

**Additional
Written
Public
Testimony
07.31.2020**

City of Dundee
City Council Meeting Minutes
July 7, 2020

Call to Order

Mayor David Russ called the meeting to order at 7:00 P.M. over ZOOM teleconferencing meeting platform.

Council and Staff Attendance

Attendance Via ZOOM: Mayor David Russ; Councilors Tim Weaver, Storr Nelson, Kristen Svicarovich, Ted Crawford, Jeannette Adlong and Patrick Kelly. Staff Attendance via Zoom: Rob Daykin, City Administrator; Tim Ramis, City Attorney; Amy Hanifan, Interim Fire Chief; Greg Reid, City Engineer; and Melissa Lemen, Administrative Assistant.

Public Attendance

Attendance Via ZOOM: Byron Bailey and Zac Harris, Blackpoint IT; Rebecca Minifie; and Matt Frey.

Agenda Changes

New Business Agenda Item 7.2 ODOT Temporary Easement Request was added to the meeting agenda.

Public Comment

Rebecca Minifie addressed the City Council and indicated that she is present tonight to briefly discuss the cell tower proposal which came before the Planning Commission last Wednesday. She explained that the Commission denied the proposal unanimously and indicated that over 60 people wrote letters of opposition. She discussed that though having a cell tower at the fire station might have seemed like a good fit for the City when the lease was first approved by the Council in 2013, it is obviously not a good fit now and requested Council revisit that. Discussion ensued until the conversation was interrupted by C. Atty Ramis who expressed concern to M. Russ that this comment appears to be entirely about an application that was in front of the Planning Commission and may come to City Council for decision; this is an ex parte communication which can be presented during the proper hearing process. C. Atty Ramis offered his recommendation that M. Russ not allow this particular testimony be presented tonight and instead recommend that it be included at the time of a hearing if there is an appeal. M. Russ encouraged Minifie to return to provide her testimony at a future hearing if it arises.

Presentation: Computer System Proposals – Byron Bailey, Blackpoint IT

Bryon Bailey, Blackpoint IT, introduced himself and introduced Zac Harris, Senior Engineer, who is also present tonight. Bailey explained that the most pressing and most needed solution is replacement of the server which the manufacturer has indicated has reached end of life status. He explained that as a result, the manufacturer is no longer issuing security updates and are not creating parts for the server; the supply of parts available in the market will not be replenished. Detailed discussion ensued and Bailey reviewed the two replacement option proposals provided beginning on page 3 of the agenda packet. He explained that the first proposal provides replacement with a modestly upgraded server to account for future use; this type of new server would likely provide 6-8 years of service. Bailey also discussed the second proposal of a cloud-based solution. He explained this option provides a lot of security benefits as well as latency and redundancy benefits, though over time a cloud solution would likely be a more costly option. C.

Melody Osborne

From: Alba Corpus <abcorpus7@gmail.com>
Sent: Wednesday, July 29, 2020 4:12 PM
To: Melody Osborne
Subject: Verizon cell tower

Follow Up Flag: Follow up
Flag Status: Flagged

Submitted via e-mail to: Melody.Osborne@dundeecity.org

Re: Type III Appeal Application File No. CU 20-06/SDR 20-07 – Verizon Cell Tower

Dear Dundee City Councilors:

Please DENY the Verizon cell tower on the following grounds:

1. The Planning Commission thoughtfully reviewed the evidence and testimony over two separate hearings and voted unanimously to deny the cell tower.
2. The cell tower fails to meet the approval criteria of DMC 17.404.030(A)(1). The proposed site is not adequate for the needs of the proposed use, considering the tower's aesthetic considerations.
3. The proposed tower is 80-feet high. There are no buildings or trees in the vicinity of the site that would hide or camouflage such a huge tower; the sheer size of the tower would dominate the landscape, ruining the aesthetics of our beautiful downtown, in violation of DMC 17.404.030(A)(1).
4. Denying this 80-foot tower in the heart of Dundee is not a denial of all cell towers in Dundee or all cell towers at the fire station; it's only a denial of this ginormous, sore thumb of a tower overwhelming the heart of Dundee.
5. Just because Verizon claims to have "limited the tower to the minimum height necessary to achieve its objectives" (Verizon Appeal, page 1), does not mean Verizon satisfied the approval requirements of the Dundee Code. The Dundee Code is not subservient to the applicant's objectives. Applicant either meets the approval criteria or they don't. Simply trying isn't good enough.
6. Verizon can't make you choose the lesser of two evils. You don't have to pick one of their design options. A "better" design option which may be a lesser violation of the Code is still a violation of the Code.
7. The applicant bears the burden of proof to prove their proposed use complies with the Code. It is not your job to fix their design flaws.
8. The tower also violates the Public Zone, which requires that approved uses not "unreasonably disrupt or alter other areas of the community." A huge tower dominating the downtown landscape would certainly disrupt the attractive, surrounding uses.

Please consider all the public submissions, uphold the decision of the Planning Commission, and uphold the requirements of the Dundee Code.

Sent from my iPhone

Melody Osborne

From: Derek Harber <derekjharber@gmail.com>
Sent: Wednesday, July 29, 2020 10:43 AM
To: Melody Osborne
Subject: Fwd: Dundee Fire Station Wireless Facility

Follow Up Flag: Follow up
Flag Status: Flagged

Hi Melody,

I'm so sorry! I meant to include you here and misspelled your last name.

Best,

Derek Harber
Mechanical Engineer

----- Forwarded message -----

From: **Derek Harber** <derekjharber@gmail.com>
Date: Wed, Jul 29, 2020 at 10:39 AM
Subject: Dundee Fire Station Wireless Facility
To: <rob.daykin@dundeecity.org>, <melody.osborn@dundeecity.org>, <melissa.lemen@dundeecity.org>

Good morning Rob, Melody, and Melissa,

I wanted to let you know that I support the addition of a wireless facility at the Dundee fire station. I currently live in the hills of Dundee and would benefit greatly from a local tower for better service. I apologize if I've sent this to the wrong people.

Kind regards,

Derek Harber
Mechanical Engineer

Melody Osborne

From: Jennifer Jones <jjmunson1@gmail.com>
Sent: Wednesday, July 29, 2020 7:57 PM
To: Melody Osborne
Subject: Verizon tower

Follow Up Flag: Follow up
Flag Status: Flagged

Melody, please include this email in the public comments during the Aug. 4th city council meeting.

Re: Type III Appeal Application File No. CU 20-06/SDR 20-07 – Verizon Cell Tower

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8. The tower also violates the Public Zone, which requires that approved uses not "unreasonably disrupt or alter other areas of the community." A huge tower dominating the downtown landscape would certainly disrupt the attractive, surrounding uses.

Please consider all the public submissions, uphold the decision of the Planning Commission, and uphold the requirements of the Dundee Code.

Jennifer F. Jones

759 NW 1st Street
Dundee, Oregon 97115
Resident since 2002
Former Dundee City Councillor (aka Jennifer Munson)

Melody Osborne

From: restorehope <restorehope@comcast.net>
Sent: Wednesday, July 29, 2020 6:03 PM
To: Melody Osborne
Subject: RE: Verizon cell tower

Follow Up Flag: Follow up
Flag Status: Flagged

Yes, I'm sorry ☐

Jeremy and Sarah Sommerville
660 SE Edwards Dr Dundee

Thank you,

Sarah

Sent from my T-Mobile 4G LTE Device

----- Original message -----

From: Melody Osborne <Melody.Osborne@dundeecity.org>
Date: 7/29/20 5:53 PM (GMT-08:00)
To: restorehope <restorehope@comcast.net>
Subject: RE: Verizon cell tower

I am writing to confirm receipt of your testimony, however I need your name and address for the record and I am not seeing either in this email. Can you please reply with that information?

Thank you,

Melody

From: restorehope <restorehope@comcast.net>
Sent: Wednesday, July 29, 2020 5:42 PM
To: Melody Osborne <Melody.Osborne@dundeecity.org>
Subject: Verizon cell tower

Re: Type III Appeal Application File No. CU 20-06/SDR 20-07 – Verizon Cell Tower

Dear Dundee City Councilors:

Please DENY the Verizon cell tower on the following grounds:

1. The Planning Commission thoughtfully reviewed the evidence and testimony over two separate hearings and voted unanimously to deny the cell tower.
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Sent from my T-Mobile 4G LTE Device

Melody Osborne

From: Jesse Lange <jesse@langewinery.com>
Sent: Thursday, July 30, 2020 3:36 PM
To: Melody Osborne
Subject: Re: Proposed City of Dundee Cell Tower (objection letter)
Attachments: Doc Jul 30, 2020, 1406.pdf

Melody,

Good day to you and thanks for considering my letter, in attachment.

Many cheers and hope you are staying cool.

Best-
jesse lange

Thank you for your consideration- much appreciated.

Many cheers from the Dundee Hills!

> On Jun 29, 2020, at 6:05 PM, Melody Osborne <Melody.Osborne@dundeecity.org> wrote:

>

> Jesse,

>

> I am writing to confirm receipt of your testimony.

>

> Melody

>

> -----Original Message-----

> From: Jesse Lange <jesse@langewinery.com>

> Sent: Sunday, June 28, 2020 7:33 AM

> To: Melody Osborne <Melody.Osborne@dundeecity.org>

> Cc: Don Lange <don@langewinery.com>; Wendy Lange <wendy@langewinery.com>

> Subject: Proposed City of Dundee Cell Tower (objection letter)

>

> Dear Melody Osborne and Planning Commissioners:

>

> As a long time resident of Dundee and owner of Lange Winery, I know many local businesses like ours have worked hard, for many years, to make Dundee an attractive, relaxing and pleasant place for residents and visitors.

>

> I'm asking that you DENY Verizon's cell tower application for the following reasons:

>

Submit via e-mail to: Melody.Osborne@dundeecity.org

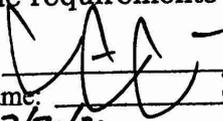
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Please consider all the public submissions, uphold the decision of the Planning Commission, and uphold the requirements of the Dundee Code.

Signature: 
Printed Name: JESSE LANGE
Date: 7/30/20
Address: P.O. Box 96 Dundee Dundee, OR 97115

Melody Osborne

From: Linda Luke via Adobe Acrobat <message@adobe.com>
Sent: Thursday, July 30, 2020 7:34 PM
To: Melody Osborne
Subject: Public_Comments_Dundee_City_Council_re_Verizon_Appeal



Linda Luke has shared
Public_Comments_Dundee_City_Council_re_Verizon_Appeal.pdf.
You can also comment on it.

[Open](#)

SENT BY Linda Luke

MESSAGE FROM SENDER Dear Melody,
Please include my second vote against the cell tower.
Thank you so much.
Linda Luke

SHARED ON 30-July-2020 07:33 PM PDT

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Adobe Inc., 345 Park Ave., San Jose, CA 95110 USA

Submit via e-mail to: Melody.Osborne@dundeecity.org

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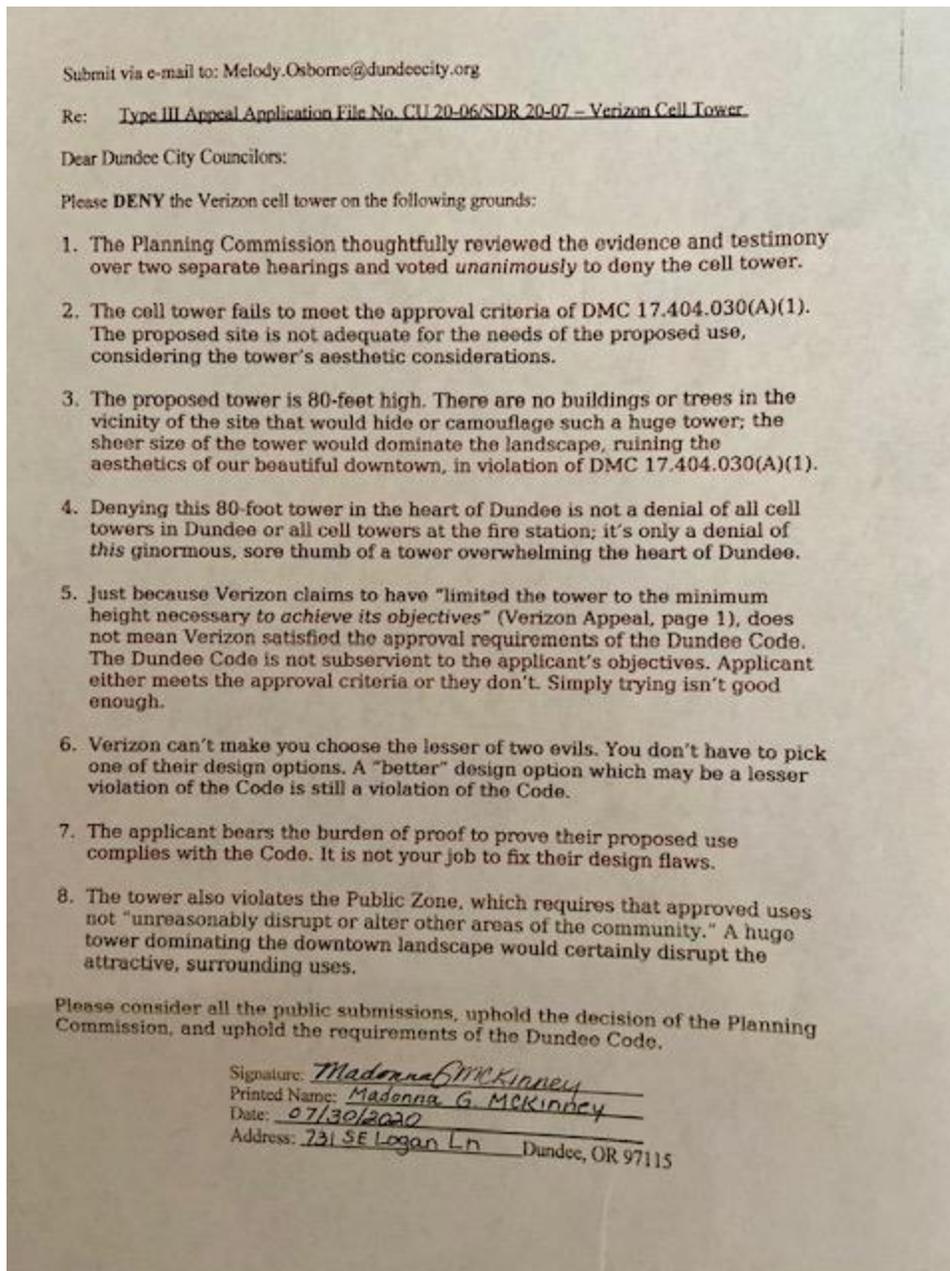
Signature: Linda L. Luke
Printed Name: Linda Luke
Date: 07/30/2020
Address: 1060 SE Ash St. Dundee, OR 97115

Melody Osborne

From: dgmckinney <dgmckinney@yahoo.com>
Sent: Thursday, July 30, 2020 12:13 PM
To: Melody Osborne
Subject: submitting public comment for the upcoming Verizon cell tower meeting.

Follow Up Flag: Follow up
Flag Status: Flagged

Please verify receipt of email.



Sent from my iPhone

Melody Osborne

From: Ingrid Moriarty <ingrid@ifmphoto.com>
Sent: Thursday, July 30, 2020 2:58 PM
To: Melody Osborne
Subject: Type III Appeal Application File No. CU 20-06/SDR 20-07 – Verizon Cell Tower

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Thank you.

Ingrid Moriarty

INGRID
FRANZ
MORIARTY

Portland / LA / NY
www.ifmphoto.com
ingrid@ifmphoto.com
323.829.6532

Melody Osborne

From: Michael Sitter <msitter@gmail.com>
Sent: Thursday, July 30, 2020 3:55 PM
To: Melody Osborne
Subject: Deny Verizon Cell Tower Appeal
Attachments: 07302001.PDF

Letter from my wife attached, please confirm receipt.

Thank you,

--

Michael Sitter, RT (T) President
Professional Dosimetry Services
www.pdsseattle.com

Regional Sales Manager
IsoAid, LLC
www.isoaid.com
(206) 369-3443 (p)
(206) 260-2434 (f)

Submit via e-mail to: Melody.Osborne@dundeecity.org

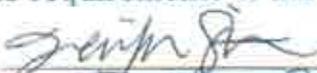
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Signature: 
Printed Name: Jennifer Siter
Date: 7/30/20
Address: 10/ NW Brier Dundee, OR 97115

Melody Osborne

From: Michael Sitter <msitter@gmail.com>
Sent: Thursday, July 30, 2020 11:35 AM
To: Melody Osborne
Subject: Deny Verizon Cell Tower Appeal
Attachments: 07302000.PDF

Follow Up Flag: Follow up
Flag Status: Flagged

Signed letter attached, please confirm receipt.

Thank you,

--

Michael Sitter, RT (T) President
Professional Dosimetry Services
www.pdsseattle.com

Regional Sales Manager
IsoAid, LLC
www.isoaid.com
(206) 369-3443 (p)
(206) 260-2434 (f)

Submit via e-mail to: Melody.Osborne@dundeecity.org

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Signature: 
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Address: 101 NW Brier Dundee, OR 97115