

**Date** : September 18, 2019 6:30 - 8:00PM

**Topic** : Neighborhood Information Meeting to discuss the Cooks Butte C800 Emergency Communications Tower (PA 18-0084) proposal

**Location** : Lakeridge High School - Rotunda Room

The following is a complete and unedited transcript from the video recording of this meeting. The full length unedited video can be viewed by the QR code to the right or at: <https://youtu.be/M9uG4dfVWxg>



The video and this 39-page transcript documents residents' questions, concerns, and comments and the C800 responses and action items at the meeting accurately and completely. The Palisades residents' are submitting this transcript as evidence to the City as a supplement to the C800 4-page summary provided for this major development. It is to be added to the public record and provided to the Development Review Commission

Dozens of residents were unable to ask their questions due to the limited time C800 allocated for this very important meeting, leaving many residents frustrated.

**Patrick Evans [C800]** [00:00:00] Why don't we start out by indicating that we are going to be going in order with first of all a presentation as to the substance of the application that's going to be made for a communications tower on Cook's Butte. We will introduce five different individuals who will be talking to you about what the substance of that proposal is that will take approximately 20 to 25 minutes. At that point in time we'll open the meeting up for comments from the public. We will go in order. If you have a ticket it will say 1 2 3 4 etcetera. I will call those in order. I would ask that you limit given the size of the crowd and trying to get as many people to speak as possible that you limit your comments to one comment or one question. And that is so that your other neighbors have an, an opportunity to also make their comments and questions. We have a limitation on how long we have the room available tonight and we have it until 8:00 o'clock. [unintelligible] This will not be your only opportunity to provide public input. This is primarily for informational purposes. And with that, I would like to introduce John Hartsock, who is the C800 manager. He will begin the public presentation. Thank you.

**John Hartsock [C800]** [00:01:44] Thank you. Good evening. My name is John Hartsock. I'm the manager of C800 and I thought I'd just spend a couple of minutes explaining who C800 is. It is a consortium of all the public safety providers in Clackamas County, fire and law, 18 different agencies. So, I have the thrill of a board of directors of eighteen folks. So, I have an 18-member, 18-member, review team as my bosses. It was formed in 2000 for the purpose of building a better public safety communications system in Clackamas County, started actually, one of the charter agencies was Lake Oswego, Clackamas County Sheriff, and Clackamas County Fire District 1 and now includes all 18 public safety providers throughout the county. We partner with Washington County, similar system, it's called [unintelligible] But a similar system and we use it as a joint system which produces tremendous savings. In 2016, actually started in 2010, we did a study of the system and the changes in technology going from an analog system to a digital system. In 2016 we took a vote to the residents of the county. It was approved by 72 percent margin which was very exciting for us. That was a \$59 million-dollar bond issue to replace the system, that's what's now underway, we're a completed land use in a number of jurisdictions, for this site we're doing land use for the Lake Oswego. So, with that I'll turn it over to...I have cards here if

any of you want them, please feel free to call or email me. Ah and Bjorn do you want to go over the project.

**Bjorn Morfin [C800]** [00:03:39] Sure. I'm Bjorn Morfin, I'm the project manager. I'm gonna go through, kind of a description of the site fairly rapidly cause I know you have a lot of questions, [unintelligible] hopefully get to most of them. As you know we're proposing a 180-foot tower at Cooks Butte, 50 foot by 50-foot fence leased compound. It's about 200 feet in from the dead end at Palisades Crest Drive. Which is kind of depicted on this, which is hard to see but everything I'm showing you is in the packets that you picked up at the front. If you didn't get one, please go one on the way out. This is an enlarged site plan, a little more close in, of the facility and of course the things that you guys are probably most concerned about is the tower. And what it will look like. The reason why it's 180 feet tall is we have about 80 feet of space that we use on the tower and we need to be able to clear as many trees as we can.

**Scott Handley [Resident]** [00:04:38] It's actually taller than that, from what I understand.

**Bjorn Morfin [C800]** [00:04:40] There's antennas that go up to 196. That's correct.

**Scott Handley [Resident]** [00:04:42] Then why don't you say it's 196 then?

**Joey Handley [Resident]** [00:04:42] 196.6 actually.

**Patrick Evans [C800]** [00:04:45] Excuse me. Please let the public safety people make their presentation first. We'll have time for questions.

**Bjorn Morfin [C800]** [00:04:54] So tower is 180. There is appurtenances above it that goes to 196.5. The purpose of this facility, it is the best facility, location. The purpose for the location is the best location in the city that serves the purposes of the site, in general. We have propagation maps which are also in the packet, that show existing coverage for public safety communication, which Cooks Butte is right here in yellow, and green and light oranges are not perfect coverage. We're trying to get good indoor coverage as well as improving outdoor coverage. So, if you toggle between the two, you'll see quite a bit of improvement, with Cooks Butte here it's pretty much solid red which means excellent indoor coverage. So that's kind of a brief description on the propagation maps. Oh yeah, also, the plans are still in the works. It's predominantly done, initially thought, we thought we're going to have a light to tower. We do not have to light the tower anymore. So that's a good thing.

**LO Resident** [00:06:04] What did you say, what kind of tower?

**Bjorn Morfin [C800]** [00:06:04] We originally thought that we were going to have to put a light, a beacon at the top of the tower. We've since learned that we don't have to do that. [Unintelligible] Let me please continue with this and then we can get to the questions, thanks.

**Scott Handley [Resident]** [00:06:21] You had a helicopter go over today, over that exact spot. And it was like right...

**Patrick Evans [C800]** [00:06:24] Excuse me. We have presentations to begin with and then we will let each of you that wishes to speak, speak up until 8:00 o'clock. The longer we delay the presentation the longer we delay your ability to make comments on the record.

**Bjorn Morfin [C800]** [00:06:43] So we've also done photo simulations which just have a before and proposed look or after look of the tower. This particular shot is taken at a... just down, just down from the dead end of the Palisades Crest Drive. This is the before picture and again these are in your packet. This is the after. And you can see you, can fairly see the tower... [unintelligible]. Bare, barely visible. Again. You can look at the ones in your packet, look closer.

**LO Resident** [00:07:18] Did you say fairly visible or barely visible?

**Bjorn Morfin [C800]** [00:07:19] Oh, barely [unintelligible] from that location. Yeah. [Unintelligible] This is a second photo simulation we did, and this is... get my notes here. This is at Ridge Point Drive and Meadowlark Lane intersection. Again before. And after, you see it probably the top 30 feet of the tower there 40 feet maybe. [Unintelligible]. This this photo was taken from Steven meadows and there is no view before or after so not much to show there. And the fourth or the next photo sim we took is is at that the intersection of Palisades Crest Drive and South Southwest Delenka Lane. Before and after. And again, all you see is the top probably 18 feet of just the antennas alone. And this is the photo sim you guys are probably most concerned about this was taken at the the bench at the meadow... at the park and this is obviously where the towers could be most visible. Obviously before and there's the after see a different majority of the tower at that location. And that's kind of my short and sweet presentation on why we chose this location. It's the best for the RF needs for the for the city of Lake Oswego and Clackamas county overall. I'm going to turn it over to Chief Jorgensen [unintelligible] and Chief Johnson will speak after [untellable].

**Chief Jorgensen [Chief of Police]** [00:09:24] Actually we have a team. We're here for the public safety side of the city as mentioned. My name is Dale Jorgensen. I have the privilege of being the police chief in Lake Oswego. Chief Johnson is the fire chief in Lake Oswego and then for those that don't know we actually have our own dispatch center called LOCOM that handles all of our communications not only for our city but also for the cities of West Linn and Milwaukee by contract. So, we have our own dispatch center so when you dial 9 1 1 that this means about that. Your call actually goes to a room in our police department down at city hall and is answered by a dispatcher. So, we're here just to kind of talk about the need from a public safety standpoint. And I'm going to talk for just a few minutes and then Sue Stover who's our communications manager is going to talk from the dispatcher's point of view. But I know everybody here at least I would like to hope that everybody here supports public safety. And I'm going to tell you from a public safety standpoint (I don't like podiums) from a public safety standpoint the tool we use more than anything, more than anything, is our radio. And we have two radios, we have this one and we have one in the car. And I'm going to tell you from a public standpoint the most important tool that we have for you is our radio because when you call 9 1 1 and want a cop or a fire person or an ambulance to get there. The last thing you don't want is for our dispatch center not to be able to call us on the radio and say can you go to 1 2 3 whatever street and help them. And right now we have issues and all that the technical people talk about the technical issues that we have with our failing system that is old and decrepit in the bond that went out a few years ago that everybody in this room had an opportunity to vote for was one of those issues that we wanted to take care of was our radio coverage because on the back side of this road, Overlook there's some serious coverage issues where when a cop is on this radio, can't talk to our dispatch center or to other cops and more importantly in this building that we're sitting in when we come in here and we get down into the bottom of this building the way it's constructed because of all the earthquake measures. Same with Lake Oswego High and same with buildings out in Meadows without the proper towers or radio coverage. We can't get out and there's nothing more terrifying for both the citizens and our cops and

firefighters not to be able to push a button and talk to somebody that can come in and give them help. I think that's the easiest part of this whole situation is for us to tell you the need because the need is very great and having the ability to serve the community in a in a manner that quite frankly you should be served by being able to rely on your public safety professionals to give you help when you need help is critical. That's the reason why we need we need towers when there is an incident in a in a school. Heaven forbid that ever happens. We need to be able to come in here. Click our radio and talk to the people that are right outside the door and in some cases that doesn't happen now. This new system will alleviate most of those problems. And as was mentioned when looking for best coverage we're kind of selfish. And that tower where it sits according to the technical people will give us the best coverage as Lake Oswego residents and as public safety professionals. So, you know, all the, all the different debates can go on. I just know that I want our officers and I want our citizens to be served by the best possible radio system we can. And with that I'll let Sue kind of talk from a dispatch standpoint.

**Sue Stover [Communications Manager]** [00:13:37] So, I'm not a public speaker I'm a dispatcher. Like you said. I talk to people on the phone and I talk to people on a radio. So, I hope I'm loud enough and I will do my best. And I brought notes because there's a lot of you. Again, I'm not a public speaker. So, I have dispatched officers and firefighters in the city for seven years to a variety of calls before I was promoted to my current position.

**LO Resident** [00:14:06] Could you speak up?

**Sue Stover [Communications Manager]** [00:14:06] I'm doing my best. I know that several areas of the city have limited or no radio coverage. Blue Heron is an example and ironically so is Meadows. All those office buildings. If I have an officer or a firefighter in those buildings, we can't talk to them. We often have no idea what is going on in that building. I can tell you as a dispatcher there are several, there are few things that are as troubling or as terrifying as not being able to talk to my responders. As dispatchers. We use that background noise from those radios to assess what's going on. To keep our responders and our citizens safe. And if I can't reach my officer I can tell you I have an emotional and often a physical response when you have a phone call and you have people screaming and you can't get a hold of those responders at that scene to know what's happening and if they have the right resources and if they're safe. That's very troubling. We take our job very seriously. We take the responsibility of keeping the men and women that serve this community as your first responders very seriously and I can tell you that radio is how we do it. And, as the chief said you have a lot of other points to make. But I can speak from that perspective and the tower will benefit the citizens and our ability to serve you. From a law enforcement and a fire perspective.

**Don Johnson [Fire Chief]** [00:15:45] I'm Don Johnson I'm the fire chief here in the city and I want to give my time back to you because I think they said it very well. I can tell you that I have been in situations where I couldn't contact the dispatch center and it is a really troubling thing whether you're trying to deliver a service when you're trying to help somebody not be able to do that. This system would allow us to provide the coverage for the officers for the citizens that we need. And I'll just leave it there for you.

**Patrick Evans [C800]** [00:16:17] With that I'd like to open the meeting to public questions and comments, is the individual, is the individual who has card number one available in which to speak? Anybody? [Unintelligible].

## Question 1 - Mike Gershon, Resident

<https://youtu.be/M9uG4dfVWxg?t=996>



**Mike Gershon [Resident]** [00:16:37] I'm coming up to speak. Hi John.

**John Hartsock [C800]** [00:16:41] Hi.

**Mike Gershon [Resident]** [00:16:43] I'm Mike Gershon. And I've only been in the community since 1986. And just some information this came up in 94. John wasn't aware of it, where people wanted a tower in a nature preserve. Came up in 2002. And once again the community said no. What I'm upset about, and I'm not blaming anyone. And by the way I think you do need a tower. There's no there's nothing that says that you don't, the location that you decided to use to try to get for the third time is a nature preserve. That was a contract that was written in 1975. A family gave 42 acres as a gift to the city for a nature preserve, in good faith, and then in 2002 when they thought Marjorie was dead there was a clarification that said no telecommunication towers on the land that we've granted you in good faith. I feel the people that were involved in 75 are no longer around. So, they're saying, it's not my, it's not my problem. We're gonna go ahead and take it all over anyhow. That's my issue. Thank you.

**Patrick Evans [C800]** [00:18:19] Number 2, please.

## QUESTION 2 - Scott Handley, Resident

<https://youtu.be/M9uG4dfVWxg?t=1115>



**Scott Handley [Resident]** [00:18:36] So the bond measure was passed in 2014. [Unintelligible]. The bond measure was passed in 2014.

**John Hartsock [C800]** [00:18:42] 16.

**Scott Handley [Resident]** [00:18:43] 16.

**John Hartsock [C800]** [00:18:43] Yes.

**Scott Handley [Resident]** [00:18:43] And we've been desiring to put a tower in since 2002 in this place. The question I have is that in with technology today rapidly changing we have 5G on the corner, every ones rapidly deploying this. How long is it gonna take for this tower to be built? And will it be out of date by the time we actually start using it?

**John Hartsock [C800]** [00:19:04] The answer is No. The project was scheduled to go online and mid 2020 and we are on track to do that. This is, we have two other land use sites one in the city of Portland and this one to accomplish everything else has been accomplished.

**Scott Handley [Resident]** [00:19:24] We have access to...

**Joey Handley [Resident]** [00:19:24] When will the technology go out of date? That was the question.

**John Hartsock [C800]** [00:19:28] I don't know that there's anybody in the technology business that can ever predict when technology. The way we have the system purchased is with a 10-year guaranteed ongoing maintenance so it will be at least 10 years. If not longer but 10 years is the way, we have it established at this point.

**Scott Handley [Resident]** [00:19:53] Can I do one follow up question, now that you've kind of clarified that for me?

**Patrick Evans [C800]** [00:19:57] I would like to give another person an opportunity unless number 3 waives...

**Scott Handley [Resident]** [00:20:02] No, I don't want to waive, I just want to follow up because I want it clarified. So, is there someplace where we can go and review the technology choices you had and see for ourselves why this was the best technology especially since that was 2016 and 2019 and 5G is on the cusp?

**John Hartsock [C800]** [00:20:19] We are [interrupted by applause]. That is part of our application to the city to explain those issues, part of our land use application and we will, as we get that together we can make that available.

**Scott Handley [Resident]** [00:20:34] Hopefully before the DRC so we can review it.

**John Hartsock [C800]** [00:20:37] Yes. Yes. Absolutely before the DRC. Thank you.

## QUESTION 3 - Jeff Bowman, Resident

<https://youtu.be/M9uG4dfVWxg?t=1244>



**Patrick Evans [C800]** [00:20:45] Number 3.

**Jeff Bowman [Resident]** [00:20:46] Hello, thank you for coming out and telling us this information. I think it's really nice of you. Really great to see the first responders out here. Thank you for coming out tonight. And thank you all, you green shirt-ers and everybody else that that is here. Wow what a crowd. Did you think this many people were going to be here?

**Bjorn Morfin [C800]** [00:21:11] Yeah, we picked about a hundred people.

**Jeff Bowman [Resident]** [00:21:12] Maybe you should of got a bigger room [Unintelligible] and a microphone microphone. So, one of the things that I'm curious about is because I also think that Cook's Butte is a natural preserve and it probably isn't the best place for this kind of an antenna. And I see that you've done some studies about other locations, have you actually looked at and surveyed other locations that could be an alternative if Cooks Butte is not going to be the place to put up this tower?

**John Hartsock [C800]** [00:21:48] The answer is yes, we have. I think there's probably 10.

**Bjorn Morfin [C800]** [00:21:53] We've looked at about 17 other locations, primarily on the county side not in the city jurisdiction but we came back to Cook's being the absolute best. We looked at coverage objectives and the other areas we had height restrictions so we couldn't get the tower heights we had to walk away, we had uninterested landlords and ultimately, we ended up at Cooks.

**John Hartsock [C800]** [00:22:17] Let me give you [audience feedback].

**Jeff Bowman [Resident]** [00:22:21] You've got to find another location.

**John Hartsock [C800]** [00:22:22] Well, part of the issue is the terrain in Lake Oswego, for instance the site we're doing in Wilsonville, is at one end of Wilsonville and we get the same level of coverage at the other because of the flat terrain. It's the terrain that causes the biggest issues here.

**Jeff Bowman [Resident]** [00:22:41] Thank you.

**Patrick Evans [C800]** [00:22:41] Number 4.

## QUESTION 4 - Tim Keenen, Resident

<https://youtu.be/M9uG4dfVWxg?t=1363>



**Tim Keenen [Resident]** [00:22:44] I have a public safety question that's more about years and weeks than it is about acute events as it's addressed here. I'm an orthopedic spine surgeon who spent the last several years with research and radiation safety in the operating room. And I've reviewed the current literature on radiation exposure and safety with regarding cell towers. Cell towers damage cell function and is associated with increased cancer risk, ALS, Lou Gehrig's disease, diabetes and memory loss. There's a German study identifying with the trees, lose their branches on one side and then ultimately the tree dies in time. This is not a benign thing and you do not have data to demonstrate safety and I don't think it's safe for this tower to be in a public park where people are walking. [Applause]. We were told that that Roundup was safe, we were told that oxycodone was safe, we were told that vaping was safe. Love Canal, PGE, Erin Brockovich. I think that this radiation exposure is going to be exposed over time to be more dangerous and I challenge you to produce the data that demonstrates safety because based on my review you can't do it. [Applause].

**Patrick Evans [C800]** [00:24:17] Your number was? I'm sorry. Number. Number four number five?

**LO Resident** [00:24:24] I think you need to address it. Address it!

**Bjorn Morfin [C800]** [00:24:24] We are, we are. So...

**John Hartsock [C800]** [00:24:26] Well two things, we did do actual studies from that tower to a house to the west and we have the results of that study. It did not increase the amount of radiation that's already in the atmosphere. We also have other studies that we're required to produce as part of the land use application and again we do have the studies and we will have that information as part of our application.

**Tim Keenen [Resident]** [00:25:00] Do I have time to respond to that?

**Patrick Evans [C800]** [00:25:02] Ugh...No, no! [Audience reaction. Number 10 - waive your time] All right. Thank you.

**Tim Keenen [Resident]** [00:25:07] That study is inadequate. It takes one dose near a house and does not incorporate long term exposure. This cell tower by the Telecommunication Act of 1996 will allow anything else to be put on top of it so that measurement doesn't include what is added on later and what radiation exposure will increase over time. It's an inadequate study and it proves nothing. [Applause].



## QUESTION 5 - Debbie Thompson, Resident

<https://youtu.be/M9uG4dfVWxg?t=1541>



**Debbie Thompson [Resident]** [00:25:42] Hi. I want to also thank our wonderful fire and police people. I think they do a great job and our lives depend on it, most of all. I have lots of issues with the tower but my issue I want to talk about today is on the environmental impact of the project. Are there any provisions to mitigate for the loss of birds especially during nesting season, under the international Migratory Bird Act?

**John Hartsock [C800]** [00:26:12] It is covered as part of our studies in the application.

**Question 5 [continued]** [00:26:15] Is that and that is within the application itself?

**John Hartsock [C800]** [00:26:20] It's a it's part of the requirements of the Lake Oswego code when we are making our Land Use application.

**Patrick Evans [C800]** [00:26:33] 6.

## QUESTION 6 - Steve Cook, Resident

<https://youtu.be/M9uG4dfVWxg?t=1592>



**Steve Cook [Resident]** [00:26:33] My name is Steve Cook. My brother owns the Shipley/Cook Family Farm, the Century Farm, just down the road. As kids we tromped all over the the Butte, before there was any houses or anything. That's a, there's a sacred site for the Grand Ronde tribe. Have they been brought into this at all and is there going to be a state architect or archaeologist there to see if there's any artifacts that are unearthed? And, the reason ask that is as we were led to believe that the base for that is going to be a dug at 20-foot hole filled with concrete to support that. And years from now we're curious about what's going to happen to that 20-foot hunk of concrete?

**Bjorn Morfin [C800]** [00:27:24] So, to answer your question. Yes, Grand Ronde tribes have been involved all along. Well as soon as we got kind of engaged. They've given us approval to move forward with a couple of conditions one that an archaeologist will be there during ground disturbance. We also will have an arborist there during ground disturbance to make sure that we're protecting tree root systems, and those things. Yes, they have, they are directly involved.

**Patrick Evans [C800]** [00:27:48] Number 7.

## QUESTION 7 - Clair Puchy, Resident

<https://youtu.be/M9uG4dfVWxg?t=1668>



**Clair Puchy [Resident]** [00:27:48] Hi. Thank you, again for the service you provide our community. I know it's really important, and having the tower up... Can you not hear me? [Audience comments, louder, louder] Ok, I just thanked them for the good job they were doing and understand their desire for a tower. I've lived on Palisades Crest Drive for over 25 years I'm a retired wildlife biologist and as such I've done a lot of work with migratory birds and other wildlife and I've walked in the park many times a week for most of these 25 years and kept an extensive lists of birds and wildlife I've observed there, but the question, kind of pertains to the previous speakers question about how you're addressing the Migratory, the federal Migratory Bird Treaty Act, not just during construction but during operations, you say it's in the plan but... The city of Portland for example, I put together guidelines, that can be used for mitigating the impact if the decision to go forward is made. I'm just wondering if you could provide any more detail about just saying it's in the plan. What kind of considerations are you giving?

**Patrick Evans [C800]** [00:29:05] We don't have the final report from a person just like yourself. We will have it and it is part of what we have to submit as part of the plan and I'm going to assume for the moment that they will make it one of the conditions of approval that will follow those standards.

**Clair Puchy [Resident]** [00:29:24] And will there be an opportunity for public comment on that?

**John Hartsock [C800]** [00:29:27] Yes. We didn't say earlier this is the neighborhood meeting portion. The next process. We do this. Send meeting notes out to the neighborhood association. We will then make our application. Once the application, technical term, called deem complete. They will then send out a notice of a 300-foot radius. We're going to do some additional, it's published in the paper. We'll make sure the notice gets out wide and far, we'll contact the people that have signed in and that is a public hearing in front of the Design Review Commission which then that testimony goes into their decision. And if you decide you don't like their decision you can appeal it and it goes to the city council and if you don't like that decision you could appeal it and it goes to the Land Use board in Salem. So, this is the first one just to get general information.

**Clair Puchy [Resident]** [00:30:29] Thank you.

**John Hartsock [C800]** [00:30:29] And the chart by the way of that process is in the handout.

**Patrick Evans [C800]** [00:30:33] Number 8.

## QUESTION 8 - Resident #8

<https://youtu.be/M9uG4dfVWxg?t=1835>



**Resident #8** [00:30:36] Number 8 and I yield my time because the question was about Native Americans and that was the answer.

**Patrick Evans [C800]** [00:30:42] Thank you. Number 9.

## QUESTION 9 - Resident #9

<https://youtu.be/M9uG4dfVWxg?t=1845>



**Resident #9** [00:30:46] I am 20-year resident of the neighborhood and almost daily user of the park. My question is with regard to the generator. Can you describe the details of the generator in decibels and the noise associated with the use of the generator?

**John Hartsock [C800]** [00:30:59] The generator is for obviously when there is a power loss. It is exercised one day a week and that time is variable. We generally do it around 10 o'clock on a Tuesday. Don't ask me why that was just a date we chose a long time ago. That can be adjusted if it needs to be. There are requirements by the Department of um of DEQ environmental quality that sets the levels it can be during the test period. It's measured at the generator and it has to be a certain level at the property line. We are well below that. We just got the report is the reason I happen to know that. The other and because it's for emergency uses it's only that testing period that comes to be within the code and we are. The other is the air conditioners which can run at night. And again, we meet or below the allowed noise level at the property line.

**LO Resident** [00:32:00] How will the generator be powered?

**Patrick Evans [C800]** [00:32:02] Excuse me. Excuse me. [unintelligible] It goes goes next to number 11. Does that answer your question? [unintelligible]

## QUESTION 10

<https://youtu.be/M9uG4dfVWxg?t=1931>



**Patrick Evans [C800]** [00:32:12] 10 waved her own time [unintelligible]. She waved her time num number 11.

## QUESTION 11 - Resident #11

<https://youtu.be/M9uG4dfVWxg?t=1940>



**Resident #11** [00:32:21] Thank you our services. We're very, we had to have an ambulance at our house. We understand how long it takes. Um Our home is located directly next to the park at the top of Palisades Crest Drive. And I have a personal question. I'm sure that you all being neighbors are concerned about the value of your home. As we are. Extremely. [applause]. What studies are you doing to evaluate the decline in real estate value of the homes that you are encumbered?

**Bjorn Morfin [C800]** [00:32:56] Yes I can speak to that. We're not doing these studies for this. Historic historically we have not seen any devaluations due to a cell tower being even right in between two homes. I mean with no trees in between. We have not seen but we used to pay for those studies years and years ago and it always came with the same answer. There is no proof of any devaluation. And typically, it's not a code issue anyway. I mean not that we don't care but it's not criteria that we are required to address [unintelligible].

**Patrick Evans [C800]** [00:33:34] Number 12.

## QUESTION 12 - Terrie Olson, Resident

<https://youtu.be/M9uG4dfVWxg?t=2016>



**Terrie Olson [Resident]** [00:33:36] I'm number 12 and my name is Terrie Olson, I've been in Lake Oswego since 86. Our property also backs onto the Butte. I use it every day. My son is a police officer so I'm very worried about you guys if you are having problems that doesn't work for me even one time a week one time a month. I don't want to officer or a firefighter in danger that doesn't work. My question is, you say your present equipment is old and antique you use it [unintelligible], it doesn't work well. You didn't tell me what it was, where it is, or how it works. My question leads to that equipment and it needs upgrading rate is sufficient until you started this study. Why is it eliminated from the process?

**John Hartsock [C800]** [00:34:33] It's the 2 sites that basically serve Lake Oswego. Are Pete's Mountain to the in West Linn area and View Acres in the Milwaukee area with a little fill in from a site in Washington County called Canterbury. It is somewhat the same equipment. It is analog. The reason it is obsolete is Motorola quit supporting it actually in 2016. So, to a certain degree we're living on borrowed time right now. Fortunately, we have adequate spares to keep the system up. We're going to digital and not to take too much time. But if any remember when we went from analog to digital on your cell phone your analog phone would go well beyond coverage sometimes it would go for miles sometimes it wouldn't but it had the propagation allowed that to happen, under digital when the digital loses its signal it's gone and you can't wait a second. It has to reconnect to the system so it's very definitive. So, we're adding the coverage to solve the coverage areas we have in Lake Oswego but also to make it reliable all the time.

**Terrie Olson [Resident]** [00:35:53] So those present sites cannot be improved?

**John Hartsock [C800]** [00:35:55] They are being improved as part of this process.

**Terrie Olson [Resident]** [00:35:59] And you talking about height [unintelligible].

**John Hartsock [C800]** [00:36:03] [unintelligible] The primary there are two things from the height. One is clearing the tree cover with our microwave dishes because we communicate between sites with microwaves. The trees we have trees in this area and 140-foot range. They grow 1 - 2 foot a year so it's to allow some growth but to be able to have that communication. We also like our receive antennas which are on the very top to have the clearest sight because that radio the chief has is low in wattage because it's held by a human being and it needs to pick up that signal out of that radio. So, it's to make that antenna clear to see the radio.

**Terrie Olson [Resident]** [00:36:44] Sir again to answer the question I asked you I assume you are telling me no that 3 present towers cannot be increased in size or or to accomplish this [unintelligible].

**Bjorn Morfin [C800]** [00:36:56] That is correct. Yes sir.

**Patrick Evans [C800]** [00:37:02] Number 13.

## QUESTION 13 - Resident

<https://youtu.be/M9uG4dfVWxg?t=2225>



**Resident #13** [00:37:06] I'm still not clear why this city can allow this tower to be built if the stipulation for the land was a habitat kept in its natural state.

**John Hartsock [C800]** [00:37:24] The first when we make application for land use in virtually every jurisdiction in Oregon, we need the landowner to sign that application. So, we went to the city explained that we want to again look at sighting here. They met with the family and signed I'm going to say the word waiver which may not be the right word but allow the city to move ahead as long as public safety only. They therefore then entered into a lease which was done in a public city meeting and some of you may have been there, there were quite a few there and entered into a lease with us for the site.

**Patrick Evans [C800]** [00:38:11] Number number 14 - did that?

**Resident #13** [00:38:13] Who entered the lease?

**John Hartsock [C800]** [00:38:14] The City.

**Patrick Evans [C800]** [00:38:17] Number 14.

## QUESTION 14 - Resident

<https://youtu.be/M9uG4dfVWxg?t=2299>



**Resident #14** [00:38:20] I have a question in a relationship for the oversized generator that will be tested once a week and I'm wondering if that is that like a turn on turn off is it 10 minute test, is that 5 minute test, and how long is that test and how far away will it be heard?

**John Hartsock [C800]** [00:38:44] Test is somewhere around 5. Let me say 5 to 10 minutes. It's usually around 5 minutes to be able to have it start transfer the load, make sure it carries the load and to turn it off. Second part of that question is right out impossible to answer. I mean we certainly can do studies and could tell you where but it also depends on all the ambient glass. So, if it's at 10:00 on Tuesday we can pick a Tuesday at 10 and make some readings it is within the allowed levels to keep the system running. If we don't have power, it doesn't run all the time.

**LO Resident** [00:39:19] What are those levels?

**Patrick Evans [C800]** [00:39:21] Excuse me. Number 15.

## QUESTION 15 - Diana Harold, Resident

<https://youtu.be/M9uG4dfVWxg?t=2364>



**Diana Harold [Resident]** [00:39:25] I'm 15. I'm Diana Harold. I was born and raised. I spent the majority of my life in Lake Oswego in the Palisades neighborhood. I'm also a real estate agent. And I will. I think most people know it will affect your property values because these towers are considered unhealthy. There has been a lot of research. Matter of fact I just had a buyer. Not buy a house because it was located next to a tower. It wasn't just one tower. There are multiple towers. You put in one tower. Most likely they're going to add another tower and another tower. That's just my comment. [applause]

**John Hartsock [C800]** [00:40:07] Because of the agreement the Emerys signed with the city, our lease with the city allows our use, public safety use only on that tower. It is also a restriction from the tribes.

**LO Resident** [00:40:23] Your breaking the lease to do this.

**John Hartsock [C800]** [00:40:27] No, no we're not breaking the lease. We have a new lease.

**LO Resident** [00:40:30] You're going to do a new lease in 10 years again.

**Patrick Evans [C800]** [00:40:32] Number 16 please.

**LO Resident** [00:40:34] Sorry. I didn't understand his answer to the, you said something about the tribes. I I couldn't hear what he said.

**John Hartsock [C800]** [00:40:41] The public safety This use that we're talking about today will be the only use on that tower. There will be no cell carriers on that tower. [unintelligible]

**Bjorn Morfin [C800]** [00:40:52] Can I you excuse excuse me. [unintelligible] the Grand Ronde tribe as a condition of their approval says they've only allowed one tower on that property. So that would be yes.

**Patrick Evans [C800]** [00:41:02] Number 16 please.



## QUESTION 16 - Steve Dondershine, Resident

<https://youtu.be/M9uG4dfVWxg?t=2463>



**Steve Dondershine [Resident]** [00:41:04] My name is Steve Dondershine. I live on [unintelligible] Ray Ridge. I just moved in last summer and I can tell you right now that if I had seen a tower on that hill I would not have bought the house that I bought. [applause] I was blindsided by this whole thing. My researched Cooks Butte before I bought this house there was nothing online about any of this. I'm disappointed in the city that they're allowing this to happen. It's totally at odds with the neighborhood and the park. My question is you have a propane tank up there, you have a massive tower, we have thunderstorms all the time. Is there any increased danger from natural hazards because of this project? And do you have a response plan and a way to deal with it if there is one? [applause]

**LO Resident** [00:41:49] Earthquake.

**LO Resident** [00:41:55] Vandalism.

**John Hartsock [C800]** [00:41:58] We haven't had a vandalism problem on any of our sites in 20 plus years. [audience disagreement] We can ask the chief because the emergency response plan obviously would be like Lake Oswego Fire. But there will be one. The propane tank we have decided to underground it. Probably the best and we have designed the sites the state requires us to design these as what's called a central facility. It will take a 9-magnitude earthquake and continue to operate. And OK they don't want to believe that. The exact same design and concept was in the system they just recently built in Alaska and after the earthquake the towers deflected a little bit while there was being ground movement but once that stopped reconnected that system and was back on air and served them. And that's one story that's fairly current. We believe we have designed those things in to make it be there because.

**Steve Dondershine [Resident]** [00:43:03] So there are quite a few precautions. But the answer to the question is yes there are more safety hazards because this thing is here. Right?

**LO Residents** [00:43:10] Yes. Yes.

**John Hartsock [C800]** [00:43:11] Sure.

**LO Resident** [00:43:12] Yes.

**Patrick Evans [C800]** [00:43:14] Number 17.



## QUESTION 17 - Resident

<https://youtu.be/M9uG4dfVWxg?t=2596>



**Resident #17** [00:43:17] You may have answered the question. Is there any covenants that will prevent other public or private equipment for cell phone companies going up there and anymore microwave?

**John Hartsock [C800]** [00:43:30] Yes. Our agreement is we won't allow them on the tower because our lease does not allow us to do that. We prefer to be blunt not to have the cell carriers on the public safety tower. From the standpoint of maintaining the integrity of what we're doing and what we're operating.

**Resident #17** [00:43:54] What... does it say in words that it is preventing I've heard a lot of maybes?

**John Hartsock [C800]** [00:44:00] It's not maybe it's in that's the way the lease is signed.

**Resident #17** [00:44:04] And is this lease online somewhere?

**John Hartsock [C800]** [00:44:07] Well yes it is from back when the council approved it ah we can put it up online.

**Patrick Evans [C800]** [00:44:14] Number 18.

## QUESTION 18 - Megan Busbee, Resident

<https://youtu.be/M9uG4dfVWxg?t=2655>



**Megan Busbee [Resident]** [00:44:16] Yeah. My name is Megan Busbee and I'm fairly new residents to the area from Australia. My family chose this site because of the environmental nature and the wonderful community that we have. I feel that this park is the very fiber of what we are and who we represent as Lake Oswegans without our environment without our trees and without protecting our environment. Who are we as Lake Oswegans? What do we represent here? This is a beautiful parkland and we need to do everything we can to save it and restore it. I also want to thank our firefighters and our EMS services because I agree you do a great job. I'm Mom's Demand Action for Gun Violence Prevention and I'd to partner more closely with the Lake Oswego and the City Council on gun violence prevention. If only you would allow me to. When it comes to safety, I am deeply concerned as a mother because we know that the radio radiation that the FCC standards here in this country are 100 times less than it is in other countries. I can let you know that there are probably. China has higher levels of standards. Russia has higher standards. Many countries around the world have higher standards of safety when it comes to radiation levels in our communities. So that's a major concern for me. Another major concern is I don't buy the fact that they and they are not going to lease this up to other telecommunications. [applause] My question is how is their business sustainable when they lease from the city council for \$1 a year?

**John Hartsock [C800]** [00:45:59] The short answer is this is a fully public facility so the property taxes you pay that pays for police and fire services in Lake Oswego also pays for the operation this radio. It is not a money making situation. It is a public service run all by public organizations.

**Patrick Evans [C800]** [00:46:21] Number you're. I'm sorry ma'am. Your number was?

**Megan Busbee [Resident]** [00:46:24] 18.

**Patrick Evans [C800]** [00:46:24] You were 18 how about number 19.

## QUESTION 19 - Kirsty Reilly, Resident

<https://youtu.be/M9uG4dfVWxg?t=2787>



**Kirsty Reilly [Resident]** [00:46:27] 19. I'm Kirsty Reilly and I'm also a fairly new resident. We chose the Palisades neighborhood primarily because we love the Butte. These are my young kids and we love to hike up there with our dog. We love to run through the meadow. I'd like to just say thank you to the Emery family for gifting this majestic 42 acres to our city. And my question is we understand that Clackamas 800 has had the lease with the city for about two years. Why weren't the residents informed adequately through this decision making process? Why has there not been a public forum for discussion before this informational meeting? This informational meeting is packed because of citizens like myself and many others in this room who have been canvassing our neighbors, who are completely in the dark and had no idea until we knocked on their door and said, do you know about the tower? No we don't. When is the meeting? That's why most of the people are here [applause]. A few years ago Mountain Park was given a town hall meeting with city council members. Why were we not afforded that same process? [applause]

**John Hartsock [C800]** [00:47:51] Well public information is always a hard thing. The city [displeased residents] the city the city publicized the meeting when we did the lease. There were people there maybe none of them were there people there.

**Kirsty Reilly [Resident]** [00:48:15] I think it was our Palisades Association. Which they had posted nothing on their website until Monday. And reading back through the minutes of their meeting online we could see that they had been in discussion. And if I understood the meetings correctly, they rented, or they reserved this room tonight. Yes. There was nothing on their website about this meeting or anything about the tower. Even though I understand you guys had taken them to the Sandy tower to explain the process and show them what the tower was going to look like. But that information was not passed on to the people that they're supposed to be representing. [applause]

**Patrick Evans [C800]** [00:49:01] Number 20.

## QUESTION 20 - Don Reilly, Resident

<https://youtu.be/M9uG4dfVWxg?t=2942>



**Don Reilly [Resident]** [00:49:03] Yes. First of all, vandalism is an issue in Oregon. In June of this year I believe it was Coos Mountain, a 150-foot radio tower the guidelines were cut. Fell over. I just wanted to make that point. But really what I wanted to know is what were the terms of the original grant to the city and what gives the descendants the right to alter that and offer a lease? I do not understand this. [applause]

**John Hartsock [C800]** [00:49:37] The grant allows for utilities to be built on the site. That's the reason there are no both tanks are above ground.

**LO Resident** [00:49:50] Yes, they are. [unintelligible]

**John Hartsock [C800]** [00:49:54] Both water tanks are above ground. There was nothing in [unintelligible]. There was nothing in the I'm going to call it a grant. I'm not positive that's the right legal term of the document. It also allowed utility. It also said that there's restriction on cutting trees, which has now expired and allowed heirs it allowed heirs of the original family to agree to exceptions that's all in the document.

**Kirsty Reilly [Resident]** [00:50:27] I have the document right here. And it said that the towers with the only exception. The water towers where the only exception, right here.

**LO Resident** [00:50:38] Is that true?

**Joey Handley [Resident]** [00:50:39] Yes.

**John Hartsock [C800]** [00:50:39] No.

**Scott Handley [Resident]** [00:50:40] We have the documents.

**Patrick Evans [C800]** [00:50:42] Number 21 please.

**Rachel Rittman [Resident]** [00:50:46] I'm number 21.

**LO Resident** [00:50:46] But we are supposed to be able to talk here.

**LO Resident** [00:50:48] This is a public forum.

**Bjorn Morfin [C800]** [00:50:49] We need it to be orderly. We need.

**Joey Handley [Resident]** [00:50:51] But we want questions answered.

**Patrick Evans [C800]** [00:50:55] [unintelligible].

**LO Resident** [00:50:55] You're rushing us.

**Patrick Evans [C800]** [00:50:56] [unintelligible].

**Megan Busbee [Resident]** [00:50:56] You are closing us down.

**LO Resident** [00:50:58] Yes you are.

**Patrick Evans [C800]** [00:50:59] Is number 21.

## QUESTION 21 - Rachel Rittman, Resident

<https://youtu.be/M9uG4dfVWxg?t=3062>



**Rachel Rittman [Resident]** [00:51:03] Hi my name is Rachel Rittman; I live right up against the Butte. I also know how to use the Internet. So, I've read the lease with the city and I've read you are pre application proposal. You have said very clearly that Clackamas 800 will not enter into contracts with cellphone tower [unintelligible] the carriers. But the city might be obligated to because of the Federal Telecommunications Act of 1996.

**LO Resident** [00:51:27] Absolutely.

**Rachel Rittman [Resident]** [00:51:32] I want to understand who will benefit monetarily from those leases. And I also want you all to know that the primary funder of the ballot issue that spawned this tower was Motorola and so I'm not convinced that it was a wide and thorough search done in terms of technologies. You guys can all look it up on the Secretary of State website for Oregon. Motorola drove this ballot issue. And here we are with an out of state corporation building in our backyard.

**Patrick Evans [C800]** [00:52:09] Number 22 please.

**LO Residents** [00:52:11] Answer Answer it. [audience disapproval]

**Rachel Rittman [Resident]** [00:52:17] Will there be cellphone leases on this tower?

**LO Residents** [00:52:19] Answer the question. Please answer the question!

**John Hartsock [C800]** [00:52:22] The tower is owned by C800 which is owned by you as a public we will not allow.

**Megan Busbee [Resident]** [00:52:29] As a public owner I don't want it.

**LO Resident** [00:52:30] Answer.

**John Hartsock [C800]** [00:52:31] We will not allow cell phone uses on it.

**LO Resident** [00:52:33] Answer the question.

**John Hartsock [C800]** [00:52:35] Our lease Our lease. Our lease from the city, the city tells us not to. Now if the city I can't I'm not the city council city.

**Rachel Rittman [Resident]** [00:52:49] So the city has money to make here. [unintelligible] That's what I'm hearing. [applause]

**Patrick Evans [C800]** [00:53:01] I'm sorry ma'am. You're. You were number?

**Rachel Rittman [Resident]** [00:53:04] 21.

**Patrick Evans [C800]** [00:53:04] 21.

**Rachel Rittman [Resident]** [00:53:05] And I just want to say thank you to our first responders. We appreciate your service. [applause]

**Chief Jorgensen [Chief of Police]** [00:53:11] So there's a lot of talk about the lease and the legality of the lease and we kind of wanted to make sure that you all because none of us your lawyers. David Powell is the city attorney. Unfortunately, he's somewhere else tonight. Out of state. [residents displeased] Hey...

**Chief Jorgensen [Chief of Police]** [00:53:35] He had a conference that he's out out of state that's been planned for months so people can roll their eyes. I'm just telling you the truth. He said he would welcome phone calls from people to explain that lease. And I'm again I'm not involved in the lease. And from the from the point of the negotiations. But I do know that in our discussions one of the things that was very plain was the city, the city did not want other uses for that tower it it gums up many things, in our, our communications. It creates interference and we didn't want any cell towers or anything else on there.

**Rachel Rittman [Resident]** [00:54:24] Sir, can I just respond to that?

**Chief Jorgensen [Chief of Police]** [00:54:25] Sure.

**Rachel Rittman [Resident]** [00:54:25] [unintelligible] So the federal government doesn't want proliferation of towers. Because of that if any carrier approaches the city and says hey, we want to add an antenna they have to agree to that.

**John Hartsock [C800]** [00:54:37] No they do not.

**Chief Jorgensen [Chief of Police]** [00:54:37] No they do not.

**Patrick Evans [C800]** [00:54:38] No they do not.

**Rachel Rittman [Resident]** [00:54:39] You know more about this. Please tell us, educate us.

**Chief Jorgensen [Chief of Police]** [00:54:43] So so again and this is where David Powell the city attorney was very instrumental in making sure when he wrote that lease that that was in there and he again said give me a call give him give him my name and I'll be happy to talk to anyone that wants to call.

**Rachel Rittman [Resident]** [00:54:59] I read the lease. I don't speak legalese, but I do speak English. And it's my reading of the lease, which I'm happy to email to anyone here, seems to indicate that it is open to having additional antennas attached to it.

**Liz Lamade [Resident]** [00:55:11] It's in the Pre-Application Notes by staff.

**LO Resident** [00:55:14] Yes.

**Liz Lamade [Resident]** [00:55:14] Page 4 item 6 it says staff fully expects commercial use of the tower in the future.

**LO Residents** [00:55:21] He we go again.

**Liz Lamade [Resident]** [00:55:22] That's why they're applying for a telecommunications tower. [applause]

**John Hartsock [C800]** [00:55:30] No. That is a requirement in the Lake Oswego code. So, they have put it in the application. Our lease supersedes that document. And again, I'm getting as Chief Jorgensen said I'm getting too far into the legal question. Please do call David.

**Liz Lamade [Resident]** [00:55:46] It's in the pre-application app.

**John Hartsock [C800]** [00:55:47] Call David.

**Patrick Evans [C800]** [00:55:49] Number. We I think the answer is that the city attorney has offered to answer those questions.

**Patrick Evans [C800]** [00:55:58] Number 22.



## QUESTION 22 - Mel Camp, Resident

<https://youtu.be/M9uG4dfVWxg?t=3359>



**Mel Camp [Resident]** [00:56:00] I'm 22. My name is Mel Camp. I live at the top of Palisades Crest Drive at the gates into the park. I've lived there for 52 years. I've seen an incredible amount of things that happen in that park. And I've seen the responses to the things that have happened in that park for over 52 years. And I have to tell you I'm very concerned about the coverage and the security of that tower in park because of the absolute wild west nature of that park after dark. [laughter, applause]

**Mel Camp [Resident]** [00:56:46] Here I call tell you stories for an [unintelligible].

**Mel Camp [Resident]** [00:56:50] So my question is is what is the city going to do about protecting that particular area? And from the fire department how are you going to protect that and where's the water coming from to suppress the fire from a thousand-gallon propane tank? [applause]

**Bjorn Morfin [C800]** [00:57:13] I'll make a quick comment. All of our sites are have live cameras on but we'll probably have...

**Mel Camp [Resident]** [00:57:18] So what.

**Bjorn Morfin [C800]** [00:57:19] About 4 cameras on these can [unintelligible].

**Mel Camp [Resident]** [00:57:22] You're not going to get any coverage; you can't get the police up there now. [laughter, applause]

**Patrick Evans [C800]** [00:57:28] Number 23 please.

**LO Residents** [00:57:30] Oh.

**Mel Camp [Resident]** [00:57:30] I want to hear the question. What about the water? How are you going to suppress a fire in that park?

**Patrick Evans [C800]** [00:57:36] The purpose of the meeting tonight is to.

**Many Residents** [00:57:39] Answer the question!

**John Hartsock [C800]** [00:57:41] We'll get you a written answer to that question.

**Question 22 [continued]** [00:57:46] Give me a break. What a farce of a meeting. [unintelligible].

**LO Resident** [00:57:51] Is someone here from the Lake Oswego Review taking notes?

**LO Resident** [00:57:54] They're taking notes.

**LO Resident** [00:57:56] Yes, they are.

**Unknown Resident** [00:57:57] Anyone from the fire department here?

**LO Resident** [00:57:58] If so who?

**Mel Camp [Resident]** [00:58:01] I don't hear anything about water suppressing fire there.

**Don Johnson [Fire Chief]** [00:58:03] So I'm I know I'm not going to make you happy with any answer I give I'll give it my best shot. OK. We do our very best to respond to unlikely situations all over Lake Oswego. All over this county and I can promise you that we would find ways to get water tenders in there we provide ways to shuttle water. The idea that it's going to be an issue for the fire department I believe in our fire department I believe we can overcome it. I'd be glad to have a conversation with.

**Mel Camp [Resident]** [00:58:32] You've exercised up there and I've watched you exercise up there and the problem is it's a single file situation there's no way you're going to get more than one vehicle up there at a time to fight that and if you've got a fire going in the meadow as a matter of fact why did they cut the wal... Why did they put the grass cutter in the meadow Monday morning after rain all day on Sat... On Sunday to make it look nice for guys for any of you who want to go up there and see what's going on. I mean this is just not phony. [applause]

**Don Johnson [Fire Chief]** [00:59:00] I would imagine. That's your assumption. I didn't know there was anything in the meadow up there and wasn't I trust that the city did not do anything to try to do that to you. They didn't do it. I'm not going to listen to it. I can't believe you're saying that.

**Patrick Evans [C800]** [00:59:18] Number 23 please.

**LO Resident** [00:59:19] You better listen.

## QUESTION 23 - Jan Castle, Resident

<https://youtu.be/M9uG4dfVWxg?t=3560>



**Jan Castle [Resident]** [00:59:21] That's me. My name's Jan Castle. I'm the chair of the McVey-South Shore neighborhood association and I've hiked that hill before the switchbacks were even there when my dog and I would have to go straight up the hill. I love the place up there. I had to be really excited. I work and also in emergency preparedness. I've been really excited about the new towers because they're going to survive the earthquake and that you'll make a huge difference in lives saved when the big earthquake happens. But I'm very concerned about the radiation. And so my question is is there any other location that would give you the coverage you need here that doesn't have to be in Cooks Butte.

**John Hartsock [C800]** [01:00:10] The short answer [interrupted by applause for Jan] not the level of coverage that site gives us. It's solves our...

**LO Resident** [01:00:18] What about multiple sites using fewer more...

**LO Resident** [01:00:21] How about overlay other counties?

**John Hartsock [C800]** [01:00:24] We do overlay other counties and it is sites run about a million and a half dollars and we don't have we built the bond around so many sites. And we obviously aren't going to come back and ask for more bond money. So, we are financially limited.

**Patrick Evans [C800]** [01:00:45] Number 24 please.

## QUESTION 24 - Holly Ansari, Resident

<https://youtu.be/M9uG4dfVWxg?t=3646>



**Holly Ansari [Resident]** [01:00:47] I'm number 24. My name is Holly Ansari and I'm an attorney and I just bought a property on the south side of Cooks Butte Park. Never got notice of this meeting, so, I just wanted to say that. I have read the deed. I have read the affidavit that Marjorie signed in nineteen ninety-five clarifying what her proposal was for that deed and what the intentions were. So, it's very clear what those are. That's a legal document. That's a contract. So, I don't know how you think you can get around it by having her sons sign something? [applause]

**John Hartsock [C800]** [01:01:32] I have to ask you to call the City Attorney. He's the one that advised us...[unintelligible]. So, that's our council on this issue.

**Patrick Evans [C800]** [01:01:40] Number 25, please.

**Kirsty Reilly [Resident]** [01:01:41] Is that the same attorney who wouldn't let us speak at the council meeting yesterday?

**Patrick Evans [C800]** [01:01:44] I'm sorry, Number 25.... [Unintelligible].

**LO Resident** [01:01:44] [Unintelligible]. When we're ready, we have plenty of time.

**John Hartsock [C800]** [01:01:53] Let me let me give you a quick answer to that, you're probably not going to like it.

**Kirsty Reilly [Resident]** [01:01:58] Did everybody hear my question?

**LO Residents** [01:01:59] No.

**Kirsty Reilly [Resident]** [01:01:59] About 30 of us went to the city council meeting yesterday at city hall. And we went to speak and ask questions to the mayor and the city council members regarding Cooks Butte during the community discussion section of the meeting. And we were first advised by the mayor not to speak and then the city attorney stepped in and said that it would be against our best interest if we spoke. So, we got basically shut down from asking some of these questions.

**LO Resident** [01:02:38] That's par for the course.

**John Hartsock [C800]** [01:02:41] The Lake Oswego land use code, the process I explained a little bit earlier, we go to the design review commission. They will make a ruling. Let's assume for a second it's OK. You will undoubtedly appeal it to the city council. In a lot of jurisdictions, they use a position called the hearings officer, which is an independent. The fact that the city council has to hear this and make a judgment, it's called ex parte communications and they wouldn't be allowed to rule on it. So, that's the reason that you were advised that they, in fact, wouldn't talk to you about it because it becomes ex parte communications.

**Kirsty Reilly [Resident]** [01:03:23] So in layman's terms, the city council can't listen to the people who voted them into office about our genuine concerns about newborns in the park, about young children in the park.

**John Hartsock [C800]** [01:03:36] You have that opportunity during the Design Review Commission, and again as I say, I'm assuming if that's ok, you will refer to the council and at that point in time yes, they will.

## QUESTION 25 - Resident #25

<https://youtu.be/M9uG4dfVWxg?t=3832>



**Resident #25** [01:03:53] 25. These packages you handed out has a bit of a project schedule in it. And my question is, when is the actual conditional release permit application expected to be filed?

**Bjorn Morfin [C800]** [01:04:06] Within two to three weeks.

**Question 25 [continued]** [01:04:10] From today?

**Bjorn Morfin [C800]** [01:04:11] Yep.

**Resident #25** [01:04:11] So everybody knows, it's a very public process, and a lot of questions that are raised here will be addressed in that, so that's why I asked the question.

**Patrick Evans [C800]** [01:04:20] Number twenty-six.

## QUESTION 26 - Matais Beckman, Resident

<https://youtu.be/M9uG4dfVWxg?t=3861>



**Matais Beckman [Resident]** [01:04:22] I'm Matais Beckman and I have a comment and I have a question. So, obviously there's a lot of feelings, questions about the second cell tower or a cell phone added to the existing or the planned cell tower. And the answer we always hear is "well, that's not in the lease". Which would be a perfectly good answer, if you hadn't just broken the old lease. [applause]

**Matais Beckman [Resident]** [01:04:58] My question is for the chief of police, you mentioned in your speech that there are some dead zones in the city with the current system. You mentioned at one point this tower will alleviate most of these problems. So, my question is in terms of coverage, are we going from let's say 70 percent to 100 percent? Or are we going from 70 percent to 73 percent? Or, what will this tower do for your people, the firemen who are not having coverage today?

**Chief Jorgensen [Chief of Police]** [01:05:39] So, great question, but it's a technical question. And so, you're asking percentages, I'm not the technician that does the studies. I'm a police chief that runs 70 officers and works on those type of things. Your question really is more for the technical people who we hire to manage the project. So, I can tell you right now I can't do it in terms, because that's outside my complete expertise of knowledge. You're talking about percentages of radio coverage. I can tell you from a practical standpoint, because that's where I care about it, from a practical standpoint I can tell you right now that down in the basement of this building I can't talk to my officers. If you're on the backside of Overlook and down in Blue Herring [sic] and that area I can't talk to our officers, if we make a traffic stop over there, we have to hope that our officers get back in their car because their car radios will work but their portables which are on their hips when we're out contacting people won't work down there.

**LO Resident** [01:06:53] Do they have phones?

**Chief Jorgensen [Chief of Police]** [01:06:53] Yeah, we do. And unfortunately, not always do the phones work. But, and again, I appreciate you not rolling your eyes at me. One of the things that happens with phones when we're out talking to somebody, we don't have time to dial a number and talk to our dispatch center. When there's an emergency going on our microphones are right here and we can call for help or cover or what we need. So, phones are a great thing when we have the time to use them. These are what we live on all the time. You also have to understand the phones going into low-com, so low-com is our dispatch center. I might get this number a little bit wrong, but last year how many phone calls did you take?

**Sue Stover [Communications Manager]** [01:07:40] It was about a hundred twenty-eight thousand, and we have about, we have several lines that roll but we have three cities. So, if you, for example, if we have three staff people, and you have, say, an accident with five or six cars on Boones Ferry at Kruse, we could get 100 phone calls from the public about that. So, to expect my officer to be able to get through to us and ask to be able [unintelligible] it becomes problematic.

**Chief Jorgensen [Chief of Police]** [01:08:13] It does, it becomes very problematic.

**John Hartsock [C800]** [01:08:16] But one other feature the chief forgot to mention, those of you that are a little closer can see this orange button on here. It's an emergency button. It locks the channel and gives the clear communications cause that officer has to [unintelligible].

**Matais Beckman [Resident]** [01:08:34] Chief, did you get guarantees that with the cell tower these things now work in the basement, were effective, work wherever you want them to work.

**Chief Jorgensen [Chief of Police]** [01:08:47] The coverages that are on the back of your maps, or back of your packets, that they did all the studies on say yes. Without that tower, and I hate calling it a cell tower, because we call it a communications tower because that communications tower is located where it's at gives us the best coverage. So yes, I'm comfortable with that, saying that that gives us the best coverage. Now again, this is a tough question. Yeah, there's probably other sites, but you also have to take into account that this same meeting happens in their backyard too. And so, it's really easy to say, "let's pick another site", but just because we pick another site doesn't mean it's going to be built there, and eventually a radio site has to be built or else we don't have the coverage.

**Rachel Rittman [Resident]** [01:09:45] Just real quick, in 2017, your minutes said that you were considering Skylands Uplands for this tower, now you're considering Cooks Butte. So, what happened, they have the developer money out there, what's going on?

**Bjorn Morfin [C800]** [01:09:45] This is a better site, altogether.

**LO Residents** [01:09:45] [Unintelligible]... nature preserve... nature preserve, it's our backyard...[unintelligible].

**Bjorn Morfin [C800]** [01:10:00] From a coverage perspective. From the goal, the goal of this tower, it's a much better facility.

**LO Resident** [01:10:05] Why did you initially consider another site?

**Patrick Evans [C800]** [01:10:05] Excuse me, excuse me, you're out of order... [unintelligible]...please, we agreed I believe to a set of rules that we were going to go in sequence and not just have random conversations from the floor. I'd like to call on number 27.

## QUESTION 27 - Sally, Resident

<https://youtu.be/M9uG4dfVWxg?t=4228>



**Sally [Resident]** [01:10:29] I have a question for you. How old is the phone that you're using now? I go to prep-LO [unintelligible] the neighborhood associations have phones they would use in an emergency, why can't you use something like that rather than building this big tower that will maybe be out of date in a year? [applause]

**Chief Jorgensen [Chief of Police]** [01:10:51] Again, it comes down to officer safety and speed, and these are much faster much clearer than trying to dial a phone number. And, again, we just talked about how many phone calls go into low-com every day, every year, and making sure that we can get into low-com when we need to get into low-com makes it very important. So, I'm going to answer the back half of your question because I'm going to put on a fire hat even though I'm not a fire guy or my police hat. The biggest thing is, heaven forbid again, when we go into this building because there's an emergency in this building, we don't have time as we're running through the hallways to dial the phone and start talking on the phone like this. We do have time to go "I'm here, I need three units there" and then we're off and running again. We don't have time to dial a phone, and as great as our dispatchers are hoping that they pick up the phone in three seconds or less and then telling our dispatch this is where we need them. And then they're relaying the message to the people outside and then the people outside going "well that was two minutes ago, I wonder where they are now". I would think that someday 10 years from now maybe the phone application will work in a different way. Right now, this is the technology that every police and fire and ambulance and, and I will also throw in our public works, because they're part of the C800 too, our public works department. This is the technology that works.

**LO Resident** [01:12:35] Is that the best available technology in your hand?

**Chief Jorgensen [Chief of Police]** [01:12:37] Yes. This radio is the brand-new iteration of the digital radios that, thank you, that was bought by the bond project and all of our department is now outfitted with it as well as our fire department and as well as our public works department. So yes, this is the best technology.

**Patrick Evans [C800]** [01:13:00] Number 28, please.



## QUESTION 28 - Liz Lamade, Resident

<https://youtu.be/M9uG4dfVWxg?t=4384>



**Liz Lamade [Resident]** [01:13:06] Hi my name is Liz Lamade and I'm a resident of Palisades Crest Drive. I'm looking forward to getting your application so that we can understand why the second-best site isn't good enough for you. The thing I wanted to point attention to is, it's one thing to say it's OK to use a PNA area for a tower, that doesn't make it right. In the application with its conditional use on page 15 it says the functional characteristics of the proposed site should be reasonably compatible with the surrounding area. And my question is, I would love to see a picture of the tower next to the little water tower to try and understand how in any way that's reasonably compatible. There are four paths that will go past your tower, Palisades Crest, the path that leads into it, the path from the meadow, and the path from the other tower. Four nature paths will go directly within 20 feet of the tower. I don't see that it's physically compatible, this is a heritage site and it just makes no sense to me. [applause]

**Bjorn Morfin [C800]** [01:14:07] And that's the challenge that we have to work with the city on with our application. I mean we understand that we have some pretty stringent code requirements that we have to answer to. And it's not cut and dry, I mean it's a lot of work is going into this. We'll be addressing that for sure.

**Patrick Evans [C800]** [01:14:27] Number 29, please.

## QUESTION 29 - Anibel Kolka, Resident

<https://youtu.be/M9uG4dfVWxg?t=4469>



**Anibel Kolka [Resident]** [01:14:29] My name is Anibel Kolka. I live in Lake Oswego; I've been there for a couple of years. I've been very concerned about this trend in Lake Oswego just tearing down a lot of beautiful natural areas and trees and there just seems to be such disregard for, and disrespect for nature and the things that people really love, that a lot of people who moved here love these things. My husband and I discovered Cooks Butte a few months ago, just by accident, and we walked up to the top and we thought it was a wonderful experience, it's a really special place. And if you haven't been there, you have to go there. I don't know about you guys, but I don't want to walk up those trails and see a radio tower up there. My goal is not to see a radio tower. It's to get some moment of peace from the craziness in our lives and in our world. I feel like I am not against building a security tower, we obviously need one, but a natural space like that is not the appropriate location for it. Please look for another location. [applause]

**Patrick Evans [C800]** [01:15:48] Number 30, please.

## QUESTION 30 - Michael Louaillier, Resident

<https://youtu.be/M9uG4dfVWxg?t=4548>



**Michael Louaillier [Resident]** [01:15:49] Number 30. My name is Michael Louaillier I lived on Palisades Crest Drive since 1992. I was involved with the first attempt to put a cell tower up there in 1994, the second attempt in 2002. And in each case after the grantors of this gift to the city realized the impact that was about to occur, they rescinded their approval. You're aware of that?

**John Hartsock [C800]** [01:16:23] Yes.

**Michael Louaillier [Resident]** [01:16:24] Ok, that's not my question though. [laughter] What you're saying. What I hear is this is a money issue. You were saying earlier with the bond measure and the cost of the tower versus cost of other sites. Well go ahead. What were you gonna say?

**John Hartsock [C800]** [01:16:46] The suggestion was could we put up two sites or three sites to make up for this one that we don't have the available funding to do. We need to find a site for this tower.

**Michael Louaillier [Resident]** [01:16:59] That's what I'm saying. We're talking about money here. And just because this is the easiest site doesn't make it the best site and the challenge for you and the city and we taxpayers is to help you find the best site not the easiest site. So, you've got to agree that that might be the easiest. But based on everything that's been said tonight you must realize that it's not the best. The easiest but not the best. Let's find the best site not the easiest site. If it costs a couple of bucks more, let's do it. And certainly, the first responders...I mean we all want the first responders to have that communication. So, let's get on that. This has been going on at least since 1994. There are solutions. And the challenge here for C800 and the whole city is to find the solution, not the easiest solution, but the best solution. So, I'm asking you guys tonight to find the best solution and give up on the easiest solution. [applause]

**Bjorn Morfin [C800]** [01:18:14] OK.

**LO Residents** [01:18:17] [applause]

**Bjorn Morfin [C800]** [01:18:20] So I'm going to flip flop your terms. We've chosen the most difficult location for us to work with as you can see by the crowd we have here. It's the best location for the for the need of the site. So, I'm just reversing your how you use best and easiest way. [audience disapproval] This certainly not easy, this not easy by any means.

**Patrick Evans [C800]** [01:18:42] All right. Look, let me make an announcement. We have the room until 8:00 o'clock.

**LO Resident** [01:18:45] What happens at 8:00 o'clock?

**Patrick Evans [C800]** [01:18:50] Well well we no longer have permission to be here after, I believe...

**Bjorn Morfin [C800]** [01:18:50] The room is reserved till 8 o'clock through the Lake Oswego School District.

**Patrick Evans [C800]** [01:18:59] So we have a number of other people who would like to speak. We've got about 10 minutes and I'd like if your comment is going to be one that's already been made that you waive your time until we find new information that would go into the record that goes to the City. So, I'll call on number 31.

## QUESTION 31 - Chris Larssen, Resident

<https://youtu.be/M9uG4dfVWxg?t=4761>



**Chris Larssen [Resident]** [01:19:22] Gentlemen thank you for coming. Law enforcement fire appreciate everything you guys do for the community. My name's Chris Larssen. I own the property at 18785 Westview Drive. I own a good portion of the south side of Cooks Butte Park along with Jan Hollaback. I grew up on the Delanka Lane. I was born and raised in Lake Oswego. I went to this school, so I have a lot of passion for the area and I will say this...anything that city council does that we don't like can be undone. We live in a ballot and initiative state. It takes 10 percent of the voters of Lake Oswego. 2,400 signatures to get on the ballot. And I right now say that we go ahead, and we ban all cellular communications and any towers in our parks. It can be done very easily. If we put it into law, they can't do it. [applause] Again, I would propose it if it does get built you guys put radio radiation signs at all the entrances because I mean after all those things do put off a lot of radiation. [applause]

**Patrick Evans [C800]** [01:20:30] Number 32.

## QUESTION 32 - Bill Hunting, Resident

<https://youtu.be/M9uG4dfVWxg?t=4833>



**Bill Hunting [Resident]** [01:20:34] Yeah. My name is Bill Hunting. I was the first resident here in 1938. [applause] I work in the technology field at IBM. I've seen a lot of things go on that people have objected to and turn out to be everyday use. About now thinking about the cell phone that you carry in your pocket. Talk about a radiation device. You have cell phones and you plug in your ear and leave them there. We're headed for radiation. Interesting challenges that they're not going to come from these towers. These things are way up in the air when the radiation standing on the ground. You're not going to get affected. People don't live in the park full time. I'll tell you there are people who live by the parks, but they're far enough away I would suspect, and your radiation studies should support that they do not have a problem. So yes, given the technology we live in today let's get on with it.

**Patrick Evans [C800]** [01:21:42] Number 33, please.

## QUESTION 33 - Taylor Finley, Resident

<https://youtu.be/M9uG4dfVWxg?t=4903>



**Taylor Finley [Resident]** [01:21:44] That's me. I'm Taylor Finley. I've been here at Lake Oswego since 1990. I wanted to actually ask a specific question because you kinda danced around it a little bit of why we didn't ...what the actual cost difference could be if we had multiple smaller towers that wasn't at Cooks Butte... or is this is the best solution for you. But what would it actually take dollar wise to not be at Cooks Butte but also support our first responders?

**John Hartsock [C800]** [01:22:17] And the answer is we could go back to the studies we've done on coverage and could answer that question if we did these three. I'm picking three. If we did these three sites it would make up for that. Bjorn said we've got this group of people and each of those sites to deal with as well, but I'll be glad to do that work.

**Patrick Evans [C800]** [01:22:42] Number 34.

**Patrick Evans [C800]** [01:22:48] 35. 34. Yes.

## QUESTION 34 - Jan Holibaugh, Resident

<https://youtu.be/M9uG4dfVWxg?t=4971>



**Jan Holibaugh [Resident]** [01:22:52] I'm Jan Holibaugh. I live at 1901 Childs Road. I own the old Emery farm. It is the back of my property that's the part that Emery and John gave to the city. I was also involved with Michael in 1994. That was a year after Marjorie moved. They waited a year since she moved to start with the cell towers. We shut that down in '94 because they thought she was dead, and they said she didn't preclude cell towers and the reason she didn't preclude is cause they weren't around in 72'. I'm the person that drove Marjorie Emery to sign the affidavit. I know what she wanted. [applause] And I want to say she signed a document that she thought precluded anything but wildlife and people walking in the park. It's emotional for me. For 26 years I've safeguarded this. I've been in the fight 1994, 2002. And here we are again! She would not want radiation in her beautiful park. She loved birds. She loved dogs, she loved horses and people. People are not going to use the park once it becomes becomes a radiation hazard. That was not her intent. So, whatever you say she intended. I drove her. I watched her sign it. I talked to her. This is not what she wanted. [Tears. Wild applause. Cheering.]

**Patrick Evans [C800]** [01:24:31] Number 34.

**LO Resident** [01:24:42] That was 34.

**Patrick Evans [C800]** [01:24:42] 35.

## QUESTION 35 - Sally Everitz, Resident

<https://youtu.be/M9uG4dfVWxg?t=5081>



**Sally Everitz [Resident]** [01:24:42] I'm 35. I'm 35. I'm Sally Everitz and I've lived here since 1954 around Lake Oswego. I grew up down on Cedar Street I now live at Greentree Circle. I've gone to Cook's Butte since I was a child. I've seen beautiful owls up there in the forest that you want to take out. You have to take out fifty feet. You're going to have to remove a lot of those trees. It's a beautiful sight. And I think that you need to reconsider other places. This is... our trees are vanishing. This place has changed dramatically in the last 10 years. The people that have been here just a few years. They think it's beautiful, but they should have seen it before. I welcome population because I know our world is booming and we have to have population. But let's save the parks! Let's save the greenery that we have left! That's the last natural place in Lake Oswego that we have. She put a rock up there that said, "This is for human". It's sandblasted. You guys maybe need to go out there and look at it in the meadow. "This is for humans and animals alike to share. And have peace." We don't want that up there. And we're not the only ones. It's people all over West Linn, all over. [applause]

**Patrick Evans [C800]** [01:26:14] How about one more question. Believe its number 36.

## QUESTION 36 - Pierre Zubrinsky, Resident

<https://youtu.be/M9uG4dfVWxg?t=5177>



**Pierre Zubrinsky [Resident]** [01:26:18] Yeah. Hey. Wow. My name is Pierre Zubrinsky and I'm really happy to ask the last question. Actually, it's not even really a question.

**LO Resident** [01:26:26] It's not even 8:00 yet. We can have more questions till 8!

**Pierre Zubrinsky [Resident]** [01:26:28] I'm going to make it very quick. I thank the people who respond in emergencies and they're protecting us. And I'm really touched by what I saw here tonight and these voices I heard. Incredible. Amazing. And what I want to say is when I watch. I had a million questions to ask but I guess I got to ask one. I'm looking at you people up there on the dais as part of what I call the Ram Jack corporation. You're trying to shove this down our throats in conjunction with the City Council and the City Attorney. This whole thing with the natural world. You put a death grip on it to make sure that there's no leeway to work around it. I can see the way you're talking and when you're not in your heads or the way you're acting that you're going to go ahead with this. It doesn't matter what we say. And you there with a young man there with a coffee T-shirt on there. I couldn't be more on your side. You've said it very very well. When I walked in the door and the first person I met was you in the black shirt there, at the table, manning the table, and I asked you, "Excuse me, what what who are you, what are you doing?" And you told me, "I'm here volunteering to take care of people signing in for their questions." And when I asked you, "Well, who did you volunteer for?" And you immediately said, "I don't know." And I said, "You don't know?" I said, "Why? Who, who did you talk to? Who got your here?"

**Person at table** [01:27:52] Not providing personal information is actually what I said.

**Pierre Zubrinsky [Resident]** [01:27:55] That question doesn't need to be asked. Then I get here, and I see the green print out and it says we should all identify ourselves. You Mr. Moderator, you didn't identify yourself. You said, "I'm the Moderator here". We don't know who you represent and who you're working for. I want to reiterate what what you said. There is no way you're going to change these people's minds. They're going to go forward no matter what. And they're going to go as far as they can get away with. And the only recourse you really have is to mobilize and get those scoundrels out of the city council because they're... [applause] What they did at Lakeridge Junior high school. They're ripping out all those trees. They're not on your side to protect the natural environment.

## CLOSING

<https://youtu.be/M9uG4dfVWxg?t=5324>



**Joey Handley [Resident]** [01:28:45] We are mobilizing. We already have hundreds of signatures on the petition. If you haven't signed, we'll be right outside the door at the end of the evening. If you have friends and family and neighbors who want to sign. Contact us we'll give you our contact information. We'll be happy to come to their homes. If you want to join...

**LO Resident** [01:29:00] Raise your hand if you don't want their Tower. [applause and cheers and majority raise hands]

**LO Resident** [01:29:11] Look at us. We don't want this, and we'll get you out.

**Brad Home [Resident]** [01:29:16] I have an announcement here. Walter Emery's birthday. Happy birthday. [applause].

**Bjorn Morfin [C800]** [01:29:32] Excuse me. I've got one last issue before we close the meeting here. I wanted to make it clear the current proposal we have. I know everyone is concerned about trees. We're proposing to remove only one tree. It's not multiple trees.

**Scott Handley [Resident]** [01:29:42] It doesn't belong in the park. This park is a natural preserve. We are going to fight you all the way until it's preserved for life!

**Joey Handley [Resident]** [01:29:50] If you want to join our effort as well, we will have sign ups to give you further information.