

**MEMORANDUM OF AGREEMENT AMONG
ST. JOSEPH ROMAN CATHOLIC CONGREGATION OF PEKIN, ILLINOIS, THE
ILLINOIS ENVIRONMENTAL PROTECTION AGENCY (IEPA),
AND THE
ILLINOIS STATE HISTORIC PRESERVATION OFFICER
REGARDING CONSTRUCTION OF AN ADDITION ON THE EAST ELEVATION OF
THE CHURCH BUILDING AT 303 S. 7TH STREET, PEKIN, ILLINOIS AND THE
DEMOLITION OF THE EXISTING PARISH CENTER AT 414 HAINES AVENUE,
PEKIN, ILLINOIS
(SHPO LOG # 015042324)**

WHEREAS, St. Joseph Roman Catholic Congregation of Pekin, Illinois (Owner) plans to undertake construction of an addition on the East elevation of the church building at 303 S. 7th Street, Pekin, Illinois, and the demolition of the existing parish center at 414 Haines Avenue, Pekin, Illinois; and

WHEREAS, the Owner has evaluated the potential upgrade to the existing parish center, evaluated several sites on the owner's campus for a new addition, and, after meeting with parishioners, neighbors, City of Pekin staff, City of Pekin Zoning Board of Appeals and the Pekin City Council, determined the best course of action is the construction of an addition on the East elevation of the church building at 303 S. 7th Street, Pekin, Illinois and the demolition of the existing parish center at 414 Haines Avenue, Pekin, Illinois; and

WHEREAS, the project requires a National Pollutant Discharge Elimination System (NPDES) permit, a Water Pollution Control permit, and a Public Water Supply permit from the Illinois Environmental Protection Agency (IEPA), thereby making the project an Undertaking subject to review under the Illinois State Agency Historic Resources Preservation Act (20 ILCS 3420) and its implementing rules (17 IAC 4180) (Act); and

WHEREAS, the Owner has consulted with the Illinois State Historic Preservation Office (SHPO), a Division of the Illinois Department of Natural Resources (IDNR), pursuant to the Act; and

WHEREAS, the SHPO currently resides within IDNR (Office), and the Director of IDNR is the duly designated State Historic Preservation Officer (Officer); and

WHEREAS, on May 22, 2024, the Officer determined that 303 S. 7th and 414 Haines Avenue in Pekin, Illinois (Buildings) are eligible to be listed on the National Register of Historic Places (NRHP); and

WHEREAS, the Officer has determined that the Undertaking will have an adverse effect on the Buildings that are eligible for the NRHP; and

NOW, THEREFORE, the Owner, IEPA, and the Officer agree that the Undertaking shall be implemented in accordance with the following stipulations in this Memorandum of Agreement

(Agreement) in order to mitigate the adverse effects of this Undertaking to the NRHP-eligible properties.

STIPULATIONS

I. MITIGATION (HIBS)

A. The Owner shall compose a historical essay of the project Buildings according to the measures described below.

1. The essay shall include historical and current photos of the interior and exterior of the buildings.
2. The essay shall include information about the Buildings obtained from local history files and the archives at the Catholic Post and the Catholic Diocese of Peoria.
3. When completed the owner shall post the essay on its parish website, display photos in new building, and create PDF of the essay and photos and distribute to the SHPO.
4. Once photography for I.A is completed, the project may commence.

II. DURATION

This Agreement shall be effective until such time as all of its terms are satisfied or it is amended or terminated and replaced. Prior to such time, the Owner may consult with the other signatories to reconsider the terms of the Agreement and amend it in accordance with Stipulation VI AMENDMENTS below. The Owner shall notify the signatories as to the course of action it will pursue.

III. POST-REVIEW ENCOUNTERS

If potential historic properties are encountered or unanticipated effects on historic properties found, the Owner shall consult with the Officer immediately and make reasonable efforts to avoid, minimize, or mitigate adverse effects to such properties. In the event of an unanticipated encounter of human remains or burials, the Owner understands and agrees that it must immediately stop work within the area of encounter, consult with the Officer, and comply with the Human Remains Protection Act (20 ILCS 3440) and its implementing rules (17 IAC 4170) as administered by IDNR, which provides that no human remains shall be disturbed without a permit issued by IDNR.

IV. MONITORING AND REPORTING

Each year following the execution of this Agreement until it expires or is terminated, Owner shall provide all parties to this Agreement a summary report detailing work undertaken pursuant to its terms. Such report shall include any scheduling changes proposed, any problems encountered, and any disputes and objections received in

Owner's efforts to carry out the terms of this Agreement.

V. DISPUTE RESOLUTION

Should any signatory to this Agreement object at any time to any actions proposed or the manner in which the terms of this Agreement are implemented, the Owner shall consult with the signatories to resolve the objection. If the signatories cannot agree regarding a dispute, the signatories shall utilize the procedures provided in 20 ILCS 3420/4e.

A. The Owner's responsibility to carry out all other actions subject to the terms of this Agreement that are not the subject of the dispute remain unchanged.

VI. AMENDMENTS

This Agreement may be amended when such an amendment is agreed to in writing by all signatories. The amendment will be effective on the date a copy is signed by all of the signatories.

VII. TERMINATION

If any signatory to this Agreement determines that its terms become impossible to carry out, that party shall immediately consult with the other signatories to attempt to develop an amendment per Stipulations V and VI above. If within thirty (30) days an amendment cannot be reached, any signatory may terminate the Agreement upon written notification to the other signatories.

VIII. COUNTERPARTS; FACSIMILE OR .PDF SIGNATURES

This Agreement may be executed in counterparts, each of which shall be considered an original and together shall be one and the same Agreement. A facsimile or .pdf copy of this Agreement and any signatures thereon will be considered for all purposes as an original.

EXECUTION of this Agreement by signatories, and the implementation of its terms evidence that the signatories have afforded the Officer an opportunity to comment on the effects of the Undertaking in compliance with the Act.

[Signature Pages to follow]

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(SHPO LOG # 015042324)

SIGNATORY

ST. JOSEPH ROMAN CATHOLIC CONGREGATION OF PEKIN, ILLINOIS (Owner)

Signature: Mike Androjch Date: 8/17/24
Name: Fr. Mike Androjch
Title: pastor

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SIGNATORY

ILLINOIS ENVIRONMENTAL PROTECTION AGENCY (IEPA)

Signature: _____ Date: _____

Name: _____

Title: _____

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SIGNATORY

ILLINOIS DEPUTY STATE HISTORIC PRESERVATION OFFICER (OFFICER)

By: Carey L. Mayer Date: 8/22/2024
Carey L. Mayer, AIA
Deputy State Historic Preservation Officer
Illinois Department of Natural Resources