

Request For Board Action

REFERRED TO BOARD: June 10, 2019

AGENDA ITEM NO: 15

ORIGINATING DEPARTMENT: Administration

SUBJECT: Consideration of a Resolution authorizing the execution of an Access Agreement to Allow Environmental Soil Testing on the Pittman Parcel

SUMMARY AND BACKGROUND OF SUBJECT MATTER:

In June of 2018, after heavy rains and high creek flow, a large sink hole developed on the Pittman parcel. On investigation, staff determined that the conduit to the Sequoit Creek was failing. The culvert was installed by the village approximately 40 years ago and runs underneath the easement on the property.

Staff took measures to safeguard the public by covering the sinkhole with steel plates. The area was barricaded and secured with fencing. All events that were scheduled to take place on the Pittman property were relocated to other areas of the village.

Initial assessments indicate that the culvert is made of corrugated metal and needs to be replaced. Two additional sinkholes have developed since that time and staff is concerned that the collapsing culvert could cause flooding to properties upstream of the creek. Staff has been contemplating various remedies; however, the environmental condition of the property is unknown and environmental soil testing would need to be performed. To do so, the village will need permission from the property owners to access the property to perform soil testing.

Administrator Keim and Attorney Long have had ongoing discussions with the property owners and have successfully negotiated an access agreement to allow testing for environmental contamination. Attached for your approval is a Resolution approving the access agreement to conduct environmental soil testing.

FINANCIAL IMPACT: Undetermined.

DOCUMENTS ATTACHED:

1. Resolution
2. Access Agreement

RECOMMENDED MOTION:

Motion to approve a Resolution Authorizing Execution of an Access Agreement Allowing Environmental Testing of the Pittman Parcel.

RESOLUTION 19 - _____

**A RESOLUTION AUTHORIZING EXECUTION OF AN ACCESS AGREEMENT
ALLOWING ENVIRONMENTAL TESTING OF THE PITTMAN PARCEL**

WHEREAS, there are several abutting parcels of land located between Orchard Street, Depot Street and Main Street which are owned by three members of the Pittman family, and

WHEREAS, the Village has an easement upon these parcels within which easement a fairly large culvert exists which carries the waters of Sequoit Creek, and

WHEREAS, the culvert has exhibited signs of collapsing which has resulted in the Village taking measures to protect the public, and

WHEREAS, the Village Staff has concerns that the collapsing culvert could result in damming of Sequoit Creek which in turn could cause upstream flooding of a large number of properties in the Village, and

WHEREAS, the Village Administrator and Attorney have negotiated an access easement with the Pittmans in the form attached as Exhibit A hereto which will allow the Village to commence testing of the soils on the Pittmans' parcels for any possible environmental contamination as a predicate to repairing or replacing the culvert or taking other action to assure continued unimpeded flow of Sequoit Creek, and

WHEREAS, the Village Board finds that the proposed draft access easement and the testing contemplated thereunder are in the best interests of the Village and its property owners and should be adopted in substantial conformity with the Exhibit A document,

NOW THEREFORE, BE IT RESOLVED by the Village of Antioch, Lake County, Illinois, as follows:

SECTION ONE: The Mayor and Clerk are authorized and directed to execute the Environmental Testing Access Agreement in substantial conformity with the draft attached as Exhibit A hereto.

SECTION TWO: The Administrator is directed to locate an appropriate professional testing firm and provide draft contracts for the environmental testing work to the Village Board for its consideration as soon as practical, to take any other steps necessary as a predicate to the testing process and to continue taking action to secure the site for the public's safety.

SECTION THREE: This resolution shall take effect immediately upon passage.

PASSED BY THE BOARD OF TRUSTEES OF THE VILLAGE OF ANTIOCH, ILLINOIS, ON THIS _____
DAY OF _____, 2019.

ATTEST:

LAWRENCE M. HANSON, MAYOR

LORI K. ROMINE, VILLAGE CLERK