

**Town of Liberty Grove**  
**Resolution 17- 18**  
**Blight elimination in Gills Rock**

**Resolution approving the blight designation of parcels 018-03-06322921A3, 018-03-06322921A5 and 018-03-06322921F, and requesting an exemption pursuant to Wis. Stat. sec. 292.11(9)(e)(1m).**

Whereas, the Town of Liberty Grove was authorized to acquire the three above-mentioned properties (“the Properties”) for the purpose of ensuring perpetual access to the waters of Green Bay by its citizens and visitors to the area; and

Whereas, a Phase I environmental site assessment of the Properties indicates that portions of the Properties present environmental hazards or concerns, due to the former presence of an underground fuel oil and underground gasoline storage tanks; the presence of full or partially full 55 gallon storage tanks the contents of which are uncertain; the past use of a building for storage of oil products; the former operation of a tar building; and the presence of a 1,000 gallon diesel above ground storage tank used for fueling; and

Whereas, because of the information provided by the Phase I environmental site assessment, and the fact that the Town is eligible for municipal liability exemptions through Sections 292.11 and 292.23, Wisconsin Statutes, and that the Town has obtained federal liability protection under CERCLA by conducting the Phase I assessment in accordance with U.S. EPA’s “all appropriate inquiry” standards, the Town Board desires to purchase the Properties from private ownership to facilitate their assessment, remediation and future public use; and

Whereas, the Town is required to hold a public hearing for information purposes to determine if property is blighted and for approval of a redevelopment plan pursuant to Section 66.1331(5)(b), Wisconsin Statutes, and to provide proper notice of this hearing to the property owners and the public; and

Whereas, a public hearing was conducted on December 19 pursuant to the provisions of Section 66.1331(5)(b) of Wisconsin Statutes; and

Whereas, the properties at 12689 and 12695 STH 42 and parcel number 018-03-06322921A3(adjacent to 12695 STH 42) can be considered blighted due to their environmental condition which impairs the desired improvements and use as public access to the Waters of Green Bay; and

Whereas, prior to acquisition, Section 66.1331(5)(b), Wisconsin Statutes, requires that the Town Board of the Town of Liberty Grove approve the blight designation and acquisition of the property; and

Whereas, after acquisition, the Town would allow employees from Wisconsin DNR access to inspect the properties and associated records; and

Whereas, The Town recognizes that the assessment and remediation of blighted areas such as these three properties is an important part of protecting Wisconsin's and Liberty Grove's natural resources and helps the Town to eliminate blight and maintain safe access to the water; therefore, it is hereby

Resolved, the parcels at 12689 and 12695 STH 42 and parcel number 018-03-063229A3 (adjacent to 12695 STH 42) are found to be blighted within the meaning of Section 66.1331(3)(a), Wisconsin Statutes, for the following reason:

The present environmental conditions and concerns identified in the Phase I environmental site assessment and vacant status of 12689 STH 42 hinders the desired improvement of these parcels in the forward development of the Town as a prime destination for locals and visitors; and be it

Further resolved, the town shall take action to eliminate the blight situation and acquire the parcels, and it is

Further resolved, the Town requests assistance from Wis. DNR in complying with state and federal rules as it moves forward with the blight elimination; and be it

Further resolved, the Town shall enter into all contracts necessary to accomplish the goal of remediating the three parcels.

Adopted at a properly noticed Town Board meeting on December 19, 2018.

Board members voting aye: 5 Board members voting nay: 0

*I, Janet Johnson, Clerk/Treasurer of the Town of Liberty Grove, Door County Wisconsin hereby certify that the above is a true and correct copy of a resolution which was adopted at a properly noticed meeting of the Liberty Grove Town Board on the 19<sup>th</sup> day of December 2018.*

*Dated this 20<sup>th</sup> day of December 2018*

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*Janet Johnson, Clerk/Treasurer*