



## CITY COUNCIL AGENDA ITEM

**To:** Mayor and City Council  
**From:** Walter Denton, City Administrator  
**Date:** January 16, 2007  
**Subject:** Amended Ordinance of an Ordinance authorizing the City to enter into an Intergovernmental Agreement with the O'Fallon Consolidated School District 90 relating to the exchange of real property between the City of O'Fallon and O'Fallon Consolidated School District 90

**List of committees that have reviewed:** None.

**Background:** Last May, the City Council approved a property exchange with School District 90 where the City would receive 9.9 acres on Kyle Road across the street from Fulton Jr. High School and School District 90 would receive the Old Police Station. The appraisals of the two properties were not equal, so the agreement included the City paying \$62,000 in addition to the property exchange.

While the Old Police Station was being prepared for remodeling by the school, asbestos was discovered. Since the property exchange was for the building "as is," it was agreed that the City would conduct the asbestos removal and reduce the payment to the district by the cost of removal.

The asbestos removal recently was completed and totals \$30,980. As a result, the ordinance and intergovernmental agreement needs to be amended to reflect that the City's payment to the school district will now be \$31,020.

**Legal Considerations, if any:** Because City Attorney Dale Funk also represents District 90, he has recused himself and the City retained Steve Wiggington to prepare the legal documents.

**Budget Impact:** In addition to the property exchange, the City is paying \$31,020 to District 90 to equalize the difference between the appraisals and the asbestos removal.

**Staff recommendation:** Staff recommends approval.