

VILLAGE OF MAPLE PARK, ILLINOIS

RESOLUTION 2020-22

A RESOLUTION EXTENDING THE TEMPORARY CLOSURE OF 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 on September 18, 2020 the Governor extended the Disaster Declaration to October 18, 2020; and,

WHEREAS, the Village deems it necessary and beneficial to provide the bars and restaurants along Main Street with the greatest opportunity to continue their daily operations, until Phase V of the Restore Illinois Plan is enacted, by closing streets and providing owners with outdoor seating that they might not currently possess; and,

WHEREAS, the Board had previously approved Resolution 2020-09 on June 2, 2020 temporarily closing streets from June 3, 2020 to 12:00 Noon on September 8, 2020; and Resolution 2020-20 on September 1, 2020 temporarily closing streets from 12:00 Noon on September 8, 2020 through Noon on October 12, 2020 to accommodate outdoor seating to those owners without outdoor seating available; and,

WHEREAS, this Board's action will extend 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 12:01p.m. on October 12, 2020 through Noon on Monday, November 16, 2020; and,

WHEREAS, the Village will continue to be responsible for the street closure postings and the owners will continue maintain the fencing, tents and the subcontractor services for garbage, port-a-potty, security, sanitizing station services, etc. they are currently using. Owners will also be responsible for the take-down and removal of all subcontractor services and will complete a detailed policing of the neighborhood the day after the street closure is no longer active in order to ensure all is clean;

NOW, THEREFORE, BE IT RESOLVED by the President and the Board of Trustees for the Village of Maple Park, DeKalb and Kane Counties, Illinois, as follows:

SECTION 1. These street closures shall continue from 12:01 October 12, 2020 and until Noon November 16, 2020.

SECTION 2. The bar and restaurant owners will assume responsibility for the teardown of their tents and additional fencing they have erected and for a neighborhood cleanup no later than Noon on Monday, November 16, 2020.

SECTION 3. 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 4. 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 5. 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, its 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 October 6, 2020.

AYES: Dries, Fahnestock, Higgins

NAYS: Rebone, President Curtis

ABSENT: _____

ABSTAIN: Harris, Ward

ADOPTED by the Village President on the 7th day of October, 2020.



Kathleen Curtis

Kathleen Curtis, Village President

ATTEST:

Theresa D'Amato

Theresa D'Amato, Village Clerk