Utility Committee

March 22, 2021

Present: Committee Members Fleck and Buxton; Council Members Baltzell, Clausen, Lochtefeld, and Scott; Mayor Hazel; Auditor Strawn; Safety-Service Director Hitchcock; Law Director Moore; and Bill Kincaid, The Daily Standard.

Committee Chairman Fleck called the meeting to order at 6:00 pm for review of the T-Mobile Water Tower Lease Agreement amendment request.

Mayor Hazel explained the City has allowed leases on the water tower. This is not a new lease, but a renegotiation of the current Agreement. Law Director Moore reported T-Mobile inherited this lease from Bright Communications LLC. T-Mobile has made the small area work as best it could, but is requesting an increase in area without additional rent. T-Mobile was invited by the Law Director to have a representative attend the meeting, but he has not heard back from them.

T-Mobile is requesting to expand the footprint from 80 sf to 94.5 sf and add a clause for a more restrictive ability of the City to transfer the lease agreement to another entity. They pay $1,000 per month rent. Law Director Moore reported there is no provision that allows the City to terminate the Agreement. The Agreement has an initial 5-year term, with automatic five-year renewals up to four additional terms.

CM Clausen asked if T-Mobile would have any other options. CM Lochtefeld responded there have been towers that have gone up in the area, so they have other options.

CM Baltzell stated the rental fee calculates to $12.50 per square foot. The increase square footage would amount to an additional $181.25.

CM Buxton made a recommendation to increase the rental fee from $1,000.00 to $1,181.25 per month and deny the request for modification to paragraph five, seconded by CM Fleck. The recommendation passed with a voice acclamation vote 2-0 Aye.

Chairman Fleck adjourned the meeting at 6:35 pm.

Submitted by Joan S. Wurster, Clerk of Council