
**MINUTES OF THE SPECIAL WORK SESSION
BOARD OF MAYOR AND ALDERMEN
FRANKLIN, TENNESSEE
CITY HALL BOARDROOM
THURSDAY, MAY 25, 2017 – 5:00 P.M.**

Board Members

Mayor Ken Moore	P		
Vice Mayor Pearl Bransford	P	Alderman Dana McLendon	A
Alderman Clyde Barnhill	P	Alderman Margaret Martin	P
Alderman Brandy Blanton	A	Alderman Ann Petersen	P
Alderman Beverly Burger	P	Alderman Michael Skinner	P

Department Directors/Staff

Eric Stuckey, City Administrator	P	Emily Hunter, Planning/Sustainability Dir.	P
Vernon Gerth, ACA Community & Economic Dev.	P	Lanaii Benne, Assistant City Recorder	A
Shauna Billingsley, City Attorney	P	Linda Fulwider, Board Recording Secretary	A
Paul Holzen, Engineering Director	P		

Call to Order

Dr. Ken Moore, Mayor, called the Special Work Session to order at 5:00 p.m.

SPECIAL WORK SESSION DISCUSSION ITEM

1. 17-0450 Presentation and Discussion Regarding Local Regulation of Small Cell Facilities Located Within the Public Right-of-Way.

Eric Stuckey, City Administrator

Vernon Gerth, ACA Community & Economic Development

Shauna Billingsley, City Attorney

- Eric Stuckey: We are delving into this issue for the first time and want to give an overview to start thinking about how this might work in our community from a functional and regulatory standpoint. It is a new aspect for potential use of our right-of-ways.
- Vernon Gerth: Some provider representatives of small cell facility networks are present, and they may want to address BOMA and answer questions you may have. Over the last several months we have been receiving a number of requests for small cell facilities to be placed within our right-of-way. Staff met with a number of installers and companies that provide wireless network services to get their input on this proposed draft ordinance.

Presentation:

What are Small Cell Wireless Facilities?

- The facilities are nodes and antennas that are becoming an increasingly popular way to expand coverage and increase network capacity. With mobile data traffic expected to double annually, providers have indicated that Small Cell Facilities are necessary to expand the capacity of wireless networks for both residents and our business partners.

Key Elements of Proposed Ordinance:

- This ordinance complies with related FCC regulations.
- There is no discrimination among providers.
- Requests will be processed by the City in a “reasonable period of time” on a first-in, first-out basis from the date a complete application is submitted.
- The City has identified reasonable height, size and separation criteria.

- Creation of a Right-of Way Agreement Template for the City and entities to protect our respective interests.
- Application will be processed administratively except for requests within Planned Residential Developments (PUDs) which staff recommends the Franklin Municipal Planning Commission as the final review authority.

Kinds of Antennas:

- Placed on top of poles or on sides of buildings; examples displayed

Proposed Standards:

1. Encourage Small Cell Facilities (nodes and antennas) be mounted on existing buildings and street lights.
2. New Small Cell Support Structures (poles) and Facilities limited to 6 feet above top of existing utility poles within the right-of-way located within 500 feet; or no taller than 40 feet above the adjacent grade.
3. New Small Cell Facilities shall not exceed 10 feet above an existing utility pole or wireless support structure.

Discussion:

- Trying to provide a reasonable way to stay current with technology.
- Paul Holzen: Staff concern is aesthetics.
- Why is a 40 ft. pole so important? Height of poles and street lights vary. Concern with residential areas and areas with underground utilities. Variety of streetlights around the City.
- Place on existing poles. There may be some new construction with new poles in the right-of-way.

★ Alderman Burger joined the meeting @ 5:20 p.m.

- Will there be regulations requiring cities to allow Small Cell Facilities? Can the City say no or yes with conditions?
- Vernon Gerth: When the City began receiving requests for wireless facilities he contacted several communities. Cary, North Carolina was one. They have elected not to regulate small cell facilities, with the exception of making sure there are Right-of-Way Permits and Certificates of Liability for any damage done in the right-of-way.
- Paul Holzen: Many companies are interested in installing these in Franklin. Regulations are critical for the long term.
- Residentially zoned areas will be addressed by the FMPC.
- Vernon Gerth: An application fee of \$500 will be charged and annual fee is \$100.

Provider Comments:

- Crown Castle: Providers try to blend in by utilizing poles already in place. These Small Cell Facilities help solve coverage and capacity and address public safety concerns using shared infrastructure. They have installed these in Davidson County and Nashville. As to questions about aesthetics, the cell facilities are becoming more sophisticated with smaller antennas, etc. Some of the facilities in the pictures are antiquated.
- Vice Mayor Bransford: Would like to see photos of what the company has installed in the Nashville area.
- Tom Alexander with AT&T: Use of Small Cell Facilities takes the pressure off macro towers. Small cells provide service in a quarter mile radius. Customers and citizens need this service. They want to utilize street lights and traffic lights. With more and more people using cell service, the small cell facilities lessen the need to put up large towers in dense areas. The wireless facilities are connected to fiber optics.
- Roger Jenkins, Engineer with MTEMC: He has been talking with these companies. There are concerns about existing poles and safety issues with transfer on utility poles. He sees a lot of benefit in different areas. The clutter should be kept down as much as possible. Residential light poles are 16 ft. high. They will provide power to the devices.

- Alderman Barnhill: This is a service for the citizens. He asked where federal regulations come in from allowing the City to have this.
- Shauna Billingsley: The FCC is looking hard at Small Cells, but haven't provided all the answers as yet. She believes there will be more regulations soon. This is one reason why staff is trying to get ahead of this. There are many issues and questions posted on the FCC website. Everyone has regulations and the federal government is saying maybe it is time to standardize those regulations. There are big issues involved that should be addressed at another Special Work Session. Envision Franklin approved 12-story buildings in the Cool Springs area.
- Citizen's Concerns: The concerns were addressed by Ms. Billingsley. Every three years the carriers must apply for a new permit. For the concern if four or five different carriers are on one pole, is it who gets there first, who is let in and who is not, Ms. Billingsley responded that it is unknown how competitive the carriers are. One carrier added, that as in real estate, location is of prime importance.
- Mr. Gerth: The Board will meet again for discussion.
- Ms. Billingsley: We have providers that want to come in right now, and we want to get ahead of the FCC. People need this now and there is no mechanism to provide the service.
- Alderman Burger: Will share a White Paper on the Growth of Small Cells with the Board.

Other Business

None

Adjournment

Work Session adjourned @ 5:53 p.m.

Dr. Ken Moore, Mayor

Minutes prepared by: Linda Fulwider, Board Recording Secretary, City Administrator's Office - updated 10/24/2017 10:55 AM