



Agenda Memo

Crest Hill, IL

Meeting Date: April 17, 2023
Submitter: Ronald J Wiedeman
Department: Engineering
Agenda Item: Digital Advertising Sign Lease Agreement with BRT

Summary:

At the October 3, 2022 regular City Council, Ordinance 1927 was approved. The Ordinance authorized the execution of a Lease Agreement between the City of Crest Hill and BRT Outdoor, LLC. The approval was subject to legal descriptions and easements being included on Exhibit A for each of the 3 locations where digital message signs are to be installed. A fourth site was omitted from this initial agreement with the understanding that the Lease Agreement could be amended to add sites in the future, and the Agreement as authorized included language which would allow future modification if additional sites were agreed upon.

The agreement attached is ready for signature by the Mayor and now includes legal descriptions and exhibits for the two of locations which are owned by the City and/or within the City's Right-of-Way. Those two locations are as follows:

- NE corner of Theodore and Gaylord
- NW corner of Caton Farm and Kubinski

Work to acquire an easement from Menards for the third location (Weber Rd and City Center Blvd.) is ongoing but because the ROW has not yet been secured, the City Attorney has added language to the Lease which makes it clear that if the Menards easement cannot be secured, neither BRT nor the City would have any further obligations regarding that site. However, the initial discussions with Menards have been positive, but slow moving. In an effort to move forward now with respect to the other two sites, the added language regarding the Menards site has been inserted, reviewed, and approved by BRT. In addition, the City Attorney has added the following to Exhibit A:

Legal Descriptions and Exhibits Attached for Sites 2 and 3. Once Right-of-Way for Site 1 above is secured, said Legal Description and easement, once reviewed and approved by both parties, will be attached hereto and made part of the original Lease Agreement, and said Easement will be Recorded with the Will County Recorder's Office.

As referenced above, the fourth location in the original agreement as presented to Council (Renwick Road Curve) is still being investigated. Field work has been completed and we have determined that ownership of the parcel is under the control of the Will County Highway Department. The Highway Department is determining whether or not this is excess right- of-way. We have been told that this decision will take some time, but if we are able to secure ownership of the parcel, we can add the digital display site to the Lease Agreement per the Lease Terms.

Recommended Council Action:

To approve the execution of the agreement based on approved Ordinance 1927 and the requirements to include the legal descriptions and easements for 2 locations and the wording added by the City Attorney for the Menards and future locations.

Financial Impact:

Funding Source: n/a

Budgeted Amount: n/a

Cost: n/a

Attachments:

BRT and Crest Hill Digital Lease Agreement-Original.pdf

Ordinance 1927 Ordinance Approving a Lease Agreement between the city and with BRT Outdoor, LLC.pdf