MEMORANDUM

TO: Mayor and City Council

FROM: David Watson, City Manager

DATE: October 14, 2010

RE: Participation Agreement between Cameron and Sukup

Attached is an Ordinance that allows the Mayor to sign a Participation Agreement between the City of Cameron and Sukup Manufacturing Company. It has taken some time for the request to go from an environment inquiry to an agreement. EPA has completed field investigation and delineated an area on the property owned by Sukup that has lead. Those reports are available to the public. The City was once an owner of the property and therefore is being required to enter into an Administrative Settlement Agreement along with Sukup.

EPA has indicated that it will approve on-site management of this low-level contamination as the appropriate response rather than removal - provided the City of Cameron and Sukup timely enter into an Administrative Settlement Agreement with EPA that will ensure proper long-term management of the affected area.

The basis of the agreement is that Cameron will pay for surveying the property and then install and maintain a fence and proper warning signs. Any costs from EPA will be negotiated between the parties once costs are known. Sukup will continue ownership of the land.

RECOMMENDATION

Approve the Ordinance and enter into the Participation Agreement. This item is time sensitive and staff request that all actions be taken on October 18, 2010.

(Agreement will be distributed at meeting)

Bill 2010-62

AN ORDINANCE AUTHORIZING A PARTICIPATION AGREEMENT BY AND BETWEEN THE CITY OF CAMERON, CLINTON AND DeKALB COUNTIES, MISSOURI AND SUKUP MANUFACTURING COMPANY

WHEREAS, the City of Cameron, a political subdivision of the State of Missouri, (hereinafter called "City") wishes to enter into Participation Agreement with Sukup Manufacturing Company of Sheffield, Iowa (hereinafter called "Sukup"); and

WHEREAS, the City and Sukup by this agreement will execute an Administrative Settlement Agreement and Order on Consent for Removal Action on property owned by Sukup and formally owned by the City; and

WHEREAS, EPA has indicated that it will approve on-site management of this low-level contamination as the appropriate response rather than removal - provided the City of Cameron and Sukup timely enter into an Administrative Settlement Agreement with EPA that will ensure proper long-term management of the affected area.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CAMERON, CLINTON AND DeKALB COUNTIES, MISSOURI AS FOLLOWS,

Section 1. The Mayor is hereby authorized to sign the participation agreement by and between the City and Sukup a copy of which is attached hereto and made a part hereof to execute an Administrative Settlement Agreement and Order on Consent for Removal Action.

Section 2. The Mayor is hereby authorized to sign this Ordinance on behalf of the City of Cameron.

Section 3. The City Clerk is hereby directed to attest to the Mayor's signature.

Read two times, passed and approved this 18th day of October 2010.

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Mayor Dennis M. Clark

ATTEST:

City Clerk