



## CITY COUNCIL AGENDA ITEM

**To:** Mayor Graham and City Council

**From:** Jeff Stehman, Building and Zoning Supervisor

**Thru:** Walter Denton, City Administrator  
Ted Shekell, Planning Director

**Date:** April 6, 2009

**Subject:** Resolution No. \_\_\_\_: A Resolution Requesting Assistance from IEPA on Former Clark Station Site – 102 E. State

**List of committees that have reviewed:** The Community Development Committee reviewed the resolution at its meeting on March 23, 2009.

**Background:** We have been dealing with the old Clark Station site at the intersection of N. Lincoln and E. State for several years now in an attempt to clean the property up, maintain its appearance and ensure the site remains safe to the general public after the owner abandoned the station, along with others in the metro-east area. The actions we have taken to date are as follows:

- Maintained the exterior property by cutting the grass and weeds
- Contracted to have doors and windows secured on the building
- Petioned the courts for a demolition order to demo the building and canopy
- Contracted with an environmental cleanup firm to test barrels of material on site and have them legally disposed of
- Contracted to have the building and canopy demolished
- Contracted to have fuel supply lines capped and sealed from tanks
- Contracted to have holes in parking lot created by demolition and pipe capping concreted over
- Attached a lien on the property to cover all abatement fees, demolition fees and legal fees
- Contracted with an environmental firm to do a "Phase I Environmental Site Assessment" to determine the condition of the site and the environmental risks and hazards. This also included conducting an "All Appropriate Inquiry" to ensure that if we take possession of the property at any time in the future we are not held liable for any previous environmental cleanup

St. Clair County currently holds the deed to the property, due to non-payment of delinquent property taxes. The City Attorney has had discussions with St. Clair County regarding the city's plans to abate and clean-up the property and the county indicated they would work with us toward that goal.

In order to determine how to proceed with this property, the next step is to have additional environmental testing to determine if there has been fuel leakage and if so what is the extent of that leakage. A "Phase II Study" would cost a minimum of \$10,000 and \$15,000 to conduct. Through our conversations with the Illinois Environmental Protection Agency, they advised that their Office of Site Evaluation would probably be able to assist us in further testing. They referred us to that office and

we were able to meet with them on-site and obtain preliminary approval for them to do the testing at no cost to the city.

They do require that the City Council pass a resolution officially requesting that assistance prior to them beginning that work.

**Legal Considerations, if any:** None

**Budget Impact:** None

**Staff recommendation:** We are requesting that this resolution be passed by the City Council so we can utilize the services offered by IEPA at no cost to the city.