

Proposed: 12/5/22

ORDINANCE NO. 177-2022 (PSH), *First Reading*

By Mayor Seren

An Ordinance authorizing the Mayor to enter into a renewal of a License Agreement with the Ohio Bell Telephone Company, dba AT&T for a municipal parking lot at 13172 Cedar Road; providing compensation therefor; and declaring the necessity that this Resolution become immediately effective as an emergency measure.

WHEREAS, by Resolution No. 168-1997, this Council authorized a license agreement with the Ohio Bell Telephone Company, dba AT&T (“Ohio Bell”) for the use of property at 13172 Cedar Road for a municipal parking lot; and

WHEREAS, the original license agreement with Ohio Bell was subsequently extended several times, with the last renewal term expiring on November 30, 2022; and

WHEREAS, the parking lot has proven to be of benefit to the Cedar-Lee Business District and the neighborhood, and the renewal of the license agreement would be in the best interests of the City of Cleveland Heights and its residents.

BE IT ORDAINED by the Council of the City of Cleveland Heights, Ohio, that:

SECTION 1. The Mayor be, and he is hereby, authorized to enter into an agreement with the Ohio Bell Telephone Company, dba AT&T for the renewal of a license for a parking lot at 13172 Cedar Road (the “Premises”). The term of the license renewal shall be for a period of five (5) years, commencing December 1, 2022, unless earlier terminated by either of the parties. The rental payments, which shall be paid in one lump sum annually, shall be the sum of Twelve Thousand Four Hundred Ten Dollars (\$12,410.00) for the first year, with an increase of two percent (2%) for each year thereafter. The License Agreement shall provide for the reservation of up to twelve spaces, if desired, for Licensor’s exclusive use.

SECTION 2. The license agreement authorized herein and all related documents shall contain such terms as recommended by the Mayor and Director of Law and shall be approved as to form by the Director of Law.

SECTION 3. Notice of the passage of this Ordinance shall be given by publishing the title and abstract of its contents, prepared by the Director of Law, once in one newspaper of general circulation in the City of Cleveland Heights.

SECTION 4. It is necessary that this Ordinance become immediately effective as an emergency measure necessary for the preservation of the public peace, health and safety of the inhabitants of the City of Cleveland Heights, such emergency being the need for a timely renewal of the license agreement..Wherefore, provided it receives the affirmative vote of five or more of the members elected or appointed to this Council, this Ordinance shall take effect and be in force

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immediately upon its passage; otherwise, it shall take effect and be in force and after the earliest time allowed by law.

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MELODY JOY HART  
President of the Council

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CRAIG COBB  
Clerk of Council, *Pro Tem*

PASSED: \_\_\_\_\_

Presented to Mayor: \_\_\_\_\_

Approved: \_\_\_\_\_

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KAHLIL SEREN  
Mayor