

**RESOLUTION NO. \_\_-2023**

**A RESOLUTION AUTHORIZING AND APPROVING AN ARBITRATION AGREEMENT IN THE MATTER OF THE VILLAGE OF STICKNEY AND THE ILLINOIS FRATERNAL ORDER OF POLICE LABOR COUNCIL FOR THE VILLAGE OF STICKNEY**

**WHEREAS**, the Village of Stickney (the “Village”) is a home rule municipal corporation in accordance with Article VII, Section 6(a) of the Constitution of the State of Illinois of 1970; and

**WHEREAS**, as a home rule unit of local government the Village may exercise any power and perform any function pertaining to its government and affairs; and

**WHEREAS**, the Illinois Fraternal Order of Police Labor Council (the “Union”) filed a Grievance against the Village relating to the termination of Heather Miller (the “Grievant”), known as FCMS Case No. 110103-00213A “Miller Back Pay Arbitration” Arb. Docket No. 110504 (the “Litigation”); and

**WHEREAS**, the Grievant alleges suffering certain damages resulting from her termination from the Village (the “Claims”); and

**WHEREAS**, the Grievant sought damages from the Village for the Claims; and

**WHEREAS**, the Village does not admit any wrongdoing on its part or on the part of any of its current or former employees, officers or officials, but the Grievant and the Village (together, the “Parties”) wish to settle these matters to avoid protracted litigation and the costs associated therewith; and

**WHEREAS**, in an effort to avoid further controversy, costs, legal fees, inconvenience and any future litigation regarding any issue contained in or arising from the Litigation, the Village, on one hand, and the Grievant, on the other hand, have agreed to resolve the Litigation as to all Parties in accordance with the terms set forth in Arbitration Agreement (the “Agreement”), attached hereto and incorporated herein as Exhibit A; and

**WHEREAS**, the Village President (the “President”) and the Board of Trustees of the Village (the “Village Board” and with the President, the “Corporate Authorities”) have determined that it is necessary, advisable and in the best interests of the Village and its residents to agree to the terms of the Agreement; and

**WHEREAS**, the President is authorized to enter into and the Village Attorney (the “Attorney”) is authorized to revise agreements for the Village making such insertions, omissions and changes as shall be approved by the President and the Attorney;

**NOW, THEREFORE, BE IT RESOLVED BY THE PRESIDENT AND BOARD OF TRUSTEES OF THE VILLAGE OF STICKNEY, COOK COUNTY, ILLINOIS, as follows:**

**SECTION 1: RECITALS.** The facts and statements contained in the preamble to this Resolution are found to be true and correct and are hereby adopted as part of this Resolution.

**SECTION 2: PURPOSE.** The purpose of this Resolution is to authorize the President or his designee to approve of the Agreement so as to settle the Litigation to avoid further controversy, costs, legal fees, inconvenience and any future litigation regarding any issue contained in or arising from the Litigation, to further authorize the President to take all steps necessary to carry out the terms of the Agreement and to ratify any steps taken to effectuate that goal.

**SECTION 3: AUTHORIZATION.** The Board hereby authorizes and directs the President or his designee to authorize, enter into and approve the Agreement in accordance with its terms, or any modifications thereof, and to ratify any and all previous action taken to effectuate the intent of this Resolution. The Board further authorizes and directs the President or his designee to execute the Agreement with such insertions, omissions and changes as shall be approved by the President and the Attorney. The Village Clerk is hereby authorized and directed to attest to and countersign the Agreement and any other documentation as may be necessary to carry out and effectuate the purpose of this Resolution. The Village Clerk is also authorized and directed to affix the Seal of the Village to such documentation as is deemed necessary. The officers, agents and/or employees of the Village shall take all action necessary or reasonably required by the Village to carry out, give effect to and consummate the purpose of this Resolution and shall take all action necessary in conformity therewith. The Village is hereby authorized and directed to remit payment in accordance with the terms of the Agreement and to take all action necessary or appropriate to effectuate the terms of the Agreement.

**SECTION 4. HEADINGS.** The headings of the articles, sections, paragraphs and subparagraphs of this Resolution are inserted solely for the convenience of reference and form no substantive part of this Resolution nor should they be used in any interpretation or construction of any substantive provision of this Resolution.

**SECTION 5. SEVERABILITY.** The provisions of this Resolution are hereby declared to be severable and should any provision of this Resolution be determined to be in conflict with any law, statute or regulation by a court of competent jurisdiction, said provision shall be excluded and deemed inoperative, unenforceable and as though not provided for herein and all other provisions shall remain unaffected, unimpaired, valid and in full force and effect.

**SECTION 6. SUPERSEDER.** All code provisions, ordinances, resolutions, rules and orders, or parts thereof, in conflict herewith are, to the extent of such conflict, hereby superseded.

**SECTION 7. PUBLICATION.** A full, true and complete copy of this Resolution shall be published in pamphlet form or in a newspaper published and of general circulation within the Village as provided by the Illinois Municipal Code, as amended.

**SECTION 8. EFFECTIVE DATE.** This Resolution shall be effective and in full force immediately upon passage and approval as provided by law.

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**PASSED** this 5<sup>th</sup> day of September, 2023.

**AYES:** Trustees White, Savopoulos, Milenkovic, Torres, Kapolnek & Hrejsa

**NAYS:** None

**ABSENT:** None

**ABSTENTION:** None

**APPROVED** by me this 5<sup>th</sup> day of September, 2023.

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**Jeff Walik, President**

**ATTESTED AND FILED** in my  
office this 5<sup>th</sup> day of  
September, 2023.

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**Beth Lukas, Deputy Village Clerk**

**EXHIBIT A-2**