

# **VILLAGE OF MAPLE PARK, ILLINOIS**

## **RESOLUTION 2020-09**

### **A RESOLUTION APPROVING THE TEMPORARY CLOSURE OF A VILLAGE STREETS**

**WHEREAS**, the Village of Maple Park (Village) is a non-home rule municipality in accordance with the Constitution of the State of Illinois of 1970; and,

**WHEREAS**, the Governor of the State of Illinois on March 9, 2020 has declared a Disaster and on March 26, 2020 the President of the United States has accepted that declaration; and,

**WHEREAS**, on May 5, 2020 the Governor issued the Restore Illinois Plan in order to begin re-opening the State of Illinois, and on May 20, 2020 the Governor further modified the Restore Illinois Plan and moved bars and restaurants into Phase III of the Restore Illinois Plan, but only with outdoor seating, with parties of six (6) or fewer and that tables be spaced six (6) feet apart; and,

**WHEREAS**, the Village deems is necessary and beneficial to provide the bars and restaurants along Main Street with the greatest opportunity to re-open their businesses, until Phases IV and V of the Restore Illinois Plan are enacted, by closing streets and providing owners with outdoor seating that they might not currently possess; and,

**WHEREAS**, this Board's action will require the temporary closure of Pleasant Street from Main Street to the north side of the railroad tracks and then fencing off Pleasant Street between Main Street and Kennebec Street and the closure of the intersection of Kennebec Street and Kennebec Street and Kennebec Street between Main Street and Kennebec Street and the fencing off of Kennebec Street from Main Street to Kennebec Street from June 3, 2020 through September 8, 2020; and,

**WHEREAS**, the logistics of the street closure posting will be the responsibility of the Village of Maple Park; while the owners will set up the fencing, tents and will secure the subcontractors (garbage, port-a-potty, security, sanitizing detail, etc.), set-up and take-down, including a detailed policing of the neighborhood the day after the street closure is no longer active in order to ensure all is clean;

**SECTION 1.** These street closures shall occur on June 3, 2020 from approximately 10:00 a.m. and shall continue until the 12 Noon on September 8, 2020.

**SECTION 2.** The bar and restaurant owners assume full responsibility for the direction, protection, and regulation of the fenced off areas during the time of closure.

**SECTION 3.** To the fullest extent permitted by law, the owners shall be responsible for all injuries, to persons or property, and shall indemnify and hold harmless the Village of Maple Park, its officers, employees, and agents from any and all claims, lawsuits, actions, costs and fees (including reasonable attorneys' fees and expenses) of every nature or description, arising out of, resulting from, or connected with the exercise of authority granted by the requestor, which is the subject of this resolution. This obligation is binding upon the requestor, regardless of whether or not such claim, damage, loss or expense is caused in part by the act, omission, or negligence of the Village of Maple Park or its officers, employees or agents.

**SECTION 4.** The bar and restaurant owners shall provide a comprehensive general liability policy and an additional named insured endorsement in the amount of \$2,000,000.00 general aggregate, \$1,000,000.00 per person, which has the Village of Maple Park, it's officials, employees, and agents as insureds, and which protects them all from claims arising from the requested road closure. A copy of said policy and endorsement shall be provided to the Village of Maple Park before the street will be closed.

**PASSED** by the Board of Trustees of the Village of Maple Park, Kane and DeKalb Counties, Illinois at a regular Board meeting held on June 2, 2020.

AYES: Dries, Higgins, Rebone, President Curtis

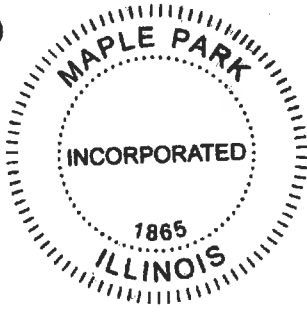
NAYS: \_\_\_\_\_

ABSENT: Fahnestock

ABSTAIN: Harris, Ward

APPROVED by the Village President on the 2<sup>nd</sup> day of June, 2020.

(SEAL)



*Kathleen Curtis*

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Kathleen Curtis, Village President

ATTEST:

*Theresa D'Amato*

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Theresa D'Amato, Village Clerk