

CITY OF WILLOW PARK

RESOLUTION NO. 02-10

A RESOLUTION REQUESTING PARTY STATUS AND OPPOSING THE PERMIT APPLICATION BY OR FOR REPUBLIC WASTE SERVICES OF TEXAS, LTD BY THE CITY OF WILLOW PARK, TEXAS, FOR CERTAIN SOLID WASTE TRANSFER FACILITY AND RELATED SERVICES NEAR THE CITY; AND, PROVIDING FOR AN EFFECTIVE DATE

WHEREAS, the City of Willow Park, Texas (City) is a general law municipality located in Parker County, created in accordance with the Laws of the State of Texas; and

WHEREAS, it is intent of the City of Willow Park to protect the health, safety and welfare and well being of its citizens; and

WHEREAS, the municipal offices of the City perform certain functions related to the preservation of order, health, prosperity; and

WHEREAS, Republic Waste Services of Texas, Ltd has applied to the Texas Commission on Environmental Quality for a permit to operate a waste transfer station on Nu Energy Drive, in Eastern Parker County; and

WHEREAS, during two public hearings citizens of the community have adamantly opposed the location of the trash transfer station because of the negative impact the facility will have on the health and safety of surrounding area; and

WHEREAS, Republic Waste Services, if granted the permit, will allow the facility to be used for accepting dead animals and other "specific wastes" creating an environment for the breeding of rats, flies and other vermin providing the opportunity for obnoxious odor and airborne germs; and

WHEREAS, Republic Waste Services has stated that at least 180 tractor trailer trips will occur daily at the facility, and as many as 572 garbage truck trips will occur daily, dumping garbage at the facility, creating traffic hazards for nearby schools and residential areas; and

WHEREAS, Republic Waste Services has stated that the over 700 trucks trips daily will be on the I-20 service road accessing Nu Energy Drive, and there is insufficient means to regulate these trucks use of Bankhead Highway for access to the trash transfer station, thus creating a severe public safety hazard for nearby school students and the community in general;

WHEREAS, since Parker County is classified as Non-Attainment due to the quality of air, a thorough unbiased report should be conducted on the impact the truck traffic will have on the quality of air in our community to determine if the polluting of the air by these truck trips will harm the health of the thousands of students in nearby schools.

NOW THEREFORE BE IT RESOLVED, BY THE CITY COUNCIL OF THE CITY OF WILLOW PARK THAT:

SECTION 1. AUTHORIZATION.

The Mayor, or the Mayor's designee, is hereby authorized and directed to implement the applicable provisions of this Resolution.

SECTION 2. PARTY PROTEST.

The governing body of the City does hereby authorize: (i) the Mayor as its representative to protest the application by Republic Waste Services referenced herein to the Texas Commission on Environmental Quality; (ii) to request party status on behalf of the City as a protestant of the application; and, (iii) to participate and appear at all hearings held or conducted by the Texas Commission on Environmental Quality in connection with the permit application as a party in opposition of the permit.

SECTION 3. SEVERABILITY.

If for any reason any section, paragraph, subdivision, clause, phrase or provision of this Resolution shall be held invalid, it shall not affect any valid provisions of this or any other Resolution or Ordinance of the City of Willow Park to which these rules and regulations relate.

SECTION 4. REPEALER.

To the extent any other ordinance or resolution is inconsistent with the provisions herein it is hereby repealed and superseded by the provisions herein.

SECTION 5. RECITALS.

The City Council hereby finds and declares all precatory language herein to be true and correct and approves and adopts the same herein as part of this Resolution.

SECTION 6. EFFECTIVE DATE.

This Resolution shall take effect from and after its adoption.

PASSED AND APPROVED this 15th day of March, 2010.

/s/ Kenneth Hawkins
Mayor

ATTEST:

/s/ Fuel Koffman
City Secretary/Clerk

APPROVED AS TO FORM:

/s/ _____
City Attorney

The Willow Park City Council in acting on Resolution No. 02-10, did on the 15th day of March, 2010 vote as follows:

	<u>FOR</u>	<u>AGAINST</u>
Kenneth Hawkins, Mayor	_____	_____
Barry K. Tatum, Place 1	_____	_____
Gene Martin, Place 2	_____	_____
Barry Brown, Place 3	_____	_____
Mark Hickerson, Place 4	_____	_____
Hale Alderman, Mayor Pro Tem, Place 5	_____	_____