

SANGAMON COUNTY, ILLINOIS

ORDINANCE
NUMBER 21-09

**AN ORDINANCE APPROVING A SETTLEMENT AGREEMENT WITH BUILDERS
SAND AND GRAVEL, INC. AND VULCAN MATERIAL SERVICES**

DAVE KIMSEY, Village President
AMY DAHLKAMP, Village Clerk

KRISTEN CHIARO
ANDREW DETMERS
BRETT GERGER
RYAN MANN
MATT MAU
PAUL SCHERSCHEL
Village Trustees

Published in pamphlet form by authority of the President and Board of Trustees of the Village of Chatham
on March 9th, 2021

Sorling Northrup – 1 N. Old State Capitol Plaza, Suite 200, Springfield, IL 62705

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ORDINANCE NO. 21 - ~~12~~

AN ORDINANCE APPROVING A SETTLEMENT AGREEMENT WITH BUILDERS SAND AND GRAVEL, INC. AND VULCAN MATERIAL SERVICES

WHEREAS, the Village of Chatham (hereinafter “Village”) is an Illinois Municipal Corporation existing and operating under the Illinois Municipal Code and the laws of the State of Illinois; and,

WHEREAS, Builders Sand and Gravel, Inc. filed a lawsuit against South Sangamon Water Commission, Reynolds Drilling Corp., and Vulcan Material Construction for alleged actions that gave rise to liability as further set forth in Sangamon County Case No. 19-L-55; and,

WHEREAS, the Vulcan brought a third-party complaint against the Village of Chatham; and,

WHEREAS, the Village’s insurer, and its counsel, were able to obtain a settlement offer of \$35,000.00, to be paid by its insurer, for a full release of liability; and,

WHEREAS, the President and Board of Trustees of the Village have determined it to be in the best interest of the Village to enter into the Settlement Agreement to fully resolve all of the matters connected to the dispute.

NOW THEREFORE, BE IT ORDAINED by the President and Board of Trustees of the Village of Chatham, Sangamon County, Illinois, as follows:

Section 1. Recitals. The foregoing recitals shall be and are hereby incorporated into and made a part of this Ordinance as if fully set forth in this Section 1.

Section 2. Approval of Settlement Agreement. The Settlement Agreement entered into between Builders Sand and Gravel, Inc., the Village of Chatham, South Sangamon Water Commission, Reynolds Drilling Corp., and Vulcan Material Company is hereby approved. The

Village President and Clerk are hereby authorized to execute the Settlement Agreement and any other documents as required by law or necessary to complete the actions contemplated therein.

Section 3. Severability. In the event that any section, clause, provision, or part of this Ordinance shall be found and determined to be invalid by a court of competent jurisdiction, all valid parts that are severable from the invalid parts shall remain in full force and effect.

Section 4. Repeal and Savings Clause. All Ordinances or parts of Ordinances in conflict herewith are hereby repealed; provided, however, that nothing herein contained shall affect any rights, action, or causes of action which shall have accrued to the Village of Chatham prior to the effective date of this Ordinance.

Section 5. Effectiveness. This Ordinance shall be in full force and effect from and after its passage, approval, and publication in pamphlet form as provided by law.

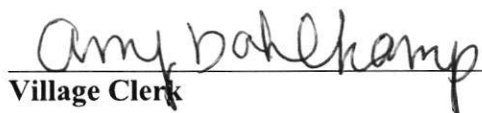
SO ORDAINED this 9th day of March, 2021, at Chatham, Sangamon County, Illinois.

	AYE	NAY	ABSTAIN	ABSENT
KRISTEN CHIARO	x			
ANDREW DETMERS	x			
BRETT GERGER	x			
RYAN MANN	x			
MATT MAU	x			
PAUL SCHERSCHEL	x			
DAVE KIMSEY				
TOTAL	6	0	—	—

APPROVED this 9th day of March, 2021.


 Village President

ATTEST:


 Village Clerk