

SANGAMON COUNTY, ILLINOIS

ORDINANCE
NUMBER 16- 58

**AN ORDINANCE AUTHORIZING THE TERMINATION OF AN
INTERGOVERNMENTAL AGREEMENT WITH CHATHAM TOWNSHIP RELATING
TO A DIESEL DRIVEN GENERATOR**

THOMAS S. GRAY, Village President
PAT SCHAD, Village Clerk

MARK CLAYTON
TERRY FOUNTAIN
DAVID KIMSEY
NINA LINDHORST
MATT MAU
JOE SCHATTEMAN
Village Trustees

Published in pamphlet form by authority of the President and Board of Trustees of the Village of Chatham
on 11/22, 2016

Sorling Northrup – 1 N. Old State Capitol Plaza, Suite 200, Springfield, IL 62705

ORDINANCE NO. 16- 58

AN ORDINANCE AUTHORIZING THE TERMINATION OF AN INTERGOVERNMENTAL AGREEMENT WITH CHATHAM TOWNSHIP RELATING TO A DIESEL DRIVEN GENERATOR

WHEREAS, the Village of Chatham (“Village”), Sangamon County, State of Illinois, is a duly organized and existing Village created under the provisions of the laws of the State of Illinois, and is now operating under the provisions of the Illinois Municipal Code; and

WHEREAS, on December 13, 2013, the Village approved an Intergovernmental Agreement (“Agreement”) with Chatham Township (“Township”) relating to the maintenance, repair and operation of an emergency generator owned by the Township and located at the Township Community Building; and

WHEREAS, the Agreement provides it may be terminated by either party upon 60 days written notice, with or without cause; and

WHEREAS, the Village Board no longer finds the Agreement to be in the best interests of the Village and therefore directs Village staff to send notice of termination of the Agreement.

NOW, THEREFORE, BE IT ORDAINED by the President and Board of Trustees of the Village of Chatham, County of Sangamon, as follows:

Section 1. Recitals. The foregoing recitals shall be and are hereby incorporated into and made a part of this Ordinance as if fully set forth in this Section 1.

Section 2. Notice of Termination. The Village Board hereby directs Village staff to send notice to Chatham Township terminating the Intergovernmental Agreement related to the maintenance, repair and operation of the emergency generator.

Section 3. Severability. In the event a court of competent jurisdiction finds this ordinance or any provision hereof to be invalid or unenforceable as applied, such finding shall

not affect the validity of the remaining provisions of this ordinance and the application thereof to the greatest extent permitted by law.

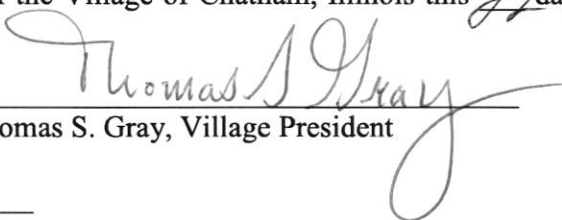
Section 4. Repeal and Savings Clause. All ordinances or parts of ordinances in conflict herewith are hereby repealed; provided, however, that nothing herein contained shall affect any rights, actions, or causes of action which shall have accrued to the Village of Chatham prior to the effective date of this ordinance.

Section 5. Effective Date. This Ordinance shall be in full force and effect from and after its passage, approval and publication in pamphlet form as provided by law.

PASSED this 22 day of NOV, 2016.

	YES	NO	ABSENT	PRESENT
MARK CLAYTON			✓	
TERRY FOUNTAIN	✓			
DAVID KIMSEY	✓			
NINA LINDHORST	✓			
MATT MAU	✓			
JOE SCHATTEMAN	✓			
THOMAS S. GRAY				
TOTAL	5		1	

APPROVED by the President of the Village of Chatham, Illinois this 22 day of NOV, 2016.


 Thomas S. Gray, Village President

Attest: 
 Pat Schad, Village Clerk

Ordinance No. 13- 53

**AN ORDINANCE APPROVING
AN INTERGOVERNMENTAL AGREEMENT**

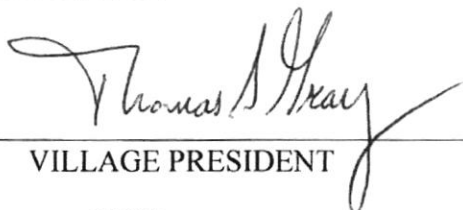
*BE IT ORDAINED BY THE PRESIDENT AND BOARD OF TRUSTEES OF THE
VILLAGE OF CHATHAM, SANGAMON COUNTY, ILLINOIS AS FOLLOWS:*

SECTION 1: That certain Intergovernmental Agreement between Chatham Township and the Village of Chatham, a copy of which is attached hereto, is hereby approved.

SECTION 2: The President of the Village is authorized and directed to approve said agreement on behalf of the Village, and the proper officers of the Village are authorized and directed to carry out the agreement by its terms.

SECTION 3: This Ordinance is effective immediately.

PASSED this 10 day of DEC, 2013.


VILLAGE PRESIDENT

ATTEST:


Village Clerk



AYES: 6 CLAYTON KIMSEY BOYLE HOLLEN FORMEA SCHATTEMAN

NAYS: 0

PASSED: 12-10-13

APPROVED: 12-10-13

ABSENT: 0

INTERGOVERNMENTAL AGREEMENT

This Agreement is by and between the Village of Chatham, Illinois ("Village") and Chatham Township, Illinois ("Township"), and is dated this 10 day DECEMBER, 2013. of

WHEREAS, for a number of years, the Village and the Township have had an informal agreement pertaining to maintenance, repair and operation of an emergency generator, namely, a Katolight, Model No. D105FGJ4T1, John Deere 6068TF150 Diesel Driven Generator owned by the Township and located at the Township Community Building;

WHEREAS, the parties wish to formalize the informal agreement;

NOW, THEREFORE, THE PARTIES AGREE AS FOLLOWS:

1. The Village shall continue to be responsible for maintenance and repair of the generator, maintain a minimum fuel level of 50% (no bio-diesel), and its periodic checking. A major maintenance service will be performed yearly (oil change, oil and fuel filters change, battery check, electrical evaluation, etc.) The Village shall be responsible for refueling the generator and maintaining it during emergency operations. The batteries will be replaced every two years.

2. The Township shall provide space for the generator behind the Community Building, and will limit access to the generator to authorized Township and Village personnel.

3. The Village ESDA Coordinator, or his or her designee, shall check the generator every Monday morning (during scheduled run time) to make sure it cycled for the week.

4. In the event of an emergency accompanied by a power outage, the diesel generator is set to start automatically in order to power emergency operations at the Township Community Building. Should the generator fail to start at any time, a qualified mechanic will be hired to make adjustments or repairs to the machine. A qualified diesel mechanic or electrician will be hired if the repairs needed go beyond regular maintenance.

5. This Agreement is effective upon its approval by the corporate authorities of the parties. It shall be indefinite in term, and it may be terminated by either party upon 60 days written notice, with or without cause.

AGREED effective this 10 day of DEC, 2013.

VILLAGE OF CHATHAM

CHATHAM TOWNSHIP

By: Thomas S Gray
Its President

By: _____
Its Supervisor

ATTEST:

Pat Schaefer
Clerk



ORDINANCE CERTIFICATE

STATE OF ILLINOIS)
) SS
COUNTY OF SANGAMON)

I, the undersigned, do hereby certify that I am the duly qualified and acting Village Clerk of the Village of Chatham, Sangamon County, Illinois.

I do further certify that the ordinance attached hereto is a full, true, and exact copy of Ordinance No. 13- 53, adopted by the President and Board of Trustees of said Village on the 10 day of DEC, 2013, said Ordinance being entitled:

**AN ORDINANCE APPROVING
AN INTERGOVERNMENTAL AGREEMENT**

I do further certify that prior to the making of this certificate, the said Ordinance was spread at length upon the permanent records of said Village, where it now appears and remains.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of said Village this 10 day of DEC, 2013.



Village Clerk

