

City of Parma Heights

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August 13, 1997

EXHIBIT KK

Mr. John T. Kelly
United States Department of Interior
Natural Park Service
Northeast Region
15 State Street
Boston, Massachusetts 02109-3572

VIA: Overnight Mail

Re: Cleveland Support Facility (Nathan Hale Park)
Parma Heights, Ohio
GSA Control Number: D-OH-550A

Dear Mr. Kelly:

Enclosed you will find a certified copy of Ordinance No. 1997-24 which authorized the Mayor to enter into a lease with AT&T Wireless PCS Inc. for the construction of a tower.

As indicated previously, the tower will be owned by the City of Parma Heights.

The lease is conditioned upon our receiving approval from the U.S. Department of Interior, Natural Park Service.

Also enclosed is a sign in sheet of persons in attendance at the council meeting of August 11, 1997, at which meeting the within ordinance was adopted.

No one in attendance spoke against the ordinance.

Per your request in your letter of May 29, 1997, I am enclosing response by the City of

Page Two
Mr. John T. Kelly
August 13, 1997

Parma, Councilman John Stover, and my acknowledgment of his letter.

Cordially,

C. Anthony Stavole /kd

C. Anthony Stavole

CAS/kd
Enclosures

ORDINANCE NO. 1997-24

AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO A LEASE WITH AT & T WIRELESS PCS, INC., FOR THE ERECTION AND USE OF A NEW COMMUNICATIONS TOWER WITHIN THE CITY, (NATHAN HALE PARK) AND DECLARING AN EMERGENCY.

WHEREAS, the Council of the City of Parma Heights did on September 9, 1996 pass ordinance NO. 1996-21 to provide for wireless communication towers and antennas; and

WHEREAS, one of the intentions of aforesaid ordinance was to avoid a proliferation of towers and to direct said towers away from residential areas and towards city parks; and

WHEREAS, AT & T Wireless PCS, Inc. desires to erect a tower at Nathan Hale Park; and

WHEREAS, the United States Department of the Interior which has transferred the Nathan Hale Park to the City of Parma Heights for recreational purposes has determined that the installation of a tower at the park is acceptable providing it does not interfere with the recreational purposes and further providing that the following findings are made by the Council of the City of Parma Heights; and

WHEREAS, the Council does make the following findings:

- (a) Planning Commission meetings on October 2, 1996 and November 6, 1996 held with respect to the tower at the Nathan Hale Park has not resulted in objection from the residents; and
- (b) The installations of the tower will not prevent the accomplishment of the purpose for which the property (Nathan Hale Park) was conveyed to the City

NOW, THEREFORE, BE IT ORDAINED BY the Council of the City of Parma Heights, County of Cuyahoga and State of Ohio:

Section 1. That the Mayor be, and he is hereby authorized to enter into an Option to Lease Agreement and Tower and Land Lease Agreement at Nathan Hale Park, substantially in the forms attached hereto and as approved by the Director of Law.

Section 2. This Council hereby declares this ordinance to be an emergency measure for the immediate preservation of the public health, peace and safety of the Municipality, and for the further reason that a new communications tower will comply with the Telecommunications Act of 1996; and will also comply with the spirit and intent

ORDINANCE 1997-
PAGE TWO

of Section 1390.04 of the Codified Ordinances; wherefore, this ordinance shall be in full force and effect immediately after its passage by Council and approval of the Mayor.

PASSED: August 11, 1997 
PRESIDENT OF COUNCIL

ATTEST: 
CLERK OF COUNCIL August 11, 1997
APPROVED

FILED WITH
THE MAYOR: August 11, 1997 
MAYOR

I HEREBY CERTIFY THAT THE FOREGOING ORDINANCE
NO. 1997-24, IS A TRUE COPY OF THE ORIGINAL, AS
PASSED BY THE COUNCIL OF THE CITY OF PARMA
HEIGHTS, OHIO, AND APPROVED AS NOTED THEREON.

8/13/97 
Date ~~Carla L. Binder, Clerk of Council~~ CHRISTINE HNAT, ASSISTANT CLERK OF COUNCIL
City of Parma Heights, Ohio