

1 RESOLUTION NO. 2023-271

2

3 SPONSOR Executive Shapiro

4

5 DATE September 11, 2023

COMMITTEE Planning & Economic

6

Development

7 **A Resolution approving the award of the Board of Control of a Land Lease Agreement**  
8 **with Crown Castle, LLC, as a Best Practical Source, for a cell tower at 1100 North Avenue,**  
9 **Tallmadge, Ohio, in Council District 6, for a five-year term with four options to renew for**  
10 **additional five-year terms, for \$36,000.00 for the first year with a yearly 3% increase each**  
11 **year thereafter, and 25% of any the rental proceeds received by Crown Castle, LLC from**  
12 **users or sublessees, for the Executive’s Department of Law, Insurance and Risk**  
13 **Management, and declaring an emergency.**

14

15 WHEREAS, the Executive wishes to enter into a land lease agreement with Crown  
16 Castle, LLC for a cell tower located at 1100 North Avenue, Tallmadge, Ohio, in Council District  
17 6. Crown Castle, LLC will pay the County rent for the tower and a 25% share of the rent for any  
18 users, excluding Crown Castle’s current contract with Verizon; and

19

20 WHEREAS, Crown Castle, LLC is a Best Practical Source pursuant to Section  
21 177.07(a)(5) of the Codified Ordinances of the County of Summit as they have several such  
22 leases with the County and are aware of the County’s requirements for cell towers; and

23

24 WHEREAS, the Board of Control, at its meeting held July 19, 2023, awarded a Land  
25 Lease Agreement with Crown Castle, LLC, as a Best Practical Source, for a cell tower located at  
26 1100 North Avenue, Tallmadge, Ohio, in Council District 6, for a five-year term with four  
27 options to renew for an additional five-year term, for \$36,000.00 for the first year with a yearly  
28 3% increase each year thereafter, and 25% of any the rental proceeds received by Crown Castle,  
29 LLC from any users or sublessees, except current sublessee Verizon, subject to confirmation by  
30 this Council; and

31

32 WHEREAS, this Council finds and determines, after reviewing all pertinent information,  
33 that the aforementioned land lease agreement with Crown Castle, LLC is necessary and in the  
34 best interest of the County of Summit; and

35

36 NOW, THEREFORE, BE IT RESOLVED by the Council of the County of Summit, State  
37 of Ohio, that;

38

39 SECTION 1

40

41 The award by the Board of Control of a Land Lease Agreement with Crown Castle, LLC,  
42 as a Best Practical Source, for a cell tower located at 1100 North Avenue, Tallmadge, Ohio, in  
43 Council District 6, for a five-year term with four options to renew for additional five-year terms,  
44 for \$36,000.00 for the first year with a yearly 3% increase each year thereafter, and 25% of any  
45 the rental proceeds received by Crown Castle, LLC from any users or sublessees, except current  
46 sublessee Verizon, is hereby confirmed and the Executive is hereby authorized to execute said  
47 land lease agreement and any other necessary related documents.

48

49

50

1 RESOLUTION NO. 2023-271

2 PAGE TWO

3

4 SECTION 2

5

6 This Resolution is declared an emergency in the interest of the health, safety, and welfare  
7 of the residents of the County of Summit, and for the further reason that it provides for necessary  
8 land lease rental proceeds to the County

9

10 SECTION 3

11

12 Provided this Resolution receives the affirmative vote of eight members, it shall take  
13 effect immediately upon its adoption and approval by the Executive; otherwise, it shall take  
14 effect and be in force at the earliest time provided by law.

15

16 SECTION 4

17

18 It is found and determined that all formal actions of this Council concerning and relating  
19 to the adoption of this Resolution were adopted in an open meeting of this Council, and that all  
20 deliberations of this Council and any of its committees that resulted in such formal action, were  
21 in meetings open to the public, in compliance with all legal requirements, including Section  
22 121.22 of the Ohio Revised Code.

23

24  
25 INTRODUCED September 11, 2023

26

27 ADOPTED September 25, 2023

28

29 DocuSigned by:  
30 *hauwen mawh*  
31 F8D2DB432BE041B  
32 CLERK OF COUNCIL

DocuSigned by:  
*Veronica R Sim*  
665A946FE4BA42A  
PRESIDENT OF COUNCIL

33 APPROVED September 25, 2023

34

35 DocuSigned by:  
36 *Gene Shapiro*  
37 CB033E40D287473...  
38 EXECUTIVE

39 ENACTED EFFECTIVE September 27, 2023

Voice Vote – YES: 10 – 0: Darrow, Dickinson, Donofrio, McKenney, Rodgers,  
Schmidt, Sims, Walters, Wiedie Higham, Wilhite  
Absent: DeVitis