

## Parking lot deal may hinge on soil tests

Written by KRISTYN HALBIG ZIEHM  
Wednesday, 19 December 2012 18:59

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### Port council hires firm to check for contaminants at former drive-through that city would acquire in proposed land swap

Port Washington aldermen on Tuesday hired Konicek Environmental to conduct soil and groundwater testing at the former M&I Bank drive-through, saying the results could determine whether the city goes through with a proposed parking lot swap.

"I don't think there's any alternative but to do this," Ald. Jim Vollmar said. "I don't think the city is getting what it bargained for if it's contaminated.

"The bottom line is we have to know what's there."

An initial environmental report revealed that there were gas tanks on the property, which at one time was home to a car dealership and auto repair garage.

In all likelihood, the tanks weren't drained of fuel but instead filled with sand and left in the ground when they were abandoned, City Administrator Mark Grams said, noting this was standard practice at the time.

Over time, as the tanks rust, the soil and groundwater would then become contaminated, Vollmar said.

"I think we know it's contaminated," he said. "The question is to what extent. If it's minor, it's different than if it's major. Once we know, then we can make a decision on whether we want to continue with the exchange."

The discovery of the tank could impact any future use of the property, Vollmar said, noting a parking structure couldn't be built without dealing with the contamination.

The cost of the testing, which could reach \$4,100, will be borne by the city and not property owner Daniel Ewig, Grams said.

An exchange of the M&I Bank drive-through land for the city-owned parking lot behind the Boerner Mercantile Building that Ewig owns was approved by the Common Council earlier this month.

The city will ask Ewig to extend the time frame for closing the deal to accommodate the additional testing, aldermen said.

Ald. Mike Ehrlich, an architect working on the rehabilitation of the Boerner building, abstained from the vote.

The city's decision on the fate of the land will depend in part on how officials envision using the property in the future.

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“If our intention is to keep it as it is, as a parking lot, you probably wouldn’t need to do it,” Grams said of the testing.

But, if the city intends to sell or develop any portion of the property, the testing is essential, he said.

The potential liability, as well as the cost of cleanup, give the city little recourse, City Attorney Eric Eberhardt said.

“I strongly urge the council, if you want to proceed with the exchange (of property), to get the testing,” he said.

The city needs to verify any contamination and determine its extent in order to find out if it would qualify for funding to remediate the situation, said Randy Tetzlaff, the city’s director of planning and development.

The land swap, which officials said would result in a more attractive and user-friendly parking downtown, was expected to be completed early next year, Grams said.

The deal was conceived as a way to provide convenient parking for the Boerner building while increasing the amount of public parking downtown.

The logo for the Ozaukee Press. The word "Ozaukee" is written in a black, serif font above the word "PRESS", which is written in a large, bold, red, serif font.

The city-owned lot between the Boerner Mercantile Building and Associated Bank has 44 parking stalls and is now primarily used by downtown employees. The former drive-through currently has 44 parking places, but after the building is razed could be reconfigured to have 69 parking stalls.