

RECORD OF RESOLUTIONS

Dayton Legal Blank, Inc., Form No. 30045

Resolution No. _____

Passed _____, 20____

CITY OF BELPRE
RESOLUTION NO. 3 (2024-2025)

**A RESOLUTION AUTHORIZING THE MAYOR OF BELPRE
TO ENTER INTO AN AGREEMENT WITH WIRT COUNTY 911
TO USE THE BELPRE RADIO TOWER TO REPAIR AND
INSTALL A RADIO REPEATER SITE ON THE TOWER**

WHEREAS, Wirt County 911 has operated a repeater system on the City of Belpre radio tower; and

WHEREAS, the Wirt County 911 equipment needs to be repaired and replaced by new radio equipment; and

WHEREAS, City of Belpre wishes to enter into a signed agreement with Wirt County 911.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF BELPRE, OHIO, THAT:

SECTION I

The Belpre Mayor has recommended that the former oral contract between the City of Belpre and Wirt County 911 should be replaced by a formal written agreement.

SECTION II

The Belpre City Council hereby agrees with the Belpre Mayor and determines that Wirt County 911 should be permitted to enter into a written agreement to continue its EMS transmission from the Belpre tower site.

SECTION III

The Mayor has been presented a proposed contract (a copy of which is attached hereto as Exhibit A). The Belpre City Council hereby authorizes the Mayor of Belpre to execute said agreement.

SECTION IV

This Resolution shall take effect and be in full force at the earliest date allowed by law.

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20____

PASSED: April 22, 2024

[Signature]
PRESIDENT OF COUNCIL

ATTEST: Kimberly S. Mendell

PRESENTED TO MAYOR: 4/22/2024

[Signature]
MAYOR

APPROVED BY MAYOR: 4/22/2024

CLERK'S CERTIFICATION OF PUBLICATION

The undersigned Clerk of the Council of the City of Belpre, Ohio, does hereby certify that on April 22, 2024, this Resolution was published by posting a copy of the same at the five public places designated by the City Council in Ordinance No. 18 (2006-07).

April 22, 2024
Date

Kimberly S. Mendell
CLERK

AGREEMENT FOR TOWER USAGE

This Agreement is entered into the 22ND day of April, 2024, by and between the City of Belpre, Ohio, and Wirt County 911 for the reinstalment of radio inspection equipment on the radio tower owned by the City of Belpre.

WHEREAS, the City of Belpre has a lease agreement for a radio tower and tower site dated February 4, 2024; and

WHEREAS, said lease agreement was for a period of 50 years by and between Millard B. Wildman and Ruth A. Wildman and MCI Telecommunications Corporation; and

WHEREAS, MCI Telecommunication Services, Inc. assigned its interest in the lease to the City of Belpre in 2007; and

WHEREAS, The Wildman Development Corporation, the successors in interest to Millard Wildman, et al. sold the real estate to Sally Roddy and Kevin Hornbeck on July 21, 2022; and

WHEREAS, Wirt County 911 has operated a radio antenna and repeater system on said tower for a number of years; and

WHEREAS, said equipment is no longer operational and must be replaced; and

WHEREAS, the parties hereto wish to enter into an Agreement to memorialize the terms of previous usage of the radio tower.

NOW, THEREFORE, this Agreement is entered by and between the City of Ohio, Ohio, as sub-lessor, and Wirt County 911, as sub-lessee.

This Agreement shall be effective for a period of two (2) years, and shall commence on April 1, 2024, and be effective through midnight March 31, 2026. The rental amount shall be \$200/month, payable in advance on the first day of April, 2024, and the first day of each month thereafter.

The sub-lessee also agreed to pay the City of Belpre an additional lump sum of \$1,800.00 (\$150/month for the period of 18 months that sub-lessee has had its repeater system in operation on sub-lessor's tower).

The City of Belpre agrees as follows:

1. Belpre shall provide limited access to the tower site which is accessed by a right of way access road from Braun Road.
2. The current landowners have installed a locked gate across the access road

The only keys to the lock are held by the landowners and the City of Belpre. Upon reasonable notice from Wirt County 911, its employees and agents may gain access to the tower site by contacting the Belpre Police Department Dispatcher at (740) 423-7631. An employee for the City of Belpre will then contact the sub-leasee to arrange the time of entry through the gate. The parties will determine the length of time that sub-leasee will need access to the tower.


Wirt County 911 agrees as follows:

1. Sub-leasee shall attach only the following equipment to sublessor's tower:
 - A. One (1) VHS Antenna;
 - B. One (1) Repeater, one (1) GPS, and one (1) switch
 - C. Two (2) ubiquiti dishes to beam a radio signal to another tower. This equipment shall be limited to five (5) ghz.

2. Sub-leasee agrees to give the City of Belpre at least twenty-four (24) hours advance notice before it needs access to the tower site. The sub-lessee will also advise the City employee who unlocks the gate how long sub-leasee will need to be at the site. If sub-lessee needs to gain access to the tower for an emergency repair, this sub-lessor will contact the Belpre Police Department Dispatcher at (740) 423-7631. An employee for the City of Belpre will then be notified to contact the caller. Sub-leasee agrees to verify that lock on the gate has been relocked.

3. Sub-lessee shall **not** assign any interest in the lease without that the prior written consent by the City of Belpre. There shall be no assignment to any other EMS provider for local hospital transportation or to any other municipality. Sub-lessee agrees that any violation of these provisions shall result in the immediate termination of this Agreement. If such an event occurs, sub-lessee will only be allowed to enter the tower site to remove its equipment under the personal supervision of the City of Belpre.

Sub-Lessor:


City of Belpre
By: Susan Abdella, Mayor

Sub-Lessee:

Wirt County 911
By: Lewis J. Peck, Co-Chairman