

The purpose of this memo is to explain the reasons why a Verizon telecommunications is currently under construction in the Centennial Park. This memo will explain why it is needed, the process that was followed for the approval, and the steps that have been taken to mitigate any negative aspects that the proposal might have.

First, it has been determined that more telecommunication facilities are needed to better serve the City and its residents. Cell coverage in Midway is not very reliable which is not only an inconvenience but also a safety issue for the residents of Midway. Cell towers are needed to serve Midway because studies show that 70% of all 911 calls originate from cell phones. This statement can be verified on the FCC's website (<https://www.fcc.gov/consumers/guides/911-wireless-services>):

*The number of 911 calls placed by people using wireless phones has significantly increased in recent years. It is estimated that about 70 percent of 911 calls are placed from wireless phones, and that percentage is growing. For many Americans, the ability to call 911 for help in an emergency is one of the main reasons they own a wireless phone.*

It was evident in the public hearing from the comments that were made that residents are worried about their ability to call the authorities in the event of an emergency and their ability to contact family members and friends for emergencies. This is one of the main reasons the City Council approved the cell tower.

This decision was not made lightly and much thought and analysis was put into play during the decision to locate the tower on the proposed site. This memo will explain some of the history regarding the decision to located the tower where it is proposed. Initially, the applicant inquired about the Kay Probst property which is located at about 549 North Center Street because a cell facility had been in operation on his property in the past. There were two major problems with placing a new facility on this site and some minor issues also. The two major problems dealt with the sensitive lands section of the City's Land Use Code. The first issue was the ridgeline ordinance that prohibited a tower at this site because of the property's location on "The Mound", a hill in town that was formed from geothermal springs and is located between Center Street and Pine Canyon Road. This major geologic feature is a prominent site and Midway decided, with the adoption of the sensitive lands ordinance, that this area should be preserved. The second major issue also deals with the sensitive lands ordinance that states that structures shall not be built in major geologic zones. The area of the Kay Probst barn is right on the edge of a major geologic zone and therefore is not a good site for a cell tower. Chapter 16.22: Wireless Telecommunications, regulates cell towers. Located in this section there are many regulations but two of the main ideas in the Code deals with location of cell towers and the co-location of the multiple carriers. The Code promotes that wireless telecommunication facilities are located on public property. The reason for this is so the revenue generated from the facility benefits the community as a whole and not one individual property owner. The other main idea is that if a tower is built then there should be room available to co-locate other carriers on the facility. This does cause a tower to be taller and more visible but it also reduces the need for future towers in the City. The two aforementioned issues also helped make it clear that the Kay Probst site was

not a good location for the cell tower because it was private property and collocating on this site would have forced the tower to be very tall and noticeable in a sensitive lands area of the City.

After the Probst site was determined to not be a possible option, Mr. Simmons and City staff, including former mayor, Connie Tatton, began searching for a more appropriate site that would comply with the regulations of the code. This was not an easy task because every site identified did have some issue with the code. Staff arrived at the conclusion that there is no site that meets every criterion of the Code and is still a functional site that the cell tower company can place a facility that will service the residents of Midway. Many of the outlying City properties were quickly eliminated because their locations were on the edge of the City and natural obstacles, such as hills, made the sites ineffective to be able to service the residents of Midway because of limited reception. These sites included the Alpenhof Park, Valais Park, cemetery, and the water tank sites the City owns. Next the Hamlet Park was eliminated because of its location relative to Memorial Hill which would block reception for the residents on the northern area of the City. The best locations for reception are in the center of town and include the Centennial Park and the City Square. The City Square was then eliminated because of the tall pine trees that could potentially limit reception and because of activities, such as Swiss Days, that would be impacted because of the tower and supporting facilities that would take up area. Also, this site is located close to the Town Hall and would greatly impact the skyline and view corridors around the Town Hall. It was determined that the best publicly owned site is a small peninsula of the Centennial Park that surrounded by the Ridley's store dumpsters, the fire station, and the Finch property. This small area of park is about 34' x 64' in size and was occupied by a berm and some trees. The area is the most unusable area of the park. This particular location is about 135' from the nearest road which is 100 West and about 300' from Main Street so the site is not as noticeable as compared to if it were next to a City street. The facility could be built in this location with minimal impact on surrounding streets including Main Street. Again, the City held a public hearing and noticed all property owners within a 1000' radius that the item would be on the City Council agenda and there was more support for the tower than there was support against the tower at that meeting based on the comments from the public that were made.

The City has worked with the Verizon to mitigate any negative impacts that the tower may have on our community. The tower will be visible from Main Street but the setback of about 300' should minimize the impact. The tower itself will be a monopine that will be placed in an area that has many other trees making the tower less noticeable. Verizon has agreed to build a block wall around the site with a gate on the south that will serve as the access from the City owned fire station property. The equipment shelter in the walled area will match the architecture of the pavilion in the Centennial Park. Also, Verizon will plant other pine trees in the area to help make the tower less noticeable.

The elected officials of Midway support this project because of the safety it will provide our residents. The City has followed the public approval process as stated in Utah state code and in our local code. The City has also tried to mitigate any negative visual aspects that it might have. The tower should provide a good service to the residents of Midway.