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Rapid City Growth  
Management Department**Faulk & Foster**

June 1, 2004

**Via Airborne Express**

Marcia Elkins  
Director of Growth Management  
City of Rapid City  
300 Sixth Street  
Rapid City, SD 57701

RE: Continuation of June 10 Planning Commission agenda item 01UR042 -  
Revocation of Use on Review for Western Wireless Communication Tower at Fire  
Station #6, 1930 Promise Rd.

Dear Ms. Elkins:

As you know, on Thursday, May 27, a number of representatives from Western Wireless sat down with you, Fire Chief Gary Shepherd, Assistant Fire Chief Tim Kobes, Assistant City Attorney Joe Landeen, and Director of Emergency Services Communications Center Doug Pavel to address resolution of all outstanding issues regarding the communications tower located next to Fire Station #6. Some of these issues arise out of the original negotiations of the lease contract while others have arisen since the completion of the tower.

The issues we met to discuss regarding this location were as follows:

1. In respect to Emergency Services, the issue revolves around a desire to co-locate antennas on the tower. It appears there were discussions prior to the signing of the rental agreement that the co-location would be without charge. However, when the lease contract on the tower location was negotiated with Rapid City and signed, this condition was not included.
2. During painting of the tower last year the wind carried paint over onto the Fire Station. While Western Wireless has cleaned up the majority of the paint splatters, the south wall still shows some spotting despite cleanup efforts to date.
3. After completion of the tower, it was discovered that under certain unusual weather conditions, ice could form on the tower, break off, and depending on wind conditions fall onto the Fire Station or even carry over the station into the parking lot and entrance areas. While this is a rare occurrence, Western Wireless, as previously reported to the Planning Commission, could find no practical way to prevent ice build up.

As discussed at the meeting, Western Wireless has taken these issues seriously. In reviewing these issues, Western Wireless determined that with changes in its system, Western Wireless could reduce the height of the tower, still meet its needs, and allow for co-location by Emergency Services. In addition, Western Wireless recognizes that some residents have raised issues with the lighting on the tower and the height of the tower. It is Western Wireless's hope that substantially reducing the

height of the tower, while costly, will eliminate or at least greatly reduce these concerns.

While some specifics are still being fleshed out, what follows outlines the general framework of the understanding reached:

- To address future ice and paint drip issues Western Wireless has volunteered to remove the top portion of the tower to bring its height down from 380' to below 200'.
- This decrease in tower height will reduce the surface area for future ice formation and decrease the radius in which pieces may fall.
- At a height below 200' the FAA orange and white paint scheme is no longer required. Because it will no longer be necessary to maintain the paint scheme or to paint co-locator's cables, future instances of paint spotting at the fire station will be eliminated.
- At a height below 200' the FAA will no longer require lighting. Both the height reduction and light removal will reduce any aesthetic impact in the area.
- While most of the affected areas have been restored, Western Wireless and the Fire Department will continue to work from both ends to find a willing and responsive contractor to resurface the south wall of the fire station.
- Western Wireless and the City of Rapid City will draft an addendum to the existing lease agreement providing for rent-free space on the tower and free installation for 20 antennas for the City/County emergency communications backup center as part of the rental agreement. The City Attorney's Office will draft an initial proposal.

With these agreements, this matter should be closed. To allow follow through on these items, Western Wireless respectfully requests that this agenda item be continued to the September 9 Planning Commission meeting.

If you have any questions, please do not hesitate to contact me at 1-616-975-0923, ext. 115 or [ralph.wyngarden@faulkandfoster.com](mailto:ralph.wyngarden@faulkandfoster.com). Thank you very much for your assistance.

Sincerely,



Ralph Wyngarden