



CITY COUNCIL AGENDA ITEM

To: Mayor Graham and City Council

From: Ted Shekell, Planning Director
Walter Denton, City Administrator

Date: December 17, 2007

Subject: A Motion authorizing the Mayor to allow an emergency water tap and to ratify the Pre-Annexation Agreement with Gary & Kathy Bathon at 8601 Oak Hill School Road after public hearing on Jan. 7, 2008. **(MOTION)**

List of committees that have reviewed: At its meeting on December 10, 2007, the Community Development Committee recommended approval of the emergency water tap and Pre-Annexation Agreement and for 8601 Oak Hill School Road.

Background:

Gary and Kathy Bathon, located at 8601 Oak Hill School Road in unincorporated St. Clair County, are requesting an emergency water tap for their residence. They state their well is nearly dry and they are struggling to have enough water to meet many of their basic household needs, such as laundry and dishwashing. They have provided verification of the well's current capacity by their licensed plumber. Since provision of water taps outside the City limits requires an annexation agreement, the Bathons' have agreed to enter into an agreement. Unfortunately, the public hearing for the agreement could not be set until Jan 7, 2008, at the earliest. Given the fact they are running so low on water, staff recommends approval of an emergency water tap, contingent upon the Council's approval of the annexation agreement, a draft of which is attached.

Attached is a copy of the pre-annexation agreement. At the December 17 meeting, a motion will be presented authorizing the Mayor to allow an emergency water tap and require a pre-annexation agreement to be ratified by the Council after public hearing on Jan. 7, 2008.

Legal Considerations, if any: None

Budget Impact: None

Staff Recommendation: Staff recommends a motion to allow the emergency tap, with the tap and required annexation agreement to be ratified by the Council after public hearing on Jan. 7, 2008.