

## City Council – Action Request Form

**Date:** January 9, 2018

**To:** The City Manager

**From:** Gregory M. Turner, Assistant City Manager

**Council Action Requested:**

Consideration of a resolution granting encroachment agreements to Fiber Technologies Networks, LLC, for four Small Cell Wireless Facilities (East, Northwest and South Wards) – Petition of Fiber Technologies Networks, LLC

**Strategic Focus Area:** Quality Transportation

**Strategic Objective:** No

**Strategic Plan Action Item:** No

**Key Work Item:** No



**Summary of Information:**

The City of Winston-Salem has received a request from Fiber Technologies Networks, LLC, for encroachment agreements. These agreements would allow them to encroach upon the public right-of-way with four small cell wireless facilities. These facilities consist of a 36' steel pole with a utility meter, main disconnect, switching gear, remote radio, cabling, and an antenna. The purpose of this infrastructure is to provide a wireless high-speed fiber optic network for users near the facility. There are two locations being requested at this time and both facilities would be located on new poles.

The proposed facilities are located in the 200 block of N. Main Street, approximately 100 feet south of Third Street (Node 327); in the 100 block of N. Liberty Street, approximately 45 feet south of Second Street (Node 328); in the 100 block of W. Fourth Street at Merschel Plaza (Node 329); and in the 100 block of W. Fifth Street, approximately 40 feet west of Liberty Street (Node 330).

Winston-Salem Department of Transportation is in agreement with the use of metal poles, which are consistent with the existing poles along these streets.

**Committee Action:**

<b>Committee</b>	Public Works 1/9/2018	<b>Action</b>	Forwarded to Council
<b>For</b>	Council Members: Besse, Larson, Montgomery	<b>Against</b>	Opposed: None; Abstaining: Council Member Taylor

**Remarks:**

NCGS 160A-400.50-56, newly enacted legislation, regulates “Wireless Telecommunications Facilities” within the public right-of-way or on private property. Once a permit application has been submitted, the City has 30 days to notify the applicant of any deficiencies in the application which, if cured, would make the application complete. The City has 45 days to approve or deny a complete application, unless a longer time frame has been mutually agreed upon between the applicant and the City. If the City fails to act within 45 days or the mutually agreed upon time frame, the application shall be deemed approved.

Staff has not identified a basis for denial, therefore recommends approval of this request.