

**RESOLUTION NO. 17-2023**

**A RESOLUTION AUTHORIZING AND APPROVING A MAINTENANCE ENGINEERING SERVICES AGREEMENT BY AND BETWEEN FRANK NOVOTNY & ASSOCIATES, INC. AND THE VILLAGE OF STICKNEY**

**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 resolutions and to promulgate rules and regulations that pertain to its government and affairs, and to review, interpret and amend its ordinances, resolutions, rules and regulations; and

**WHEREAS**, Article VII, Section 10(a) of the Illinois Constitution authorizes units of local government to contract or otherwise associate with individuals, associations, and corporations in any manner not prohibited by law or by ordinance; and

**WHEREAS**, the President (the “President”) and the Board of Trustees of the Village of Stickney (the “Board”) (collectively, the “Corporate Authorities”) have determined that it is in the best interests of the Village to engage Frank Novotny & Associates, Inc., dba Novotny Engineering (“Novotny”) for maintenance engineering services related to the use of motor fuel tax funds (“MFT”) for the purchase of rock salt for the Village (the “Services”); and

**WHEREAS**, Novotny has provided the Village with an agreement, attached hereto and incorporated herein as Exhibit A, whereby Novotny will provide the Services to the Village (the “Agreement”); and

**WHEREAS**, the Corporate Authorities have determined that it is necessary and in the best interests of the Village to enter into the Agreement with Novotny for the Services; and

**WHEREAS**, the President is authorized to enter into and the Village Attorney (the “Attorney”) is authorized to revise agreements for the Village making such insertions, omissions and changes as shall be approved by the President and the Attorney;

**NOW, THEREFORE, BE IT RESOLVED**, by the President and Board of Trustees of the Village of Stickney, Cook County, Illinois, 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 authorize the President or his designee to enter into the Agreement whereby Novotny will provide the Services to the Village, to further authorize the President or his designee to take all steps necessary to carry out the terms and intent of this Resolution and to ratify any steps taken to effectuate those goals.

**SECTION 3: AUTHORIZATION.** The Board hereby authorizes and directs the President or his designee to authorize, enter into and approve the Agreement in accordance with its terms, or any modifications thereof, and to ratify any and all previous action taken to effectuate the intent of this Resolution. The Board further authorizes and directs the President or his designee to execute the Agreement with such insertions, omissions and changes as shall be approved by the President and the Attorney. The Village Clerk is hereby authorized and directed to attest to and

countersign the Agreement and any other documentation as may be necessary to carry out and effectuate the purpose of this Resolution. The Village Clerk is also authorized and directed to affix the Seal of the Village to such documentation as is deemed necessary. 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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**ADOPTED** this 21st day of November 2023, pursuant to a roll call vote as follows:

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

Nays: None

Absent: None

Abstention: None

APPROVED by me the 21<sup>st</sup> day of November 2023.

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Jeff Walik, President  
Village of Stickney, Cook County, Illinois

ATTESTED and filed in my office,  
this 21<sup>st</sup> day of November 2023.

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Audrey McAdams, Clerk  
Village of Stickney, Cook County, Illinois

**EXHIBIT "A"**  
**ENGINEERING SERVICES AGREEMENT**