

CITY OF BURTON
SPECIAL COUNCIL MEETING MINUTES
JUNE 7, 1999, 6:00 P.M., COUNCIL CHAMBERS

The Special Meeting was called to order by Vice President, Paula Zelenko at 6:10 P.M.

MEMBERS PRESENT: Centilli, Cox, Cross, Martinbianco, Walls and Zelenko.

MEMBERS ABSENT: Hammon.

OTHERS PRESENT: J. Major, DPW Director; Attorney R. Hamilton and G. Webster, City Clerk.

PURPOSE OF THE MEETING Public Hearing for the application of Sprint Spectrum, Case #99-01, for the construction of a wireless communication system tower on property located in Burton, MI, legally described as: A parcel of land in the W ½ of the NE ¼ of Section 31, T7N-R7E, City of Burton, Genesee County, Michigan described as: Part of Lot 6 of Rizzo Industrial Park, Specifically 4260 Rizzo Blvd. (I-475 & Bristol Road).

PRESENTATION:

Jill Kunz, 300 Galleria, Ste 410, Southfield, Sprint Spectrum representative, reviewed specifications for the wireless communication tower. The facility would be located at the rear of the Rizzo Industrial Complex. A chain-link fence will surround the tower and barbed wire will be added to the tower as an added safety precaution. The height, platform and color of the tower meet all zoning requirements. A monthly routine maintenance will be conducted on the site. Ms. Kunz indicated this was the best site for the tower to allow for consistent cellular usage.

Mr. Major indicated the site was chosen before the implementation of Ordinance 89-C. This location does not parallel the intent of the ordinance. DPW received several phone calls from residents in the immediate area that objected to the tower being built at that site. He said it was the staff's recommendation that this site is denied and the company looks for another site.

AUDIENCE PARTICIPATION:

Joey Richvalsky, 4387 S. Saginaw, commented on the tower being erected in Bishop Airport's glide port.

Mr. Hamilton said Bishop Airport has its own zoning ordinance to govern flight air space. Also, the FAA has certain criteria that need to be met in relation to the air space.

Ms. Kunz said the company would forward the appropriate documents to the airport authorities.

COUNCIL DISCUSSION:

Discussion followed on barbed wire fencing, the size of the tower platform, co-locations of additional towers, leasing tower space from the same platform and the availability of City owned property for tower use.

Ms. Kunz discussed a few safety features. The barbed wire fencing could be eliminated. She indicated that the tower would crimp at the top before it would fall. In addition, she strongly suggested that this was the best place for the tower. It would be located at the industrial park next to a storage facility. The tower would be shielded by the height of the trees in the area. Also, this location would provide cellular phone users consistency in transmittal of calls.

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Ms. Kunz indicated that the company plans to co-locate additional towers on the same platform. Sprint would lease the property from the Rizzo Complex for twenty-five years and in turn, Sprint would lease space for additional towers to locate next to their tower. She said the tower would benefit Burton's cell phone users, as well as enhance emergency 911 use, if traditional phone systems should fail.

Mr. Major indicated that the Zoning Board site approval and Planning Commission referral will be eliminated due to the establishment of the ordinance. He said this tower would be located 170 feet from a residential area.

Mr. Cox said the intent of the ordinance was to protect or restrict towers from residential areas.

Ms. Kunz said the tower fully complies with the ordinance in relationship to the distance it must be placed from a residential area.

Discussion was held in reference to alternative tower sites on City owned property.

Mr. Major said the staff recommendation was denial at this time.

Mr. Martinbianco made a motion to approve the cellular tower application for Sprint Spectrum. The motion failed for lack of support.

Mr. Centilli moved and Mrs. Walls supported the motion to deny the application for Sprint Spectrum. Motion carried 4-2.

Ms. Kunz requested that a written denial be sent to Sprint indicating the reason for the denial.

Mr. Major said the company should contact Mr. Hamilton for the written denial.

COUNCIL DISCUSSION ACTION:

Martinbianco moved the following motion:

To approve the application of Sprint Spectrum, Case #99-01, for the construction of a Wireless communication system tower on property located in Burton, MI, legally described as: A parcel of land in the W ½ of the NE ¼ of Section 31, T7N-R7E, City of Burton, Genesee County, Michigan described as: Part of Lot 6 of Rizzo Industrial Park, specifically 4260 Rizzo Blvd. (I-475 & Bristol Road).
Motion died due to lack of support.

COUNCIL ACTION:

Centilli moved and Walls seconded the following motion:

1. To deny the application of Sprint Spectrum, Case #99-01, for the construction of a Wireless communication system tower on property located in Burton, MI, legally described as: A parcel of land in the W ½ of the NE ¼ of Section 31, T7N-R7E, City of Burton, Genesee County, Michigan described as: Part of Lot 6 of Rizzo Industrial Park, specifically 4260 Rizzo Blvd. (I-475 & Bristol Road).

Motion carried 4-2, with Martinbianco and Cox voting no.

MEETING ADJOURNED AT 6:40 P.M.

GW