

CITY OF VILLA GROVE
DOUGLAS COUNTY, ILLINOIS

ORDINANCE NO. 2018-MC09

**AN ORDINANCE APPROVING AN INTERGOVERNMENTAL AGREEMENT
BETWEEN THE CITY OF VILLA GROVE AND CAMARGO TOWNSHIP
REGARDING THE SHARING OF HEAVY MECHANICAL EQUIPMENT**

PASSED BY THE CITY COUNCIL AND
APPROVED BY THE MAYOR OF THE
CITY OF VILLA GROVE, ILLINOIS
THIS TWENTY-SEVENTH DAY OF AUGUST 2018

PUBLISHED IN PAMPHLET FORM BY AUTHORITY OF THE MAYOR AND CITY COUNCIL OF THE CITY
OF VILLA GROVE, DOUGLAS COUNTY, ILLINOIS, THIS TWENTY-EIGHTH DAY OF AUGUST 2018.

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August 27, 2018

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BETWEEN THE CITY OF VILLA GROVE AND CAMARGO TOWNSHIP
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WHEREAS, the City of Villa Grove, Douglas County, Illinois, is a municipality as contemplated under Article VII, Section 7 of the Constitution of the State of Illinois, and the passage of this Ordinance constitutes an exercise of City's powers and functions as granted in the same; and

WHEREAS, the Villa Grove City Council and Camargo Township have engaged in discussions and negotiations regarding an Agreement for sharing various types of heavy mechanical equipment; and

WHEREAS, the laws of the State of Illinois authorize the City of Villa Grove to enter into Intergovernmental Agreements of this type if it determines it is in the best interest of the municipality to do so and if the other governmental entity is similarly agreeable; and

WHEREAS, the Mayor and City Council of Villa Grove believe that said Intergovernmental Agreement is now in the best interests of the City of Villa Grove.

NOW, THEREFORE BE IT ORDAINED BY THE MAYOR AND COUNCIL, CITY OF VILLA GROVE, DOUGLAS COUNTY, ILLINOIS, as follows:

SECTION 1: The City of Villa Grove hereby approves and agrees to the terms of an Intergovernmental Agreement between the City of Villa Grove

and Camargo Township regarding the use of heavy equipment as provided in attached Exhibit A.

SECTION 2: The Mayor and Clerk of the City of Villa Grove are authorized to execute said Intergovernmental Agreement in substantially the form attached as Exhibit A when said document is in a form acceptable to the Camargo Township Board of Trustees.

SECTION 3: If any section, paragraph, subdivision, clause, sentence or provision of this Ordinance shall be adjudged by any Court of competent jurisdiction to be invalid, such judgment shall not affect, impair, invalidate or nullify the remainder thereof, which remainder shall remain and continue in full force and effect.

SECTION 4: That all ordinances, resolutions and order, or parts thereof, in conflict with the provisions of this Ordinance are to the extent of such conflict repealed.

SECTION 5: That this Ordinance shall be in pamphlet form as provided by law, although said publication is not necessary for the effectiveness of said ordinance as said ordinance is by the terms hereof effective upon its passage and approval.

PRESENTED, PASSED, APPROVED AND ADOPTED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF VILLA GROVE, ILLINOIS, at its regular meeting on this twenty-seventh day of August, A.D., 2018, by a roll call vote as follows:

Allen, Bruce D. yea

Griffith, Darrel M. yea

Blaney, Thelma I. yea


Leon, Michael S. yea

Cheely, Jennifer J. absent

Stipp, Robert L. yea

Eversole-Gunter, Cassandra A. _____

APPROVED:



CASSANDRA A. EVERSOLE-GUNTER
Mayor

ATTEST:



MICHELLE L. OSBORNE
City Clerk

EXHIBIT A

INTERGOVERNMENTAL AGREEMENT

This **Intergovernmental Agreement** (referred to as the "Agreement") is entered into between Camargo Township, with offices at Villa Grove, Illinois, and Camargo, Illinois, in the County of Douglas and State of Illinois and the City of Villa Grove, with offices at Villa Grove, Illinois, in the County of Douglas and State of Illinois.

RECITALS:

WHEREAS, Camargo Township and the City of Villa Grove are public agencies within the meaning of the Illinois Intergovernmental Cooperation Act, 5 ILCS 220/1 et. Seq., as authorized by Article VII, Section 10 of the 1970 Constitution of the State of Illinois. The Illinois Constitution and the Illinois Statutes encourage and provide for units of local government to cooperate and to enter into intergovernmental agreements in any manner not prohibited by law or ordinance, to their mutual benefit; and

WHEREAS, the Township owns various different types of heavy mechanical equipment including but not limited to trucks, trailers, maintainers, tractors, graders and other types of maintenance equipment not owned by the City of Villa Grove; and

WHEREAS, it is not economically feasible for each agency to purchase and maintain all types of maintenance equipment; and

WHEREAS, the sharing of this equipment by and between the Township and the City of Villa Grove would make the best use of the limited financial resources of each agency and would be in the best interests of the residents of each agency.

NOW, THEREFORE, Camargo Township agrees to share with the City of Villa Grove under the following conditions:

1. The City of Villa Grove may borrow equipment owned by the Township on a first come, first served basis, if the equipment is not being used or scheduled for immediate use by the Township.
2. The borrowing agency shall return the equipment or machinery in substantially the same condition as when it was lent, reasonable wear and tear excepted.
3. The using agency shall be responsible for providing fuel and routine operating and preventative maintenance for the equipment.
4. The using agency shall be responsible for all labor expenses connected with the use of the machinery and equipment.
5. Insurance shall be obtained and maintained by the Township who owns the equipment/machinery. Each agency's insurance carrier shall be informed of the terms of this intergovernmental agreement.
6. Camargo Township shall be responsible for the cost of repairs and/or maintenance of the machinery and equipment except that the City of Villa Grove shall be responsible for any uninsured damages caused by

the negligent and/or intentional acts of its employee(s) during their use of such machinery and equipment on behalf of the City of Villa Grove.

7. This Agreement may be terminated at any time by written notice.
8. Notices may be given at the agency listed above.

THIS AGREEMENT will be governed by the laws of Illinois both as to interpretation and performance. IN WITNESS WHEREOF, the set their hands and seals.

CAMARGO TOWNSHIP

CITY OF VILLA GROVE

By: _____
Its: Board President/Trustee

By: _____
Its: Mayor

By: _____
Its: Township Supervisor

By: _____
Its: City Clerk