



500 West Big Beaver
Troy, MI 48084
troymi.gov

FROM THE OFFICE OF THE CITY MANAGER

Date: February 8, 2022

To: Mark F. Miller, City Manager

From: Robert J. Bruner, Assistant City Manager
William J. Huotari, City Engineer

Subject: Verizon Small Cell Update

A new Verizon Wireless utility pole proposed near 3320 Essex generated concerns and questions in July 2021. City staff met with Verizon representatives and prepared the attached memo dated July 26, 2021. City staff met with Verizon representatives again in September 2021 and subsequently prepared the attached memo dated September 9, 2021. That memo was included in the September 13, 2021 City Council agenda packet (M-02B Verizon Small Cell Update).

As promised, Verizon reevaluated the new utility pole locations in Section 30 of the City and met with City staff in January. The proposed small cell locations are based on supply and demand. Demand is high in the residential subdivisions so locating new poles in the commercial area near Golfview is not feasible. There are no City-owned utility poles in the area either. Verizon prefers to use existing utility poles because they are less disruptive for the neighborhood and less expensive for Verizon. Unfortunately, DTE Energy will not allow Verizon to use an existing utility pole near 3320 Essex.

Public Act 365 of 2018 (MCL 460.1301 et. seq.), the “small wireless communications facilities deployment act”, prioritizes the use of existing utility poles and wireless support structures for collocation over the installation of new utility poles or wireless support structures. However, the purpose of the act is to “increase investment in wireless networks” and “encourage the deployment of” wireless services by “streamlining the process” for the operation of wireless facilities in the public rights-of-way. It specifically allows wireless services providers and wireless infrastructure providers access to the public rights-of-way. It would be difficult to establish that the placement of these new utility poles will obstruct or hinder the usual travel or public safety on the right-of-way or obstruct the legal use of the right-of-way by the City or other utilities and communications service providers

Streamlining the process includes limiting the fees the City can charge, the number of days the City has to process applications, and the alternate locations the City may propose to within 75 feet of the proposed location. However, the City cannot compel the applicant to use an alternate location if, as determined by the applicant, the alternate location imposes unreasonable technical limits or significant additional costs.

Verizon has cooperated with the City’s attempts to identify alternate locations that may be less objectionable to residents. Unfortunately, none have been identified. At this point, the City has exhausted its potential remedies pursuant to Public Act 365 of 2018. Future correspondence should be directed to David Haslinger via email at: david.haslinger@verizonwireless.com. Verizon requires email so all correspondence can be managed and tracked internally.



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FROM THE OFFICE OF THE CITY MANAGER

Date: September 9, 2021
To: Mark F. Miller, City Manager
From: Robert J. Bruner, Assistant City Manager
William J. Huotari, City Engineer
Subject: Verizon Small Cell Update

A new Verizon Wireless utility pole to be located near 3320 Essex Drive generated many questions in July (see attached). City staff met with Verizon representatives on September 8 to discuss small cell facilities proposed in the Buckingham Woods subdivision in Section 30 of the City.

The Verizon representatives explained that the proposed small cell locations are based on supply and demand. Mobile networks consist of a mix of macrocell sites to provide wide area coverage and small cells to improve localized coverage and increase capacity. Verizon has good macrocell coverage in much of Troy and is installing small cells to improve localized coverage and increase capacity in areas where macrocell coverage is weaker and mobile data demand is highest.

The Verizon representatives also explained that existing utility poles are preferred because they are less disruptive for the neighborhood and less expensive for Verizon. However, the owners of existing utility poles, primarily DTE Energy, may not allow small cell equipment on all existing utility poles. In addition, small cells must also be located within proximity to Verizon's underground fiber network and underground power.

The Verizon representatives reiterated that no new utility poles will be installed in 2021. In the meantime, Verizon will reevaluate the proposed new utility pole locations to determine if alternate locations are available. This review will take several months so City staff plans to meet with Verizon again in late 2021 or early 2022.

In the meantime, specific questions may be directed to David Haslinger via email at: david.haslinger@verizonwireless.com. Verizon requires email so all correspondence can be managed and tracked internally. City staff will continue to monitor the situation and provide updates as necessary.



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FROM THE OFFICE OF THE CITY MANAGER

Date: July 26, 2021

To: Mark F. Miller, City Manager

From: Robert J. Bruner, Assistant City Manager
William J. Huotari, City Engineer

Subject: Small Wireless Communications Facilities

A new Verizon Wireless utility pole to be located near 3320 Essex Drive has generated many questions and suggestions regarding this and other new utility poles. City staff cannot answer or address them all before tonight's City Council meeting. Instead, this report is intended to provide a brief update before the meeting. Additional information will follow.

First, an update about the new utility pole to be located near 3320 Essex Drive specifically. City staff met with Verizon Wireless this morning and Verizon agreed to reevaluate its locations. Verizon Wireless has permits to install small cell equipment on six existing utility poles and eight new utility poles. Network operators generally prefer existing utility poles because they are less expensive. However, that is not always feasible and the City cannot compel them to do so. Four of the new utility poles are located in Section 30 of the City east of Adams Road, south of Big Beaver Road, west of Coolidge Highway, and north of Maple Road. This afternoon Verizon Wireless told City staff it has no plans to build the four new utility poles located in Section 30 in 2021. City staff will work with Verizon Wireless to explore alternatives.

In the meantime, City staff believes residents will attend tonight's City Council meeting to speak about this issue. One may ask the City Council to "rescind the permit" and take other specific action. That is a bad idea for two reasons. First, permitting is an administrative function and the City Manager is responsible for all administrative departments (except the City Attorney). The City Charter prohibits the Council or any of its members from giving orders to any of the subordinates of the City Manager. Second, the small wireless communications facilities deployment act, Public Act 365 of 2018, significantly restricts municipal regulation of these facilities. City Council action without further input from City staff may inadvertently violate the limitations of Public Act 365. City Attorney Bluhm can address the City's legal obligations and options.

Second, an update regarding small wireless communications facilities (small cells) generally. The City Council held a special meeting on March 4, 2019 to learn about and discuss communications facilities before Public Act 365 took effect on March 12, 2019. A copy of the presentation is attached. The meeting video is available online at <https://youtu.be/vtc2f1k1VIQ>.

Since then, the City has approved right-of-way permits for twelve (12) small wireless communications facilities on existing utility poles and twelve (12) new utility poles.



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Right-of-way permits for EXISTING utility poles:

1.	2040 BARRETT	EXTENET	NOT INSTALLED
2.	1350 KIRTS	EXTENET	NOT INSTALLED
3.	489 E. MAPLE	AT&T	NOT INSTALLED
4.	471 CHERRY	AT&T	NOT INSTALLED
5.	3222 ROCHESTER	AT&T	NOT INSTALLED
6.	3955 W. BIG BEAVER	VERIZON	NOT INSTALLED
7.	2595 DERBY	VERIZON	NOT INSTALLED
8.	3290 CAMDEN	VERIZON	NOT INSTALLED
9.	1914 WITHERBEE	VERIZON	INSTALLED
10.	926 NORWICH	VERIZON	NOT INSTALLED
11.	6044 NILES	VERIZON	NOT INSTALLED
12.	2100 W. MAPLE	VERIZON	INSTALLED

These are installed; not sure if they were installed before or after this memo was written in July.

Right-of-way permits for NEW utility poles:

1.	629 KURTS	EXTENET	NOT INSTALLED
2.	4597 BEACH	AT&T	INSTALLED
3.	4365 BEACH	AT&T	INSTALLED
4.	4013 BEACH	AT&T	INSTALLED
5.	600 W. BIG BEAVER	VERIZON	NOT INSTALLED
6.	769 CHICAGO	VERIZON	NOT INSTALLED
7.	1240 WRENWOOD	VERIZON	NOT INSTALLED
8.	1035 CROOKS	VERIZON	NOT INSTALLED
9.	3320 ESSEX	VERIZON	NOT INSTALLED
10.	3077 GLOUCESTER	VERIZON	NOT INSTALLED
11.	1452 WRENWOOD	VERIZON	NOT INSTALLED
12.	1150 W. MAPLE	VERIZON	NOT INSTALLED