

## U.S. Cellular Licking Its Wounds after Attack

Written by Administrator  
Monday, 24 July 2000 18:00

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U.S. Cellular is regrouping after a third setback in its effort to put a cellular-phone tower in East Davenport, but residents of that village who've fought the company expect it to come back again. "We'll re-evaluate the situation," said Scott Van Roekel, a project manager for U. S. Cellular, two days after the Davenport school-board president said the district would likely not move forward with a plan to allow the company to build a cellular tower at the site of a day care housed in what was Hoover Elementary on Spring Street. Van Roekel only talked vaguely about U.S. Cellular's plans and would not elaborate. He said that the company is not considering or looking for other sites in East Davenport "at this point in time." He added that U.S. Cellular staff is "trying to figure out if there are" locations outside of East Davenport that will meet the company's criteria. A decision will probably be made on a course of action within a month, he said.

Karen Anderson isn't buying it.

"I think they're going to make another run" at putting a cellular tower in East Davenport, said Anderson, a resident of the village who represented three neighborhood groups before the Davenport School Board on July 10. "They won't say no."

This is just one of many issues on which residents of East Davenport distrust U.S. Cellular. Anderson and other activists have questioned virtually every assertion the company has made, including the need for a tower in East Davenport.

And because everything from U.S. Cellular is considered suspect by many East Davenport residents, it's unlikely the company will get its village tower without a lawsuit. It's that prospect that scares Anderson.

The broad-ranging Telecommunications Act of 1996 accomplished a rare feat by simultaneously giving cellular-phone companies *carte blanche* and protecting consumers. In a seeming contradiction, the law says that "no state or local statute or regulation ... may prohibit ... the ability of any entity to provide any interstate or intrastate telecommunications service," and then stating, "nothing in this section shall affect the ability of a state to impose ... requirements necessary ... to protect the public safety and welfare, ... and safeguard the rights of consumers." Anderson fears, though, that the courts might take the side of the

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telecommunications companies. "At the zoning-board level, we can convince them to say no," said Anderson, whose efforts helped bring out more than 30 people to the school-board meeting. But if U.S. Cellular sues the zoning board and wins, the tower goes in. But that's looking ahead, and U.S. Cellular has other challenges. Van Roekel said the company first must find a "willing landowner," something that hasn't been easy thanks to the efforts of Anderson and others.

In March, the Davenport Levee Improvement Commission rejected a proposal to put a 90-foot tower in the Lindsay Park Boat Club. U.S. Cellular then approached Iowa American Water Company, which said it wasn't interested in leasing U.S. Cellular space for a tower. Then the telecommunications company went to the school district about the day-care center. U.S. Cellular claims that it needs the tower to correct inadequate service in East Davenport, citing an eight-block stretch in which callers sometimes get cut off or hear static, Van Roekel said. He added that his company has received complaints about the quality of service, but wouldn't offer a number, saying, "I don't have that data."

Anderson said she and other East Davenport residents have driven through the village with their U.S. Cellular phones to test the provider's claim and heard a little static on a 20-foot stretch of road.

Van Roekel said the tower would serve customers in a radius of as much as a mile. A one-mile radius from the day-care site reaches into downtown Davenport and the very southwestern corner of Bettendorf.

If the one-mile radius is an actual reflection of the tower's power – yet another thing about which residents are suspicious – then the activists have been off-base with some of their arguments. Anderson said she thinks U.S. Cellular wants to build the East Davenport tower to provide service to Bettendorf, which passed an ordinance banning such structures from its riverfront area. One of the reasons East Davenport residents have so adamantly fought against the tower is because they believe that it will primarily serve another community.

That's just the first of many objections, including several addressing safety issues associated with putting a cellular tower so near a day-care center.

Anderson outlined two safety issues: the potential of the tower to fall and kill or injure children; and the health risks of having children so near a tower.

"These things do fall down," Anderson said. And because researchers have not yet conclusively determined how electric and magnetic fields from cellular towers affect human health, it's dangerous putting a tower on the same property providing day care to children. "This is not a place where we should be experimenting," she said. U.S. Cellular says it has 12,000 towers, and none has ever fallen, even during severe weather. But the health question is still an open one. The National Institute of Environmental Health Sciences notes that "various research and government organizations have reviewed available scientific evidence and concluded that while currently there are no known health risks from being around these towers, further research is needed."

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Residents have also objected to the cell tower because they feel it will take away from the historic nature of their village. "This is not the kind of thing you put in this area," Anderson said. U.S. Cellular said the 70-foot tower at the day care would look like a flagpole and wouldn't be an eyesore.

Residents found out about the school-board agenda item on Friday, July 7, and two days later had mobilized their neighbors. "We really hit the media hard" on Monday, Anderson said, and a local radio and television station covered the issue. "We put the heat on."

"Obviously, we think we're right" about needing a cellular tower, Van Roekel said. "But we're coming up on the short end of the stick."

*Kathleen McCarthy contributed to this article.*