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412261

City of Conway, Arkansas
Ordinance No. O-15-33

AN ORDINANCE AUTHORIZING THE CITY OF CONWAY TO ENTER INTO AN IMPLEMENTING AGREEMENT WITH THE ARKANSAS DEPARTMENT OF ENVIRONMENTAL QUALITY; AND FOR OTHER PURPOSES

Whereas, the City was accepted into the Arkansas Brownfield Program on March 25, 2013 for the property located at 1110 Spencer Street, formerly known as Conway Scrap Metals, which was subsequently acquired by the City on July 2, 2014; and

Whereas, Environmental Studies have found that hazards exist on said property, to which the City has applied for an EPA Brownfield grant for the cleanup of the property; and

Whereas, the City desires to maintain certain liability protections offered by the Arkansas Brownfield Program, and seeks to remediate the property of any Hazards and redevelop the property for public benefit in accordance with said program; and

Whereas, the Arkansas Department of Environmental Quality (ADEQ) wishes to enter into an Implementing Agreement with the City, which lays out certain requirements the City must follow in the properties remediation, of which the City may withdraw its participation in this program at any time by providing written notification to ADEQ.

NOW THEREFORE BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CONWAY, ARKANSAS THAT:

Section 1: The Mayor of the City of Conway is hereby authorized to enter into an Implementing Agreement with the Arkansas Department of Environmental Quality for the purpose of initiating remediation activities at 1110 Spencer Street.

Section 2: All ordinances in conflict herewith are repealed to the extent of the conflict.

Passed this 24th of March, 2015.

Approved:

Mayor Tab Townsell

Attest:

Michael O. Garrett
City Clerk/Treasurer