

RESOLUTION NO. _____

A RESOLUTION APPROVING AN AGREEMENT BY AND BETWEEN THE CITY OF CREST HILL AND BAXTER & WOODMAN CONSULTING ENGINEERS FOR THE SERVICES OF MARK SIEFERT IN CONNECTION WITH THE CITY OF CREST HILL LAKE MICHIGAN WATER ALLOCATION APPLICATION WITH THE ILLINOIS DEPARTMENT OF NATURAL RESOURCES

WHEREAS, the Corporate Authorities of the City of Crest Hill, Will County, Illinois, have the authority to adopt resolutions and to promulgate rules and regulations that pertain to the City's government and affairs and protect the public health, safety, and welfare of its citizens; and

WHEREAS, pursuant to Section 2-2-12 of the Illinois Municipal Code (65 ILCS 5/2-2-12), the City Council possesses the authority to enter into contracts that serve the legitimate corporate purposes of the City; and

WHEREAS, the City of Crest Hill has resolved to participate as a Member of the Grand Prairie Water Commission in order to secure a viable future source of potable water for the City due to the projected depletion of the current deep sandstone aquifer; and

WHEREAS, as part of the formation of the Grand Prairie Water Commission, the City of Crest Hill has submitted an application to the Illinois Department of Natural Resources ("IDNR") for a Lake Michigan Water Allocation, which application is currently pending before the IDNR and set for hearing on August 30, 2023; and

WHEREAS, as part of the allocation application, the City of Crest Hill was required to file with the IDNR the written testimony of its witnesses in support of the City's application prior to the allocation hearing; and

WHEREAS, at the time of the filing of the Lake Michigan Water Allocation Application, Mark Siefert was the Director of Public Works for the City of Crest Hill; and

WHEREAS, Mr. Siefert was designated by the City as one of its witnesses in support of the Lake Michigan Water Allocation Application, and therefore submitted Mr. Siefert's written testimony to the IDNR along with the written testimony of the City's other witnesses; and

WHEREAS, after the submission of Mr. Siefert's written testimony, he resigned his position with the City of Crest Hill and has taken a position with Baxter & Woodman Consulting Engineers; and

WHEREAS, Baxter & Woodman Consulting Engineers (the "Company"), is an Illinois engineering firm which is in the business of providing engineering services, including water, wastewater, and other Public Works consulting and related services (the "Services"); and

WHEREAS, the City has determined that it is in the best interests of the City to engage the Services of Mark Siefert to provide testimony in support of the previously filed written

testimony before the IDNR rather than withdrawing Mr. Siefert’s testimony and having to engage another individual to provide testimony at the August 30, 2023 IDNR Lake Michigan Water Allocation Hearing, as that would further delay the process of receiving an allocation and will affect the other communities that are part of the Grand Prairie Water Commission; and

WHEREAS, the City Council desires to engage the Company to provide the Services and the Company is ready, willing, and able to provide Mr. Siefert for his testimony at the IDNR Allocation hearing and for any associated meetings and preparation for same; and

WHEREAS, City Staff have negotiated an Water and Wastewater System Operations Assistance Agreement (the “Agreement”) with the Company for the purposes of engaging the Company (and its employee Mark Siefert) to perform the Services (a copy of the Agreement is attached hereto as Exhibit A and fully incorporated herein); and

WHEREAS, the City Council has reviewed the Agreement and determined that the conditions, terms, and provisions of the Agreement are fair, reasonable, and acceptable to the City; and

WHEREAS, the City Council has determined that it is in the best interests of the City and its citizens to enter into the Agreement with the Company.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Crest Hill, Illinois, pursuant to its statutory authority, as follows:

SECTION 1: PREAMBLE. The City Council hereby finds that all of the recitals contained in the preamble to this Resolution are true, correct and complete and are hereby incorporated by reference hereto and made a part hereof.

SECTION 2: AGREEMENT APPROVED. The City Council hereby finds and declares that the conditions, terms, and provisions of the Agreement (Exhibit A) are fair, reasonable, and acceptable to the City and that the same is hereby approved in form and substance. Therefore, the City Council hereby authorizes and directs the Mayor to execute and deliver, and the Clerk to attest, the Agreement, and further to take any and all other actions, including without limitation the execution and delivery of any and all documents, necessary and appropriate to effectuate the intent of this Resolution, which is to enter into the Agreement with the Company.

SECTION 3: SEVERABILITY. If any section, paragraph, clause or provision of this Resolution is held invalid, the invalidity of such section, paragraph, clause or provision shall not affect any other provision of this Resolution.

SECTION 4: REPEALER. All ordinances, resolutions or orders, or parts thereof, which conflict with the provisions of this Resolution, are to the extent of such conflict hereby repealed.

SECTION 5: EFFECTIVE DATE. This Resolution shall be in full force and effect immediately upon its passage and publication according to law.

PASSED THIS 7TH DAY OF AUGUST, 2023.

	Aye	Nay	Absent	Abstain
Alderman John Vershay	_____	_____	_____	_____
Alderman Scott Dyke	_____	_____	_____	_____
Alderwoman Claudia Gazal	_____	_____	_____	_____
Alderman Darrell Jefferson	_____	_____	_____	_____
Alderperson Tina Oberlin	_____	_____	_____	_____
Alderman Mark Cipiti	_____	_____	_____	_____
Alderman Nate Albert	_____	_____	_____	_____
Alderman Joe Kubal	_____	_____	_____	_____
Mayor Raymond R. Soliman	_____	_____	_____	_____

Christine Vershay-Hall, City Clerk

APPROVED THIS 7TH DAY OF AUGUST, 2023

Raymond R. Soliman, Mayor

ATTEST:

Christine Vershay-Hall, City Clerk

EXHIBIT A