

RESOLUTION NO. 8485-R15

A RESOLUTION
APPROVING SITE LOCATION SUITABILITY FOR
A NEW REGIONAL POLLUTION CONTROL FACILITY

WHEREAS, Section 39.1 et. seq. of the Environmental Protection Act (Ill.Rev.Stats. ch. 111 1/2, §1039.1 et. seq.), as amended, (the "Act") requires the City Council of the City of Urbana to approve the site location suitability for a new regional pollution control facility proposed to be located within the corporate limits of the City of Urbana in conformance with certain enumerated criteria; and

WHEREAS, on the 27th day of August, 1984, the City of Urbana, a municipal corporation of the State of Illinois, by and through Jeffrey T. Markland, its duly elected Mayor, (the "Applicant"), duly filed a copy of its request for such location approval with the City Clerk of the City of Urbana, (the "Request"), which such Request included an "Application To Site A New Regional Pollution Control Facility, A Nonhazardous Sanitary Landfill", supplemented with engineering drawings prepared by Daily and Associates, Engineers, Inc. for, on behalf of, and under the direction of the Applicant (the "Application"); and

WHEREAS, such Application requested location approval of a nonhazardous sanitary landfill of approximately 10-acres which would accept only general municipal refuse for an expected life of approximately three (3) years (the "Facility"), the location of which is adjacent to previously approved and operated sanitary landfill property owned and under the control and jurisdiction of the Applicant, and being more particularly described in the Application (the "Site"); and

WHEREAS, on August 9, 1984, a date not later than fourteen (14) days prior to such Request, the Applicant caused written notice of such Request to be served by registered mail, return receipt requested, on the owners of all property within the subject area not solely owned by the Applicant, and on the owners of all property within 250 feet in each direction of the lot line of the Site, said owners being such persons or entities which appeared from the authentic tax records of Champaign County in which such facility is to be located, such notice stating the name and address of the Applicant, the location of the proposed Site, the nature and size of the development, the nature of the activity proposed, the probable life of the proposed activity, the date when the Request for Site approval would be submitted to the City of Urbana, and a description of the right of persons to comment on such Request concerning the appropriateness of the proposed Site for its intended purpose (the "Notice"); and

WHEREAS, on August 9, 1984, a date no later than fourteen (14) days prior to such Request, the Notice was also served by the Applicant upon those members of the General Assembly from the legislative district in which the proposed facility is to be located; and

WHEREAS, on August 12, 1984, a date no later than fourteen (14) days prior to such Request, the Applicant duly caused the Notice to be published in the Champaign-Urbana News-Gazette, a newspaper of general circulation published in Champaign County, Illinois; and

WHEREAS, on August 24, 1984, the Applicant caused written notice of the date, time and place of a public hearing to be held by the City Council of the City of Urbana for the purpose of soliciting public comments on such Request (the "Public Hearing Notice") to be served by certified mail upon those members of the General Assembly from the district in which the proposed site is to be located; and

WHEREAS, on August 28, 1984, the City Clerk of the City of Urbana duly caused the Public Hearing Notice to be published in the Champaign-Urbana News-Gazette, a newspaper of general circulation published in Champaign County, of such public hearing; and

WHEREAS, on September 10, 1984, a public hearing was duly held in accordance with said Public Hearing Notice by the City Council of the City of Urbana at 7:00 P.M. in the Urbana City Council Chambers, 400 South Vine Street, Urbana, Illinois, at which such public hearing testimony, comment or information on the Request were submitted and elicited; and

WHEREAS, a record of such public hearing on September 10, 1984, sufficient to form a basis of an appeal of the decision of this City Council, has been developed and placed on file in the Office of the City Clerk.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF URBANA, ILLINOIS, as follows:

Section 1. That the City Council hereby finds as facts the recitals herein above set forth.

Section 2. That the Request of the Applicant for the location suitability of the Site for the proposed new regional pollution control Facility as set forth in the Application be and the same is hereby approved, subject to the following reasonable and necessary conditions to accomplish the purpose of this Request, which such conditions are not inconsistent with regulations established by the Illinois Pollution Control Board:

i. That the Applicant, prior to the closure of the proposed Facility, shall make every effort to have finalized and implemented a long-term solid waste management plan.

ii. That the Applicant provide adjacent property owners with a municipal liaison person to resolve concerns during operation of the Facility.

Section 3. That this decision of the City Council approving the Request for the Site location suitability is predicated upon the data and information contained in the Application, as well as such further testimony, comment or information submitted and elicited in connection with the public hearing described herein, and any written or oral comment received or postmarked not later than thirty (30) days from the date of its receipt of the Request, the reasons for which such decision are hereby found, declared, and specified as follows:

i. The facility is necessary to accommodate the waste needs of the area it is intended to serve in that:

a) The existing sanitary landfill currently operated by the Champaign-Urbana Solid Waste Disposal System, an intergovernmental agency of the Cities of Urbana and Champaign, will cease landfilling operations on or about May 30, 1985, in accordance with Resolution No. 8283-R3, entitled, "A Resolution Approving Site Location Suitability For A New Regional Pollution Control Facility", passed and approved on July 6, 1982;

b) There are no feasible proposals otherwise currently proposed which would provide local solid waste disposal services after May 30, 1985 for the service area of the Cities of Urbana and Champaign, Illinois, and the University of Illinois; and

c) The Facility is intended to serve refuse generated from within the corporate limits of the City of Urbana and the University of Illinois, pursuant to a 1954 City-University agreement, as amended.

ii. The Facility is so designed, located and proposed to be operated that the public health, safety and welfare will be protected in that:

a) The Facility is designed by an Illinois registered professional engineer in strict accordance with the requirements and provisions of the Act;

b) The Facility will be operated in conformance with the Environmental Protection Agency's rules and regulations and as further enumerated in the Applicant's development permit application to the Illinois Environmental Protection Agency;

c) The Applicant will perform monthly independent Site inspections to determine if there is strict compliance with relevant laws, rules, and regulations and operating standards as described in the Applicant's development permit application;

d) The Applicant will maintain sufficient financial resources to abate any emergency nuisances during the operation of the Facility;

e) The Applicant will provide necessary screening to retain debris on the Site, will provide dust control measures on the Site, and will promptly apply earthen cover material to refuse fill areas to control the generation of vectors and odors from the Site; and

f) The Applicant will take appropriate additional measures to control vectors from escaping the Site through the use of live trapping and/or poisoning, if needed.

iii. The Facility is located so as to minimize incompatibility with the character of the surrounding area and to minimize the effect on the value of the surrounding property in that:

a) The Facility is merely an extension of an existing sanitary landfill which comprises in excess of 120 acres;

b) The Site is triangular in shape with two sides abutting previously approved and operated sanitary landfill areas;

c) The remaining property line of the Site is adjacent to row-crop farmland and, parallel to said property line, the Applicant will construct an earthen berm to provide a visual and physical separation of the Site; and

d) The Applicant will attempt to promote the ultimate development of the Site and previously approved and operated sanitary landfill areas into recreational purposes in conjunction with the Urbana Park District.

iv. The Facility is located outside the boundary of the 100-year flood plain as determined by the Illinois Department of Transportation in that the Facility is located outside the 100-year flood plain of the Saline Drainage Ditch, and is not located within any other 100-year flood plain area.

v. The plan of operation for the Facility is designed to minimize the danger to the surrounding area from fire, spills or other operational accidents in that:

a) The Facility is located within the municipal corporate limits of the City of Urbana and is afforded fire protection by the Urbana Fire Department;

b) The Applicant will employ adequate precautionary measures to prevent accidental fires and will have sufficient earthen quantities available to augment municipal firefighting capabilities;

c) The Facility will not accept any liquid or hazardous waste; and

d) All operations of the Facility will occur within the confines of the earthen berm and the Site will be further constructed so that all surface waters will drain to the interior of the Site.

vi. The traffic patterns to and from the Facility are so designed as to minimize the impact of existing traffic flows in that:

a) Vehicular traffic to and from the Facility itself will be on existing sanitary landfill areas and roadways entering from University Avenue, a four (4) lane highway, which such roadways have been in use within the existing sanitary landfill areas since approximately the early 1940's and serve only such existing sanitary landfill areas, including the Site; and

b) The Facility is expected to receive a lesser quantity of general municipal refuse than is currently accepted at the existing sanitary landfill areas, and expected traffic volume should accordingly decrease.

1984.

PASSED by the City Council this 1st day of October, 1984.


Ruth S. Brookens
Ruth S. Brookens, City Clerk

1984.

APPROVED by the Mayor this 8th day of October, 1984.

Jeffrey T. Markland
Jeffrey T. Markland, Mayor