

**MILWAUKIE CITY COUNCIL
WORK SESSION
JULY 1, 2002**

The work session came to order at 5:30 p.m. in the City Hall Conference Room.

City Council present: Council President Lancaster and Councilors King and Newman.

Staff present: Community Development/Public Works Director Alice Rouyer, Planning Director John Gessner, Assistant Planner Lindsey Nesbitt, and Program Specialist JoAnn Herrigel.

Cell Tower Regulations

Nesbitt provided an overview of Federal Telecommunications Act requirements and the City's draft regulations for cell towers and other wireless communication facilities (WCF). Staff worked with the Planning Commission and other stakeholders to identify key issues including: siting WCFs outside residential zones, requiring minimum separation between new towers, collecting deposits with land use applications for 3rd party evaluation, and generating revenue from antennas placed on existing poles in the right-of-way. New monopole construction, which will require Planning Commission action, will be limited to manufacturing (M) and business industrial (BI) zones. Unless the applicant can demonstrate the need, the minimum separation for new monopoles is 1,500 feet. Co-location of poles will be encouraged through a staff-level approval process. Antennas on existing poles in the public right-of-way will be allowed in all zones to make a feasible carrier network. Nesbitt gave examples of stealth designs which can look like light standards or flag poles.

At Councilor King's request, Nesbitt will find out how many boxes might be located in the neighborhoods on existing utility poles and if they create any noise. She discussed vaulting boxes not mounted on poles, concerns with screening requirements in the right-of-way, boxes on private property, and probable resistance to requiring stealth designs.

Gessner will research stealth requirements in other jurisdictions. He added Milwaukie has not processed a lot of WCF applications, so the proposed regulations are largely proactive measures.

Councilor Lancaster wants to ensure WCFs do not interfere with law enforcement communications.

Nesbitt reviewed the project schedule and said she will have a brief update for City Council prior to adoption in October.

AT&T Comcast Merger

Herrigel reviewed the AT&T/Comcast merger materials scheduled for Council action at the regular session. AT&T and Metropolitan Area Communications Commission (MACC) representatives were in attendance.

She provided a revised version of the proposed resolution, which contained several minor changes that did not alter its intent. Staff, on the advise of MACC, recommends Council consent to the merger with certain conditions set forth in a letter of agreement. There are no anticipated financial impacts or rate increases associated with the merger. The franchise will remain intact for the remainder of its term, and subscribers will probably find the merger transparent.

AT&T staff discussed the merger and the business history of Comcast.

MACC staff feels this is a positive move since Comcast is a cable company rather than a long distance company. The Commission is satisfied with the merger proposal, and it has been approved by the other MACC jurisdictions.

Councilor Lancaster urged awareness of what is taking place within these companies and their financial integrity.

Joint Work Session with Riverfront Board

Riverfront Board Chair Steve Loaiza and members Mitch Wall and Paul Verbout attended. The Board's goal is to leave a legacy and incorporate the water into the community.

The boat ramp and its incorporation, at least temporarily, into the riverfront project is a key issue. **Verbout** summarized previous attempts to relocate the boat ramp and the problem of finding enough land to provide adequate parking. Boaters are an influential group and have a profound impact on the development. The boat ramp, at least for the near term, will stay where it is and be a positive element of the project.

Wall feels it is important to point out that there is no legal obligation to keep the boat ramp at its current site.

The Board members discussed Phase 1 as a legacy project for the City's 2003 Centennial, and they proposed continuing to work with Gill Williams, Atlas Landscaping, to complete the design. They suggested seeking funds from Neighborhood District Associations, private organizations, and individual donors. The group discussed the condition of the ramp, and Herrigel will report on who is responsible for inspecting it for safety.

Wall added the Board sees itself as an advocate for the community and feels the longevity of any funding source must be addressed.

Loaiza said the Board continues to be strongly committed to the development project, and the spirit of cooperation remains very high. He feels the group has developed some very creative criteria for the boat ramp modification. A member of the boating community is on the Board and supports the criteria. He briefly reviewed the key issues that include a 5-year project term, multiple use design, connectivity and pedestrian access, pervious parking surfaces, and increased green space near the water through reducing the amount of parking at the ramp.

The group discussed nearby parking options including ODS, Cash Spot, and the city-owned property near the railroad trestle. Several concerns were expressed with Oregon Department of Transportation's (ODOT) McLoughlin Boulevard Improvement Project and how the current design impacts boat ramp access.

The Board recommended City representatives meet with the Oregon Marine Board to review key issues relating to improving the boat ramp facility and incorporating the Riverfront Board's criteria.

Councilor Lancaster recommended a sign identifying the project and beginning to put something in the ground to spark interest in the development. **Councilor King** supported grant writing efforts. **Wall** feels it is important to re-establish credibility and show the City is committed to doing something.

Council President Lancaster adjourned the work session at 7:25 p.m.

Pat DuVal, Recorder