CITY OF BURTON
SPECIAL COUNCIL MEETING MINUTES
MARCH 19, 2001, 7:00 P.M., COUNCIL CHAMBERS

The Special Meeting was called to order by President Bob Centilli at 7:00 P.M.

MEMBERS PRESENT: Bement, Brawner, Centilli, Cross, Tinnin and Wells.

MEMBERS ABSENT: Martinbianco.

OTHERS PRESENT: J. Major, DPW Director; Attorney R. Austin and G. Webster, City Clerk.

PURPOSE OF THE MEETING: Review and approval/denial of an application for a wireless communication system to co-locate on an existing cell tower. New application WCS #01-02 by Sprint PCS, 5600 N. River Rd., Rosemont, IL 60018 at a location of 1107 S. Belsay Rd., (Brabbs Street/City Property).

PRESENTATION:

Claudine Antoon, representative of Sprint PCS, indicated that her company would like to co-locate on an existing Trinity Tower located near S. Belsay Road. Sprint plans to place an additional antenna at 135 ft. The site compound will not be altered from the current 75x75ft structure. The equipment will be placed on a 20x30-foot-raised platform and cabinets will be located on it within the site compound. Sprint will be using the existing access. This is a basic co-location going on an existing structure.

Mr. Major said the administration had no objection to the co-location. The city preferred this type of facility once the structure has been erected. If the co-location were not approved, the company would probably apply for an additional tower. He recommended approval of the co-location.

AUDIENCE PARTICIPATION:

Pauline Dargel, 6119 Hugh St, had concerns with the tax identification number and the ownership of the property. She said the tax role did not reflect that the city owned the property.

COUNCIL DISCUSSION:

Mr. Major said that Mr. Hamilton is still working on this matter. He has acquired from Roadrunner Express a certified transfer of property to the city. Pending a combined description of the property under one corporation, Graco Title Company is preparing a deed. We do have ownership, but it hasn’t been signed over in the name of the city yet. This was a stipulation of the Planning Commission approval, per the president of the Roadrunner Express. An agreement was made to deed the property to the city and we are receiving the revenue from the cell tower.

Attorney Richard Austin asked if there was any revenue associated with the co-location of the tower.

Mr. Major indicated that Mr. Hamilton was handling this matter. He understood that the city would be receiving additional revenue from the co-location.

Ms. Antoon understood that Trinity would be paid by Sprint and that some of these funds would be paid to the city. She was not sure how much the city would be paid.

Mr. Major said there was a document that allows the city, as owners of the property, to receive revenue from the existing tower and the co-location.

Mr. Cross said the city received money for the original tower. However, he thought the co-location fees went to the tower owner.

Mr. Austin said the city has the right, under the original ordinance, to negotiate co-location fees. He did not know the status of this particular issue. He said council might want to know more about revenue information before making a final decision.

Mr. Centilli felt the city should share in the co-location revenue.

Mr. Austin said it was his personal hope that the city would share in those co-location revenues.

Mr. Brawner asked for clarification on the lease agreement.

Mr. Major and Mr. Austin were not aware of the negotiations of the lease agreement.

Discussion continued in reference to the ownership of the property and revenue being collected by the city.

Mrs. Tinnin asked the attorney if the council should hold final approval of this matter until all legal questions had been answered.

Mr. Austin said the co-location could be approved subject to the property being deeded to the city and the finalization of the lease agreement fees. However, if council feels there are still outstanding issues, he suggested this matter be tabled until those issues are resolved.

Mrs. Tinnin moved that council adjourn this request for the co-location to a future date when all the ends are tied up. Mr. Brawner agreed with this remark.

Mr. Bement and Mr. Wells asked if there was a deadline for the company to complete this business.

Ms. Antoon will contact Trinity Wireless so she will be able to provide council with more information on the cell tower negotiations. She indicated the company has ordered the antenna and the equipment. Sprint feels it’s critical to their operation to provide air service, as soon as possible.

Council Discussion continued on this issue.

Mr. Brawner and Mrs. Tinnin felt that Mr. Hamilton should be contacted on this issue since he has negotiated the co-location agreement and ownership of the property.

COUNCIL ACTION:

Tinnin moved and Cross seconded the following motion:

1. Approve and authorize the Council to schedule a special hearing for the purpose of review and approval or denial of an application for a wireless communication system to co-locate on an existing cell tower. New application WCS #01-02 by Sprint PCS, 5600 N. River Rd., Rosemont, IL 60018 at a location of 1107 S. Belsay Rd., (Brabbs Street/City Property) for March 26, 2001 at 5:30 p.m.

Motion carried 6-0.

Meeting Adjourned at 7:25 P.M.

Gayle Webster
Burton City Clerk