

MEMORANDUM

TO: Gregg Mandsager, City Administrator
FROM: Richard Klimes, Director of Parks and Recreation 
DATE: March 1, 2014
RE: Greenwood Cemetery Cell Tower Lease Extension – Resolution Setting Public Hearing

INTRODUCTION:

Please accept this memo and the attached resolution and public notice as a request to set a Public Hearing for the proposed Lease Amendment for the West Cellular Tower in Greenwood Cemetery.

BACKGROUND:

In 1998, the City of Muscatine entered into an agreement to host a cellular tower at Greenwood Cemetery for (6) six (5) year renewable terms. The City was to be paid a 10% increase during each renewal period. The original monthly lease amount was \$500.00 and is currently \$694.31.

The tenant that is renting the west tower is interested in extending the lease time period to 2043 which is an additional (3) three (5) five year periods. The City would continue to receive 10% increases for each renewal period. With the amended lease, the City will also receive 25% of the gross lease payments from all additional tower renters.

RECOMMENDATION/RATIONALE:

At this time, City Staff would recommend that the City Council approve the proposed “Lease Amendment” for the West Cellular Tower in Greenwood Cemetery with TOWERCO 2013 LLC to 2043 with (3) three (5) five year renewal periods with 10% increases for each period and 25% of the gross lease payments for any additional tower leases paid to the City.

BACKUP INFORMATION:

1. Proposed Amendment

Thank you for your time and attention to this matter. Please contact me if you have any questions or concerns.

RESOLUTION NO. _____

RESOLUTION SETTING THE TIME AND PLACE FOR A PUBLIC HEARING ON THE
LEASE AMENDMENT OF PUBLIC PROPERTY IN GREENWOOD CEMETERY TO
TOWERCO 2013 LLC FOR COMMUNICATION PURPOSES

WHEREAS, the City of Muscatine has received a proposal for the amendment of use of space in Greenwood Cemetery, 1814 Lucas Street, for a digital telephone communication monopole antenna and related equipment, and

WHEREAS, a public hearing must be conducted for any agreement that involves more than three (3) years of an interest in real property.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MUSCATINE AT:

SECTION 1: On March 20, 2014 at 7:00 p.m. in the City Council Chambers at City Hall, Muscatine, Iowa, this Council shall hold a public hearing on the proposed amended lease agreement with TOWERCO 2013 LLC for communication purposes.

SECTION 2: The City Clerk shall give notice of such public hearing by publication in the Muscatine Journal not less than four (4) nor more than twenty (20) days, prior to the date set for the public hearing. The notice shall be in the following form:

(Notice of Public Hearing attached)

PASSED, APPROVED AND ADOPTED THIS 6TH DAY OF MARCH, 2014.

City Council of the City of Muscatine, Iowa

BY: _____
DeWayne Hopkins, Mayor

ATTEST:

Gregg Mandsager, City Clerk

PUBLIC NOTICE

**NOTICE OF TIME AND PLACE OF A PUBLIC HEARING ON THE LEASE AMENDMENT
OF PUBLIC PROPERTY IN GREENWOOD CEMETERY TO TOWERCO 2013 LLC FOR
COMMUNICATION PURPOSES**

Public Notice is hereby given that the City Council of the City of Muscatine, Muscatine, Iowa will hold a Public Hearing to have comments on the proposed lease amendment of space in Greenwood Cemetery, 1814 Lucas Street, for digital telephone communication equipment. Said hearing will be held in the City Council Chambers, City Hall, Muscatine, Iowa, on March 20, 2014 at 7:00 p.m. All interested persons are invited to attend and will be given an opportunity to be heard relative to this matter.

Gregg Mandsager, City Clerk