocation on Village-Owned Facility</u>	<u>\$200.00 or the actual, direct, and reasonable costs related to the usage, whichever is greater</u>	<u>Year</u>
<u>7-11-3B</u>	<u>Distributed Antenna System or Small Cell Facility in ROW Application Fees small wireless facility that includes the installation of a new utility for such collocation.</u>	<u>\$1,000.00</u>	<u>Each</u>

SECTION 3: 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 4: In the event this ordinance or any Code amendment herein conflicts with any statute, ordinance, or resolution or part thereof, the amendments in this ordinance shall be controlling and shall supersede all other statutes, ordinances, or resolutions but only to the extent of such conflict. Except as amended in this ordinance, all chapters and sections of the Village of Morton Grove Village Code are hereby restated, readopted, and shall remain in full force and effect.

SECTION 5: This ordinance shall be in full force and effect from and after its passage, approval, and publication in pamphlet form according to law.

Passed this 23rd day of July 2024.

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

Approved by me this 23rd day of July 2024.

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

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

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

Legislative Summary

Ordinance 24-13

AMENDING TITLE 4 CHAPTER 4 SECTION 9 ENTITLED “SUSPENSION AND REVOCATION” AND AMENDING TITLE 4 CHAPTER 4 SECTION 10 ENTITLED “APPEAL” TO MODIFY AND ESTABLISH REGULATIONS RELATING TO THE SUSPENSION OR REVOCATION OF CERTIFICATES OF OCCUPANCY OF BUSINESS OPERATIONS IN MORTON GROVE, ILLINOIS

Introduction:	July 9, 2024
Purpose:	To approve a Text Amendment that modifies and establishes regulations for the suspension or revocation and certificate of occupancy of business operations in the Village of Morton Grove.
Background:	<p>Village staff currently enforce Village-wide regulations regarding business compliance pursuant to Title 4, Chapter 4 of the Village Code, which establishes requirements for compliance certificates (Section 4-4-1) and the process for the suspension or revocation of compliance certificates or business licenses (Section 4-4-9). Currently, these regulations do not provide adequate recourse for the Village if businesses are noncompliant with applicable regulations and are nonresponsive to appropriately issued citations, fines, and the adjudication process.</p> <p>In accordance with Section 4-4-1, staff have withheld issuing Business Compliance Certificates (BCC) to numerous businesses for a variety of reasons such as failure to pay fees or taxes, or for outstanding code violations. While most businesses comply with Village regulations and receive their BCC, some businesses continue to operate without a BCC and fail to respond to citations or administrative hearing requests. When this occurs, staff do not have a means of obtaining compliance except for levying additional fines, which have proven to be ineffective in many cases. The ability to revoke Certificates of Occupancy will help obtain compliance in extreme cases and help ensure all businesses in the Village are operating safely and within the confines of the law.</p> <p>The amendments proposed by this Ordinance will:</p> <ul style="list-style-type: none">• Grant the Village Administrator the authority to suspend or revoke certificates and licenses. Currently this authority is granted to the Village’s Adjudication Officer;• Expand the list of items that may be suspended or revoked to include Certificates of Occupancy; Business Compliance Certificates, and Business Licenses;• Extend the maximum suspension period from 30 days to 60 days;• Clarify the bases for suspending or revoking permits, licenses and certificates; and• Modify the appeal and notification process to provide that appeals are heard by the Village Adjudication Hearing Officer.
Programs, Dept’s, Groups Affected	Department of Community and Economic Development, Administration, Legal
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
Second Reading:	July 23, 2024
Special Considerations or Requirements:	None

Submitted by – Charles L. Meyer, Village Administrator
Reviewed by – Zoe Heidorn, Assistant Village Administrator
Reviewed by – Teresa Hoffman Liston, Corporation Counsel
Prepared by – Brandon Nolin, Community Development Administrator

ORDINANCE 24-13

AMENDING TITLE 4 CHAPTER 4 SECTION 9 ENTITLED “SUSPENSION AND REVOCATION” AND AMENDING TITLE 4 CHAPTER 4 SECTION 10 ENTITLED “APPEAL” TO MODIFY AND ESTABLISH REGULATIONS RELATING TO THE SUSPENSION OR REVOCATION OF CERTIFICATES OF OCCUPANCY OF BUSINESS OPERATIONS 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’s Business Regulations (Title 4) do not currently provide adequate recourse if businesses and non-residential uses are noncompliant with Village regulations and nonresponsive to appropriately issued citations, fines, and the adjudication process; and

WHEREAS, the proposed Text Amendments will authorize the Village Administrator to revoke a certificate of occupancy for a business or non-residential use when it is being operated in violation of Municipal Codes and as necessary to protect the public health, safety, or general welfare from imminent harm; and

WHEREAS, the Corporate Authorities have determined that the Text Amendments set forth in this Ordinance will help ensure all businesses and non-residential uses in the Village are operating safely and within the confines of the law; and

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 4, Chapter 4, Section 9, entitled, “Suspension and Revocation,” is hereby amended to read as follows:

4-4-9: SUSPENSION AND REVOCATION

- A. Summary Suspension of Business Operation. When the conduct or operation of any business or use of any property or premise shall constitute an imminent danger to the public health, safety or general welfare, the ~~Building Commissioner~~ Village Administrator shall be

authorized to immediately and summarily order the cessation of business or use, the closing of the premise and the suspension of any certificate of occupancy, compliance certificate or business license for an initial period as necessary to protect the public health, safety or general welfare from imminent harm, not to exceed fifteen (15) business days. Upon the issuance of the order, the ~~Building Commissioner~~ Village Administrator shall serve notice of the summary order by one of the methods set forth in sections 1-4-5:A 1, 2, 3, 5 or 6 of this Code. Within 7 business days after service of the summary order, the Village or owner of the premise or certificate holder or licensee may, by written notice to the ~~Building Commissioner~~ Village Administrator and all certificate holders, licensees and property owners to be served by one of the methods set forth in sections 1-4-5A 1, 2, 3, 5 or 6 of this Code request a hearing before the Village's Adjudication Hearing Officer for the purpose of determining whether to rescind or modify the Building Commissioner's order, and/or whether the compliance certificate, ~~or~~ business license, or certificate of occupancy should be suspended for an additional period of time or revoked. The hearing shall be scheduled within ten (10) business days of the service of such request, unless the parties agree otherwise.

B. Suspension and/or Revocation of Compliance Certificate, ~~or~~ License, or Certificate of Occupancy.

1. Compliance certificates, ~~and~~ business licenses, and certificates of occupancy may, unless otherwise provided, be suspended for up to 30-60 days or revoked by the ~~Village's Adjudication Hearing Officer~~ Village Administrator for any of the following causes:
 - a. The applicant, certificate holder or licensee has provided false or incomplete information on any application, tax return, or report to the Village;
 - b. The subject property or premise is not in compliance with building or life safety Codes;
 - c. The operation of the business or use at its specified location is in violation of the Village's zoning ordinances and regulations;
 - d. The use has changed or intensified without Village knowledge and approval;
 - e. An owner or lessor of the property or premise and/or the certificate holder or licensee, or person in charge of the ~~certificate holder or licensee business or use~~ has violated any Village Codes and regulations relating to the certificate of occupancy, compliance certificate, business license for the subject property or premise;
 - f. An owner or lessor of the property or premise and/or the certificate holder or licensee, or person in charge of the ~~certificate holder or licensee business or use~~ has been convicted of any felony or of a misdemeanor when such conviction calls into question the owner's or operator's compliance or ability to comply with Village, state or federal laws or regulations relating to the compliance certificate or business license, for the subject property or premise;
 - g. An owner or lessor of the property or premise and/or the certificate holder or licensee, or person in charge of the ~~certificate holder or licensee business or use~~ has not paid a financial obligation owed to the Village;
 - h. The operation of the business or use results in a nuisance; ~~or~~
 - i. The operation of the business or use is not in compliance with all applicable regulations;
 - j. An owner or lessor of the property or premise and/or the certificate holder or licensee, or person in charge of the business or use fail to operate in compliance with the plans and information submitted for the approval of the certificate; or
 - k. An owner or lessor of the property or premise and/or the certificate holder or licensee, or person in charge of the ~~certificate holder or licensee business or use~~ has refused to permit an inspection or sampling or any interference with a duly authorized Village officer or employee while in the performance of his duties.

SECTION 3: Title 4, Chapter 4, Section 10, entitled, "Appeal," is hereby amended to read as

follows:

4-4-10: APPEAL

- Any person aggrieved by a decision regarding the denial of an application for a compliance certificate or business license, or in connection with the suspension or revocation of a compliance certificate, business license or certificate of occupancy, or the closing of an establishment dangerous to the public, as provided in this Title, shall have the right to appeal to the ~~Village Administrator~~ Village's Adjudication Hearing Officer. Such appeal shall be taken by personally delivering or mailing via ~~filing with the Village Administrator, within ten (10) days after the notice of said decision,~~ certified mail to the Village Clerk within fourteen (14) days after notice of the decision has been served upon the business or aggrieved person, a written notice of appeal setting forth specifically the legal and factual grounds for appeal. The Village Administrator shall thereupon set the time and place for a hearing on such appeal, and notice of such hearing shall be given to the appealing party. The review of the Village Administrator shall be based solely on the record of the proceeding.
- A. Appeal Procedures for Suspension or Revocations
 - Upon receipt of the notice of appeal a decision regarding the denial of an application for a compliance certificate, or in connection with the suspension or revocation of a compliance certificate or certificate of occupancy, or the closing of an establishment dangerous to the public, as provided in this Title, the Village shall respond with notice of a hearing that is to be scheduled for a date no later than two (2) calendar weeks from the date of receipt of the appeal request.
 1. At the hearing, all parties shall be permitted counsel and shall have the right to submit evidence and cross-examine witnesses.
 2. The Village's Adjudication Hearing Officer shall render the decision within a reasonable time after the conclusion of the hearing. The decision shall be in writing and state the reasons for the decision.
 3. Such suspension or revocation, if ordered, shall not preclude prosecution and imposition of any other penalties provided for the violation of other applicable ordinances of the Village.
 4. The owner of the premise and the owner or operator of the business or use whose compliance certificate or certificate of occupancy is suspended or revoked shall be jointly and severally liable to the Village for the costs of the hearing, as determined by the Finance Director/Treasurer including, but not limited to, court reporter fees, the costs of transcripts or records, attorneys' fees, the cost of preparing and mailing notices and orders, and all other miscellaneous expenses incurred by the Village, and shall pay said costs to the Village within thirty (30) days of notification of the costs. Failure to pay said costs within thirty (30) days of notification is a violation of this section and may, in addition to all other penalties be cause for further suspension or revocation, or the levy of additional fines.
 - The decision of the ~~Village Administrator~~ Adjudication Hearing Officer shall be final subject to applicable administrative review pursuant to Illinois law.

SECTION 4: 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 5: 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 6: This ordinance shall be effective from and after its adoption, approval, and publication as provided by law.

Passed this 23rd day of July 2024.

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

Approved by me this 23rd day of July 2024.

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

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

 Eileen Scanlon Harford, Village Clerk
 Village of Morton Grove
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