

APPROVING THE REGULATION OF TRAFFIC FOR THE PURPOSE OF HOLDING THE ANNUAL DEKALB CORN FEST ON ILLINOIS ROUTE 38 (LINCOLN HIGHWAY) BETWEEN FIRST STREET AND FOURTH STREET BEGINNING THURSDAY, AUGUST 24, 2023, AT 4:00 P.M., THROUGH SUNDAY, AUGUST 27, 2023, AT 10:00 P.M., DEKALB, ILLINOIS.

WHEREAS, the City of DeKalb (the "City") is a home rule unit of local government and may exercise any power and perform any function pertaining to its government and affairs pursuant to Article VII, Section 6, of the Illinois Constitution of 1970; and

WHEREAS, the City hosts the annual Corn Fest (the "Event"), which is a public recreational festival held in part on City property; and

WHEREAS, the Event requires the temporary closure of Illinois Route 38 (Lincoln Highway), a State Highway in the City, in the area between First Street and Fourth Street, during the hours of 4:00 p.m. on Thursday, August 24, 2023, until 10:00 p.m. on Sunday, August 27, 2023; and

WHEREAS, Section 4.408 of the Illinois Highway Code authorizes the Illinois Department of Transportation ("IDOT") to issue permits to local authorities to temporarily close portions of State Highways for public purposes; and

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF DEKALB, ILLINOIS, that the City requests permission from IDOT to close off Illinois Route 38 (Lincoln Highway), in the area between First Street and Fourth Street, during the hours of 4:00 p.m. on Thursday, August 24, 2023, until 10:00 p.m. on Sunday, August 27, 2023 (the "Closure").

BE IT FURTHER RESOLVED that the Closure shall occur during the approximate time period of 4:00 p.m. on Thursday, August 24, 2023, until 10:00 p.m. Sunday, August 27, 2023.

BE IT FURTHER RESOLVED that traffic from the Closure shall be detoured over routes with an all-weather surface that can accept the anticipated traffic, maintained to the satisfaction of IDOT, and conspicuously marked for the benefit of traffic diverted from the Closure (the "Detour Route").

BE IT FURTHER RESOLVED that the Detour Route from the Closure shall be as follows:

Westbound Traffic: Beginning at the intersection of Route 38 (Lincoln Highway) and Route 23 (Fourth Street) turn north to the Sycamore Road extension at Clinton Rosette School; turn left (southwest) on the Sycamore Road extension past said school; turn left (south) on North First Street to Lincoln Highway; turn right (west) on Route 38 (Lincoln Highway).

Eastbound Traffic: Beginning at Route 38 (Lincoln Highway), turn left (north) on North First Street; turn right (northeast) on Sycamore Road extension; turn right (south) on Route 23 (Fourth Street) to the intersection of Route 38 (Lincoln Highway) and Route 23 (Fourth Street); turn left (east) on Route 38 (Lincoln Highway).

BE IT FURTHER RESOLVED that the City shall assume full responsibility for the traffic control police protection services for the Detour Route, subject to the immunities and defenses provided by law.

BE IT FURTHER RESOLVED that police officers or authorized flaggers shall, at the City's expense, be positioned at each end of the Closure and at such other locations to provide traffic control police protection services for the Detour Route.

BE IT FURTHER RESOLVED that police officers, flaggers, and officials shall permit emergency vehicles in emergency situations to pass through the Closure.

BE IT FURTHER RESOLVED that the City shall remove debris from the Closure prior to reopening the State Highway.

BE IT FURTHER RESOLVED that such signs, flags, barricades, and other traffic control measures shall be provided and used by the City as may be approved by IDOT.

BE IT FURTHER RESOLVED that the Closure and Detour Route shall be marked according to the Illinois Manual on Uniform Traffic Control Devices.

BE IT FURTHER RESOLVED that to the fullest extent permitted by law, the City shall indemnify and hold harmless IDOT, 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 IDOT that is the subject of this Resolution. The obligation is binding upon the City, regardless of whether or not such claim, damage, loss or expense is caused in part by the act, omission or negligence of the IDOT or its officers, employees or agents. Notwithstanding the foregoing to the contrary, the City shall be entitled to the immunities and defenses provided by law including, but not limited to, 745 ILCS 10/1, *et seq.*

BE IT FURTHER RESOLVED that the City shall provide a comprehensive general liability policy or an additional named insured endorsement in the minimum amount of \$1,000,000 per person and \$2,000,000 aggregate, which names IDOT and its officials, employees and agents as additional insureds, a copy of which shall be provided to IDOT upon its request.

BE IT FURTHER RESOLVED that a copy of this Resolution shall be forwarded to IDOT to serve as a formal request for the permission sought in this Resolution.

BE IT FURTHER RESOLVED that this resolution and each of its terms shall be the effective legislative act of a home rule municipality without regard to whether such resolution should (a) contain terms contrary to the provision of current or subsequent non-preemptive state law, or (b) legislate in a manner or regarding a matter not delegated to municipalities by state law. It is the intent of the City's corporate authorities that to the extent that the terms of this resolution should be inconsistent with any non-preemptive state law, that this resolution shall supersede state law in that regard within its jurisdiction.

BE IT FURTHER RESOLVED that this resolution shall be in full force and effect from and after its passage and approval as provided by law.

PASSED BY THE CITY COUNCIL of the City of DeKalb, Illinois, at a Regular meeting thereof held on the 8th day of May 2023 and approved by me as Mayor on the same day. Passed by a

7-0-1 roll call vote. Aye: Morris, Larson, Smith, McAdams, Verbic, Walker, Barnes. Nay: None.
Absent: Perkins.




COHEN BARNES, Mayor

ATTEST:



Ruth A. Scott, Executive Assistant



Illinois Department of Transportation

Office of Highways Project Implementation / Region 2 / District 3
700 East Norris Drive / Ottawa, Illinois 61350-1628

May 30, 2023

City of DeKalb
Attn: Ruth Scott
200 South Fourth Street
DeKalb IL 60115



Dear Ms. Scott:

In accordance with your request and in reliance upon the conditions noted in your resolution adopted May 8, 2023, the Illinois Department of Transportation grants the City of DeKalb permission, subject to the aforesaid conditions, to temporarily close Illinois Route 38 from First Street to Fourth Street, from 4:00 p.m. on August 24, 2023, to 10:00 p.m. on August 27, 2023, for a corn fest.

Your cooperation in minimizing confusion and delay to through traffic is earnestly solicited and a reminder that the roadway needs to be open to clear traffic after 15 minutes if there is no detour route available for through traffic to utilize.

If you have any questions, please contact Tom Schaefer, Traffic Engineer, at 815-434-8446.

Sincerely,

Masood Ahmad, P.E.
Region Two Engineer

A handwritten signature in black ink, appearing to read 'Junior Senat'.

By: Junior Senat, P.E.
District Operations Engineer

cc: Illinois State Police, Troop 3
DeKalb Police Department
S Meiborg / D Rennels
Charletta Hayes



COPY

164 East Lincoln Highway
DeKalb, Illinois 60115
815.748.2000 • cityofdekalb.com

May 22, 2023

Illinois Department of Transportation
Attention: Operations Secretary
700 E. Norris Drive
Ottawa, Illinois 61350-0697

Re: Permit Request to Close Illinois Route 38 (Lincoln Highway) for the 2023 DeKalb Corn Fest.

To Whom It May Concern:

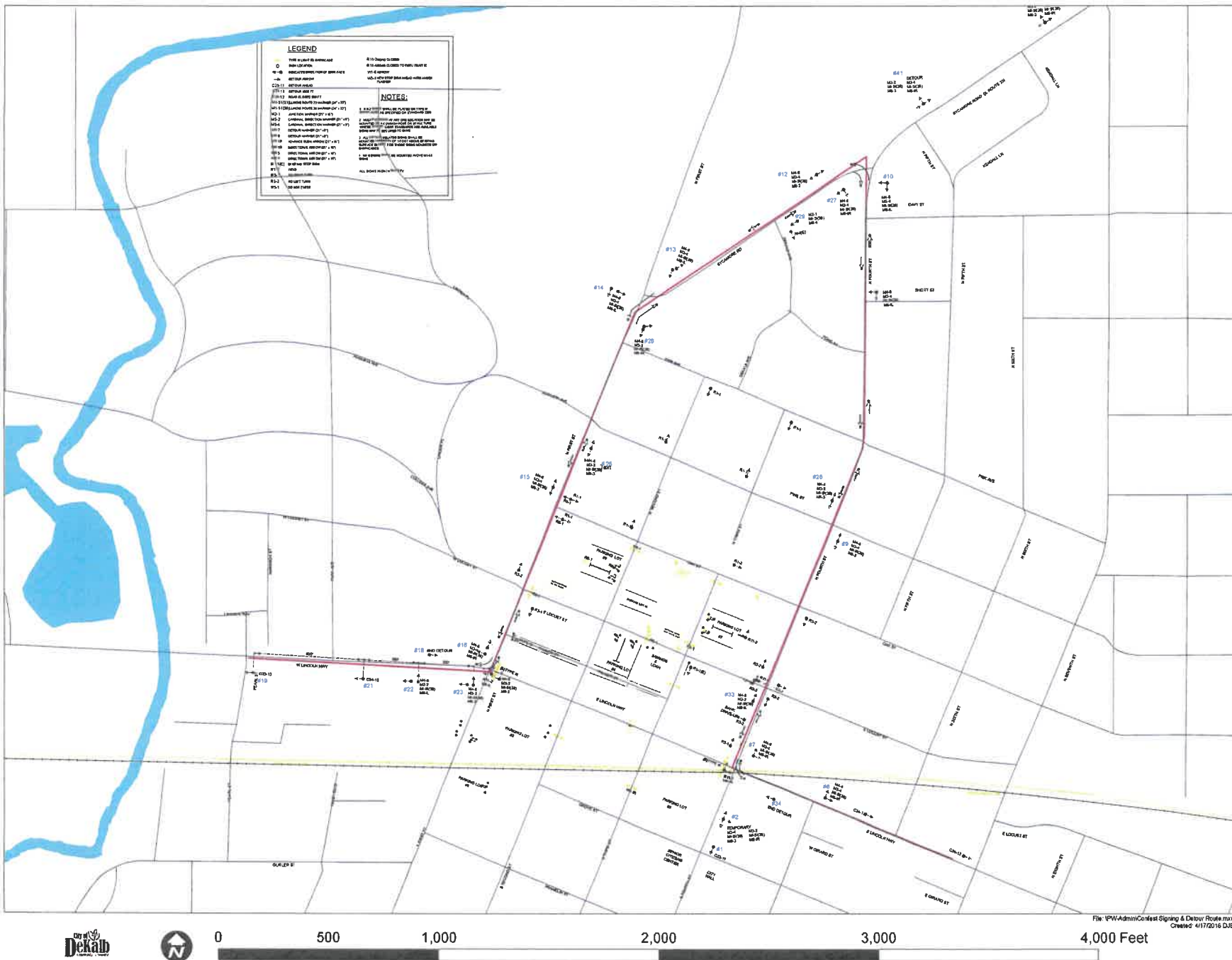
This letter serves as request for permission to close a portion of Illinois Route 38 between First Street and Fourth Street (Illinois Route 23) in DeKalb, Illinois, beginning on Thursday, August 24, 2023, at 4:00 p.m. through Sunday, August 27, 2023, at 10:00 p.m. for the purpose of holding the City's annual Corn Festival.

Enclosed you will find a copy of the City's Resolution 2023-059, which approves this request for road closure, and the required certificate of insurance. Please advise if further information is needed in order to process this request. I can be reached by phone at (815) 748-2090 or by email at ruth.scott@cityofdekalb.com.

Sincerely,

Ruth A. Scott
Executive Assistant

Corn Fest August 24 - 27, 2023 - Signing & Detour Route





CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)
05/19/2023

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must have ADDITIONAL INSURED provisions or be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

PRODUCER Crum-Halsted Agency Inc 2350 Bethany Road Sycamore IL 60178		CONTACT NAME: Missy Gruben PHONE (A/C, No, Ext): (815) 756-2906 FAX (A/C, No): (815) 756-2138 E-MAIL ADDRESS: mgruben@crumhalsted.com	
		INSURER(S) AFFORDING COVERAGE	
		INSURER A: West Bend Mutual Ins Co	
		INSURER B: Illinois Casualty Company	
		INSURER C:	
		INSURER D:	
		INSURER E:	
		INSURER F:	

COVERAGES **CERTIFICATE NUMBER:** 2023-2024 **REVISION NUMBER:**

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADDL INSD	INSUR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS
A	<input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY	Y		0938595	08/03/2023	08/03/2024	EACH OCCURRENCE \$ 1,000,000
	<input type="checkbox"/> CLAIMS-MADE <input checked="" type="checkbox"/> OCCUR						DAMAGE TO RENTED PREMISES (Ea occurrence) \$ 100,000
							MED EXP (Any one person) \$
							PERSONAL & ADV INJURY \$ 1,000,000
							GENERAL AGGREGATE \$ 2,000,000
							PRODUCTS - COMP/OP AGG \$ 2,000,000
	AUTOMOBILE LIABILITY						COMBINED SINGLE LIMIT (Ea accident) \$
	ANY AUTO						BODILY INJURY (Per person) \$
	OWNED AUTOS ONLY		SCHEDULED AUTOS				BODILY INJURY (Per accident) \$
	HIRED AUTOS ONLY		NON-OWNED AUTOS ONLY				PROPERTY DAMAGE (Per accident) \$
	UMBRELLA LIAB						EACH OCCURRENCE \$
	EXCESS LIAB						AGGREGATE \$
	DED		RETENTION \$				
	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY						PER STATUTE
	ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH)						OTH-ER
	If yes, describe under DESCRIPTION OF OPERATIONS below						E.L. EACH ACCIDENT \$
							E.L. DISEASE - EA EMPLOYEE \$
							E.L. DISEASE - POLICY LIMIT \$
B	Liquor Liability			LL111372	08/25/2023	08/28/2023	Limit \$1,000,000

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)

RE: DeKalb Cornfest August 25, 2023 to August 27, 2023
City limits of DeKalb, IL 60115
Illinois Dept of Transportation is additional insured in regards to General Liability.

CERTIFICATE HOLDER

Illinois Dept of Transportation 700 E Norris Ottawa IL 61350
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CANCELLATION

SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.

AUTHORIZED REPRESENTATIVE

Patrick E. Fagan

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