

RESOLUTION NO. 46-2018

Approving an Agreement and Permit for and between American Cell, LLC, an Ohio Limited Liability Company, to Operate and Maintain a Telecommunications System Within the City of Worthington Pursuant to and Subject to the Provisions of Chapter 949 of the Codified Ordinances of the City of Worthington.

WHEREAS, American Cell, LLC, an Ohio limited liability company, has requested authority to provide telecommunications services in the City of Worthington; and,

WHEREAS, the City of Worthington has enacted a comprehensive Right-of-Way Ordinance, Chapter 949 of the Codified Ordinances of the City of Worthington; and,

WHEREAS, City Council found the technical ability, and plan for services of American Cell, LLC, acceptable; and,

WHEREAS, the authority is nonexclusive; and,

WHEREAS, American Cell, LLC, is a duly certified public utility holding certificate Number 90-9425, dated November 2, 2015, issued by the Public Utilities Commission of Ohio (PUCO); and,

WHEREAS, the PUCO has determined that American Cell, LLC, has the technical, managerial and financial resources to provide telecommunications services; and,

WHEREAS, American Cell, LLC, will comply with the criteria of Section 949.05 of the Codified Ordinances of the City of Worthington for the issuance of a permit;

NOW, THEREFORE, BE IT RESOLVED by the Council of the Municipality of Worthington, County of Franklin, State of Ohio:

SECTION 1. That pursuant to Chapter 949 of the Codified Ordinances of the City of Worthington, the City Manager is hereby authorized to execute an agreement on behalf of the City, upon approval thereof by the Director of Law, between the City of Worthington and American Cell, LLC, an Ohio limited liability company, for a Telecommunications and Utilities Permit consistent with the requirements of Chapter 949 of the Codified Ordinances.

SECTION 2. That the Clerk of Council be and hereby is instructed to record this Resolution in the appropriate record book.

Adopted July 16, 2018

/s/ Bonnie D. Michael
President of Council

Attest:

/s/ D. Kay Thress
Clerk of Council