

CITY OF BURTON
LEGISLATIVE COMMITTEE MEETING MINUTES
OCTOBER 1, 2002, 5:00 P.M., COUNCIL CHAMBERS

MEETING CALLED TO ORDER BY CHAIRPERSON CHARLES CROSS AT 5:00 P.M.

MEMBERS PRESENT: Cross, Bement, Wells

MEMBERS ABSENT: None

OTHERS PRESENT: Atty. Richard Hamilton, J. Adams, Clerk's Office

PURPOSE OF THE MEETING: DISCUSSION AND POSSIBLE RECOMMENDATIONS
CONCERNING THE FOLLOWING ITEMS:

1. Telecommunications Ordinance

PRESENTATION:

Mr. Hamilton addressed the Telecommunications Ordinance. He stated the city has control of public right-of-ways through a permit system. The Federal Telecommunications Act has limitations of what fees can be charged. This ordinance provided by the Michigan Municipal League is very language specific coming out of the State Act. There is not much of an area to change it. Mr. Hamilton said the only difference he recommends is having the Mayor as being the administrator.

Mr. Bement asked when this would go to Council.

Mr. Hamilton addressed the time frame needed to implement the ordinance.

AUDIENCE PARTICIPATION: No audience was present.

COMMITTEE DISCUSSION:

Mr. Wells inquired regarding radio and cell towers.

Mr. Hamilton said there is physical limits of public right-of-ways. He spoke further regarding the regulations of overhead and underground cables, and the city coordinating the structure of it.

Mr. Bement expressed Mr. Hamilton giving a presentation of the ordinance at the next Council meeting.

Mr. Cross commented concerning the approval on pg. 3 of the Telecommunications Ordinance. He feels Council should approve and have the final say.

Mr. Bement indicated if the approval needed to state Council, MML would have had that language in it.

Mr. Wells asked what would be a potential reason not to grant a permit.

Mr. Hamilton replied possible interference with other utilities.

COMMITTEE RECOMMENDATIONS:

Bement moved and Wells seconded the following motion:

1. To approve and authorize the recommendation of the Legislative Committee for Council to approve an Introduction of an Ordinance being the Telecommunications Ordinance regulating access to and use of public rights of way by Telecommunications providers and to provide qualification of the City of Burton under the provisions of Act 48 of the Public Acts of 2002.

Motion carried, 3-0.

Meeting adjourned at 5:25 p.m.

jra