

JUL 12 2004

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD STATE OF ILLINOIS
Pollution Control Board

Batavia, Illinois Residents opposed)
To siting of Waste Transfer Station)
)
)
Vs.)
Application of Onyx Waste Services)
Midwest, Inc. for Local Siting)
Approval for a Solid Waste)
Transfer Station and City of Batavia,)
Illinois)

No. PCB 05-01
(Pollution Control
Facility Siting Appeal)

NOTICE OF FILING

TO: See Attached Service List

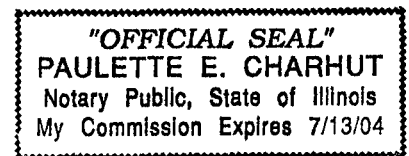
PLEASE TAKE NOTICE that on July 10, 2004 there caused to be filed via U.S. Mail with the Illinois Pollution Control Board an original and 9 copies of the following document which is attached hereto:

PETITION FOR REVIEW/APPEAL TO CONTEST SITING OF WASTE TRANSFER STATION IN BATAVIA, IL.

BY: *Janis Rosauer*
Janis Rosauer, Batavia Resident

SUBSCRIBED and SWORN TO Before me this 10th day of July, 2004.

Paulette E. Charhut
NOTARY PUBLIC



SERVICE LIST

**John Noble, Attorney
City of Batavia
Weiler & Noble, PC
425 Williamsburg Avenue
Geneva, Illinois
Fax 630-208-5168**

**Gerald P. Callaghan, Attorney
Onyx Waste Services, Midwest
Freeborn & Peters
311 S. Wacker Drive
Suite 3000
Chicago, Illinois 60606-6677**

JUL 12 2004

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD STATE OF ILLINOIS
Pollution Control Board

Batavia, Illinois Residents opposed)	
To siting of Waste Transfer Station)	No. PCB 05-01
)	(Pollution Control
)	Facility Siting Appeal)
Vs.)	
Application of Onyx Waste Services)	
Midwest, Inc. for Local Siting)	
Approval for a Solid Waste)	
Transfer Station and City of Batavia,)	
Illinois)	

Petition for Review/Appeal to contest siting of Waste Transfer Station in Batavia, Il.

We, the Batavia residents, including a Citizen Advisory Committee member, believe many of the recommendations and counsel for the nine criteria and the circumstances in which the Waste Transfer Station was handled and approved by the City of Batavia are in conflict of interest, one-sided and biased.

Illinois law puts the responsibility of approval for siting a Waste Transfer Station under the local government. It appears that the City of Batavia has met its responsibility in the siting process. Indeed they handled the public, the elected aldermen, the Citizens Advisory Committee and the independent studies in a well-orchestrated manner. The local government of Batavia needed to approve the siting. They were the developer by initiating the idea and feasibility of the Waste Transfer Station. In reality, though not officially, the city was also the applicant for the project by being open to the invitation of independent waste companies. In these positions the objectivity of the city of Batavia is extremely questionable.

As evidenced by the intergovernmental agreement with Kane County (See attached agreement), the governing and administrative bodies of the City of Batavia have been in favor of a Waste Transfer Station from the beginning. They only needed to dangle that desire and wait for the best offer from a waste company. ONYX will give \$500,000 to Batavia annually to operate here. An approval from the local government was never the issue. Meeting the notification requirements of the state law was their only challenge.

The public was made aware of the Waste Transfer Station in the Summer 2002 issue of Batavia's newsletter *Currents*, which is published four times a year. This article informed residents that the City of Batavia was looking into purchasing property for a Waste Transfer Station. The article also described the formation of a Citizens Advisory Committee to investigate the feasibility of such a proposal. The information in the article

lead the reader/citizen to believe that this project was in the early stages of consideration for handling and controlling Batavia's garbage needs. (See attached copy)

Never again was the newsletter *Currents* used to update residents on the Waste Transfer Station progress. Even when the *Currents* Summer 2003 issue told Batavia that ONYX was our new garbage company, no mention was made of the proposed Waste Transfer Station.

The public was "notified" via local newspaper articles appearing in March, June (Kane County Chronicle) and July 2003 (The Sun). Not until six months later on February 20, 2004, (Kane County Chronicle) was the City of Batavia's official Legal Notice of Public Hearing on Request for New Pollution Control Facility Siting made public. The *Currents* spring issue comes out by March 1st, but the status of the Waste Transfer Station was never mentioned in that publication.

The handful of residents that were aware of this situation had not been allowed to discuss it with their Alderman or anyone at City Hall. On the limited communication the City of Batavia had with the general public, the last note directed any questions to Randy Recklaus (Assistant City Administrator). However, he really was not at liberty to answer questions anyway. (See Recklaus response letters to Steve Johnson and Mr. And Mrs. Voreis)

The so-called public hearings were just an outlet to let the very few people who knew about the proposal to sound off. It was obvious to anyone who attended or watched the hearings that this was a "done-deal." It gave residents a "How can we fight City Hall?" hopeless attitude. All comments, concerns and questions had to be in written form by May 17th, 2004 to be included as part of the public hearing. In the copies of written comments filed and compiled with the City Clerk, only five from individual residents were dated before May 2004, showing the rest were an urgent 11th hour outcry.

At this late date is when many of us became aware of the Waste Transfer Station and some of the details. It was a major surprise that the City of Batavia and Onyx had been working on this for so long and had come this far without our knowledge. It also became a different issue being in the hands of Onyx and not the City of Batavia as we were lead to believe in the 2002 *Currents*. Onyx is a business. A business not corporately based in the area. Other than picking up our garbage, Onyx has little interest in the well-being of Batavia. They are interested in making a profit, profits that now comes from municipal customers in 5 Counties. Garbage brought from 5 Counties to our City. This is a very different proposition than originally outlined in 2002 to all Batavia residents.

Hardly anyone was "independent" in this matter. Most people involved with input on the Waste Transfer Station were paid or employed by ONYX or the City of Batavia. This seems to make the whole approval process a **conflict of interest**. On June 7, 2004, it came as no surprise that the City Council approved the Waste Transfer Station Siting. At that meeting, the City Council stated that this process has been going on since 1999.

Councilman Jim Volk also stated that the City of Batavia has been "open and transparent" throughout the whole process.

During this "open" process, agreements, applications, etc. were available for public viewing. Unfortunately, unless someone was actively and specifically looking for it, all that information was just out there. Information being made available and information being publicized are completely different. This "transparent" process left the Batavia community in the dark. With proper and more direct notification of information, the decision-making might not have been so **one-sided**.

Batavians recognize that garbage is a reality and appropriate provisions must be made to deal with it in a responsible way. We also know this can be accomplished in a forthright manner. The local government of Batavia fulfilled the letter of the law but sadly, it did not honor the spirit of the law when they kept the public basically uninformed about this important issue. We sincerely believe that the "fundamental fairness" has been seriously violated in the City of Batavia.

Concerned citizens of Batavia are requesting an appeal to the Waste Transfer Station Siting approval. When this appeal is granted, we are ready to further address and contest the nine criteria ONYX was to fulfill. Your close attention and consideration in this matter are greatly appreciated.

**INTERGOVERNMENTAL AGREEMENT
BETWEEN THE CITY OF BATAVIA AND THE COUNTY OF KANE
REGARDING A FORGIVEABLE LOAN TO INVESTIGATE
THE FEASIBILITY OF A SOLID WASTE TRANSFER STATION**

This Agreement, made and entered into this 4 day of November, 2000 A.D., by and between the City of Batavia, a Municipal Corporation, of the County of Kane and State of Illinois (hereinafter referred to as "CITY"), and the County of Kane, State of Illinois (hereinafter referred to as "COUNTY");

WITNESSETH:

WHEREAS, the parties hereto are authorized to exercise intergovernmental cooperation, pursuant to the provisions of the Illinois Constitution of 1970 (Article VII, Section 10) and the Intergovernmental Cooperation Act, 5 ILCS 220/1 et. Seq. (1999), and

WHEREAS, both parties have an interest in the management of solid waste, as well as the authority to site solid waste transfer stations in their particular jurisdictions; and

WHEREAS, the County's Solid Waste Management Plan recognizes the necessity of solid waste transfer stations to meet the County's long-term waste needs; and

WHEREAS, the CITY has the right to acquire, in the future, certain territory which could be suitable for the location of a solid waste transfer station; and

WHEREAS, the CITY has determined that it is in the best interests of its citizens and the long-term management of solid waste produced thereby to conduct a feasibility study of a solid waste transfer station within the corporate limits of the CITY; and

WHEREAS, the COUNTY has determined that it is in the best interests of its citizens and the long-term management of solid waste within the County to assist the CITY in

Currents

Summer 2002

City of Batavia Newsletter

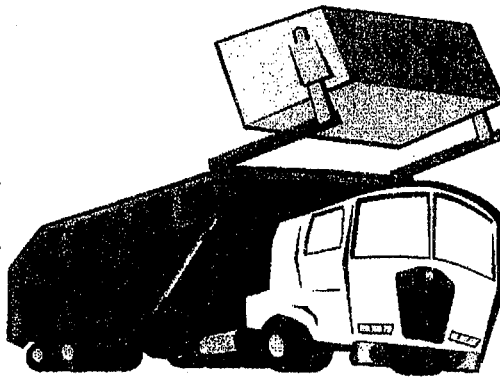
Vol. 14 No. 2

Feasibility of Solid Waste Transfer Station Studied By City

The City has been examining the feasibility and desirability of siting a Solid Waste Transfer Station in a far east side industrial park. The City has an option to acquire a parcel close to Kirk Road and Fabyan Parkway for this purpose. A Waste Transfer Station is a facility that provides for the transfer of municipal garbage from common "garbage trucks" to large "transfer trucks" which then transport it to the nearest landfill. With the anticipated closing of the Settler's Hill landfill in Geneva in 2006, and the closing of other landfills in the Chicagoland area over the next few years, the need for increase. The siting of a Waste be a way for the City to retain a sticker costs for residents, while

The City has obtained a \$100,000 consultant to look at the feasibility Batavia. In addition, a Citizens' in January to advise the City facility in our community. The ceived tours of existing Waste area and have had the opportunity to the operators of those facilities.

had City's Solid Waste Transfer Consultants, and City Staff at their disposal to gather information and answer their questions relating to this issue. They are currently in the process of writing a report to the City Council that discusses the issues and concerns they feel ought to be addressed before a decision to move forward with this project is made. The meeting minutes of the Citizen's Advisory Committee, as well as their final report will be available at www.cityofbatavia.net, as they are completed. There will be additional opportunities for citizens to give input on this project at different steps in the process. In the meanwhile, if you have any questions comments about the Citizens' Advisory Committee on Solid Waste please contact Randy Recklaus, the Assistant City Administrator, at (630) 879-1424 X115 or at rrecklaus@cityofbatavia.net. If you have general questions about the Waste Transfer Station project you can contact Gary Larsen, Director, Public Works at (630) 879-1424 X309 or at glarsen@cityofbatavia.net.



transfer stations in our area will Transfer Station in Batavia could degree of control over garbage generating additional revenues.

grant from Kane County to hire a of a Waste Transfer Station in Advisory Committee was formed Council on the desirability of such Committee members have re-Transfer Stations in the metro to speak with, and ask questions In addition, the Committee has

TWO RIVERS HEAD START

Two Rivers Head Start Agency is a Community Action Agency that provides emergency financial assistance for residents of Kane County including limited rent, medical, food and job training.

In addition, Two Rivers Head Start Agency operates nine Head Start Centers and three Early Head Start Centers. Head Start is based on the premise that all children have certain needs and that children of families with limited resources can benefit from a comprehensive developmental program designed to meet those needs.

Two Rivers Head Start Agency offers a free, half-day preschool Head Start Program for income-eligible children throughout Kane County. In collaboration with the Illinois Dept. of Human Services, Two Rivers

Continued page 2

Voreis pg. 1

April 28, 2004

Hannah Volk, Batavia City Clerk
City of Batavia
100 North Island Avenue
Batavia, Illinois 60510-1930

RECEIVED
CITY OF BATAVIA

DATE ~~REC'D MAY 24 2004~~

May 4, 2004 MCV

Dear Ms. Volk:

We thought long and hard before writing this letter assuming that any input and comments at this point would be futile. After listening to one session of the hearings concerning the siting of a waste transfer station by ONYX in Batavia and reading articles in our local papers, we came to the conclusion that the waste transfer station was a "done deal" even before the hearings began. We attended the second in the series of meetings and had no idea that the public was not allowed to ask questions freely or query the members of the city council. Therefore, we would like to ask a few questions now.

1. What is in this for Batavia? Apparently the city of Batavia began looking at siting a waste transfer station within its municipal limits in 2001, well before they were approached by ONYX in 2003. Did the city of Batavia solicit ONYX and/or others? What advantages does it have for our community? West Chicago didn't see any benefits, WHY DO WE?
2. If this waste transfer station is cited at 766 Hunter Drive, there is apparently a railroad easement on the property. Why not ship out the trash by rail?
3. When Mr. Poletti studied the affect the transfer station might have on land values did he include Batavia neighborhoods along Kirk Road or only the adjacent commercial/industrial areas? Has the city hired an appraiser to confirm that Mr. Poletti's opinion are indeed correct?
4. Did Mr. Hamilton, the traffic consultant hired by ONYX, consider the increased traffic that we will soon be experiencing with the outlet mall at I88 and Farnsworth and the possible water park in St. Charles? He seemed to be talking about traffic only on the area near the transfer station and ignoring the "big picture."
5. What impact will this increased truck traffic have on the longevity of the roads, especially Kirk and Fabyan? We assume it is we, the taxpayers, who will bear the cost of the increased road maintenance and repairs.

Voreis pg. 2

6. How will empty transfer trailers be restricted from traveling through downtown Batavia?
7. Has a study been done about the noise pollution that will be generated by the large transfer trailers? There will apparently be 270 of these large trucks making two trips each day along Kirk Road.
8. Is the city of Batavia willing to enforce the speed limit on Kirk Road to make it a safe route to travel and to reduce noise pollution? Currently traffic is at least 10-20 mph over the posted speed limit.

We are deeply concerned about the impact that this waste transfer station would have on the east side of our city. We are disappointed in the lack of communication that there has been between the city and Batavia residents on this matter. We are quite sure that if more Batavians were aware of this that you would find a lot of resistance to this proposal. Do not turn a deaf ear to the citizens of Batavia.

Respectfully,

John R. Voreis Kristine S. Voreis

John R. Voreis & Kristine S. Voreis
628 Sylvan Place
Batavia, Illinois 60510
(630)-879-5039
voreis@avenew.com

cc: Jodie Wollnik
Randy Recklaus

RECEIVED
CITY OF BATAVIA
DATE *May 4, 2004* *MW*

CITY OF BATAVIA

100 North Island Avenue, Batavia, Illinois 60510
Phone: (630) 879-1424 Fax: (630) 879-0710



JEFFERY D. SCHIELKE
Mayor

M. HANNAH VOLK
City Clerk

WILLIAM R. McGRATH
City Administrator

RANDALL R. RECKLAUS
Assistant City Administrator

JOHN S. NOBLE
City Attorney

April 27, 2004

Mr. and Ms. Voreis
628 Sylvan Place
Batavia, IL 60510

RECEIVED
CITY OF BATAVIA
DATE April 27, 2004

Dear Mr. and Ms. Voreis,

I am writing in response to your April 21, 2004 letter regarding the Proposed Onyx Waste Transfer Station. Unfortunately, the City Attorney has informed me that I cannot respond directly to the questions you have raised at this time. Until the City Council approves or denies the siting application, and until the subsequent appeal period has passed, myself and other members of the City's Staff are unable to engage in one-on-one discussions on the application and the project in general. The City is legally required by statute to limit discussion and questions and answers to the public hearing process that occurred during the week of April 12th and before. As was stated at each of the Public Hearings, and in the Public Input Process Guidelines made public prior to the hearings, questions had to be made in the presence of the entire Pollution Facilities Committee, all of the interested parties, and at the designated time and place of the public hearing as published in the local newspapers. Once the City Council has approved or denied the siting application, and the appeal period has passed, City staff will be able to engage in discussions with individual members of the public and the press as we have for the past four years. I anticipate at this time, the appeal period will pass sometime in July of this year. I would be happy to discuss each of your questions as well as any other issues with you at that time.

However, I will make your letter and this response part of the public record of the siting application proceedings. I appreciate and understand that you are concerned about the rigidity of this process. Indeed, this process is very different than the City's normal manner of doing business. However, we are limited to the processes and procedures allowable under law.

Thank you for your interest in this project.

Sincerely,

A handwritten signature in black ink that reads "Randall R. Recklaus". The signature is written in a cursive style.

Randall R. Recklaus
Assistant City Administrator

CC: John Noble

May 1, 2004

Randall R. Recklaus, Assistant City Administrator
City of Batavia
100 North Island Avenue
Batavia, Illinois 60510

RECEIVED
CITY OF BATAVIA
DATE DEPT MAY 1 2004

Dear Mr. Recklaus:

May 4, 2004 MRV

We recently voiced our concerns to you about the proposed waste transfer station to be sited in Batavia. Enclosed is a copy of your response.

We don't believe that our public officials should assume that a lack of attendance at the public hearings meant that few residents object to this proposal, rather **IF BATAVIANS HAD KNOWN WHAT WAS GOING ON THEY WOULD HAVE BEEN THERE.** Our understanding was that the hearings were our first opportunity to voice our opinion. Instead we found that public comment, even during these hearings, was next to impossible.

Please make this letter a part of the public record of the siting application process.

Sincerely,

John Voreis — Kristine Voreis

John & Kristine Voreis
628 Sylvan Place
Batavia, Illinois 60510
(630)-879-5039
voreis@avenew.com

www.wwmeinc.com

WWME

WorldWide Militaria Exchange, Inc.

PO Box 745

Batavia, IL. 60510

Phone: (630) 761-4004

Fax: (630) 761-4006

The Honorable Jeffery D. Schielke
Mayor, City of Batavia
100 N. Island Ave.
Batavia, Illinois 60510

May 5, 2004

RECEIVED
CITY OF BATAVIA

DATE May 10, 2004

Dear Mayor Schielke,

As a Batavia resident, businessman and the owner of a property adjacent to the proposed solid waste transfer station, I would like to register my concerns as part of the public comment period for the siting process.

I am the President of Worldwide Militaria Exchange, Inc., a business occupying an industrial condominium I own at 745 Hunter Drive, directly across Hunter from the proposed solid waste transfer station site.

I appreciate that the City of Batavia is attempting to deal with the impending closure of Settler's Hill Landfill, and provide its residents with reliable and economical waste collection, while developing a new source of revenue.

However, I am concerned about the ramifications that the solid waste transfer station may pose for the health and safety of my employees, and the value of my property.

My concerns have created questions in my mind about the City of Batavia's plans and policies relative to the proposed solid waste transfer station. These include:


- What is the City of Batavia's plan for ensuring that debris from the solid waste transfer station site and passing garbage trucks does not litter the surrounding business neighborhood?
- What system will the City of Batavia have in place for neighboring businesses to register complaints about odors and debris coming from the solid waste transfer station site?
- Should surrounding property values be affected by the waste transfer station, will the City of Batavia work with the Batavia Township Assessor's office, the Kane County Supervisor of Assessments office, the Kane County Clerk's office and the Kane County Board of Review to effect a reduction in property taxes for those properties affected?
- What level of compensation will be provided to businesses and their workers should people develop illnesses related to the presence of the solid waste transfer station?
- What is the City of Batavia's plan for dealing with the dramatic increase in truck traffic that the solid waste transfer station would generate in the surrounding business neighborhood?

It is natural that the City of Batavia aimed to avoid siting a solid waste transfer station near residential or commercial areas, because of the potential negative effects on people and property values. However, people work and spend much of their time in the industrial neighborhood that may become the home of the solid waste transfer station. Clearly the solid waste transfer station poses health and safety risks for the people who work in the industrial park, and may have a negative impact on property values.

Batavia's industrial park is an important part of the community, providing jobs and a solid tax base for the city and other units of local government.

I am hoping that if the City of Batavia approves the Onyx application to develop and operate a solid waste transfer station, that it also will implement policies designed to protect the health and safety of workers in the industrial park, and to mitigate the potential reduction in property values.

Sincerely,



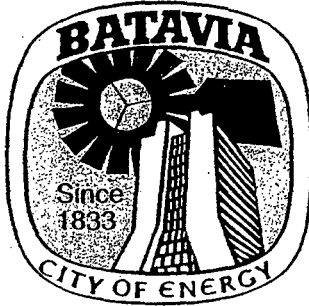
Steve Johnson
President & CEO
Worldwide Militaria Exchange, Inc.

cc: City Administrator Bill McGrath
Assistant City Administrator Randy Recklaus
City Attorney John Noble

Email address: info@wwmeinc.com
Member of O.M.R.S., O.M.S.A., A.S.M.I.C., O.V.M.S.

CITY OF BATAVIA

100 North Island Avenue, Batavia, Illinois 60510
Phone: (630) 879-1424 Fax: (630) 879-0710



JEFFERY D. SCHIELKE
Mayor

M. HANNAH VOLK
City Clerk

WILLIAM R. McGRATH
City Administrator

RANDALL R. RECKLAUS
Assistant City Administrator

JOHN S. NOBLE
City Attorney

May 11, 2004

Mr. Steve Johnson
PO Box 745
Batavia, IL 60510

Dear Mr. Johnson:

I am writing in response to your May 5, 2004 letter regarding the proposed Onyx Waste Transfer Station. Unfortunately, the City Attorney has informed me that I cannot respond directly to the questions you have raised at this time. Until the City Council approves or denies the siting application, and until the subsequent appeal period has passed, myself and other members of the City's staff are unable to engage in one-on-one discussions on the application and the project in general. The City is legally required by State statute to limit discussion and questions and answers to the public hearing process that occurred during the week of April 12th and before. Direct questions had to have been asked in the presence of the entire Pollution Control Facilities Committee, all of the interested parties, and at the designated time and place of the public hearing as published in the local newspapers. Once the City Council has approved or denied the siting application, and the appeal period has passed, City staff will be able to engage in discussions with individual members of the public and the press as we have for the past four years. At this time it is anticipated that the appeal period will pass sometime in July of this year. I would be happy to discuss each of your questions as well as any other issues with you at that time. However, a great deal of information and documentation of the process thus far is available in the ongoing projects section of the City's website at www.cityofbatavia.net. I would strongly encourage you to review the documents that have been made available there, as they may answer many of your questions.

As your staff informed me that you will be out of town until May 28th, I will make your letter, as well as this response part of the public record of the siting application proceedings. That way, your concerns will get to the City Council and interested parties and they can be taken into consideration as this process continues. I acknowledge that this process is very different than the City's normal manner of doing business and communicating with residents. However, we are limited to the processes and procedures allowable under law.

Thank you for your interest in this project.

Sincerely,

A handwritten signature in black ink that reads 'Randall R. Recklaus'.

Randall R. Recklaus
Assistant City Administrator

RECEIVED
CITY OF BATAVIA
DATE REC'D MAY 12 2004

A Petition for Review/Appeal of the Waste Transfer Station Siting from Batavia Residents opposed to the Waste Transfer Station which was approved by the City of Batavia for ONYX Waste Services, Midwest, Inc. on June 7, 2004.

We the undersigned Batavia Residents do hereby request that the Illinois Environmental Protection Agency, the Illinois Pollution Control Board, and the City of Batavia grant us an Appeal/Review of the Waste Transfer Station Siting in the City of Batavia under the doctrine of fundamental fairness. In the alternative, we pray that the hearings can be reopened.

Name	Address	City	County	State
1. Clifton Howard	629 S. Van Buren	Batavia,	Kane,	Illinois
2. Walter Stephen	25817 Radcliff	Batavia,	Kane,	Illinois
3. Hector Rosales	333 N Forest	Batavia,	Kane,	Illinois
4. Gary Garbark	1126 Pine St	Batavia,	Kane,	Illinois
5. Debra Poole	832 Spruce Ln. Bat.	Batavia,	Kane,	Illinois
6. Shannon Hermann	107 N. Lincoln	Batavia,	Kane,	Illinois
7. Alvin Salas	718 N FOREST	Batavia,	Kane,	Illinois
8. Jacquie Jacques	609 Viking Dr	Batavia,	Kane,	Illinois
9. Walt Bond	609 Viking DR	Batavia,	Kane,	Illinois
10. M. B. Jones	478 Chestnut St.	Batavia,	Kane,	Illinois
12. Craig Rosales	333 N Forest	Batavia,	Kane,	Illinois
13. Kraft	751 Mather - Bat.	Batavia,	Kane,	Illinois
14. D. Will	804 N. FOREST AVE BATAVIA	Batavia,	Kane,	Illinois
15. Carolyn Williams	804 N. Forest Ave.	Batavia,	Kane,	Illinois
16. Beth Conway	1329 Cherry Dr.	Batavia,	Kane,	Illinois
17. Dan Fystron	212 Wynn Ct unit N. AURORA, IL	Batavia,	Kane,	Illinois
18. EDWIE McNERNEY	350 ORION BATAVIA	Batavia,	Kane,	Illinois
19. Dave Liden	200 N Island Ave	Batavia,	Kane,	Illinois
20. Julie M. Cagle	860 WINGFOOT DR.	Batavia,	Kane,	Illinois

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Name	Address	City	County	State
1. Phil Truck	849 Ravinia	Batavia	Kane	Illinois
2. K.S. CONNER	330 Woodland Hills	Batavia	Kane	Illinois
3. Brenda A. Horton	211 Laurel St	Batavia	Kane	Illinois
4. DIANE LIND	26 S. COLLEGE ST.	Batavia	Kane	Illinois
5. Nathan Bradley	825 North Ave	Batavia	Kane	Illinois
6. Aaron Kanning	825 North Ave	Batavia	Kane	Illinois
7. Walter Matzke	347 Republic Rd	Batavia	Kane	Illinois
8. Judy Leebly	418 N. W	Batavia	Kane	Illinois
9. Carol Derraych	1229 Brandywine	Batavia	Kane	Illinois
10. Shannel Coates	411 N. Prairie St	Batavia	Kane	Illinois
12. Adolph F. Coy	687 Pine St. Ba	Batavia	Kane	Illinois
13. Charles A. Bant	408 N. Prairie St	Batavia	Kane	Illinois
14. Carol Barrett	408 N. Prairie St.	Batavia	Kane	Illinois
15. Robert R. Ryan	429 N. BATAVIA	Batavia	Kane	Illinois
16. Anna Ludwig	856 RAVINIA CT	Batavia	Kane	Illinois
17. Amy Hong	414 Churchill Ct	Batavia	Kane	Illinois
18. W. Zask	312 E. Fabyan	Batavia	Kane	Illinois
19. Nancy Lee	411 N. Prairie	Batavia	Kane	Illinois
20. Claudia Schlotman	1138 Miller Ct	Batavia	Kane	Illinois

A Petition for Review/Appeal of the Waste Transfer Station Siting from Batavia Residents opposed to the Waste Transfer Station which was approved by the City of Batavia for ONYX Waste Services, Midwest, Inc. on June 7, 2004.

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Name	Address	City	County	State
1. Pat Gosselin	17 Woodland Hills	Batavia,	Kane,	Illinois
2. Kay Schirmer	726 Woodland Hills Rd.	Batavia,	Kane,	Illinois
3. Bill Chondro	1203 Violet Lane	Batavia,	Kane,	Illinois
4. Judith Zuker	29 S. Jefferson St	Batavia,	Kane,	Illinois
5. Mary J Malach	832 Viking Dr	Batavia,	Kane,	Illinois
6. Lorlei Pedern	942 Appleton Dr.	Batavia,	Kane,	Illinois
7. Kay Arneson	1414 N. Washington Ave	Batavia,	Kane,	Illinois
8. Sam M	165 Washington St	Batavia,	Kane,	Illinois
9. Virginia H	1300 Chevy Drive	Batavia,	Kane,	Illinois
10. Roy Gindman	700 W. FABYAN PKWY #7A	Batavia,	Kane,	Illinois
12. Mark J	118 E. W. 1100 Batavia Pl.	Batavia,	Kane,	Illinois
13. Bernadette Jones	24 S. Van Buren	Batavia,	Kane,	Illinois
14. Chlette S	208 Mill St. Batavia	Batavia,	Kane,	Illinois
15. Thomas J. Edwards	819 Greenwood Ct.	Batavia,	Kane,	Illinois
16. Gerald Bryant	29 OAK TER. CT. BATAVIA IL	Batavia,	Kane,	Illinois
17. M. Margaret Carlson	700 W. Fabyan Pkwy 23B	Batavia,	Kane,	Illinois
18. J. K. Brad	320 Fox Trail Dr.	Batavia,	Kane,	Illinois
19. Rita Antierre	17 N. Jackson St.	Batavia,	Kane,	Illinois
20. Margaret Caedell	1330 Violet Ln	Batavia,	Kane,	Illinois

A Petition for Review/Appeal of the Waste Transfer Station Siting from Batavia Residents opposed to the Waste Transfer Station which was approved by the City of Batavia for ONYX Waste Services, Midwest, Inc. on June 7, 2004.

We the undersigned Batavia Residents do hereby request that the Illinois Environmental Protection Agency, the Illinois Pollution Control Board, and the City of Batavia grant us an Appeal/Review of the Waste Transfer Station Stiting in the City of Batavia under the doctrine of fundamental fairness. In the alternative, we pray that the hearings can be reopened.

Name	Address	City County State
1. Liz Schewe	840 Rocksbury Ct.	Batavia, Kane, Illinois
2. CAROL Alewel	845 Rocksbury Ct	Batavia, Kane, Illinois
3. GEORGE Alewel	845 Rocksbury Ct	Batavia, Kane, Illinois
4. Roy C. Bailey	851 Rocksbury Ct,	Batavia, Kane, Illinois
5. Jeanne Bailey	851 Rocksbury Ct.	Batavia, Kane, Illinois
6. Laurie & Paul Zink	847 Rocksbury Ct	Batavia, Kane, Illinois
7. Paul Zink	847 Rocksbury Ct.	Batavia, Kane, Illinois
8. Christie Galtng	849 Rocksbury Ct.	Batavia, Kane, Illinois
9. Brittany Bailey	851 Rocksbury Ct.	Batavia, Kane, Illinois
10. M. Summer	844 Rocksbury Ct.	Batavia, Kane, Illinois
12. MyBrunner	844 Rocksbury Ct.	Batavia, Kane, Illinois
13. Jane M. Duke	839 Woodland Hills Rd	Batavia, Kane, Illinois
14. Robert V. Decker, Sr.	839 Woodland Hills Rd	Batavia, Kane, Illinois
15. Sandy Kintner	849 Woodland Hills Rd	Batavia, Kane, Illinois
16. Connie Hallingsworth	864 Woodland Hills Rd	Batavia, Kane, Illinois
17. B. Hallingsworth	864 Woodland Hills Rd	Batavia, Kane, Illinois
18. Jackie P. Bean	1209 Pine St	Batavia, Kane, Illinois
19. Robert McHaff	1209 Pine St.	Batavia, Kane, Illinois
20. St. A. Horak	1209 PINE ST.	Batavia, Kane, Illinois

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Name	Address	City	County	State
1. Scott L. Radke	1343 Pine St.	Batavia	Kane	Illinois
2. Genevivi Radke	1343 PINE ST.	Batavia	Kane	Illinois
3. Della Hunter	1359 Pine St	Batavia	Kane	Illinois
4. Kimberly Johnson	1359 Pine St	Batavia	Kane	Illinois
5. Marilyn Hunter	1359 Pine ST.	Batavia	Kane	Illinois
6. Ruth Hunter	1359 Pine st	Batavia	Kane	Illinois
7. Ch. A. Lake III	1350 PINE	Batavia	Kane	Illinois
8. Ann Klyash	1351 Pine St.	Batavia	Kane	Illinois
9. Pat Radke	1342 PINE ST	Batavia	Kane	Illinois
10. Beth Balun	1334 PINE ST	Batavia	Kane	Illinois
12. Lawrence Balun	1334 PINE ST	Batavia	Kane	Illinois
13. Lorraine Ann Thomas	1326 Pine St	Batavia	Kane	Illinois
14. Robert C. Thomas	1326 Pine St.	Batavia	Kane	Illinois
15. Judy Hogan	1320 PINE ST	Batavia	Kane	Illinois
16. Jay Davis	911 woodlandhills Rd.	Batavia	Kane	Illinois
17. Sylvia J. Conchy	16	Batavia	Kane	Illinois
18. Karen Ruffalo	1214 Pine St	Batavia	Kane	Illinois
19. Donna J. Decker	841 Rocksbury	Batavia	Kane	Illinois
20. Paul L. Sab	841 ROCKSBURY ST	Batavia	Kane	Illinois

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Name	Address	City	County	State
1. Mary Labuda	1336 Foxglove Dr	Batavia	Kane	Illinois
2. Jan D Labuda	1336 Foxglove Dr.	Batavia	Kane	Illinois
3. Rosane Hickey	1346 Foxglove Dr.	Batavia	Kane	Illinois
4. Fran Me	128 Mayflower	Batavia	Kane	Illinois
5. James Madson	54 Mayflower Dr	Batavia	Kane	Illinois
6. Natalie White	34 Mayflower Dr.	Batavia	Kane	Illinois
7. Peggie Booker	24 Mayflower Dr.	Batavia	Kane	Illinois
8. D. D. [Signature]	14 " "	Batavia	Kane	Illinois
9. Mch Grigorenko Sr	4 Mayflower	Batavia	Kane	Illinois
10. Zivko Grigorenko	4 Mayflower Dr	Batavia	Kane	Illinois
12. Margie L. Kimmow	11 Mayflower Dr.	Batavia	Kane	Illinois
13. Thomas Kimmow	11 Mayflower Dr	Batavia	Kane	Illinois
14. Janais Walker	41 Mayflower, Batavia	Batavia	Kane	Illinois
15. Bill Perkins	103 Mayflower Dr.	Batavia	Kane	Illinois
16. Frank Pollack	123 Mayflower Dr	Batavia	Kane	Illinois
17. Cindy Miller	1321 Foxglove Dr.	Batavia	Kane	Illinois
18. Nancy Mc Donough	48 Woodland Hills	Batavia	Kane	Illinois
19. Jim Mc Donough	48 Woodland Hills	Batavia	Kane	Illinois
20. Kate Mc Donough	48 Woodland Hills	Batavia	Kane	Illinois

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Name	Address	City	County	State
1. Gottfried Johnson	131 Woodland Hills Rd	Batavia	Kane	Illinois
2. Helmut Johann	131 Woodland Hills	Batavia	Kane	Illinois
3. Maria Mayes-Helmer	131 Woodland Hills	Batavia	Kane	Illinois
4. Helmut Mayer-Helmer	839 Rocksbury Court	Batavia	Kane	Illinois
5. Michelle Olache	407 Woodland Hills Rd	Batavia	Kane	Illinois
6. Sergio Olache	407 Woodland Hills	Batavia	Kane	Illinois
7. J. Gale	1247 FOXGLOVE DR	Batavia	Kane	Illinois
8. Catherine M Webb	1235 Foxglove Dr	Batavia	Kane	Illinois
9. Wayne E. Hill	1215 Foxglove Drive	Batavia	Kane	Illinois
10. MARY A. REMIYAE	1225 FOXGLOVE DR.	Batavia	Kane	Illinois
12. Jim Remiyac	1225 FOXGLOVE	Batavia	Kane	Illinois
13. SCOTT SHEPARD	1202 FOXGLOVE DR.	Batavia	Kane	Illinois
14. Katharine Shepard	1202 Foxglove Dr	Batavia	Kane	Illinois
15. Donald Fosnot	1215 FOXGLOVE DR.	Batavia	Kane	Illinois
16. Janet Fosnot	1215 Foxglove Dr.	Batavia	Kane	Illinois
17. Ron Fosnot	1200 FOXGLOVE DR	Batavia	Kane	Illinois
18. King Patrick	1200 Foxglove Dr.	Batavia	Kane	Illinois
19. Linda Popke	306 Meadowvue Ln.	Batavia	Kane	Illinois
20. Charles Popke	306 Meadowvue	Batavia	Kane	Illinois

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Name	Address	City	County	State
1. Tom Cameron	343 Meadow Hill Ave	Batavia	Kane	Illinois
2. Maureen Pedroni	333 Meadowvale Lane	Batavia	Kane	Illinois
3. Mary J. Pedroni	333 Meadowvale Lane	Batavia	Kane	Illinois
4. John [unclear]	313 Meadowvale Lane	Batavia	Kane	Illinois
5. [unclear]	353 Meadowvale Lane	Batavia	Kane	Illinois
6. Amy [unclear]	363 Meadowvale Lane	Batavia	Kane	Illinois
7. Michael [unclear]	366 MEADOWVALE LN.	Batavia	Kane	Illinois
8. Bruce Petri	366 Meadowvale Ln.	Batavia	Kane	Illinois
9. Nancy Smith	383 Meadowvale Ln.	Batavia	Kane	Illinois
10. Carl Smith	383 Meadowvale Ln.	Batavia	Kane	Illinois
12. [unclear]	410 Meadowvale Lane	Batavia	Kane	Illinois
13. Jeanne Tordyk	399 Meadowvale Ln.	Batavia	Kane	Illinois
14. Nancy Schatzman	706 Nordic Ct.	Batavia	Kane	Illinois
15. John [unclear]	421 MEADOWVALE Ln.	Batavia	Kane	Illinois
16. Susan Bessler	421 Meadowvale Ln.	Batavia	Kane	Illinois
17. Phyllis G. Mann	428 Meadowvale Lane	Batavia	Kane	Illinois
18. Phyllis S. Mann	428 Meadowvale Lane	Batavia	Kane	Illinois
19. Stacia Mann	428 Meadowvale Ln.	Batavia	Kane	Illinois
20. Karen L. Hiltz	1224 Wintergreen Terr.	Batavia	Kane	Illinois

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Name	Address	City	County	State
1. Don Hama	404 Appleton	Batavia,	Kane,	Illinois
2. Laurie Hama	" "	Batavia,	Kane,	Illinois
3. Jeff W...	533 Appleton Dr.	Batavia,	Kane,	Illinois
4. Nancy Schmidt	1007 Pine Street	Batavia,	Kane,	Illinois
5. Sue Johnson	116 Woodland Hills Rd.	Batavia,	Kane,	Illinois
6. Jeff Johnson	116 Woodland Hills Rd.	Batavia,	Kane,	Illinois
7. Mike H...	354 S. Forest	Batavia,	Kane,	Illinois
8. DAVE DAVIDSON	354 S. Forest	Batavia,	Kane,	Illinois
9. Thomas McAuley	417 Woodland Hills	Batavia,	Kane,	Illinois
10. David Humphrey	856 Ravinia Ct.	Batavia,	Kane,	Illinois
12. Karine Wilson	612 Woodland Hills Rd.	Batavia,	Kane,	Illinois
13. Jay Broadhurst	1211 Violet Lane	Batavia,	Kane,	Illinois
14. Jay Broadhurst	" " "	Batavia,	Kane,	Illinois
15. Dan Johnston	1311 Violet Lane	Batavia,	Kane,	Illinois
16. Ronald Johnson	1311 Violet Lane	Batavia,	Kane,	Illinois
17. Ann Wilson	1329 Violet Lane	Batavia,	Kane,	Illinois
18. Mark Wilson	1329 Violet Lane	Batavia,	Kane,	Illinois
19.		Batavia,	Kane,	Illinois
20.		Batavia,	Kane,	Illinois

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Name	Address	City County State
1. Rita Bergeron	28 Woodland Hills	Batavia, Kane, Illinois
2. James Wittig	18 Woodland Hills	Batavia, Kane, Illinois
3. Marjorie J. Wittig	18 Woodland Hills Rd.	Batavia, Kane, Illinois
4. Tom Baly	39 Woodland Hills Rd.	Batavia, Kane, Illinois
5. Carol Baly	39 Woodland Hills Rd.	Batavia, Kane, Illinois
6. David Berndt	230 Woodland Hills rd	Batavia, Kane, Illinois
7. Kevin Rempert	1322 meadowoe lane	Batavia, Kane, Illinois
8. Paul Zuercher	347 Woodland Hills	Batavia, Kane, Illinois
9. J. J. Zam	1323 Bluebell Ln.	Batavia, Kane, Illinois
10. Emily Cunningham	1324 Bluebell Lane	Batavia, Kane, Illinois
12. Dan McConaha	1314 Aster Ct Batavia	Batavia, Kane, Illinois
13. Mikhail Kumbastev	518 Woodland Hills	Batavia, Kane, Illinois
14. Michael F. O'Brien	1305 Wintergreen Terrace	Batavia, Kane, Illinois
15. Dennis Flaherty	1318 Foxglove	Batavia, Kane, Illinois
16.		Batavia, Kane, Illinois
17.		Batavia, Kane, Illinois
18.		Batavia, Kane, Illinois
19.		Batavia, Kane, Illinois
20.		Batavia, Kane, Illinois

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Name	Address	City	County	State
1. Dan Kuehn	1145 Miller Court	Batavia,	Kane,	Illinois
2. Jim Kuehn	1141 MILLER COURT	Batavia,	Kane,	Illinois
3. Carolyn Notvogel	1141 Miller Ct.	Batavia,	Kane,	Illinois
4. Barbara Notvogel	1141 Miller Ct.	Batavia,	Kane,	Illinois
5. Pat Staseck	1157 Miller Ct	Batavia,	Kane,	Illinois
6. John M. Staseck	1157 Miller Ct.	Batavia,	Kane,	Illinois
7. Sherrill Hansen	1170 Miller Ct.	Batavia,	Kane,	Illinois
8. Steve Barber	576 Violet LN	Batavia,	Kane,	Illinois
9. Jane Nord	576 Violet Lane	Batavia,	Kane,	Illinois
10.		Batavia,	Kane,	Illinois
12.		Batavia,	Kane,	Illinois
13.		Batavia,	Kane,	Illinois
14.		Batavia,	Kane,	Illinois
15.		Batavia,	Kane,	Illinois
16.		Batavia,	Kane,	Illinois
17.		Batavia,	Kane,	Illinois
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19.		Batavia,	Kane,	Illinois
20.		Batavia,	Kane,	Illinois

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Name	Address	City	County	State
1. Daniel Kintner	849 Woodland Hills Road	Batavia,	Kane,	Illinois
2. Jennifer Luggie	505 Spring St.	Batavia,	Kane,	Illinois
3. Jayme L	718 N Forest Ave.	Batavia,	Kane,	Illinois
4. Germana Chir	1012 Anderson	Batavia,	Kane,	Illinois
5. Charlotte Medow	2 ⁵ /129 Hart Rd	Batavia,	Kane,	Illinois
6. Jack Vogel	831 Manchester Ave.	Batavia,	Kane,	Illinois
7. Yvonne Dunwiddie	1156 Pine St.	Batavia,	Kane,	Illinois
8. H D D	1158 Pine St.	Batavia,	Kane,	Illinois
9. Fred Yankovsk	38W242 Deerpatl Rd	Batavia,	Kane,	Illinois
10.		Batavia,	Kane,	Illinois
12.		Batavia,	Kane,	Illinois
13.		Batavia,	Kane,	Illinois
14.		Batavia,	Kane,	Illinois
15.		Batavia,	Kane,	Illinois
16.		Batavia,	Kane,	Illinois
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19.		Batavia,	Kane,	Illinois
20.		Batavia,	Kane,	Illinois

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Name	Address	City	County	State
1. Stan Ditty	mt WINDGREEN TERRACE	Batavia,	Kane,	Illinois
2. John Ketchum	1232 WINDGREEN TERR	Batavia,	Kane,	Illinois
3. Mary E. Leckman	1232 Windgreen Terr.	Batavia,	Kane,	Illinois
4. Marianne Suwanski	437 Woodland Hills	Batavia,	Kane,	Illinois
5. Angelene Dyer	437 Woodland Hills Rd	Batavia,	Kane,	Illinois
6. Mary Louise Burk	331 Woodland Hills Rd.	Batavia,	Kane,	Illinois
7. Mary Beth Burk	331 Woodland Hills Rd	Batavia,	Kane,	Illinois
8. Ronald McDonald	1259 Foxglove drive	Batavia,	Kane,	Illinois
9.		Batavia,	Kane,	Illinois
10.		Batavia,	Kane,	Illinois
12.		Batavia,	Kane,	Illinois
13.		Batavia,	Kane,	Illinois
14.		Batavia,	Kane,	Illinois
15.		Batavia,	Kane,	Illinois
16.		Batavia,	Kane,	Illinois
17.		Batavia,	Kane,	Illinois
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19.		Batavia,	Kane,	Illinois
20.		Batavia,	Kane,	Illinois

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Name	Address	City County State
1. George J. Ristoff	1027 Woodland Hills Rd	Batavia, Kane, Illinois
2. Susan K. Klages	250 N. Batavia Ave.	Batavia, Kane, Illinois
3. Stanley D. Michael	706 Woodland Hills	Batavia, Kane, Illinois
4. Lewis Berger	1301 Violet Lane	Batavia, Kane, Illinois
5. Robert Rosauer	1301 Violet Lane	Batavia, Kane, Illinois
6. Leedy Roney	1301 Violet Lane	Batavia, Kane, Illinois
7.		Batavia, Kane, Illinois
8.		Batavia, Kane, Illinois
9.		Batavia, Kane, Illinois
10.		Batavia, Kane, Illinois
12.		Batavia, Kane, Illinois
13.		Batavia, Kane, Illinois
14.		Batavia, Kane, Illinois
15.		Batavia, Kane, Illinois
16.		Batavia, Kane, Illinois
17.		Batavia, Kane, Illinois
18.		Batavia, Kane, Illinois
19.		Batavia, Kane, Illinois
20.		Batavia, Kane, Illinois

CITY OF BATAVIA CITY COUNCIL RESULTS FOR JUNE 7, 2004

100 N. Island Ave., Batavia, Illinois <(630) 879-1424> Fax 879-0710
<http://www.cityofbatavia.net/>

ITEM	DESCRIPTION	VOTE
<i>ROLL CALL</i>	Council convened at 7:30 p.m. and the Mayor and all fourteen alderpeople were present	-
<i>PRESENTATION</i>	Fish and More, a Riverwalk project--for more information contact Craig Foltos at 879-5253	-
<i>PRESENTATION ROTARY CLUB</i>	Two students from the Rotary International Youth Exchange Program, a student from Thailand and a student from France, talked about their cultural experience here. For more information contact Mark Allen at 232-2149	-
<i>APPOINTMENT</i>	Paid on Call Recruit--James Buenrostro (Schielke 5/24/04)	14/0
<i>OATH</i>	Swearing In Full-time Firefighter/Paramedic Casey Balsitis (Schielke 5/24/04)	-
<i>MOTION 1</i>	Volk moved that The Pollution Control Facility Committee (the "Committee") "has conducted a public hearing and received evidence for purposes of eliciting public comment and evaluation of the Application."	14/0
<i>MOTION 2</i>	Volk moved that "the Committee has accepted and considered all written comments delivered or postmarked within 30 days of the last day of the public hearing."	14/0
<i>MOTION 3</i>	Volk moved that "the Committee has reviewed the Application in light of the criteria established for consideration of siting of pollution control facilities in Section 39.2 of the Illinois Environmental Protection Act, and, to the extent applicable, the provisions of the City of Batavia Pollution Control Facility Siting Ordinance."	14/0
<i>MOTION 4</i>	Volk moved that "The Committee has jurisdiction to rule on the Onyx Waste Services Midwest, Inc. Application for siting approval of a pollution control facility based upon the Applicant's proper notification as provided by Section 39.2 of the Illinois Environmental Protection Act and the City Ordinance as they pertain to the persons and entities that appear on the authentic tax records of the County of Kane, as well as such other notice requirements set forth in these statutory provisions. Further, that the hearing was held on this Application was conducted in a fundamentally fair manner."	14/0

ITEM	DESCRIPTION	VOTE
<i>CRITERION #1</i>	Volk moved that The proposed Onyx waste transfer station, (the "Facility") "is necessary to accommodate the waste needs of the area it is intended to serve."	14/0
<i>CRITERION #2</i>	Volk moved that "The Facility is so designed, located, and proposed to be operated that the public health, safety, and welfare will be protected."	12/2 Hart Wollnik
<i>MOTION CONCERNING CRITERION #2</i>	Volk moved that "we impose conditions 1 through 16a on criterion 2 as set forth in Resolution 04-27-R. The Council further finds that the above conditions should be imposed as being reasonable and necessary to accomplish the purposes of Section 39.2 of the Illinois Environmental Protection Act, the Act, and that such conditions are not inconsistent with regulations promulgated by the Illinois Pollution Control Board, the Board, concerning this type of pollution control facility."	14/0
<i>CRITERION #3</i>	Volk moved that "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."	14/0
<i>MOTION CONCERNING CRITERION #3</i>	Volk moved that "we impose conditions 17 through 23 on criterion 3 as set forth in Resolution 04-27-R. The Council further finds that the above conditions should be imposed as being reasonable and necessary to accomplish the purposes of Section 39.2 of the Illinois Environmental Protection Act and that such conditions are not inconsistent with regulations promulgated by the Illinois Pollution Control Board concerning this type of pollution control facility."	14/0
<i>CRITERION #4</i>	Volk moved that "the Facility is located outside the boundary of the one hundred-year floodplain or the site is flood-proofed."	14/0
<i>CRITERION #5</i>	Volk moved that "the plan of operations for the Facility is designed to minimize danger to the surrounding area from fires, spills, or other operational accidents."	14/0
<i>MOTION CONCERNING CRITERION #5</i>	Volk moved that "we impose conditions 24 through 29a on criterion 5 as set forth in Resolution 04-27-R. The Council further finds that the above conditions should be imposed as being reasonable and necessary to accomplish the purposes of Section 39.2 of the Illinois Environmental	14/0

ITEM	DESCRIPTION	VOTE
<i>MOTION CONT.</i>	Protection Act and that such conditions are not inconsistent with regulations promulgated by the Illinois Pollution Control Board concerning this type of pollution control [facility].”	
<i>CRITERION #6</i>	Volk moved that “the traffic patterns to or from the facility are so designed so as to minimize the impact on existing traffic flows.”	14/0
<i>MOTION CONCERNING CRITERION #6</i>	Volk moved that “we impose conditions 30 through 34 to criterion 6 as set forth in Resolution 04-27-R. The Council further finds that the above conditions should be imposed as being reasonable and necessary to accomplish the purposes of Section 39.2 of the Illinois Environmental Protection Act and that such conditions are not inconsistent with regulations promulgated by the Illinois Pollution Control Board concerning this type of pollution control [facility].”	14/0
<i>CRITERION #7</i>	Volk moved that “if the facility will be treating, storing, or disposing of hazardous waste, an emergency response plan exists for the facility, which includes notification, containment, and evacuation procedures to be used in the case of an accidental release.”	14/0
<i>CRITERION #8</i>	Volk moved that “if the Facility is to be located in a county where the County Board has adopted a solid waste management plan consistent with the planning requirements of the Local Solid Waste Disposal Act or Solid Waste Recycling Act, the facility is consistent with this plan.”	14/0
<i>CRITERIA #9</i>	Volk moved that “if the facility will be located within a regulated recharge area, any applicable requirements specified by the Pollution Control Board for such areas have been met.”	14/0
<i>UNNUMBERED CRITERION</i>	Volk moved that “the City Council has considered as evidence the previous operating experience of the applicant and past record of convictions or admissions of violations of the applicant when considering criteria (ii) and (v) of 415 ILCS 5/39.2(a).”	14/0

ITEM	DESCRIPTION	VOTE
<i>MOTION</i>	Volk moved that "the Council, based upon its findings herein, hereby recommends local siting approval for the pollution control facility proposed in the Application to be granted."	12/2 Hart Wollnik
<i>RESOLUTION 04-27-R</i>	Resolution Of The City Of Batavia Council Concerning The Onyx Waste Services Midwest, Inc. Application For A Pollution Control Facility	12/2 Hart Wollnik
<i>ORDINANCE 04-24</i>	Final Plan Approval for Planned Development--Don Manuel Restaurant 1900 Mill Street (Tarum 6/1/04)	14/0
<i>ORDINANCE 04-35</i>	Authorizing Membership in Northern Illinois Municipal Power Agency (NIMPA) (Vejvoda 5/18/04)	14/0
<i>ORDINANCE 04-37</i>	Reducing the Number of Class D and Class D-1 Liquor Licenses (Anderson 5/27/04)	14/0
<i>ORDINANCE 04-38</i>	An Ordinance Amending Ordinance 03-55 as Amended to Include the Position of GIS Analyst (Recklaus 6/2/04)	14/0
<i>RESOLUTION 04-21-R</i>	Resolution for Maintenance of Streets and Highways Utilizing MFT Funds (Basquin 6/2/04)	14/0
<i>RESOLUTION 04-26-R</i>	Authorizing Execution of Kane County Department of Transportation Right-of-Way (Dillon 5/ 26/04)	14/0
<i>APPROVAL</i>	2004 Tree Trimming/Line Clearance Contract with DeMar Tree & Landscape at \$113 per hour (Vejvoda 5/ 20/04)	14/0
<i>APPROVAL</i>	Authorize a Firework Permit for July 4, 2004 Fireworks--Roger Breisch (Darin 5/ 24/04)	14/0
<i>APPROVAL</i>	Carnival Permit for the Batavia Park District for Windmill City Fest July 9 th and 10 th on Houston St. (Anderson 5/27/04)	14/0
<i>MOTION</i>	To Waive the \$200 Carnival Permit Fee	14/0
<i>APPROVAL</i>	Approving the Road Closures for the Batavia Triathlon on Sunday, July 13 th between 6:30 and 11:00 a.m. The roads are: Shumway from Wilson to First; Island from Wilson to Houston; Houston from Water to Island; Jefferson from Main to McKee; McKee from Jefferson to Randall; Water from Union to Main; and First from Water to Shumway.-- (Basquin 6/2/04)	14/0

ITEM	DESCRIPTION	VOTE
<i>BATAVIA TRIATHLON APPROVAL CONT.</i>	<p>Note: The intersections of Main at Rt. 31 and Wilson at Rt. 25 will also be closed (Resolution 04-20-R-4/19/2004)</p> <p>The event begins with a 500-meter swim at 6:30 a.m. Both the biking and running portions of the Event begin at the Quarry and the grand finish is on Houston Street by the Pond. The 4-mile running route mainly uses the bike/pedestrian path on the east and west side of the river from Houston to Causeway Island. The 16-mile bike route is a loop from the Quarry to west of the City.</p> <p><u>If interested in volunteering to help with this event, please meet at 11 a.m. on Saturday, June 12th in the Council Chambers or at 5:30 a.m. on Sunday morning at the Quarry.</u></p>	
<i>EXECUTIVE SESSION</i>	Motion to enter into Executive Session to discuss litigation at 9:14 p.m.	14/0
<i>RECONVENE</i>	Council reconvened with the Mayor and all the Alderpeople at 9:26 p.m.	-
<i>ADJOURNMENT</i>	Motion to Adjourn at 9:27 p.m. by voice vote	14/0

NOTICE OF PUBLIC MEETINGS

GROUP	DAY	DATE	TIME
PLAN COMMISSION	Wednesday	June 9, 2004	7:30 p.m.
GOVERNMENTAL SERVICES COMMITTEE	Wednesday	June 16	7:00 p.m.
COMMUNITY DEVELOPMENT COMMITTEE	Wednesday	June 16	7:30 p.m.
HISTORIC PRESERVATION COMMISSION	Monday	June 21	5:30 p.m.
CITY COUNCIL	Monday	June 21	7:30 p.m.
OPEN HOUSE—Cross Town Water Main Project	Wednesday	June 23	7 to 9 p.m.
PLAN COMMISSION—In the Great Room	Wednesday	June 23	7:30 p.m.