

## RESOLUTION

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5-19-14

A Resolution authorizing the submittal of a Site Assessment Grant (SAG) application by the City of Manitowoc (City) to the Wisconsin Economic Development Corporation (WEDC) for the former Mirro Plant 9 at 1512 Washington Street.

WHEREAS, the City recognizes that the remediation and redevelopment of brownfields is an important part of protecting Wisconsin's resources; and

WHEREAS, the City is seeking a SAG for completion of a ch. NR716 WAC site investigation at the former Mirro Plant 9, that will address concerns detailed by the Wisconsin Department of Natural Resources in a letter dated January 15, 2013, and will include: (i) perimeter monitoring well sampling; (ii) free product investigation and delineation; (iii) sampling, profiling and delineation of PCB impacted concrete; (iv) soil and groundwater sampling for PCB's; (v) loading dock catch basin and storm sewer investigation; (vi) asbestos and lead based paint survey; (vii) additional soil and groundwater monitoring and sampling based on the results of the above referenced site investigation tasks; and (viii) preparation of a comprehensive site investigation report and remedial action options report; and

WHEREAS, in this action the City's Common Council has declared its intent to complete the SAG activities described in an application to be filed with the WEDC, if awarded funds, for the property located at 1512 Washington Street in the City which is currently owned by EJ Spirtas Manitowoc, LLC; and

WHEREAS, the City will fulfill any responsibilities as may be required by the WEDC to implement the SAG, if awarded.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Common Council that the City requests funds and assistance available from the WEDC under the SAG program for the property located at 1512 Washington Street, and will comply with WEDC rules for the program; and

BE IT FURTHER RESOLVED, that authority is hereby granted to the City Planner, and after August 1, 2014, the Deputy City Planner to act on behalf of the City to file and sign any and all necessary documents, applications, agreements, determinations and the like, in support of the request for WEDC support; and

BE IT FURTHER RESOLVED that the City Planner and the Deputy City Planner be authorized to: (i) take any and all necessary steps to assist and oversee the filing and implementation of the above referenced SAG application and grant in accordance with this Resolution; (ii) enter into a contract with Symbiont to prepare and file the SAG application, and to assist the City with fulfilling all applicable SAG administrative requirements, if funded by WEDC; and (iii) serve as the City's agents responsible to coordinate the filing and implementation of the SAG including, but not limited to: (a) negotiating the terms and conditions of a reimbursement agreement with the property owner, if required; (b) negotiating the terms and conditions of any required cooperation agreements or contracts with the WEDC; (c) negotiating the terms and conditions for all other documents and cooperation agreements related to the SAG; and (d) disbursing monies necessary to implement the SAG; and

BE IT FURTHER RESOLVED that the Common Council authorizes the Mayor, Clerk, City Planner, Deputy City Planner and other City Officials to act on behalf of the City to:

1. Sign any and all documents, communications, applications, contracts and the like as required by the City Planner or Deputy City Planner; and
2. Take any and all steps necessary to undertake, direct and complete the SAG project should the application be approved by the WEDC.

INTRODUCED     **MAY 19** 2014    

ADOPTED \_\_\_\_\_

APPROVED \_\_\_\_\_

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JUSTIN M. NICKELS, MAYOR

Drafted by: David Less, City Planner

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Rundate: 5/19/2014