

RESOLUTION NO. 21-1131

JOINT RESOLUTION OF THE MAYORS OF THE BOROUGHS OF THE ALORTON, CAHOKIA AND CENTREVILLE, EACH OF AND COMPRISING THE CITY OF CAHOKIA HEIGHTS, ILLINOIS, AUTHORIZING/RETAINING CLAYBORNE & WAGNER, LLP, TO NOTIFY UNIONS, PENSION FUNDS, GOVERNMENTAL ENTITIES/BODIES, QUASI-GOVERNMENTAL ENTITIES/BODIES AND ALL OTHER INDIVIDUALS, BUSINESSES, GOVERNMENTAL ENTITIES/BODIES, QUASI-GOVERNMENTAL ENTITIES/BODIES AND ALL OTHER INDIVIDUALS AND ENTITIES, BY WHATEVER DESCRIPTION, OF THE UNIFICATION OF THE BOROUGH OF ALORTON, CITY OF ALCENTRA, ILLINOIS, THE VILLAGE OF CAHOKIA, ILLINOIS AND THE BOROUGH OF CENTREVILLE, CITY OF ALCENTRA, ILLINOIS, INTO THE CITY OF CAHOKIA HEIGHTS, ILLINOIS, WITH EACH OF ALORTON, CAHOKIA AND CENTREVILLE TO BE KNOWN AS A BOROUGH THEREOF, PURSUANT TO 65 ILCS 7-2-1 AND TO PERFORM ALL OTHER REASONABLY NECESSARY WORK, INCLUDING BUT NOT LIMITED TO TERMINATING CONTRACTS AND COLLECTIVE BARGAINING AGREEMENTS TO AID IN THE UNIFICATION AND FORMATION OF THE UNITED CITY OF CAHOKIA HEIGHTS, ILLINOIS

WHEREAS, on November 3, 2020, the majority of the respective electors for the Boroughs of Alorton and Centreville, both of which comprised the City of Alcentra, Illinois, and the majority of the electors of the Village of Cahokia, Illinois, affirmatively voted to unite into a single municipality under the name of the City of Cahokia Heights, Illinois, pursuant to and in compliance with the provisions of 65 ILCS 7-2-1.

WHEREAS, pursuant to the provisions of 65 ILCS 5/7-2-5, upon compliance with the provisions of 65 ILCS 5/7-2-1, each municipality that became a part of the united City of Cahokia Heights shall thereafter be known as the borough of the City of Cahokia Heights and pursuant thereto the Borough of Alorton, City of Alcentra, Borough of Centreville, City of Alcentra, and Village of Cahokia are on and after November 3, 2020, to be known as the Borough of Alorton, City of Cahokia Heights, Illinois, the Borough of Cahokia, City of Cahokia Heights, Illinois, and the Borough of Centreville, City of Cahokia Heights, Illinois.

WHEREAS, pursuant to the provisions of 65 ILCS 5/7-8, the terms of all popularly elected officers in the Boroughs of Alorton, Cahokia and Centreville, each comprising the City of Cahokia Heights, Illinois, shall expire thirty (30) days after the first election of officers of the united city, specifically the City of Cahokia Heights, Illinois.

WHEREAS, pursuant to the provisions of 65 ILCS 5/7-8, the popularly elected officers in the respective Boroughs of Alorton, Cahokia, and Centreville, each and all of which comprise the City of Cahokia Heights, Illinois, shall continue to exercise all duties imposed by law and shall take whatever steps are necessary and consistent with the provisions of Division 2, Article 7 of the Illinois Municipal Code to effectuate the union of the former municipalities.

WHEREAS, pursuant to the provisions of 65 ILCS 5/7-2-5, upon compliance with the provisions of 65 ILCS 5/7-2-1, each municipality that became a part of the united City of Cahokia Heights shall thereafter be known as the borough of the City of Cahokia Heights and pursuant thereto the Borough of Alorton, City of Alcentra, Borough of Centreville, City of Alcentra, and Village of Cahokia are on and after November 3, 2020, to be known as the Borough of Alorton, City of Cahokia Heights, Illinois, the Borough of Cahokia, City of Cahokia Heights, Illinois, and the Borough of Centreville, City of Cahokia Heights, Illinois.

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WHEREAS, pursuant to the provisions of 65 ILCS 5/7-2-9, each Borough shall retain and pay any debt or liability which exists immediately prior to the formation of the united city.

WHEREAS, pursuant to the provisions of 65 ILCS 5/7-2-9, excepting so much of the revenue as may be necessary to pay any debt or liability of the respective Boroughs of Alorton, Cahokia, and/or Centreville, of the City of Cahokia Heights, Illinois, which existed immediately prior to formation of the united City of Cahokia Heights, the title to and revenue from all property of the Boroughs of Alorton, Cahokia, and Centreville, each and all of which comprise the City of Cahokia Heights, Illinois, are to be transferred to the City of Cahokia Heights, Illinois.

WHEREAS, pursuant to the provisions of 65 ILCS 5/7-2-15, all policemen and firemen lawfully in the employment of any municipality that becomes a borough of a united city shall become members of the police or fire department, respectively, of the united city.

WHEREAS, the provisions of 65 ILCS 5/1-1-1, et seq., authorizes a municipality to establish, restructure and/or abolish a police or fire department as a legislative act which is not reviewable by the court. (See Woolfolk v. Board of Fire and Police Commissioners, 79 Ill.App.3d 27, 298 N.E.2d 226 {Ill.App.1st Dist. 1979}; Hoffman v. Board of Fire and Police Commissioners, 86 Ill.App.3d 505, 408 N.E.2d 98 {Ill.App.3d Dist. 1980}; Yeley v. Bartonville Fire and Police Commissioners, 77 Ill.2d 271, 395 N.E.2d 1387 {Ill.1979}; and Board of Trustees of Rosemont v. Mathias, 109 Ill.App.3d 894, 441 N.E.2d 362 {Ill.App.1st Dist. 1982}).

WHEREAS, there exists Articles of Agreement between The Village of Cahokia, Illinois, n/k/a the Borough of Cahokia, City of Cahokia Heights, Illinois, and the International Union of Operating Engineers Local 520-B, signed on or about May 30, 2018, and effective immediately after midnight on May 1, 2017, through midnight, April 30, 2020, and continuing thereafter from year to year unless written notice of election to terminate or modify the provisions of said Agreement is provided and received not later than March 1 regarding all clerks, secretaries golf course mechanics and code enforcement officers

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WHEREAS, there exists a Collective Bargaining Agreement by and between the Illinois FOP Labor Council and the Village of Cahokia, Illinois, n/k/a the Borough of Cahokia, City of Cahokia Heights, Illinois, signed on or about December 14, 2018, and effective as of May 1, 2018, through April 30, 2021, and shall be automatically renewed from year to year unless either party notifies the other, in writing, at least sixty (60) days prior to the anniversary date, but in no case earlier than one hundred twenty (120) days prior to the anniversary date regarding police patrol officers and sergeants,

WHEARAS, there exists a Collective Bargaining Agreement by and between the Illinois FOP Labor council and the Village of Cahokia, Illinois n/k/a/ the Borough of Cahokia, City of Cahokia Heights, Illinois, signed on or about May 28, 2019, and effective immediately after midnight on May 1, 2019, through midnight, April 30, 2022, and shall automatically renew from year to year unless written notice of election to terminate or modify is given by one party and received by the other at least sixty (60) days prior to April 30, 2022, or any succeeding year regarding telecommunicators, community service aides, police mechanics, records clerk, and clerks,

WHEREAS, there may exist a Management Personnel Agreement between the Cahokia Police management personnel and the Village of Cahokia, Illinois, n/k/a the Borough of Cahokia, City of Cahokia Heights, Illinois.

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WHEREAS, there may exist a Management Personnel Agreement between the Cahokia Police management personnel and the Village of Cahokia, Illinois, n/k/a the Borough of Cahokia, City of Cahokia Heights, Illinois.

WHEREAS, pursuant to the provisions of 65 ILCS 5/7-2-7, the first election of the municipal officers of the City of Cahokia Heights, Illinois, is on the April 6, 2021 Consolidated Election.

WHEREAS, pursuant to the provisions of 820 ILCS 10/1, no successor clause contained in a collective bargaining agreement shall be binding upon or enforceable against any successor employer for more than three (3) years from the effective date of the collective bargaining agreement between the contracting employer and the labor organization.

WHEREAS, the Mayor and City Council of the Borough of Centreville, City of Cahokia Heights, Illinois, have determined that it is necessary and consistent with the provisions of Chapter 65, Article 7, Division 2 of the Illinois Compiled Statutes, and to otherwise effectuate the union of the former municipalities of the Borough of Alorton, City of Alcentra, Illinois, the Borough of Centreville, City of Alcentra, Illinois, and the Village of Cahokia, Illinois, into the united City of Cahokia Heights, Illinois, to authorize/retain Clayborne & Wagner, LLP, to notify the Illinois FOP Labor Council, the International Union of Operating Engineers Local 520-B, the Cahokia Police Benson Fund, the Illinois Municipal Retirement Fund, and all other unions, pension funds, governmental entities/bodies, quasi-governmental entities/bodies and all other individuals, businesses, governmental entities/bodies, quasi-governmental entities/bodies, and all other individuals and entities by whatever description, of the unification of the Borough of Alorton, City of Alcentra, Borough of Centreville, City of Alcentra and Village of Cahokia into the united City of Cahokia Heights, Illinois, with each of Alorton, Cahokia and Centreville to be known as a borough thereof, and to authorize Clayborne & Wagner, LLP, to perform all other reasonably necessary work, including but not limited to terminating contracts and collective bargaining agreements, including those contracts and agreements hereinabove referenced, to aid in the unification and formation of the united City of Cahokia Heights, Illinois.

WHEREAS, pursuant to the provisions of 65 ILCS 5/7-2-7, the first election of the municipal officers of the City of Cahokia Heights, Illinois, is on the April 6, 2021 Consolidated Election.

WHEREAS, pursuant to the provisions of 820 ILCS 10/1, no successor clause contained in a collective bargaining agreement shall be binding upon or enforceable against any successor employer for more than three (3) years from the effective date of the collective bargaining agreement between the contracting employer and the labor organization.

WHEREAS, the each of the Mayors and City Council of the Boroughs of Alorton, , Cahokia and Centreville, each of the City of Cahokia Heights, Illinois, have determined that it is necessary and consistent with the provisions of Chapter 65, Article 7, Division 2 of the Illinois Compiled Statutes, and to otherwise effectuate the union of the former municipalities of the Borough of Alorton, City of Alcentra, Illinois, the Borough of Centreville, City of Alcentra, Illinois, and the Village of Cahokia, Illinois, into the united City of Cahokia Heights, Illinois, to authorize/retain Clayborne & Wagner, LLP, to notify the Illinois FOP Labor Council, the International Union of Operating Engineers Local 520-B, the Cahokia Police Benson Fund, the Illinois Municipal Retirement Fund, and all other unions, pension funds, governmental entities/bodies, quasi-governmental entities/bodies and all other individuals, businesses, governmental entities/bodies, quasi-governmental entities/bodies, and all other individuals and entities by whatever description, of the unification of the Borough of Alorton, City of Alcentra, Borough of Centreville, City of Alcentra and Village of Cahokia into the united City of Cahokia Heights, Illinois, with each of Alorton, Cahokia and Centreville to be known as a borough thereof, and to authorize Clayborne & Wagner, LLP, to perform all other reasonably necessary work, including but not limited to terminating contracts and collective bargaining agreements, including those contracts and agreements hereinabove referenced, to aid in the unification and formation of the united City of Cahokia Heights, Illinois.

WHEREAS, the Borough of Alorton, City of Cahokia Heights, Illinois, passed Resolution 21-_____ authorizing a the mayor of the Borough of Alorton, City of Cahokia Heights, Illinois to execute a joint resolution executed by the respective Mayors of the Boroughs of Alorton, Cahokia and Centreville, each of and comprising the City of Cahokia Heights, Illinois authorizing/retaining Clayborne & Wagner, LLP, to notify unions, pension funds, governmental entities/bodies, quasi-governmental entities/bodies and all other individuals, businesses, governmental entities/bodies, quasi-governmental entities/bodies, and all other individuals and entities by whatever description, of the unification of the Borough of Alorton, City of Alcentra, Illinois, the Borough of Centreville, City of Alcentra, Illinois, and the Village of Cahokia, Illinois, into the City of Cahokia Heights, Illinois, with each of Alorton, Cahokia and Centreville to be known as a borough thereof, and to perform all other reasonably necessary work, including but not limited to terminating contracts and collective bargaining agreements, including those contracts and agreements hereinabove referenced, to aid in the unification and formation of the united City of Cahokia Heights, Illinois.

NOW, THEREFORE, LET IT BE RESOLVED BY THE MAYOR AND CITY COUNCIL OF THE BOROUGH OF CENTREVILLE, CITY OF CAHOKIA HEIGHTS, ILLINOIS,
as follows:

1. The **WHEREAS** paragraphs hereinabove set forth are not mere recitals but are material terms of this Ordinance and are herewith incorporated into this Ordinance.
2. That Clayborne & Wagner, LLP, is herewith authorized/retained to notify unions, pension funds, governmental entities/bodies, quasi-governmental entities/bodies and all other individuals, businesses, governmental entities/bodies, quasi-governmental entities/bodies, and all other individuals and entities by whatever description, of the unification of the Borough of Alorton, City of Alcentra, Illinois, the Borough of Centreville, City of Alcentra, Illinois, and the Village of Cahokia, Illinois, into the City of Cahokia Heights, Illinois, with each of Alorton, Cahokia and Centreville to be known as a borough thereof, and to perform all other reasonably necessary work, including but not limited to terminating contracts and collective bargaining agreements, including those contracts and agreements hereinabove referenced, to aid in the unification and formation of the united City of Cahokia Heights, Illinois.
3. Notwithstanding the foregoing, and in addition thereto, the Mayor of the Borough of Centreville, City of Cahokia Heights, Illinois, is herewith authorized to execute a joint resolution with the respective mayors of the Borough of Alorton, City of Cahokia Heights, Illinois, and the Borough of Cahokia, City of Cahokia Heights, Illinois, authorizing/retaining Clayborne & Wagner, LLP, to notify unions, pension funds, governmental entities/bodies, quasi-governmental entities/bodies and all other individuals, businesses, governmental entities/bodies, quasi-governmental entities/bodies, and all other individuals and entities by whatever description, of the unification of the Village of Alorton, City of Alcentra, Illinois, the Village of Centreville, City of Alcentra, Illinois, and the Village of Cahokia, Illinois, into the City of Cahokia Heights, Illinois, with each of Alorton, Cahokia and Centreville to be known as a borough thereof, and to perform all other reasonably necessary work, including but not limited to terminating contracts and collective bargaining agreements, including those contracts and agreements hereinabove referenced, to aid in the unification and formation of the united City of Cahokia Heights, Illinois.

WHEREAS, the Borough of Cahokia, City of Cahokia Heights, Illinois, passed Resolution 21-_____ authorizing a the mayor of the Borough of Cahokia, City of Cahokia Heights, Illinois to execute a joint resolution executed by the respective Mayors of the Boroughs of Alorton, Cahokia and Centreville, each of and comprising the City of Cahokia Heights, Illinois authorizing/retaining Clayborne & Wagner, LLP, to notify unions, pension funds, governmental entities/bodies, quasi-governmental entities/bodies and all other individuals, businesses, governmental entities/bodies, quasi-governmental entities/bodies, and all other individuals and entities by whatever description, of the unification of the Borough of Alorton, City of Alcentra, Illinois, the Borough of Centreville, City of Alcentra, Illinois, and the Village of Cahokia, Illinois, into the City of Cahokia Heights, Illinois, with each of Alorton, Cahokia and Centreville to be known as a borough thereof, and to perform all other reasonably necessary work, including but not limited to terminating contracts and collective bargaining agreements, including those contracts and agreements hereinabove referenced, to aid in the unification and formation of the united City of Cahokia Heights, Illinois.

WHEREAS, the Borough of Centreville, City of Cahokia Heights, Illinois, passed Resolution 21-_____ authorizing a the mayor of the Borough of Centreville, City of Cahokia Heights, Illinois to execute a joint resolution executed by the respective Mayors of the Boroughs of Alorton, Cahokia and Centreville, each of and comprising the City of Cahokia Heights, Illinois authorizing/retaining Clayborne & Wagner, LLP, to notify unions, pension funds, governmental entities/bodies, quasi-governmental entities/bodies and all other individuals, businesses, governmental entities/bodies, quasi-governmental entities/bodies, and all other individuals and entities by whatever description, of the unification of the Borough of Alorton, City of Alcentra, Illinois, the Borough of Centreville, City of Alcentra, Illinois, and the Village of Cahokia, Illinois, into the City of Cahokia Heights, Illinois, with each of Alorton, Cahokia and Centreville to be known as a borough thereof, and to perform all other reasonably necessary work, including but not limited to terminating contracts and collective bargaining agreements, including those contracts and agreements hereinabove referenced, to aid in the unification and formation of the united City of Cahokia Heights, Illinois.

NOW THEREFORE, BE IT RESOLVED, by the Mayors of the Boroughs of Alorton, Cahokia and Centreville, each of and comprising the City of Cahokia Heights, St. Clair County, Illinois, as follows:

1. The **WHEREAS** paragraphs hereinabove set forth are not mere recitals but are material terms of this Ordinance and are herewith incorporated into this Ordinance.

2. That Clayborne & Wagner, LLP, is herewith authorized/retained to notify unions, pension funds, governmental entities/bodies, quasi-governmental entities/bodies and all other individuals, businesses, governmental entities/bodies, quasi-governmental entities/bodies, and all other individuals and entities by whatever description, of the unification of the Borough of Alorton, City of Alcentra, Illinois, the Borough of Centreville, City of Alcentra, Illinois, and the Village of Cahokia, Illinois, into the City of Cahokia Heights, Illinois, with each of Alorton, Cahokia and Centreville to be known as a borough thereof, and to perform all other reasonably necessary work, including but not limited to terminating contracts and collective bargaining agreements, including those contracts and agreements hereinabove referenced, to aid in the unification and formation of the united City of Cahokia Heights, Illinois.

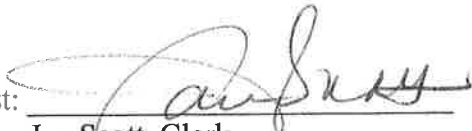
3. This Joint Resolution shall take effect immediately upon its passage and/or publication as required by law.

This 31 day of February, 2021.



Jo Ann Reed, Mayor,
Borough of Alorton,
City of Cahokia Heights, Illinois

Attest:



Jan Scott, Clerk
Borough of Alorton,
City of Cahokia Heights, IL



Curtis McCall, Jr., Mayor
Borough of Cahokia,
City of Cahokia Heights, Illinois

Attest:



Richard Duncan, Clerk
Borough of Cahokia
City of Cahokia Heights, IL

4. This Resolution shall take effect immediately upon its passage and/or publication as required by law.

THIS RESOLUTION PRESENTED to the City Council this 10 day of

~~FEBRUARY~~ 2021.

	<u>AYE</u>	<u>NAY</u>
Haynes	_____	_____
L. Jethro	_____	_____
McCall	_____	_____
Wynn	_____	_____
Lovett	_____	_____
Lott	_____	_____
Sayles	_____	_____
S. Jethro	_____	_____

APPROVED by the Mayor of the Borough of Centreville, City of Cahokia Heights, Illinois this 10 day of FEBRUARY, 2021

MAYOR MARIUS JACKSON

ATTEST:

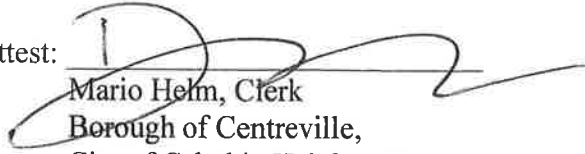
Delia Duncan
CLERK

CERTIFICATION

The undersigned City Clerk does hereby certify that the attached is a true and correct copy of the Resolution duly adopted by the Mayor and City Council of the Borough of Centreville, City

Marius Jackson, Mayor,
Borough of Centreville
City of Cahokia Heights, Illinois

Attest:



Mario Helm, Clerk
Borough of Centreville,
City of Cahokia Heights, IL

AYE

NAY

Baker

Y

Ware

Y

Nolden

Y

Wofford

E

Radford

E

Pearson

Y

MAYOR Ante McCall Jr

CLERK Delia Duncan

CERTIFICATION

The undersigned Village Clerk does herewith certify that the attached
Is a true and correct copy of the duly adopted by the Mayor and Board
of Trustees of the Village of Cahokia at a meeting held on the 10

Day of FEBRUARY, 2021

VILLAGE CLERK Delna Duncan