

VILLAGE OF DOWNERS GROVE
Report for the Village
5/18/2021

SUBJECT:	SUBMITTED BY:
Addendum to Main Street Cemetery Maintenance Agreement	Enza Petrarca Village Attorney

SYNOPSIS

A resolution has been prepared authorizing execution of a second addendum to an agreement with the Downers Grove Historical Society to cooperate and consult related to the maintenance, use and improvement of the Downers Grove Main Street Cemetery.

STRATEGIC PLAN ALIGNMENT

The goals for 2019-2021 include *Exceptional Municipal Services*.

RECOMMENDATION

Approval on the May 18, 2021 consent agenda.

BACKGROUND

In 2000, the Village entered into an agreement with the Downers Grove Historical Society to assist the Village in the operation, maintenance and restoration of the Downers Grove Main Street Cemetery. Under this agreement, the Historical Society assists Village staff related to the following:

1. Documentation of such items as marker locations and internment records.
2. Historical evaluations related to the Cemetery.
3. Policy developments related to the future maintenance and restoration efforts designating the Historical Society as the primary consultant and advisory organization for making recommendations concerning the Cemetery.
4. Marker conservation related to preserving or restoring existing markers.
5. Landscaping to encourage the use of the Cemetery in a friendly and protective manner.

The original agreement was extended for a period of ten (10) years, expiring in 2020. Village staff and the Historical Society have had an excellent working relationship for more than a decade. The attached second addendum formally extends the agreement until March 20, 2030.

ATTACHMENTS

Resolution
 Second Addendum to Cemetery Agreement
 2000 Agreement and Addendum to Cemetery Agreement

RESOLUTION NO. _____**A RESOLUTION AUTHORIZING EXECUTION OF
A SECOND ADDENDUM TO AN AGREEMENT RELATED TO THE
DOWNERS GROVE MAIN STREET CEMETERY**

BE IT RESOLVED by the Village Council of the Village of Downers Grove, DuPage County, Illinois,
as follows:

1. That the form and substance of a certain Second Addendum (the “Agreement”), between the Village of Downers Grove (the “Village”) and Downers Grove Historical Society (the “Society”), to assist the Village in the operation, maintenance and restoration of the Downers Grove Main Street Cemetery, as set forth in the form of the Agreement submitted to this meeting with the recommendation of the Village Manager, is hereby approved.

2. That the Mayor and Village Clerk are hereby respectively authorized and directed for and on behalf of the Village to execute, attest, seal and deliver the Agreement, substantially in the form approved in the foregoing paragraph of this Resolution, together with such changes as the Manager shall deem necessary.

3. That the proper officials, agents and employees of the Village are hereby authorized and directed to take such further action as they may deem necessary or appropriate to perform all obligations and commitments of the Village in accordance with the provisions of the Agreement.

4. That all resolutions or parts of resolutions in conflict with the provisions of this Resolution are hereby repealed.

5. That this Resolution shall be in full force and effect from and after its passage as provided by law.

Mayor

Passed:

Attest: _____
Village Clerk

**SECOND ADDENDUM TO THE AGREEMENT RELATED TO THE
DOWNERS GROVE MAIN STREET CEMETERY**

The Village of Downers Grove, Illinois (the "Village") and Downers Grove Historical Society (the "Society") entered into an Agreement for the operation, maintenance and restoration of the Downers Grove Main Street Cemetery on or about March 21, 2000 and an addendum to extend the agreement on or about November 5, 2013. Pursuant to the terms stated therein, the parties desire to extend that contract for another ten year period and amend the 2000 Agreement and 2013 Addendum under the following terms:

1. That Section 4 shall be amended to extend the agreement for an additional ten (10) year period ending March 20, 2030.
2. That all other terms from the 2000 Agreement remain in full force and effect.

VILLAGE OF DOWNERS GROVE

David Fieldman, Village Manager

Attest:

Rosa Berardi, Village Clerk

Date: _____

**DOWNERS GROVE HISTORICAL
SOCIETY**

[Signature]

Attest:

[Signature]

Date: 5-13-2021

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RESOLUTION NO. 2013-70 _____

**A RESOLUTION AUTHORIZING EXECUTION OF
AN ADDENDUM TO AN AGREEMENT RELATED TO THE
DOWNERS GROVE MAIN STREET CEMETERY**

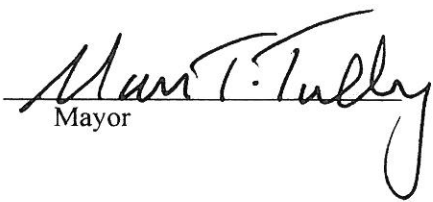
BE IT RESOLVED by the Village Council of the Village of Downers Grove, DuPage County, Illinois, as follows:

1. That the form and substance of a certain Addendum (the "Agreement"), between the Village of Downers Grove (the "Village") and Downers Grove Historical Society (the "Society"), to assist the Village in the operation, maintenance and restoration of the Downers Grove Main Street Cemetery, as set forth in the form of the Agreement submitted to this meeting with the recommendation of the Village Manager, is hereby approved.
2. That the Mayor and Village Clerk are hereby respectively authorized and directed for and on behalf of the Village to execute, attest, seal and deliver the Agreement, substantially in the form approved in the foregoing paragraph of this Resolution, together with such changes as the Manager shall deem necessary.
3. That the proper officials, agents and employees of the Village are hereby authorized and directed to take such further action as they may deem necessary or appropriate to perform all obligations and commitments of the Village in accordance with the provisions of the Agreement.
4. That all resolutions or parts of resolutions in conflict with the provisions of this Resolution are hereby repealed.
5. That this Resolution shall be in full force and effect from and after its passage as provided by law.

Passed: November 5, 2013

Attest: _____

Village Clerk


Mayor

2013-70

**ADDENDUM TO THE AGREEMENT RELATED TO THE
DOWNERS GROVE MAIN STREET CEMETERY**

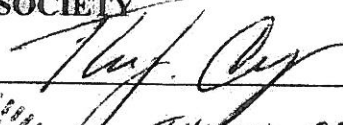
The Village of Downers Grove, Illinois (the "Village") and Downers Grove Historical Society (the "Society") entered into an Agreement for the operation, maintenance and restoration of the Downers Grove Main Street Cemetery on or about March 21, 2000. Pursuant to the terms stated therein, the parties desire to extend that contract for another ten year period and amend the 2000 Agreement under the following terms:

1. That Section 4 shall be amended to extend the agreement for a ten (10) year period ending March 20, 2020.
2. That all other terms from the 2000 Agreement remain in full force and effect.

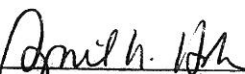
VILLAGE OF DOWNERS GROVE**DOWNERS GROVE HISTORICAL
SOCIETY**



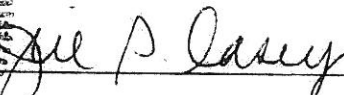
David Fieldman, Village Manager



THOMAS CASEY, PRESIDENT

Attest: 

April Holden, Village Clerk

Attest: 

Julie P. Casey

Date: 11/6/13

Date: 9-24-13

RESOLUTION NO. 2000-11**A RESOLUTION AUTHORIZING EXECUTION OF AN AGREEMENT
RELATED TO THE DOWNERS GROVE MAIN STREET CEMETERY**

BE IT RESOLVED by the Village Council of the Village of Downers Grove, DuPage County, Illinois, as follows:

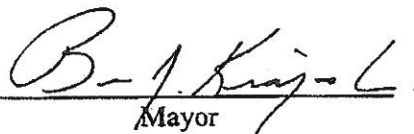
1. That the form and substance of a certain Agreement (the "Agreement"), between the Village of Downers Grove (the "Village") and Downers Grove Historical Society (the "Society"), to assist the Village in the operation, maintenance and restoration of the Downers Grove Main Street Cemetery, as set forth in the form of the Agreement submitted to this meeting with the recommendation of the Village Manager, is hereby approved.

2. That the Mayor and Village Clerk are hereby respectively authorized and directed for and on behalf of the Village to execute, attest, seal and deliver the Agreement, substantially in the form approved in the foregoing paragraph of this Resolution, together with such changes as the Manager shall deem necessary.

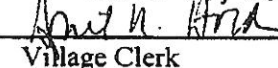
3. That the proper officials, agents and employees of the Village are hereby authorized and directed to take such further action as they may deem necessary or appropriate to perform all obligations and commitments of the Village in accordance with the provisions of the Agreement.

4. That all resolutions or parts of resolutions in conflict with the provisions of this Resolution are hereby repealed.

5. That this Resolution shall be in full force and effect from and after its passage as provided by law.


Mayor

Passed: March 21, 2000

Attest: 
Village Clerk

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**AGREEMENT RELATED TO THE
DOWNERS GROVE MAIN STREET CEMETERY**

WHEREAS, the Village of Downers Grove owns and maintains a certain Cemetery, commonly known as the Downers Grove Main Street Cemetery; and

WHEREAS, the Downers Grove Historical Society has expressed an interest in assisting the Village in the operation, maintenance and restoration of the Cemetery; and

WHEREAS, the Downers Grove Historical Society has unique skills and expertise which would benefit the citizens of the Village of Downers Grove in the operation, maintenance and restoration of the Cemetery.

NOW, THEREFORE, in consideration of the mutual promises, covenants and conditions, the parties agree as follows:

SECTION 1. The preamble of this agreement is hereby incorporated into and made a part of this agreement.

SECTION 2. The parties agree to cooperate and consult with each other regarding the operation, maintenance and restoration of the Cemetery as provided in this agreement. To that end, each party shall designate a contact representative to coordinate and act as liaison in relation to issues and activities of the Downers Grove Main Street Cemetery.

SECTION 3. This agreement is intended to encompass activities related to the operation, maintenance and restoration of the Cemetery. These are expected to include, but are not necessarily limited to, the following:

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a. *Documentation:* Historical Society will undertake a marker mapping of Cemetery with photographs to produce an accurate Cemetery map showing grave dimensional locations. This is also expected to involve a search for expert resources and well-established and accepted technology for accomplishing this effort for both marked and unmarked (known and unknown) locations. The Society will update the records on an ongoing basis as additional information becomes available through accurate sources.

b. *Historical Evaluation:* This is expected to include an ongoing and long term project regarding the history of the Cemetery. This is expected to involve efforts to establish and support a systematic approach to catalog Cemetery documentation and other reference materials for safe keeping and ease of retrieval. The parties will work to promote continued interest and encourage further historical research in this area and to support long-term projects regarding the history of the Cemetery and its significance to the community.

c. *Policy Development:* The Historical Society is to provide recommendations to the Village of Downers Grove regarding the maintenance, restoration and improvements concerning the Downers Grove Main Street Cemetery. Stewardship shall be under the auspices of the Downers Grove Historical Society. Maintenance of the physical conditions shall be under the supervision and control of the Village of Downers Grove giving due consideration to the recommendations of the Historical Society. It is expected that there will be an ongoing evaluation of the markers and recommendations submitted to the Downers Grove Village Council for appropriate action. The Downers Grove Historical Society is hereby designated as the primary consultant and advisory organization regarding Village Council decisions for the Cemetery. This is expected to include, but is not limited to, decisions that affect preservation, restoration, protection, landscape design, and

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maintenance policy for the cemetery. The Society is expected to provide the primary leadership and coordinating function or role for Cemetery related activities on behalf of the Downers Grove Village Council which may include operational concerns, maintenance schedules, and coordination of activities and services offered by other Downers Grove organizations wishing to participate in the Cemetery preservation and landscaping effort. The Village of Downers Grove recognize the Downers Grove Historical Society as the primary organization for making recommendations concerning the cemetery.

d. *Marker Conservation:* It is expected that there will be a review of all markers, including those in storage, by qualified "hands-on" restoration technicians to determine what, if any, appropriate action should be taken.

e. *Landscaping:* The parties will work to encourage Cemetery visitation in a friendly and protective manner. This is expected to include the installation of protective boundary fencing (with front and rear entry to the Cemetery) and a small, non-intrusive display having information created and supplied by the Downers Grove Historical Society. The parties will encourage volunteer and other participation by interested Downers Grove organizations.

SECTION 4. This agreement shall commence on the date hereof and continue for a period of ten (10) years, however, either party may terminate the agreement upon sixty (60) days written notice to the other party.

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IN WITNESS WHEREOF, the parties hereto have caused this Agreement to be executed as of the day and year above written.

VILLAGE OF DOWNERS GROVE

B. J. Krajewski
Mayor - Brian J. Krajewski

ATTEST: April H. Hold
Village Clerk

DOWNERS GROVE HISTORICAL SOCIETY

John W. Chehart

ATTEST: Mary E. McNamara