



April 23, 2013

City Council Committee Report

TO: Mayor and Council

FR: Tara Rickaby, Planning Administrator

RE: Lease Agreement – T Bay Tel

Recommendation:

That the Council of the City of Kenora authorizes the Mayor and Clerk to enter into a telecommunications site agreement on the water stand pipe known as the Keewatin Water Tower to TBayTel for a twenty (20) year term (five years with three additional five year terms); and

That the CAO is authorized to sign the Letter of Authorization which authorizes TBayTel to prepare, execute and file all required applications to obtain any and all Government Approvals and Permits, with any and all City, Town and Provincial agencies and the like, and with Industry Canada, for Tbaytel's leased/licensed use as a telecommunication facility on the property; and further

That three readings be given to a by-law for this purpose.

Background:

The City of Kenora has been approached by a representative of T Bay Tel to lease space on the top of the Keewatin Water Tower for telecommunications purposes. The water tower was chosen because of its height and because using it would mean that an additional tower on the City's horizon would not be necessary.

In February of 2013, Staff was directed to negotiate the agreement. This report/recommendation is to authorize the Mayor and Clerk to enter into the agreement.

The plans have been reviewed by the Operations Department and it has been determined that, in accordance with the conditions included in the lease for access to the water tower, there will not be an issue for the City.

The Municipal Solicitor has reviewed one draft of the lease; staff has since further negotiated the lease rate and conditions for access to the tower and steps to be taken should the tower fail and no longer be safe.

The signing of the Letter of Authorization will permit TBay Tel to proceed with application for any necessary permits.

Budget: Revenues to be allocated to the reserve fund associated with the standpipe. Costs associated with legal review to be paid, per the lease agreement.

Communication Plan/Notice By-law Requirements: Agenda for Property and Planning and Council, T Bay Tel, Municipal Solicitor