

RESOLUTION NO. 02 - 19

A RESOLUTION APPROVING AND AUTHORIZING THE VILLAGE TO ENTER INTO AN INTERGOVERNMENTAL AGREEMENT TO PROVIDE LAW ENFORCEMENT ASSISTANCE

WHEREAS, the Village of Chatham (“Village”) is an Illinois Municipal Corporation existing and operating under the Illinois Municipal Code and the laws of the State of Illinois; and

WHEREAS, the Constitution of the State of Illinois, 1970, Article VII, Section 10 authorizes units of local government to contract or otherwise associate among themselves in any manner not prohibited by law or ordinance; and,

WHEREAS, the Springfield Park District and Village have the authority to participate in cooperative programs and share services with other governmental entities pursuant to Section 3 of the Intergovernmental Cooperation Act, 5 ILCS 220/3; and,

WHEREAS, the Village wishes to enter into an Agreement with the Springfield Park District to render law enforcement assistance to the other jurisdiction when requested as described in the Agreement as attached hereto as **Exhibit A**; and,

WHEREAS, the Board of Trustees of the Village believe it is in the best interest of the Village to enter into the Agreement for the parties to provide law enforcement assistance to each other.

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

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

Section 2. Approval of Agreement. The Village Board of Trustees hereby authorizes the Village to enter the Intergovernmental Agreement attached hereto as **Exhibit A**. The Village

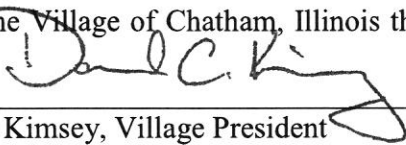
Chief of Police and Clerk are hereby authorized to execute the Agreement on behalf of the Village.

Section 3. Effective Date. This Resolution shall be in full force and effect from and after its passage and approval.

SO RESOLVED this 8 day of January, 2019, at Chatham, Sangamon County, Illinois.

	YES	NO	ABSENT	PRESENT
ANDREW DETMERS	X			
TERRY FOUNTAIN	X			
BRETT GERGER	X			
RYAN MANN	X			
MATT MAU	X			
PAUL SCHERSCHEL	X			
DAVE KIMSEY				
TOTAL	6	0		

APPROVED by the President of the Village of Chatham, Illinois this 8 day of January, 2019.


 Dave Kimsey, Village President

Attest:


 Amy Dahlkamp, Village Clerk

INTERGOVERNMENTAL AGREEMENT TO PROVIDE LAW ENFORCEMENT ASSISTANCE

This Agreement entered into by and between the Village of Chatham Illinois, an Illinois Municipal Corporation, and the Springfield Park District, and Illinois Municipal Corporation;

WITNESSETH:

WHEREAS, each of the parties hereto maintains equipment and personnel for the purpose of Law Enforcement within their own governmental jurisdiction; and

WHEREAS, the parties hereto desire to augment Law Enforcement services when necessary; and

WHEREAS, it is recognized that in certain situations the use of Law Enforcement personnel to perform police duties outside the jurisdictional boundaries of the jurisdiction where such personnel are employed may be desirable and necessary in order to protect the health, safety, and welfare of the public;

NOW, THEREFORE, pursuant to Article VII, Section 10 of the Illinois Constitution, and the Illinois Governmental Cooperation Act, the parties hereto agree as follows:

1. Springfield Park District and the Village of Chatham authorize their respective Chief of Police, or Commanding Officer in his absence, to render Law Enforcement assistance to each other's jurisdictions, when so requested, to the extent of available personnel and equipment not immediately required for the protection of their respective jurisdictions. The Judgement of the Chief of Police of Commanding Officers in his absence, as to the availability of personnel and equipment for mutual assistance is conclusive.
2. A call for assistance notwithstanding, the Village of Chatham through the Chatham Police Department is hereby granted full, complete and concurrent jurisdiction with the Springfield Park District and the Park Police in the enforcement of all federal, state and local laws not in conflict with the ordinances of the Springfield Park District along the bike trail designated as the Interurban Trail.
3. Peace Officers of the jurisdictions signing this agreement who, pursuant to a bona fide request for service or assistance, are performing police duties within the jurisdictional boundaries of the other signatory request party, shall act under the direction of the

Commanding Officer of the requesting signatory party, and shall have like authority of Peace Officers of the requesting signatory Party, including the power or arrest.

4. All wages and disability payments, pensions and workers compensation claims, damages or causes of actions for personal injury, damages to equipment, and medical expenses of any Peace Officer or his signatory party, incurred while the Peace Officer was responding to or giving assistance to the other signatory party, shall be borne by and remain the responsibility of the responding signatory party, regardless of whether said claim, damage, or cause of action arose while said officer was acting in his own jurisdiction, or while rendering assistance under the terms of Agreement. Each party (the indemnifying party) hereto agrees to save and hold harmless, and defend the other party, its officials and employees, from and against all claims, losses, liability and causes of action for damage, injury or death arising from the acts, errors or omissions of said indemnifying party, its officials and employees, while acting pursuant to this agreement.

5. Each signatory party hereto waives all claims against the other for any loss or damage to such party by reason of or caused by the other party's, or its employees, performance of or failure to perform this Agreement. Each signatory party shall remain solely responsible for the acts of its employees when said employees respond to a request for Law Enforcement assistance.

6. This Agreement shall become effective upon approval by resolution or ordinance of the governing bodies of the signatory parties and execution of this agreement by such governing bodies.

7. This Agreement shall remain in force and effect until terminated by mutual Agreement of the signatory parties, or by ten (10) days written notice of either party to the other.

8. This Agreement shall be executed in duplicate originals with an original of this Agreement to be filed with the Village Clerk of the Village of Chatham and with the Director of the Springfield Park District.

9. This Agreement cancels and terminates, as of its effective date, all prior Agreements between the parties hereto for the provision of mutual Law Enforcement assistance, whether written or oral, or partly written and partly oral; provided however, that nothing herein shall act to repeal or modify the Springfield Park District Ordinance dated July 18, 1973, granting the Village of Chatham concurrent Law Enforcement jurisdiction.

SPRINGFIELD PARK DISTRICT an Illinois Municipal Corporation

BY:

TITLE:

DATE:

ATTEST:

DATE:

VILLAGE OF CHATHAM an Illinois Municipal Corporation

BY:

TITLE:

DATE:

ATTEST:

DATE:

Donald C. King
Village President

1-8-2019

Amy Dahlkamp

1-8-2019