

RESOLUTION NO. 21-2018

A RESOLUTION AGREEING TO INDEMNIFY THE STATE OF ILLINOIS FOR PHOTO ENFORCEMENT EQUIPMENT ATTACHED TO IDOT FACILITIES, FOR THE VILLAGE OF STICKNEY, COUNTY OF COOK, STATE OF ILLINOIS.

* * * * *

WHEREAS, the Village of Stickney (the "Village") is a home rule municipal corporation in accordance with Article VII, Section 6(a) of the Constitution of the State of Illinois of 1970; and

WHEREAS, the Village has the authority to adopt ordinances and to promulgate rules and regulations that pertain to its government and affairs, and to review, interpret and amend its ordinances, rules and regulations; and

WHEREAS, the Village President (the "President") and the Board of Trustees of the Village (the "Village Board" and with the President, the "Corporate Authorities") are committed to the efficient and effective operation of the Village and its services; and

WHEREAS, the Village is desirous of constructing certain facilities attached to Illinois Department of Transportation ("IDOT") facilities; and

WHEREAS, IDOT has determined that the attachment of photo enforcement equipment to its facilities may be permitted and is in the interest of increasing the safety of the motoring public; and

WHEREAS, pursuant to Safety Engineering Policy Memorandum 2-13, IDOT will issue a permit for the attachment of photo enforcement equipment to IDOT facilities provided that IDOT has obtained a resolution from the Village agreeing to indemnify the State of Illinois; and

WHEREAS, the Village deems it in the best interest of the community to adopt such a resolution to facilitate safety of the motoring public; and

NOW, THEREFORE BE IT RESOLVED BY THE PRESIDENT AND THE BOARD OF TRUSTEES OF THE VILLAGE OF STICKNEY, as follows:

SECTION 1: RECITALS. The facts and statements contained in the preamble to this Resolution are found to be true and correct and are hereby adopted as part of this Resolution.

SECTION 2: PURPOSE. The purpose of this Resolution is to memorialize the Village's agreement to indemnify and hold harmless the State of Illinois for any claims that may be made against the State of Illinois, its

employees, agents and the Illinois Department of Transportation as a result of attachment and operation of photo enforcement equipment to IDOT facilities and to ratify any steps taken to effectuate those goals.

SECTION 3: AUTHORIZATION. The Village Board hereby authorizes and directs the President or his designee take all steps necessary to implement this Resolution. The Village Board further authorizes the President of his designee to execute any and all additional documentation that may be necessary to carry out the intent of this Resolution. The officers, agents and/or employees of the Village shall take all action necessary or reasonably required by the Village to carry out, give effect to and consummate the purpose of this Resolution and shall take all action necessary in conformity therewith.

SECTION 4. HEADINGS. The headings of the articles, sections, paragraphs and subparagraphs of this Resolution are inserted solely for the convenience of reference and form no substantive part of this Resolution nor should they be used in any interpretation or construction of any substantive provision of this Resolution.

SECTION 5. SEVERABILITY. The provisions of this Resolution are hereby declared to be severable and should any provision of this Resolution be determined to be in conflict with any law, statute or regulation by a court of competent jurisdiction, said provision shall be excluded and deemed inoperative, unenforceable and as though not provided for herein and all other provisions shall remain unaffected, unimpaired, valid and in full force and effect.

SECTION 6. SUPERSEDER. All code provisions, ordinances, resolutions, rules and orders, or parts thereof, in conflict herewith are, to the extent of such conflict, hereby superseded.

SECTION 7. PUBLICATION. A full, true and complete copy of this Resolution shall be published in pamphlet form or in a newspaper published and of general circulation within the Village as provided by the Illinois Municipal Code, as amended.

SECTION 8. EFFECTIVE DATE. This Resolution shall be effective and in full force immediately upon passage and approval as provided by law.

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PASSED this 21st day of August, 2018.

AYES: Trustees Hrejsa, Kapolnek, Milenkovic, Savopoulos, Torres & White

NAYS: None

ABSENT: None

ABSTENTION: None

APPROVED by me this 21st day of August, 2018.

Jeff Walik, President

ATTESTED AND FILED in my
office this 21st day of
August, 2018.

Audrey McAdams, Village Clerk