



DEVELOPMENT  
SERVICES

**Planning Commission Minutes  
May 8, 2023**

The City of Yukon Planning Commission held a Meeting on May 8, 2023 at 7:00 p.m. in the Centennial Building at 12 South 5<sup>th</sup> St.

ROLL CALL: (Present) Bill Baker, Chairman  
Jarrid Wright, Vice-Chairman  
Nick Grba, Commissioner  
David Enmark, Commissioner

(Absent) Jeff Geis, Commissioner

OTHERS PRESENT: Jessica Bloye, City Planner with J&A  
Mark Zitzow, City Planner with J&A  
Julie Shannon, Planning Manager  
Mitchell Hort, Assistant City Manager  
Roger Rinehart, City Attorney

INVOCATION: Commissioner Baker  
FLAG SALUTE: Commissioner Baker

**1.ITEM: APPROVAL OF THE MINUTES OF THE APRIL 10, 2023 MEETING**

Commissioner Enmark stated I would like to motion to approve the minutes of the April 10, 2023 meeting.

Seconded by Commissioner Wright.

The Vote:

Ayes: Baker, Enmark, Grba, Wright

Nays: None

Vote: 4-0                      Motion Carried

**2.ITEM: VISITORS**    None

**3.ITEM:** TO HEAR A REQUEST BY PAMELA PILLMORE FOR REVERSE LOT SPLIT AT 705 KINGSTON DRIVE, YUKON, CANADIAN COUNTY, OKLAHOMA.

**Legal:** Lots 13 & 14, Block 1, Canadian Heights, Yukon, Canadian County, Oklahoma.

**Discussion:** Property owner, Pam Pillmore, explained that she had a house sitting on two lots that had never been joined together which resulted in two property tax bills coming from Canadian County. She had spoken to the County Assessor's office, and they advised her to join the lots into one. Chairman Baker asked if there were questions, and none were asked.

**Motion:** Chairman Enmark made the motion to approve by stating:

“In the case of the Reverse Lot Split application by Pamela and Eric Pillmore, we have read the staff report and received testimony at the public hearing. We find ourselves in agreement with the staff findings cited in the Staff Report. I move that this item be recommended for approval.”

**Seconded** by Commissioner Wright.

The Vote:

Ayes: Baker, Enmark, Grba, Wright

Nays: None

Vote: 4-0

Motion Carried

**4. ITEM:** TO HEAR A REQUEST BY TILLMAN INFRASTRUCTURE LLC IN COORDINATION WITH AT&T WIRELESS FOR A CONDITIONAL USE PERMIT FOR A CELL TOWER AT 872 S. YUKON PARKWAY.

**Legal:** A part of the North half (N/2) of the Southwest Quarter (SW/4) of Section 22, Township 12 North, Range 5 West of the Indian Meridian, Canadian County, Oklahoma, more particularly described as follows: Beginning at a point on the West line of said quarter section a distance of 810 feet, South of the Northwest corner of said quarter section, thence, East and parallel to the North line of said quarter section a distance of 2030 feet, thence, North and parallel to the West line of said quarter section a distance of 810 feet, thence, West along the North line of said quarter section a distance of 1634 feet, thence South and parallel to the West line of said quarter section a distance of 250 feet; thence, East and parallel to the North line of said quarter section a distance of 29 thence, South and parallel to the West line of said quarter section a distance of 460 feet,

thence, West and parallel to the North line of said quarter section a distance of 425 feet, thence South along the West line of said quarter section a distance of 100 feet to the point of place of beginning. LESS AND EXCEPT any interest in and to all of the oil, gas and mineral rights and SUBJECT TO easements, restrictive covenants and rights of way of record.

**Discussion:** Greg Ferris, from Ferris Consulting representing Tillman Infrastructure and AT&T approached the podium. He passed out printed copies of a power-point presentation that was displayed on the screens for the audience. The presentation included a map of the tower as he discussed why they chose the location. He discussed new technology with 5G and the need to provide fast internet to residential & educational facilities. He discussed the locations of existing towers and how the tower offload capacity for other nearby towers. It is a 95' monopole. He discussed existing 45' light towers on the property and how the proposed cell tower blends nicely with the existing light towers. He discussed the landscaping at the base of the tower and that they meet the setback requirements. He discussed how Yukon has some of the most restrictive setbacks for cell towers that he has ever seen at 400'. There were no co-location opportunities in the area.

Chairman Baker asked if the purpose of the tower was intended for back-hauling and Mr. Ferris said no. He explained how you might have 4 bars on your phones, but you cannot make a call which is why they build towers to off-load the capacity of another tower. Chairman Baker asked about the range of 5G being less than 4G. He also asked about co-location of competing antennas. Mr. Ferris explained how the cell companies are now sharing towers not competing because they are all limited by where they can put towers. The tower will be able to hold 3 carrier's antennas. Tillman Infrastructure will control the tower and they basically sell vertical real estate.

Chairman Enmark posed a question about screening that beyond the tower itself, it would also have an 8' chain-link fence with barbed wire according to the plans submitted. Mr. Ferris said that it would be an 8' wooden fence because they do not put barbed wire near schools, so the building plans will be different. A gravel access road will be coming through the middle of the field with no intrusion into the neighborhood. Commissioner Enmark pointed out that the cell tower site plan exceeded the required 400' set-back from any residential properties. Chairman Baker confirmed that the school district was involved in the negotiations and would get the revenue from the cell tower for the lease.

Former City Councilman, Denny Myers approached the podium and began to complain that the notification letter did not say that the Conditional Use Permit was for a cell tower. He requested that the item be tabled until proper notice was sent out to the constituents. He said that the map was inadequate, and he could not read it. Generally, he was displeased with the notice that the Planning Secretary sent out to 900 residents stating that he did not think people had enough information to understand what the meeting was about. He believed that there were only about 20 people out of 900

notified that inquired or attended the meeting because of a failure on the City's behalf to inform the public what was going on. He feels that the matter should be totally tabled until it is fully investigated.

Jerri Hargis came forward to discuss she felt the notice was unclear and how two of the most vulnerable populations, children and elderly would be exposed to the cell tower. She quoted an extensive study that said exposure to cell towers was detrimental to health and cognitive abilities. She asked for studies and serious consideration prior to approving the cell tower.

Jackie Pearsall thought the notice was purposely vague and she did not think it was adequate because neighbors did not know what it meant. She said the phone company did not show any data about how the tower would help with reception. She shared a study about property values going down near cell towers. She also had concerns about health risks from her research.

Commissioner Grba asked the Planning Secretary, Julie Shannon, if she would speak to the matter of the public notice. He asked if she would change the way she sent out public notice to reflect what the line item said on the agenda. She explained that she was still learning how Yukon did things and that she did not intentionally leave off "cell tower" on the conditional use permit notice. She sent the notice out to 900 plus residents and only received about 20 phone calls and most of the people she talked to were there tonight. She said she can certainly improve the notice though it did have the information about the meeting place, date, time, and Conditional Use request as required by State Law.

David Liggett spoke about the notice and that it seemed suspicious. He thought more people would have shown up if they knew it was a cell tower. He opposes any eye sores behind their houses. He brought up the fact that the kids practice sports in the field at the school. Ryan Newton opposes the tower because of health concerns and decreasing property values. He shared a website called ehtrust.org that tracked cases around the country about schools that have not allowed cell towers. He was concerned that cell tower companies were targeting schools because they need the revenue.

Mr. Ferris came back up to the podium to respond to comments. He said that he does not send out the notices and has no control over that. He said that the FCC does not allow local governments to consider radiation in their decisions about cell towers. He said that 90% of the population has a cell phone and that your cell phone puts off more radiation than the cell towers do. He said they were not trying to hide anything. He said the website that Mr. Newton cited was not reliable. He said that if you have cell phones in your house, it will put off more than the tower. He said the tower will put off about as much radiation as a microwave. He said that they chose the school property because it was in the right area and that it was difficult to find a site that had the appropriate 400 foot set-backs required by our code. He said many studies had been done about property values and there is no impact to property values according to the research.

Chairman Baker asked about the generator and if it would be on all of the time. Mr. Ferris said no the generator would not be on all of the time but that the tower was part of an emergency management effort to provide service in the event that a storm knocked out power. Mr. Myers disputed the generator and asked about guidewires. Mr. Baker said that the code did not allow guidewires. Mr. Myers asked again to table the matter and give more time to look into the matter. Mr. Baker shared that he had three towers near his neighborhood.

Mr. Baker asked City Attorney Rinehart and Assistant City Manager Hort if any federal standards had changed and they said not to their knowledge. Commissioner Grba cited passages of our cell tower ordinance as to why we had an ordinance to avoid negative impacts to the City and said that he thought that this tower would have a negative impact. Commissioner Wright said that if the property was zoned Residential, they would not even be talking about it. Chairman Baker said that the zoning of agricultural was a place holder in Yukon. Mr. Ferris said that AT&T does not build towers they do not need and that there are not a lot of places to put up towers in Yukon.

Mr. Liggett asked how many antennas will be on the tower. Mr. Ferris said normally it's 6 antennas to start. Mr. Ferris said that he did not have a problem if they needed to continue the item to give him some time to go talk to the neighbors. Mr. Baker said that he did not think the notice was improper but that he did not want to be back in six months because the public felt that it was improper.

Assistant City Manager, Mitchell Hort, approached the podium and stated that we could go ahead and do another notice and the applicant can correct his plans to show the plans to be true to what they are going to do on site. He felt that sending the notices back out would be the proper way to handle it.

Kay Batista asked how much the school was going to make off of the lease and the dollar amount was discussed by Commissioner Grba and others in the audience. One of things that Nancy Seeton researched was how many towers that she found 40 towers and 92 antennas were already existing. She felt we did not need another one.

**Motion:** Chairman Enmark made the motion to table the item.

**Seconded** by Commissioner Grba.

Prior to the vote, Assistant City Manager, Mitchell Hort, said that we would just start completely over with the item. Mr. Ferris said that they could get everything done that they needed to do in sixty days. He wanted to have a time certain meeting in 60 days. Chairman Baker asked if the July meeting was reasonable, and it was confirmed by Mitchell Hort. City Attorney Rinehart said it would be a new application instead of being tabled and that they should take no action tonight. Commissioner Baker stated that no action would be taken at the meeting tonight.

The Vote: none. NO ACTION WAS TAKEN

5. ITEM: NEW BUSINESS None

6. ITEM: OPEN DISCUSSION

7. ITEM: ADJOURNMENT - NEXT MEETING JUNE 12, 2023