

City Council
Date: January 8, 2008
CONSENT
Item:
Resolution

ITEM: Approve Resolution No. 2008-002 to authorize the City Attorney to proceed with abatement action to seal the wells at 8488 Stillwater Blvd. and 2742 Ivy Avenue.

SUBMITTED BY: Jerry Filla, City Attorney

REVIEWED BY: Jack Griffin, City Engineer
Susan Hoyt, City Administrator
Ryan Stempski, Assistant City Engineer

SUMMARY AND ACTION REQUESTED: The city council is being asked to authorize the City Attorney to proceed with abatement action to have the wells sealed at 8488 Stillwater Boulevard and 2742 Ivy Avenue.

This abatement action is needed to enforce Resolution No. 2006-025, which declared all private wells located within the West Central Lake Elmo Area to be sealed after they have been connected to the City's water system. Two homes within this area (8488 Stillwater Boulevard and 2742 Ivy Avenue) have not given consent to seal their private well after they had been connected to the City's water system. The well sealing contractor has completed all work and the City of Lake Elmo is required by contract to final out the project. The two noncompliant property owners have not responded to several attempts (letters, certified letters, phone calls, or site visits) facilitated by both the contractor and TKDA to complete the well sealing.

RECOMMENDATION:

Staff recommends that we continue to close out the well sealing project excluding the two noncompliant property owners, and that the abatement proceedings and enforcement of Resolution No. 2006-025 be completed by the City Attorney.

SUGGESTED MOTION FOR CONSIDERATION:

Move to approve Resolution No. 2008-002, directing the City Attorney to proceed with abatement action.

ATTACHMENTS:

1. *Resolution No. 2008-002, A Resolution Directing Abatement Action.*