

**CITY OF SOUTH LYON
REGULAR CITY COUNCIL MEETING
AUGUST 22, 2011**

Mayor Wallace called the meeting to order at 7:30 p.m.
Mayor Wallace led those present in the Pledge of Allegiance to the Flag

PRESENT: Mayor Wallace
Council Members: Cook*, Kivell, Kopkowski, Kramer, Morelli, and Wedell
City Manager Murphy
City Attorney Lee
City Clerk/Treasurer Zemke
Department Heads: Collins, Kennedy, Renwick and Martin

APPROVAL OF AGENDA:

City Manager Murphy stated that he would like to remove New Business #4 and add reimbursement from Oakland County for West Nile.

CM 8-1-11 APPROVAL OF AGENDA

Motion by Kivell, supported by Kopkowski

To approve the agenda as amended

VOTE: MOTION CARRIED UNANIMOUSLY

APPROVAL OF MINUTES:

CM 8-2-11 – APPROVAL OF MINUTES- AUGUST 8, 2011

Motion by Kramer, supported by Wedell

To approve the minutes of the August 8, 2011 Regular Council meeting as presented

VOTE: MOTION CARRIED UNANIMOUSLY

PUBLIC COMMENT:

Maggie Kurtzweil whose office is located at 417 S. Lafayette stated that she is here most importantly to tell Council and the community how fortunate they are to have a City Clerk with the character and ethics of Julie Zemke. She stated that she is well respected and regarded among her peers and profession and has earned a reputation of being fair and impartial. Although she has taken some responsibility for the mix-up regarding the filing deadline, it is her opinion that she did so out of dedication and commitment to the City, employees and residents. She further stated that in her eyes the blame does not lie with the City Clerk but rather the City Attorney. She stated that if the former Mayor, City Manager, etc. were provided with correct information from the City Attorney maybe some of the chaos and embarrassment could have been avoided. She wishes the City had better legal advice and further discussed the situation with former Mayor Doyle. She stated that the City Charter puts the City Attorney on the Election Commission and it is her opinion that it is not the City Clerk's responsibility to monitor changes in legislature, but rather that is why you have the City Attorney on the Election Commission. She stated that a couple of meetings ago, she watched a Council meeting where the City Attorney made a statement that if the vacancy on Council is not filled, then they would have to inform the Governor who would then make the appointment. However after many inquiries and investigation including a call to the Governor's office, she found nothing to support that statement. She discussed the appointments that the Governor does make. She stated that she would like to see what

authority he is relying on. She discussed the Statute that governs the appointment of a Council Member and discussed the City Charter. She further pointed out a problem within the Charter that was not addressed when the Charter was changed to reflect a seven-member Council versus a five member Council dealing with what is a quorum. She stated that when the change was made, it was not tracked throughout the entire document. In closing she stated that she would ask the City Council to move to terminate the contract with the City Attorney and the relationship with his firm. She would suggest that this be done immediately.

Cory Bala from the South Lyon Area Chamber of Commerce stated that he is here to ask permission for a road closure September 17, 2011 for their Summer Fun Finally with cruiser cars, beer tent, kids games, etc.. They tried to put something together earlier, but they are hoping to add to Pumpkinfest and promote it through this event. Chef Collins stated that he has only seen and signed off on the packet for the liquor license. He has not seen the packet for the road closure. Discussion was held on the road closure and proceeding with the request on a future agenda.

Lloyd Jones owner of Lake Street Merchantile located at 115 E. Lake Street stated that the City wishes to close downtown streets to have a party, however he owns a business in town and he believes that closing down the streets is not helping the businesses.

Nancy Kern of 450 W. Liberty Street stated she was present at the July 25th Council meeting and spoke at length regarding the tax abatement for Michigan Seamless Tube to expand their facility. She is against any type of expansion due to environmental concerns, etc. When she read the minutes of that meeting she felt that what she said was vastly misrepresented. After speaking with the City Clerk, she was informed that if she wanted to type something up, that it could be included in the minutes. City Clerk/Treasurer Zemke stated that she did inform Ms. Kern that those minutes were approved by Council and nothing could be added at this time, but if she wanted comments included in minutes verbatim, then they would have to be provided in writing. Ms. Kern provided written statements to be included in the August 22nd meeting minutes. She stated that the setting of the public hearing has been taken off the agenda, but when it is scheduled in addition to the 15 day meeting, the City also needs to notify the owner of any structure within 300 feet of the Tube Mill property. She further discussed the age of the tube mill and the surrounding homes. See attached statement from Ms. Kern.

OLD BUSINESS:

NEW BUSINESS:

1. Letter from Rod Cook

Mayor Wallace read the letter from Rodney Cook suggesting that he be appointed to the vacancy on Council. Mayor Wallace stated that he was one that felt that it would not be fair to fill the position, and did not feel we should give anyone a step up with the upcoming election. However, he would be in favor of this.

Councilman Kivell stated that he too is in favor of this. Councilman Wedell stated that he made his position known. He would support this as well. However he feels that the motion should come from one of those who opposed filling the seat. Council Member Kopkowski stated that she has no problem filling the seat and no problem with Mr. Cook. Her problem is that this was not done openly or announced to the public giving others the same opportunity. It feels like a back door move and is not comfortable with the way this came to the table.

Councilman Kramer stated that he stands by what he stated on July 11th. There is an election coming up in November. Mr. Cook is a great candidate for the position, but he does stand by his original position.

CM 8-3-11 – APPOINTMENT TO CITY COUNCIL

Motion by Kivell, supported by Wedell

To appoint Rodney Cook to the vacant Council seat

Mr. Cook stated that he felt that on a short-term basis he would be of value to the residents and to Council. Mayor Wallace stated that we are talking about approximately 5 meetings.

VOTE:

MOTION CARRIED (2 OPPOSED)

City Clerk/Treasurer Zemke administered the oath of office to Rodney Cook and he took a seat at the Council table.

2. Road Closure for Pumpkinfest

Mary Pool, Vice President of Pumpkinfest stated that they are asking for the same road closure as last year but are asking for a closure at noon on Friday until 8:00 p.m. on Sunday.

Chief Collins stated that his concern was that we are talking about a closure on Friday prior to or during rush hour. He does understand and sympathize with the difficult time they had trying to set up. They are making an effort to make Pumpkinfest bigger and better. With proper planning and detour routes we can try it and make adjustments the following year if needed. He further stated that all but two businesses have signed off. Diane's Doll House did give a verbal approval and Lake Street Merchantile has expressed their opinion about the road closure. At this time he recommends approval of the road closure.

Councilman Kramer asked if there is notice of the road closure that could be put in the paper. Chief Collins stated that he does understand that there will be a home Michigan Game that day and in the past they have made notification to the athletic department.

Councilman Cook stated that he does remember years ago there were earlier road closures. If there is notification they should be able to deal with it.

CM 8-4-11 – ROAD CLOSURE – PUMPKINFEST DOWNTOWN EVENT

Motion by Kramer, supported by Morelli

Resolved That Julie Zemke, City Clerk/Treasurer is hereby authorized to make application to the Road Commission for Oakland County on behalf of the City of South Lyon in the County of Oakland, Michigan for the necessary permits to conduct the Pumpkinfest Downtown Event from September 30, 2011 until October 2, 2011 and the related road closures:

Lafayette Street between Liberty Street and Whipple Street; Lake Street between Wells Street and Washington Street; from 12:00 noon on September 30, 2011 until 8:00 p.m. on October 2, 2011.

and that the City of South Lyon in the County of Oakland, Michigan will faithfully fulfill all permit requirements, and shall save harmless, indemnify, defend and represent the Board against any and all claims for bodily injury or property damage, or any other claim arising out of or related to operations authorized by such permits as issued.

VOTE:

MOTION CARRIED UNANIMOUSLY

3. Update on proposed baseball/softball field

Diane Beagle, Secretary of the Parks and Recreation Commission provided a diagram of McHattie Park and the proposed baseball field. Brian Spaller and Dean Wickham of the South Lyon Junior League were present.

Diane Beagle discussed the utilization of all of the ball fields. She stated that there is currently over 1200 participating in the junior league. They play on all of the fields in the City's parks and schools. Most of those fields are adult sized fields and the demand for the small fields has greatly increased. She discussed future development of Volunteer Park. They are proposing a new smaller field at McHattie Park. She discussed the orientation of the field and shared outfield space. She further discussed the plans for new backstop for the existing field and new benches and protective fencing.

Councilman Cook stated that his concern is the baseball and how far the balls could be hit. Mr. Wickham discussed the orientation and the distance for the younger age groups including t-ball, coach pitch and a combination. Councilman Kramer stated that the coach pitch or T-ball kids are rarely hitting it into the outfield.

Ms. Beagle discussed the old back stop that would be upgraded, protective fencing, bleachers, etc. She stated that to address the need for parking, there is the parking to the west of the water treatment plant that is useable, but will need to be addressed in the future. She further stated that with the addition they will be able accommodate growth, they would have the ability to host tournaments with families, etc. coming to town to shop and eat in town. The maintenance of the fields would continue to be done by the Junior League. Funding will take some time and will include fundraisers and they have been researching grants. Their goal tonight is to present the idea to Council and hope that Council will ultimately approve the project and authorize a portion of the funding through the Parks and Recreation fund.

Councilman Kramer stated that it is a great idea and it will get more people to the park. He questioned the quotes and asked if the bleachers could be done at a later date. Mr. Spaller stated that everything is up for discussion and the bleachers could be done at a later date.

Councilman Wedell questioned replacing the old back stop. He can remember the girls' softball losing balls in the creek. Mr. Spaller discussed the ages that would be playing.

Council Member Kopkowski questioned the difference in fencing prices. Mr. Spaller discussed the quotes and the elimination of some of the fencing.

Councilman Morelli asked if there are other groups that use the fields other than the Junior League. City Clerk/Treasurer Zemke stated that although the Junior League is the largest user, there are other groups that reserve the field.

Further Discussion was held on funding. Councilman Cook asked the residency of the users and asked if there is any source of funding coming from other jurisdictions. He stated that our role is not to provide recreation for all of the surrounding communities and asked if there has been any contact with the South Lyon Area Recreation. Mr. Paul Dolan of the South Lyon Junior League stated that there are 1400 members of the Junior League and they do not all live within the City so there is funding coming from outside the City. He further discussed the benefits to the City. Councilman Cook stated that he understand the benefit to the community.

Councilman Kramer stated that this is a wonderful idea and asked how much money the Junior League puts into the upkeep of the fields. Mr. Dolan stated that in the past five years they have put \$24,000 into the school's ball fields. He further discussed the money they put into the diamonds.

Mr. Dolan stated that they are coming to the City to help put a ball field at McHattie Park. Ms. Beagle stated that the Commission was under the impression that when the funds were designated for Parks and Recreation that they money could be used to go after grants and off-set some of these costs. Their goal is to get half of the money Councilman Kivell stated that you can look at the money from the Junior League essentially as grant monies. Discussion was held on the condition of the fields in Lyon Township.

Discussion was held on time frame. Ms. Beagle stated that they are looking for next summer.

Mr. Dolan discussed possibly putting up a thermometer at McHattie Park to show their goal and how they are reaching that goal to possibly gain more community support.

Discussion was held on providing a sense of Council or approval of the concept.

CM 8-5-11 – PROPOSED MCHATTIE PARK BALL FIELDS

Motion by Cook, supported by Kopkowski

To approve the concept proposed by the South Lyon Recreation Commission and the South Lyon Junior League for the ball diamonds at McHattie Park

VOTE:

MOTION CARRIED UNANIMOUSLY

4. Set Public Hearing for Michigan Seamless Tube Tax Abatement – Deleted from the Agenda
4. West Nile Virus

Superintendent Renwick stated that this is part of the Oakland County West Nile Virus Fund process. He stated that we have provided insect repellent for residents and applied mosquito larviciding to catch basins. We need to have a resolution approving the program and requesting reimbursement. The amount allotted to the City this year is \$1,463.72.

CM 8-6-11 – PROPOSED MCHATTIE PARK BALL FIELDS

Motion by Wedell, supported by Morelli

WHEREAS, upon the recommendation of the Oakland County Executive, the Oakland County Board of Commissioners has established a West Nile Virus Fund Program to assist Oakland County cities, villages and townships in addressing mosquito control activities; and

WHEREAS, Oakland County's West Nile Virus Fund Program authorizes Oakland County cities, villages and townships to apply for reimbursement of eligible expenses incurred in connection with personal mosquito protection measures/activity, mosquito habitat eradication, mosquito larviciding or focused adult mosquito insecticide spraying in designated community green areas; and

WHEREAS, the City of South Lyon, Oakland County, Michigan supports and authorizes the 2011 expenditure and application submittal for reimbursement of expenses in connection with mosquito control activities eligible for reimbursement under Oakland County's West Nile Virus Fund Program.

NOW, THEREFORE BE IT RESOLVED, that this City Council authorizes and directs its City Manager, as agent for the City of South Lyon, in the manner and to the extent provided under Oakland County Board of Commissioners, to request reimbursement of eligible mosquito control activity under Oakland County's West Nile Virus Fund Program.

Mayor Wallace stated that he has seen our DPW putting the pellets in the catch basins and reminded people to eliminate buckets of water and other sources for breeding mosquitos.

VOTE:

MOTION CARRIED UNANIMOUSLY

1. Witch's Hat Run

Chief Collins stated that he received a request from the Cross Country Coach for closure of 11 Mile for the Fall Witch's Hat Run. Historically, they have used only one officer to come in for overtime and typically use one officer from the patrol shift.

CM 8-7-11 – ROAD CLOSURE – WITCH'S HAT RUN

Motion by Kramer, supported by Cook

Resolved That Julie Zemke, City Clerk/Treasurer is hereby authorized to make application to the Road Commission for Oakland County on behalf of the City of South Lyon in the County of Oakland, Michigan for the necessary permit to conduct the 2011 Fall Witch's Hat Run on September 10, 2011 at 9:30 a.m. and the related street closures:

Eleven Mile Road – East Drive of South Lyon High School to Eagle Heights Dr.

Martindale Road – Arrow to Eleven Mile Road

And that the City of South Lyon in the County of Oakland, Michigan will faithfully fulfill all permit requirements, and shall save harmless, indemnify, defend, and represent the Board against any and all claims for bodily injury or property damage, or any other claim arising out of or related to operations authorized by such permits as issued.

VOTE:

MOTION CARRIED UNANIMOUSLY

2. Mobile Video System Replacement

Chief Collins stated that unfortunately, the company that we have used in the past for our prior video systems has gone out of business. Of the 6 patrol cars only 2 have systems that are working despite trying to find parts and source for repairs. Our only option is to either not have an in-car system or replace the system. In trying to get bids, they were only able to get one solid bid from L3 Mobile Vision, Inc. The two primary values to having the system is to support officer testimony in court and excessive force claims.

Councilman Wedell stated that he is a strong proponent of in-car video systems. He asked how long L3 has been in business. Chief Collins stated that Lt. Sharp did the research. He did question the likelihood of L3 going out of business like our previous company. He has indicated that it is a much larger company. He further stated that he could provide the research. Councilman Wedell asked where some of the other departments are buying their cameras. Chief Collins stated that Novi is going with Panasonic. Discussion was held on attempts to get a quote from Panasonic. Councilman Wedell asked about County or State bids. Chief Collins stated that we could do some additional research and come back to Council.

Mayor Wallace asked the urgency. Chief Collins stated that we have survived this long, another meeting or two would not hurt. Councilman Wedell stated that he would not like to see us go more than one meeting, but would like to see additional bids. Councilman Kivell stated that he would like to see what some of the other communities are doing. Chief Collins stated that he would be more than willing to do some additional investigating.

CM 8-8-11 – PURCHASE OF MOBILE VIDEO SYSTEM REPLACEMENT

Motion by Wedell, supported by Kramer

To table consideration of the Replacement Mobile Video System

VOTE: **MOTION CARRIED UNANIMOUSLY**

3. Resignations/Appointments

Mayor Wallace stated that Joseph Rzyzi has resigned from the ZBA because he is running for City Council. This is a charter provision.

CM 8-9-11 – ACCEPTANCE OF RESIGNATION

Motion by Kramer, supported by Wedell

To accept the resignation from Joseph Rzyzi from the Zoning Board of Appeals

VOTE: **MOTION CARRIED UNANIMOUSLY**

Mr. Frank Fogarty of 61349 Roaringbrook Drive was present and has made application to fill the vacancy.

CM 8-10-11 – APPOINTMENT TO THE ZONING BOARD OF APPEALS

Motion by Wallace, supported by Kopkowski

To appoint Frank Fogarty to the Zoning Board of Appeals to the term left by Joseph Rzyzi

VOTE: **MOTION CARRIED UNANIMOUSLY**

MANAGER'S REPORT:

City Manager Murphy stated that the Governor required dashboard and citizen's guide should be up and running within the next two weeks.

City Manager Murphy gave an update on the culvert on McMunn.

COUNCIL COMMENTS:

Council Member Kopkowski welcomed newly appointed Councilman Cook.

Mayor Wallace stated that he would like to address Ms. Kern's comments. He stated that he is pleased that the Tube Mill is working day and night. They have been good to the City over the years, and he does not feel that we should get in the way of them improving their business.

Mayor Wallace stated that Depot Day is September 10th. It is a great event for kids.

Mayor Wallace stated that the 29th year of SLCTV football begins this Friday.

ADJOURNMENT:

CM 8-11-11 ADJOURNMENT

Motion by Cook , supported by Kramer

To adjourn the meeting at 8:53 p.m.

VOTE:

MOTION CARRIED UNANIMOUSLY

Respectfully submitted,

Tedd M. Wallace
Mayor

Julie C. Zemke
City Clerk/Treasurer

To: South Lyon City Council

From: Nancy Kern

Re: July 25, 2011 City of South Lyon City Council Meeting Minutes

I am hereby requesting that the following transcript from the South Lyon City Council Meeting of July 25, 2011 be added to the minutes of that meeting. What I said was not transcribed accurately and misrepresented what I actually did say.

Public comments of Nancy Kern, 450 W. Liberty St., South Lyon

My name is Nancy Kern. Can you hear me okay? Nancy Kern 450 W. Liberty St., here in the beautiful City of South Lyon. And I'm here tonight, first of all, I'd like to thank the City Council for what I think they're doing an excellent job for the most part. I don't always agree, as you know with some of the decisions but I think, for the most part you're doing a wonderful job. And, also, especially Mr. Renwick at the DPW – I think he's doing a superb job; and also Mr. Martin as well. I think he's doing a superb job. But I'm here tonight to talk about the Michigan Seamless Tube – about the tax abatement possibility and I just want to say that I am for tax abatement s, I'm for more jobs to bolster the economy, but I'm not in favor of this. I'm totally against it, totally against the expansion at their South Lyon facility. Since 2004, MST has been under a Corrective Action Consent Order # 1110204 for the investigation and clean-up of hazardous waste and toxic chemicals at their site and outside the borders of their site, under the supervision of the Hazardous Waste Section of the Michigan Department of Environmental Quality. The contamination investigation is ongoing and this year will include developing background metal concentrations in groundwater at upgradient monitoring wells and completing the mill scale delineation on the Northwestern property border. That work for groundwater monitoring events, soil sampling, leach testing, etc. is currently under way and a final report is expected to be submitted by early 2012. I get this information from Mr. Joe Rogers who is a geologist overseeing the project from the Resource Management Division at the Michigan DEQ. He says regarding my question about the schedule for implementation of corrective measures and completion of the project, "It is still uncertain and I cannot provide you with a definite time frame." Now the mill scale on the property and what they suspect may be outside the property line will be analyzed for levels of arsenic, cobalt, copper, iron, manganese, molybdenum, nickel, zinc and chromium. The continuation of the well monitoring will include the site levels for arsenic, iron, manganese, molybdenum, and lead. Okay, so we really don't know how many more years it will take to implement the corrective measures and complete the project. From 2004 until now it's already been seven years. The MST property since 1998, has a "Declaration of Restrictive Covenant" on it stating that "the owner shall not disturb the final cover, liners, and components, of any containment system or the function of the monitoring systems on or in the property. Also, no one shall engage in any development, including any filling, grading, excavating, building, drilling or mining on the property following the completion of the remediation without obtaining prior written authorizations from the Director of the Michigan Department of Environmental Quality. In 2004, MST received a \$9 million Economic Development Corporation limited obligation revenue bond to finance their project plan which they were supposed to complete within three years. Their project plan included the

construction and equipping of a new addition to the cold mill to be used as a small diameter product finishing line, costing \$3,545,000.00. In 2009, I checked with the then City of South Lyon Building Inspector, Joe Veltri, and he told me no permit was issued for the construction of that addition. According to Mary Langhauser at the Oakland County EDC, if they didn't use the money for what it was intended for with three years, they were supposed to give the money back. I was informed by the attorney from the Oakland County EDC that the bond holder, U.S. Bancorp, was responsible for monitoring and reporting to the IRS what MST did with the bond funds, not the Oakland County EDC. I sent a FOIA request to US Bancorp, asking for the information on how the money was used. They refused to give it to me. Before Mr. Jeff Potter passed away, he was working with me and representing me to the Oakland County EDC to try to get some answers. And, unfortunately, he passed away. I think that he was told that he was not able to get the information too. So, after that, in February of this year, I approached Mr. Phil Wiepert. Mr. Wiepert, if you're watching, you know I was in your office of February of this year and I asked you to follow up where Mr. Potter left off. And he said that he would, as the new Commissioner, he would follow up and get the answers for me. As of this date, he has not contacted me with any answers. In closing, just a minute now, most of you now sitting on the City Council may remember my neighbors and I complaining to you at the City Council meetings a couple of years ago about the very much increased level of noise coming from the tube mill, especially at night when we are trying to sleep. After nothing was done to mitigate the noise level, I personally had to spend a few thousand dollars to replace the upper level windows with sound proofing glass so I could get some sleep at night. Now, in closing, I just want to say that ... Oh, before I close, I have a copy of the South Lyon paper which has the article about the tax abatement for the mill, someone responded to the article, when they heard about "Michigan Seamless Tube clears first step in earring tax abatement", they made a comment from ID MI0498797 and I quote, "So if Michigan Seamless Tube does plan to expand or improve their South Lyon location, what are they and/or the City of South Lyon going to do to reduce or limit the amount of noise that their facility causes? I live about a mile away from their facility myself and I can hear their noise when I'm outside my home. While I have come to accept this as part of living in South Lyon, I would not want MST's noise to increase and the result of a possible expansion in South Lyon. Can we do some investigative journalism on this, Observer team? Thanks." Okay, in closing, I am stating that I am very concerned about the safety of the environment and the quality of life for not only myself but also for the neighboring communities surrounding the tube mill. It's also about accountability and responsibility of our elected officials. And so I'm saying if they want that tax abatement, do it in Gibraltar, contaminate that property. Thank you.

Please add the following, in its entirety to the minutes of tonight's meeting on August 22, 2011:

Public Comment:

My name is Nancy Kern residing at 450 W. Liberty St., South Lyon.

I know you're going to set the time for the Public Hearing for the Michigan Seamless Tube Tax Abatement Proposal at this meeting. I hope you will do your research and understand that, in addition to posting a Notice of the Public Hearing in the local newspaper at least 15 days prior to the meeting, you also need to and I quote from Michigan Compiled laws:

"125.3103 Notice; publication; mail or personal delivery; requirements.

Sec. 103.

(1) Except as otherwise provided under this act, if a local unit of government conducts a public hearing required under this act, the local unit of government shall publish notice of the hearing in a newspaper of general circulation in the local unit of government not less than 15 days before the date of the hearing.

(2) Notice required under this act shall be given as provided under subsection (3) to the owners of property that is the subject of the request. Notice shall also be given as provided under subsection (3) to all persons to whom real property is assessed within 300 feet of the property that is the subject of the request and to the occupants of all structures within 300 feet of the subject property regardless of whether the property or structure is located in the zoning jurisdiction. Notification need not be given to more than 1 occupant of a structure, except that if a structure contains more than 1 dwelling unit or spatial area owned or leased by different persons, 1 occupant of each unit or spatial area shall be given notice. If a single structure contains more than 4 dwelling units or other distinct spatial areas owned or leased by different persons, notice may be given to the manager or owner of the structure, who shall be requested to post the notice at the primary entrance to the structure.

(3) The notice under subsection (2) is considered to be given when personally delivered or when deposited during normal business hours for delivery with the United States postal service or other public or private delivery service. The notice shall be given not less than 15 days before the date the request will be considered. If the name of the occupant is not known, the term "occupant" may be used for the intended recipient of the notice.

(4) A notice under this section shall do all of the following:

(a) Describe the nature of the request.

(b) Indicate the property that is the subject of the request. The notice shall include a listing of all existing street addresses within the property. Street addresses do not need to be created and listed if no such addresses currently exist within the property. If there are no street addresses, other means of identification may be used.

(c) State when and where the request will be considered.

(d) Indicate when and where written comments will be received concerning the request."

Many people are under the impression that Michigan Seamless Tube, built in 1927, was built prior to any of the residential homes surrounding its boundaries. Regarding noise complaints I've made in the past against MST, I've been told the tube mill was here first. This is not true. The following residences in the 400 block of West Liberty were built prior to 1927 and are less than 300 feet from the border of MST: 451: 1910, 445: 1925, 439: 1900, 425: 1890, 415: 1918, 450 (my home): 1923, 438: 1910, 424: 1910, 416: 1918, and 124 Mc Munn @ W. Liberty: 1910. There are only a few homes in the 400 block of W. Liberty that were built after 1927 but their property lines are still less than 300 feet from the MST's property line. Besides residential properties with 300 feet of MST, you should check into the other residential properties on the streets bordering MST to see if they are also within 300 feet of the mill.

Thank you.

MICHIGAN ZONING ENABLING ACT (EXCERPT)
Act 110 of 2006

125.3103 Notice; publication; mail or personal delivery; requirements.

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(c) State when and where the request will be considered.

(d) Indicate when and where written comments will be received concerning the request.

History: 2006, Act 110, Eff. July 1, 2006 ;-- Am. 2008, Act 12, Imd. Eff. Feb. 29, 2008

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Rendered 8/22/2011
08:52:26

Michigan Compiled Laws Complete Through PA Compiled through Act 76 and includes 78-83, 85,
89, 94-97, 99, 100, 103, 104, 106-108, 110, 113-119, 121-124, 126 & 127 of 2011

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