

R-09-114

RESOLUTION NO. _____

A RESOLUTION AUTHORIZING THE MAYOR AND CITY CLERK TO ENTER INTO AN ACCESS AGREEMENT WITH OLIN CORPORATION TO SET MONITORING WELLS IN ALLEYS ALONG 2ND STREET; AND FOR OTHER PURPOSES.

WHEREAS, the Arkansas Department of Environmental Quality (“ADEQ”) and Olin Corporation (“Olin”) have determined that it is necessary to implement environmental investigations related to property owned by Olin at 2200 East 5th Street in the City of North Little Rock (“the City”); and

WHEREAS, it will be necessary for Olin to set monitoring wells in alleyways owned by the City along 2nd Street (see Exhibit “A” attached hereto) to perform environmental investigative work as directed and/or approved by ADEQ (see Exhibit “B” attached hereto); and

WHEREAS, the City Engineer has approved the placement locations for the wells, which will not block or interfere with vehicle traffic in the area.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF NORTH LITTLE ROCK, ARKANSAS:

SECTION 1: That the Mayor and City Clerk are hereby authorized to enter into a Site Access Agreement (substantially similar to Exhibit “C” attached hereto) to allow Olin Corporation to set monitoring wells (as shown on Exhibits “D” and “E” attached hereto) in alleyways along 2nd Street to ascertain if pollution has migrated south to 2nd street from Olin’s property on East 5th Street.

SECTION 2: That this Resolution shall be in full force and effect from and after its passage and approval.

PASSED:

APPROVED:

Mayor Patrick H. Hays

SPONSOR:

ATTEST:

Mayor Patrick H. Hays

Diane Whitbey, City Clerk

APPROVED AS TO FORM:

C. Jason Carter, City Attorney

PREPARED BY THE OFFICE OF THE CITY ATTORNEY/b