



AGENDA ITEM #8B

**AGENDA ITEM EXECUTIVE SUMMARY
Village Board Meeting
9/13/2022**

Item Title: **Transfer of Ownership of Centennial Mosaic from the Roselle Arts and Culture Foundation to the Village of Roselle**

Staff Contact: Matthew Galloway, Economic Development Analyst

OLD BUSINESS

VILLAGE BOARD ACTION:

Adopt a resolution approving, accepting, and authorizing the donation of the Centennial Mosaic located at 107 East Main Street from the Roselle Arts and Culture Foundation.

Executive Summary:

The Village Board previously approved an agreement with the property owner at 107 East Main Street for the installation and maintenance of the mosaic. The agreement outlines the terms of the Village maintaining the mosaic that is installed on the westside of the building. With the installation of the mosaic complete, the Roselle Arts and Culture Foundation will transfer ownership and maintenance responsibilities of the mosaic to the Village of Roselle. With the approval of this agreement the Village will have sole control, authority, and responsibility for the mosaic. The Foundation will maintain its right to reproduce images of the mosaic for various marketing and promotional endeavors.

Implications:

Is this item budgeted? n/a

Estimated cost: n/a

Any other implications to be considered? n/a

Strategic Priority:

N/A

Attachments:

Resolution

THE VILLAGE OF ROSELLE
DUPAGE AND COOK COUNTIES, ILLINOIS

RESOLUTION
NUMBER _____

A RESOLUTION
APPROVING, ACCEPTING AND AUTHORIZING
THE DONATION OF THE CENTENNIAL MOSAIC
LOCATED AT 107 EAST MAIN STREET
ROSELLE, ILLINOIS FROM THE
ROSELLE ARTS AND CULTURE FOUNDATION

DAVID PILESKI, Mayor
AMANDA HAUSMAN, Village Clerk

BRUCE BERKSHIRE
WAYNE D. DOMKE
CHERYL LENISA
TOM DELLA PENNA
TOM PIORKOWSKI
LEE TREJO

Village Board

Published in pamphlet form by authority of the
Mayor and the Board of Trustees of the Village of Roselle
on this the 13th day of September, 2022

RESOLUTION NO. _____

**A RESOLUTION
APPROVING, ACCEPTING AND AUTHORIZING
THE DONATION OF THE CENTENNIAL MOSAIC
LOCATED AT 107 EAST MAIN STREET
ROSELLE, ILLINOIS FROM THE
ROSELLE ARTS AND CULTURE FOUNDATION**

WHEREAS, the Village of Roselle is a municipal corporation organized pursuant to the laws of the State of Illinois possessing certain powers and perform certain functions pertaining to its local government and affairs as provided for by and through the Illinois Municipal Code and Illinois Statute;

WHEREAS, the Village of Roselle (hereinafter referred to as "Village") upon approval of the corporate authorities may enter into an agreement with another party pursuant to Illinois Statute;

WHEREAS, the Roselle Arts and Culture Foundation (hereinafter referred to as the "Foundation") is a 501(C)(3) public charity whose mission is promoting the benefits of diverse cultural awareness and inspiring the development of arts education and experience for the residents of Roselle and surrounding communities;

WHEREAS, the Foundation and Village entered into an understanding whereby the Foundation would spearhead the Centennial Mosaic Public Art Project (hereinafter referred to as the "Project") and once completed the Village would assume the responsibility of ownership and the ongoing maintenance of the Centennial Mosaic (hereinafter referred to as the "Mosaic");

WHEREAS, the Foundation spearheaded the fundraising, design and construction of the Mosaic which is located at 107 East Main Street, Roselle, Illinois (hereinafter referred to as the "Subject Property");

WHEREAS, the Village has previously entered into a license agreement with the owner of the Subject Property for the maintenance of the Mosaic;

WHEREAS, the Project is now complete and the Foundation is prepared to memorialize the Project at an upcoming ceremony and donate the Mosaic to the Village for the appreciation and inspiration of the Residents of the Village of Roselle; and

WHEREAS, the Parties desire to formalize the transfer of ownership of the Centennial Mosaic by executing the attached donation documentation; and

WHEREAS, the Corporate Authorities of the Village of Roselle have determined that it is in the best interests of the residents of the Village of Roselle to approve, accept and authorize the donation of the Centennial Mosaic from the Roselle Arts and Culture Foundation transferring the ownership of the Mosaic to the Village of Roselle and further execute any and all documents for the purposes referenced herein.

NOW, THEREFORE, BE IT RESOLVED, in open meeting assembled, by the Village President and Board of Trustees of the Village of Roselle, DuPage and Cook Counties, Illinois, as follows:

Section One – Recitals

The Corporate Authorities hereby find that all of the recitals hereinbefore stated as contained in the preamble to the resolution are full, true and correct and do hereby, by reference, incorporate and make them part of this resolution as legislative findings.

Section Two – Approval of Donation

The Village hereby accepts the donation of the Centennial Mosaic from the Roselle Arts and Cultural Foundation and approves and authorizes the execution of the required documentation substantially in the form attached hereto and made a part hereof as Exhibit A.

Section Three – Authorization and Direction

The Mayor is hereby authorized to execute the documentation, substantially in the form of such agreement attached hereto as Exhibit A, with such changes therein as shall be approved by the Village Attorney and the officials of the Village executing the same, their execution thereof to constitute exclusive evidence of their approval to any and all changes or revisions therein from and after the execution and delivery of such documentation.

Section Four - Other Actions Authorized

The officers, employees and/or agents of the Village shall take all actions necessary or reasonably required to carry out and give effect to the intent of this resolution and otherwise to consummate the transactions contemplated herein and shall take all actions necessary in conformity therewith including, without limitation, the execution and delivery of all documents required to be delivered in connection with the transaction contemplated herein.

Section Five - Acts of Village Officials

That all past, present and future acts and doings of the officials of the Village that are in conformity with the purpose and intent of this ordinance are hereby, in all respects, ratified, approved, authorized and confirmed.

Section Six - Authorization of Expenditures

The Corporate Authorities hereby authorize and direct the expenditure of all costs related to the execution of the documentation, additionally, the Village is authorized and directed to allocate and spend all necessary funds to fulfill the requirements pertaining to the maintenance and preservation of the Mosaic.

Section Seven – Effective Date

This resolution shall be in full force and effect from and after its passage, approval and publication as provided by law.

Section Eight - Publication

This resolution shall be published in book or pamphlet form as provided by the Illinois Municipal Code.

Section Nine – Conflict Clause

All resolutions, parts of resolutions or board actions in conflict herewith are hereby repealed to the extent of such conflict.

Section Ten – Saving Clause

If any section, paragraph, clause or provision of this resolution is declared by a court of law to be invalid or unconstitutional, the invalidity or unconstitutionality thereof shall not affect the validity of any other provisions of this resolution which are hereby declared to be separable.

Section Eleven – Recording

This resolution shall be entered into the minutes and upon the journals of the Board of Trustees of the Village of Roselle.

The Remainder of this Page has been Intentionally Left Blank / Roll Call Vote to follow:

DECIDED pursuant to a Roll Call Vote:

| | YES | NO | ABSENT | PRESENT |
|-----------------|-----|----|--------|---------|
| Bruce Berkshire | | | | |
| Wayne D. Domke | | | | |
| Cheryl Lenisa | | | | |
| Tom Della Penna | | | | |
| Tom Piorkowski | | | | |
| Lee Trejo | | | | |
| David Pileski | | | | |
| TOTAL | | | | |

PASSED AND APPROVED by the Village of Roselle Board of Trustees on the 13th day of September, 2022:

David Pileski
Mayor

ATTEST:

Amanda Hausman
Village Clerk

Exhibit A

Agreement

DRAFT



Roselle
Arts & Culture
Foundation

RACF@
PO Box72996
Roselle, IL 60172

AGREEMENT FOR TRANSFER OF PROPERTY
FROM THE ROSELLE ARTS & CULTURE FOUNDATION
TO THE
VILLAGE OF ROSELLE

The Roselle Arts & Culture Foundation (hereafter referred to as "Foundation") is a 501(C)(3) public charity whose mission is promoting the benefits of diverse cultural awareness through public art for the residents of Roselle and the surrounding communities.

The Foundation entered into a contract agreement with Green Star Movement to build and install a centennial mosaic (hereafter referred to as "Mosaic") on the west wall of the property known as 107 Main St. Roselle, IL. The Village of Roselle, a municipal corporation (hereafter referred to as "Village"), has entered into a license agreement, Resolution 2022-2521, with the property owner of 107 Main St, for the purpose of installing and maintaining the Mosaic on the west wall.

The Foundation also had an understanding with the Village that the Village would assume the responsibility of ownership, and ongoing maintenance and upkeep of the Mosaic once completed and transferred to the Village.

The Mosaic is now complete and the Foundation is prepared to transfer ownership of the Mosaic to the Village for the benefit of the residents of Roselle and the surrounding communities.

The Village agrees that while it assumes ownership and maintenance responsibility for the Mosaic; the Foundation has a license with Green Star Movement to reproduce images of the work for publicity as long as credit is listed to Green Star Movement. Otherwise, the Foundation may use the Mosaic for various marketing and promotional endeavors without the Village's approval.

The Village shall have sole control and authority over the Mosaic and if for any reason the Mosaic must be removed from its current location at 107 Main St, the Village may notify the Foundation and seek its input on determining its future.



Roselle
Arts & Culture
Foundation

Now therefore, The Roselle Arts & Culture Foundation transfers the ownership of the Mosaic built onto the west wall of 107 Main St. Roselle, IL to the Village of Roselle, who in return agrees to accept ownership of the Mosaic, with both parties agreeing to the terms set forth in this agreement.

Approved this 25th day of August, 2022 by the Board of Directors of the Roselle Arts & Culture Foundation.

Patty Burns, President

Accepted this _____th day of September, 2022 by the Village of Roselle.

David Pileski, Mayor