

Council Bill/General Ordinance No. 1098-2022

Sponsor: _____

A RESOLUTION

AUTHORIZING the Mayor and City Clerk to apply for a State Highway Permit from the Illinois Department of Transportation and to execute the necessary forms in conjunction with the Dia de Los Muertos Parade, sponsored by Mercado on Fifth, scheduled for Saturday, October 22, 2022.

WHEREAS, Mercado on Fifth, is sponsoring this annual parade, scheduled for Saturday, October 22, 2022, in the City of Moline, which constitutes a public purpose; and

WHEREAS, this event will require temporary closure of all lanes of River Drive from 12th Street to 17th Street and from River Drive to 5th Avenue and all lanes of Fifth Avenue from 17th Street to 12th Street and from 5th Avenue to River Drive; and

WHEREAS, 4th Avenue and 5th Avenue are State highways (IL 92) in the City of Moline; 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 CITY COUNCIL OF THE CITY OF MOLINE, ILLINOIS, as follows:

That permission to temporarily close off all lanes of River Drive from 12th Street to 17th Street and from River Drive to 5th Avenue and all lanes of Fifth Avenue from 17th Street to 12th Street and from 5th Avenue to River Drive, as above designated, be requested of the Illinois Department of Transportation (“Department”).

BE IT FURTHER RESOLVED that this closure shall occur during the approximate time period between 2:00 p.m. to 4:00 p.m. on Saturday, October 22, 2022.

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 Department and which is conspicuously marked for the benefit of traffic diverted from the State highway. The parking of vehicles shall be prohibited on the detour routes to allow an uninterrupted flow of two-way traffic.

BE IT FURTHER RESOLVED that the City of Moline 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 or authorized flaggers shall, at the expense of the City of Moline or its licensees, agents or contractors, 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.

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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 from the City of Moline prior to re-opening the State highway.

BE IT FURTHER RESOLVED that such signs, flags, barricades, etc. shall be used by the City of Moline as may be approved by the Department. These items shall be provided by the City of Moline or its licensees, agents or contractors.

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 Moline shall be responsible for any and all injuries to person 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 or 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 Moline 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 Moline shall provide a comprehensive general liability insurance policy or an additional insured endorsement in the minimum amount of \$1,000,000 per person and \$2,000,000 aggregate which names the Illinois Department of Transportation and its officials, employees, and agents as insured 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 shall be forwarded to the Illinois 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.

CITY OF MOLINE, ILLINOIS

DocuSigned by:
S. Kaypato
1A0D2384E0B404
Mayor

May 10, 2022
Date

Passed: May 10, 2022

Approved: May 24, 2022

Attest: *Jessie L. K. Paine*
1A0D2384E0B404
City Clerk

