

**RESOLUTION 2017-045**

**PASSED: MARCH 27, 2017**

**APPROVING THE REGULATION OF TRAFFIC ON ILLINOIS ROUTE 38 BETWEEN FIRST STREET AND FOURTH STREET BEGINNING ON THURSDAY, AUGUST 24, 2017 AT 4:00 P.M., THROUGH SUNDAY, AUGUST 27, 2017 AT 10:00 P.M., FOR THE PURPOSE OF HOLD THE ANNUAL DEKALB CORN FESTIVAL.**

**WHEREAS**, the DeKalb Corn Fest, Inc., is sponsoring the annual Corn Fest in the City of DeKalb, Illinois, which constitutes a public purpose; and

**WHEREAS**, this event will require the temporary closure of Illinois Route 38, a State Highway in the City of DeKalb, between First Street and Fourth Street between the hours of 4:00 p.m. on Thursday, August 24, 2017, until 10:00 p.m. Sunday, August 27, 2017; and

**WHEREAS**, Section 4.408 of the Illinois Highway Code authorizes the Department of Transportation to issue permits to local authorities to temporarily close portions of State Highways for such public purposes.

**NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF DEKALB, ILLINOIS**, that permission to close off Illinois Route 38 between First Street and Fourth Street between the hours of 4:00 p.m. on Thursday, August 24, 2017, and until 10:00 p.m. Sunday, August 27, 2017, as above designated, be requested of the Illinois Department of Transportation.

**BE IT FURTHER RESOLVED** that this closure shall occur during the approximate time period between the hours of 4:00 p.m. on Thursday, August 24, 2017, and until 10:00 p.m. Sunday, August 27, 2017.

**BE IT FURTHER RESOLVED** that traffic from that closed portion of highway shall be detoured over routes with an all-weather surface that can accept the anticipated traffic, which will be maintained to the satisfaction of the Illinois Department of Transportation and, which is conspicuously marked for the benefit of traffic diverted from the State highway. The detour route 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 of DeKalb assumes full responsibility for the direction, protection, and regulation of the traffic during the time the detour is in effect.

**BE IT FURTHER RESOLVED** that police officers or authorized flaggers shall at the expense of the City of DeKalb, Illinois be positioned at each end of the closed section and at other points (such as intersections) as may be necessary to assist in directing traffic through the detour.

**BE IT FURTHER RESOLVED** that police officers, flaggers, and officials shall permit emergency vehicles in emergency situations to pass through the closed area as swiftly as is safe for all concerned.

**BE IT FURTHER RESOLVED** that all debris shall be removed by the City of DeKalb, prior to reopening the State Highway.

**BE IT FURTHER RESOLVED** that such signs, flags, barricades, etc., shall be used by the City of DeKalb as may be approved by the Illinois Department of Transportation. These items shall be provided by the City of DeKalb.

**BE IT FURTHER RESOLVED** that the closure and detour 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 of DeKalb shall be responsible for any and all injuries to persons or damages to property, and shall indemnify and hold harmless the Illinois Department of Transportation, 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 Department, which is the subject of this Resolution. The obligation is binding upon the City of DeKalb, regardless of whether or not such claim, damage, loss or expense is caused in part by the act, omission or negligence of the Department or its officers, employees or agents.

**BE IT FURTHER RESOLVED** that the City of DeKalb 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 has the Illinois Department of Transportation, its officials, employees and agents as insureds and, which protects them from all claims arising from the requested road closing. A copy of said policy or endorsement will be provided to the Department before the road is closed.

**BE IT FURTHER RESOLVED** that a copy of this Resolution will be forwarded to the Department of Transportation to serve as a formal request for the permission sought in this Resolution and to operate as part of the conditions of said permission.

**BE IT FURTHER RESOLVED**, that the City Clerk of the City of DeKalb, Illinois be authorized and directed to attest the Mayor's Signature and shall be effective thereupon.

**PASSED BY THE CITY COUNCIL** of the City of DeKalb, Illinois at a Regular meeting thereof held on the 27<sup>th</sup> day of March, 2017, and approved by me as Mayor on the same day. Passed by an Omnibus roll call vote of 8-0 under the Consent Agenda. Aye: Jacobson, Finucane, Marquardt, Snow, Noreiko, Baker, Faivre. Rey.

**ATTEST:**

  
JENNIFER JEEP JOHNSON, City Clerk

  
JOHN A. REY, Mayor

