

ORDINANCE NO. 97-188  
BY: Kenneth J. Kovach

Accepting a construction, operation, and maintenance easement on property owned by OfficeMax, Inc., for the improvement of traffic signals in the City of Shaker Heights, and declaring an emergency.

WHEREAS, in order to improve the traffic signals in the City of Shaker Heights, it is necessary for the City to acquire certain easements for the construction, operation, and maintenance of certain traffic signal improvements, including one such easement on property owned by OfficeMax, Inc.; and

WHEREAS, OfficeMax, Inc. has agreed to convey such easement to the City of Shaker Heights.

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Shaker Heights, State of Ohio:

Section 1. The easement attached hereto as Exhibit 1, and incorporated herein by reference, is hereby accepted by the City of Shaker Heights.

Section 2. The easement authorized to be accepted herein shall be filed and recorded in the Cuyahoga County Auditor's Office, as directed by the Director of Law.

Section 3. This ordinance is hereby declared to be an emergency measure immediately necessary for the public peace, health, safety, and welfare for the reason that it is necessary to accept these easements in order to allow for continued improvements to traffic signals and, therefore, this ordinance shall take effect immediately upon its enactment and approval by the Mayor.

Enacted November 24, 1997.

Approved this 25th day of November, 1997.

\_\_\_\_\_  
PATRICIA S. MEARNNS, Mayor

Attest:

\_\_\_\_\_  
WILLIAM J. SCHUCHART  
Clerk of Council



**EASEMENT FOR THE CONSTRUCTION,  
OPERATION AND MAINTENANCE OF  
TRAFFIC SIGNAL DEVICES**

For and in consideration of \_\_\_\_\_ the receipt of which is hereby acknowledged by Office Max, Inc. hereinafter referred to as the Grantor (whether one or more) Grantor does hereby grant and convey unto the City of Shaker Heights, its successors and assigns, hereinafter referred to as the Grantee, a perpetual easement for the construction, maintenance, inspection, operation, protection, repair and replacement of a Traffic Signal Loop Detector Device within the following described lands, of which Grantor warrants it is the owner:

Situated in the City of Shaker Heights, County of Cuyahoga, State of Ohio, and known as being a part of Original Warrensville Township Lot No. 56, and being further located within the following described points in the boundary thereof:

Beginning at the intersection of the westerly right-of-way line of Northfield Road (100 feet wide) and the Corporation Line between the City of Shaker Heights and the Village of Highland Hills;

Thence northwesterly along said right-of-way line of Northfield Road a distance of 10 feet along the curve with a radius of 1,382.39 feet (Arc=10.00 feet, chord=10.00 feet) to a point on the curve and is the True Place of Beginning for the parcel herein described;

Thence along the proposed easement line by the following bearings and distances:

Southwesterly a distance of 20.00 feet radially to the westerly right-of-way said Northfield Road to a point;

Northwesterly along a curve an arc distance of 49.28 feet (radius = 1,362.39 feet, chord = 49.27 feet) to a point;

Northeasterly a distance of 20.00 feet radially to said curve to a point on the westerly right-of-way of Northfield Road;

Thence southeasterly along the westerly right-of-way line of Northfield Road an arc distance of 50.00 feet (radius = 1382.39 feet, chord = 50.00 feet) to the True Place of Beginning and containing 992.8 square feet of land, be the same, more or less, but subject to all legal highways and easements of record.

The above described easement area is a part of Permanent Parcel No. 736-28-059. The easement area is shown on Exhibit "A" attached hereto.

**"Basis of Bearing"**

Bearings taken from Map of Existing Conditions for Office Max.

Together with the right of reasonable access to said Traffic Signal Loop Detector Device and the right of ingress and egress on, over, and through the above described easement area for any and all purposes necessary and incident to the exercise by said Grantee of the rights granted hereunder.

In consideration of the foregoing, Grantee covenants and agrees to install the loop detector in connection with the installation of traffic control equipment and to keep the loop detector and all other equipment and facilities located in the easement premises in good operating condition and repair.

The said Grantor shall have the right to use and enjoy the above described land except as the same may be necessary for the purposes herein granted to the said Grantee. Grantor agrees not to build, create, or construct any obstructions, engineering works, or other structures over said Traffic Signal Loop Detector Device nor permit the same to be done by others. If Grantee has to excavate this area in order to repair or replace said Traffic Signal Loop Detector Device, they agree to restore the property to its original condition.

The rights herein granted may be assigned in whole or in part.

The terms, conditions, and provisions of this Right-of-Way Easement shall extend to and be binding upon the heirs, executors, administrators, personal representatives, successors and assigns of the parties hereto.

IN WITNESS WHEREOF, the Grantor herein has hereunto set his hand this \_\_\_\_\_ day of \_\_\_\_\_ of 19 \_\_\_\_.

Signed and sealed in the presence of:

\_\_\_\_\_ OfficeMax, Inc. \_\_\_\_\_

\_\_\_\_\_ By: \_\_\_\_\_

STATE OF OHIO )  
 ) ss  
COUNTY OF CUYAHOGA )

Before me, the undersigned, a Notary Public in and for said County and State on this \_\_\_\_ day of \_\_\_\_\_, 19 \_\_\_\_, personally appeared OfficeMax, Inc. By: \_\_\_\_\_  
Its: \_\_\_\_\_ to me known to be the identical person who executed the within and foregoing instrument by this mark in my presence and in the presence of \_\_\_\_\_

As witness, and acknowledged to me that he executed the same as his free, voluntary act and deed as officer of the corporation for the uses and purposes therein set forth.

Given under my hand and seal the day and year last above written.

\_\_\_\_\_  
NOTARY PUBLIC  
My commission expires

Approved and accepted this \_\_\_\_\_ day of \_\_\_\_\_, 19 \_\_\_\_.

\_\_\_\_\_  
BY: \_\_\_\_\_

ORDINANCE NO. 97-189  
BY: Margaret H. Jorgensen

Accepting a construction, operation, and maintenance easement on the property owned by Shaker Towne Centre Limited Partnership for the improvement of traffic signals in the City of Shaker Heights, and declaring an emergency.

WHEREAS, in order to improve the traffic signals in the City of Shaker Heights, it is necessary for the City to acquire certain easements for the construction, operation, and maintenance of certain traffic signal improvements, including one such easement on property owned by Shaker Towne Centre Limited Partnership; and

WHEREAS, Shaker Towne Centre has agreed to convey such easement to the City of Shaker Heights.

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Shaker Heights, State of Ohio:

Section 1. The easement attached hereto as Exhibit 1, and incorporated herein by reference, is hereby accepted by the City of Shaker Heights.

Section 2. The easement authorized to be accepted herein shall be filed and recorded in the Cuyahoga County Auditor's Office, as directed by the Director of Law.

Section 3. This ordinance is hereby declared to be an emergency measure immediately necessary for the public peace, health, safety, and welfare for the reason that it is necessary to accept these easements in order to allow for continued improvements to traffic signals and, therefore, this ordinance shall take effect immediately upon its enactment and approval by the Mayor.

Enacted November 24, 1997.

Approved this 25th day of November, 1997.

\_\_\_\_\_  
PATRICIA S. MEARNNS, Mayor

Attest:

\_\_\_\_\_  
WILLIAM J. SCHUCHART  
Clerk of Council



**EASEMENT FOR THE CONSTRUCTION,  
OPERATION AND MAINTENANCE OF  
TRAFFIC SIGNAL DEVICES**

good and valuable

For ~~and in~~ consideration, of \_\_\_\_\_ the receipt of which is hereby acknowledged by Shaker Towne Centre Limited Partnership hereinafter referred to as Grantor (whether one or more) do hereby grant, and convey unto the City of Shaker Heights, its successors and assigns, hereinafter referred to as Grantee, a perpetual easement, for the construction, maintenance, inspection, operation, protection, repair and replacement of a Traffic Signal Loop Detector Device within the following described lands, of which the Grantor warrants ~~to be~~ is the owner:

as shown on Exhibit A attached hereto and made a part hereof,

Situated in the City of Shaker Heights, County of Cuyahoga and State of Ohio and known as being part of the Original Warrensville Township Lot No. 43, and being further located within the following described points in the boundary thereof:

Beginning at the intersection of the centerline of Chagrin Boulevard (width varies) at its intersection with the centerline of Lee Road (width varies) said point also being the southwest corner of Original Warrensville Township Lot No. 43, as aforesaid;

Thence North 00° 21' 15" West, along the centerline of Lee Road, a distance of 309.39 feet to a point therein;

Thence North 89° 31' 34" East, a distance of 40.00 feet to a point on the easterly line of Lee Road, as aforesaid, and is the True Place of Beginning for the parcel herein described;

Thence along the proposed easement line by the following bearings and distances:

North 89° 31' 34" East a distance of 40.00 feet to a point;

South 00° 21' 15" East a distance of 30.00 feet to a point;

South 89° 31' 34" West a distance of 40.00 feet to a point;

Thence North 00° 21' 15" West along said existing easterly right-of-way line of Lee Road a distance of 30.00 feet to the True Place of Beginning and containing 1,199.6 square feet (0.03 acre) of land, be the same, more or less, but subject to all legal highways and easements of record.

The above described area is part of Permanent Parcel No. 735-17-17.

**"Basis of Bearing"**

Bearings taken from Shaker Towne Centre Subdivision Plat of Subdivision and Consolidation, Volume 252, Page 36.

Together with the right of unimpaird access to said Traffic Signal Loop Detector Device and the right of ingress and egress on, over, and through the above described land for any and all purposes necessary and incident to the exercise by said Grantee of the rights granted hereunder.

The said Grantor shall have the right to use and enjoy the above described land except as the same may be necessary for the purposes herein granted to the said Grantee. Grantor agrees not to build, create, or construct any obstructions, engineering works, or other structures over said Traffic Signal Loop Detector Device nor permit the same to be done by others. If Grantee has to excavate this area in order to repair or replace said Traffic Signal Loop Detector Device, they agree to restore the property to its original condition. Grantee agrees to install,

The rights herein granted may be assigned in whole or in part.

The terms, conditions, and provisions of this Right-of-Way Easement shall extend to and be binding upon the heirs, executors, administrators, personal representatives, successors and assigns of the parties hereto.

IN WITNESS WHEREOF, the Grantor herein has hereunto set his hand this 7th day of November of 1997.

SHAKER TOWNE CENTRE LIMITED PARTNERSHIP, a Delaware limited partnership, By: CHASE SHAKER CORPORATION, an Ohio corporation, a General Partner

By: Stuart F. Klime, President

Signed and sealed in the presence of:

Linda Y. Kass

Janet L. DeWitt

STATE OF OHIO ) ) ss COUNTY OF CUYAHOGA )

Before me, the undersigned, a Notary Public in and for said County and State on this day of 1997, personally appeared to me known to be the identical person who executed the within and foregoing instrument by this mark in my presence and in the presence of

AS WITNESSES, and acknowledged to me that he executed the same as his free, voluntary act and deed for the uses and purposes therein set forth.

Given under my hand and seal the day and year last above written.

NOTARY PUBLIC My commission expires

(SEAL)

Approved and accepted this day of 1997.

\_\_\_\_\_

BY: \_\_\_\_\_

however, Grantor reserves the right to grant easements to others, including, without limitation, a sanitary sewer easement to the Northeast Ohio Regional Sewer District, provided that any party performing work in connection with any such easements shall restore the area disturbed by its work to its condition prior to such work.

ACKNOWLEDGMENT

STATE OF OHIO                    )  
  )SS  
COUNTY OF CUYAHOGA        )

BEFORE ME, a Notary Public in and for said County and State, personally appeared the above-named **SHAKER TOWNE CENTRE LIMITED PARTNERSHIP**, a Delaware limited partnership, by Chase Shaker Corporation, an Ohio corporation, its General Partner, by Stuart F. Kline, its President, who acknowledged that he did sign the foregoing instrument and that the same is the free act and deed of said corporation on behalf of said partnership, and his free act and deed, personally and as such officer.

IN TESTIMONY WHEREOF, I have hereunto set my hand and official seal at Beachwood, Ohio, this 7<sup>th</sup> day of NOVEMBER, 1997.

Janet L. DeWitt  
NOTARY PUBLIC  
My Commission expires: Nov. 3, 2001

JANET L. DeWITT, NOTARY PUBLIC  
State of Ohio  
My Commission Expires Nov. 3, 2001

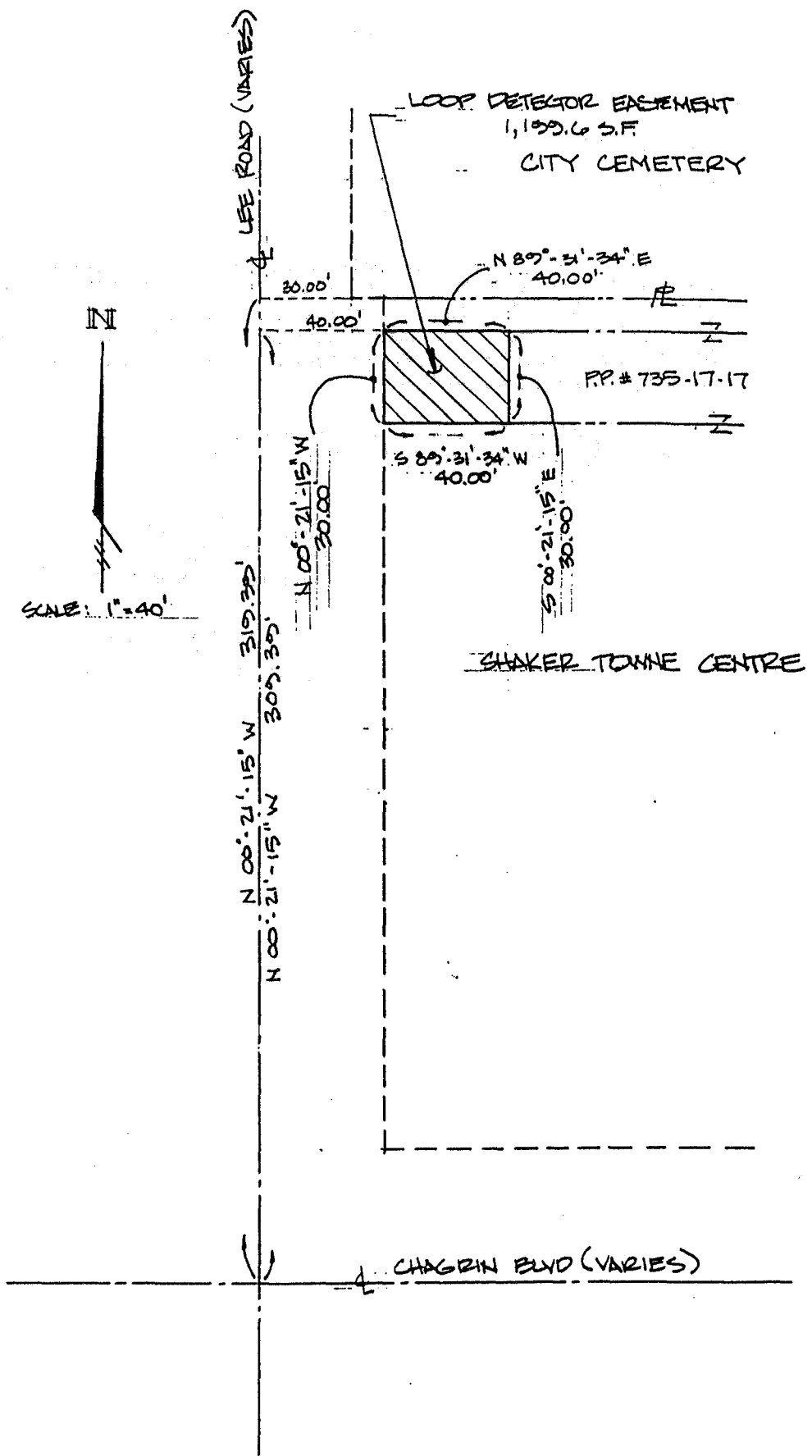


EXHIBIT "A"

ORDINANCE NO. 97-190

BY: Kenneth Kovach

Amending Ordinance No. 97-58, as amended by Ordinance Nos. 97-112 and 97-129, appropriating funds from the General Capital Fund for various public service projects.

BE IT ORDAINED by the Council of the City of Shaker Heights, State of Ohio:

Section 1. That the amount of funds appropriated for various public service projects in Section 1. of Ordinance No. 97-58, as amended by Ordinance Nos. 97-112 and 97-129, is hereby increased by THREE HUNDRED TWENTY-TWO THOUSAND DOLLARS (\$322,000), from ONE HUNDRED SIXTY-TWO THOUSAND DOLLARS (\$162,000) to FOUR HUNDRED EIGHTY-FOUR THOUSAND DOLLARS (\$484,000), to provide for the following projects:

<u>Project</u>	<u>Amount</u>
<u>Fire Station Facility Improvements</u>	
FS #2 Electrical Wiring Replacement	\$ 10,000
FS #1 & #2 Replace Kitchen Exhaust Hood and Fire Suppression System	10,000
FS #2 Front Entrance Door Replacement	5,000
<u>City Hall Facility Improvements</u>	
Repair & Paint Council Chambers	8,000
Roof Repairs - Replace Copper Surfaces	10,000
Replace Posts, Fixtures & Railings on the East & South Entrances	15,000
Rehab Front Entrance (Copper Roof and Columns)	30,000
<u>Service Center Facility Improvements</u>	
Replace Mechanic's Bay Hoist	35,000
Repair Building Settlement Damage Northeast Corner	10,000
<u>Police Facility Improvements</u>	
Jail HVAC - Upgrade Fresh Air Intake	50,000
Firing Range HVAC - Install Direct Fired Heating Unit	22,000
Replace All Locksets	5,000
Police Courtyard - Waterproofing Imp.	30,000
<u>Court Facility Improvements</u>	
Remodel Courtroom No. 1	15,000
<u>Other Improvements</u>	
Parking Lots - Resurface Larchmere Lot	5,000
Playground Improvements - Winslow Park Equipment Removal & Replacement	60,000
Sussex School Bldg. Boiler Replacement Supplemental (Inc. from \$26,000)	2,000
Total	<u>\$322,000</u>

Section 2. That the City Finance Director be and is hereby authorized and directed to draw his warrants against the appropriations hereinabove set forth upon presentation of proper vouchers.

Section 3. This ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health, safety and welfare for the reason that it is necessary in the current operation of the City, and this ordinance shall, therefore, take effect immediately upon its enactment and approval by the Mayor.

Enacted November 24, 1997.

Approved this 25th day of November, 1997.

---

PATRICIA S. MEARNS, Mayor

Attest:

---

WILLIAM J. SCHUCHART  
Clerk of Council

ORDINANCE NO. 97-191  
BY: Allen Foster

Amending Ordinance No. 97-72, an ordinance appropriating funds from the General Capital Fund for various street improvement projects, to provide for the cost of preliminary engineering and design services required for the resurfacing of Larchmere Boulevard.

BE IT ORDAINED by the Council of the City of Shaker Heights, State of Ohio:

Section 1. That the amount of funds appropriated from the General Capital Fund No. 401.04 to provide for the construction and related engineering and design costs of the various street improvement projects in Section 1. of Ordinance No. 97-72, as amended by Ordinance Nos. 97-76 and 97-156, is hereby increased by TWENTY-ONE THOUSAND DOLLARS (\$21,000), from TWO HUNDRED NINETY-ONE THOUSAND TWO HUNDRED DOLLARS (\$291,200) to THREE HUNDRED TWELVE THOUSAND TWO HUNDRED DOLLARS (\$312,200) to provide for the cost of preliminary engineering and design services required for the resurfacing of Larchmere Boulevard.

Section 2. That the City Finance Director be and he is hereby authorized and directed to draw his warrants against the appropriations hereinabove set forth upon presentation of proper vouchers.

Section 3. This ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health, safety and welfare for the reason that it is necessary in the current operation of the City, and this ordinance shall, therefore, take effect immediately upon its enactment and approval by the Mayor.

Enacted November 24, 1997.

Approved this 25th day of November, 1997.

\_\_\_\_\_  
PATRICIA S. MEARNs, Mayor

Attest:

\_\_\_\_\_  
WILLIAM J. SCHUCHART  
Clerk of Council



ORDINANCE NO. 97-192  
BY: Jan Devereaux

Authorizing an operating transfer from the Sewer Maintenance Special Revenue Fund to the Sewer Capital Improvement Fund, and amending Ordinance No. 97-39, making annual appropriations for the current expenses and other expenditures of the City of Shaker Heights for the fiscal year ending December 31, 1997, and amending Ordinance No. 97-23, appropriating funds from the Sewer Capital Improvement Fund to provide additional funding for the cost of sanitary sewer repairs and improvements in the northeast quadrant of the City.

BE IT ORDAINED by the Council of the City of Shaker Heights, State of Ohio:

Section 1. That there be and is hereby transferred from the Sewer Maintenance Special Revenue Fund Account No. 204 to the Sewer Capital Improvement Fund Account No. 402 the additional sum of TWO HUNDRED FORTY-THREE THOUSAND ONE HUNDRED DOLLARS (\$243,100) to provide additional funding to finance the construction of sanitary sewer system repairs and improvements in the northeast quadrant of the City.

Section 2. That Section 7. of Ordinance No. 97-39, as amended by Ordinance Nos. 97-59, 97-101, 97-105 and 97-130, is hereby amended to include the operating transfer authorized in Section 1. of this ordinance.

Section 3. That, in order to provide additional funding to finance the cost of professional engineering, design, inspection services, and construction of sanitary sewer system improvements in the northeast quadrant of the City, the amount of funds appropriated from Fund No. 204 - Sewer Maintenance Special Revenue Fund in Section 3. of Ordinance 97-39, as amended by Ordinance Nos. 97-59, 97-85, 97-101, 97-105 and 97-130, is hereby increased by TWO HUNDRED FORTY-THREE THOUSAND ONE HUNDRED DOLLARS (\$243,100) as follows:

Special Revenue Fund - 200

ACCT. NO.	Fund Activity	PERSONAL SERVICE	OTHER	TOTAL
204	Sewer Maintenance	\$ 331,600	\$ 887,500 (2B)	\$ 1,219,100
TOTAL SPECIAL REVENUE FUNDS		<u>\$3,011,800</u>	<u>\$2,984,627</u>	<u>\$5,996,427</u>

Section 4. That the amount of funds appropriated from the Sewer Capital Improvement Fund No. 402 in Section 2. of Ordinance No. 97-23 is hereby increased by TWO HUNDRED FORTY-THREE THOUSAND ONE HUNDRED DOLLARS (\$243,100), from ONE HUNDRED TWENTY THOUSAND FOUR HUNDRED DOLLARS (\$120,400) to THREE HUNDRED SIXTY-THREE THOUSAND FIVE HUNDRED DOLLARS (\$363,500), in order to provide for the cost of professional engineering, design, and inspection services, and construction of sanitary sewer system improvements in the northeast quadrant of the City.

Section 5. That the City Finance Director be and he is hereby authorized and directed to draw his warrants against the appropriations hereinabove set forth upon presentation of proper vouchers.

Section 6. This ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health, safety and welfare for the reason that it is necessary in the current operation of the City, and this ordinance shall, therefore, take effect immediately upon its enactment and approval by the Mayor.

Enacted November 24, 1997.

Approved this 25th day of November, 1997.

---

PATRICIA S. MEARNS, Mayor

Attest:

---

WILLIAM J. SCHUCHART  
Clerk of Council

ORDINANCE NO. 97-193  
BY: Kenneth Kovach

Amending Ordinance No. 97-26, an ordinance appropriating funds from the General Capital Fund No. 401 for the installation of a dehumidification system for the Thornton Park ice rink.

BE IT ORDAINED by the Council of the City of Shaker Heights, State of Ohio:

Section 1. That the amount of funds appropriated from the General Capital Fund Account No. 401.05 for the cost of the engineering, designing, purchasing and installing a dehumidification system to service the Thornton Park ice rink in Section 1. of Ordinance No. 97-26, as amended by Ordinance No. 97-125, is hereby increased by ELEVEN THOUSAND SIX HUNDRED DOLLARS (\$11,600), from FIFTY-NINE THOUSAND ONE HUNDRED DOLLARS (\$59,100) to SEVENTY THOUSAND SEVEN HUNDRED DOLLARS (\$70,700).

Section 2. That the City Finance Director be and is hereby authorized and directed to draw his warrants against the appropriations hereinabove set forth upon presentation of proper vouchers.

Section 3. This ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health, safety and welfare for the reason that it is necessary in the current operation of the City, and this ordinance shall, therefore, take effect immediately upon its enactment and approval by the Mayor.

Enacted November 24, 1997.

Approved this 25th day of November, 1997.

\_\_\_\_\_  
PATRICIA S. MEARNES, Mayor

Attest:

\_\_\_\_\_  
WILLIAM J. SCHUCHART  
Clerk of Council



ORDINANCE NO. 97-194  
BY: Margaret H. Jorgensen

Confirming the granting of a conditional use permit for the installation of rooftop antennae at Tower East, 20600 Chagrin Boulevard (SprintCom, Inc.).

BE IT ORDAINED by the Council of the City of Shaker Heights, State of Ohio:

Section 1. This Council hereby confirms the granting of a conditional use permit by the City Planning Commission at its meeting on December 1, 1997, for the installation of nine (9) panel rooftop antennae by SprintCom, Inc. on the penthouse at Tower East, 20600 Chagrin Boulevard, Shaker Heights, Ohio.

Section 2. This ordinance shall take effect from and after the earliest time allowed by law.

Enacted December 8, 1997.

Approved this 9th day of December, 1997.

\_\_\_\_\_  
PATRICIA S. MEARNS, Mayor

Attest:

\_\_\_\_\_  
WILLIAM J. SCHUCHART  
Clerk of Council



ORDINANCE NO. 97-195  
BY: Margaret H. Jorgensen

Accepting the recommendations of the City Planning Commission relative to improvements to public land (Greater Cleveland Regional Transit Authority).

BE IT ORDAINED by the Council of the City of Shaker Heights, State of Ohio:

Section 1. Pursuant to Section 1212.03(A)(2)(i) of the Shaker Heights Zoning Code, this Council hereby accepts the recommendations of the City Planning Commission rendered at its meetings on October 15, 1997, and on December 1, 1997, relative to improvements on public land by the Greater Cleveland Regional Transit Authority ("RTA"), to wit: improvements to RTA Blue Line Terminus/Warrensville Station platform, shelters, and signage, for the purpose of complying with the Americans with Disabilities Act ("ADA"). As to the signage, the acceptance granted herein is expressly conditioned upon the following: (1) the free-standing map sign will be reduced to 6 feet 6 inches in height; (2) deletion of a proposed third "RTA" sign; and (3) the letters of the "RTA" sign should be raised on the existing building, subject to the approval of the Architectural Board of Review.

Section 2. The acceptance by City Council of the recommendations of the City Planning Commission regarding said improvements to the Blue Line Terminus/Warrensville Station platform, shelters and signage shall also constitute such approval as may be required pursuant to Schedule L, Exhibit L-3 of the Mass Transit System Transfer Agreement between the City of Shaker Heights and RTA, executed on September 5, 1975.

Section 3. This ordinance shall take effect from and after the earliest time allowed by law.

Enacted December 8, 1997.

Approved this 9th day of December, 1997.

\_\_\_\_\_  
PATRICIA S. MEARNS, Mayor

Attest:

\_\_\_\_\_  
WILLIAM J. SCHUCHART  
Clerk of Council



RESOLUTION NO. 97-196

BY: Judith H. Rawson

*Expressing appreciation to EDWARD HEMMELGARN, CAROLYN GARVIN, DOUG WANG, LAURIE RONIS, JIM LESUEUR, MICHAEL MCCORD, PAUL LEVIN, MARTIN VAN VALKENBERG and JACOB KRONENBERG for their years of service on Council Committees and Commissions.*

*WHEREAS, EDWARD HEMMELGARN, CAROLYN GARVIN, DOUG WANG, LAURIE RONIS, JIM LESUEUR, MICHAEL MCCORD, PAUL LEVIN, MARTIN VAN VALKENBERG and JACOB KRONENBERG have served on City Council Committees and Commissions, described as follows: EDWARD HEMMELGARN (Recreation Committee); CAROLYN GARVIN (Human Relations Commission); DOUG WANG (Public Service Committee and Community Life Committee); LAURIE RONIS (Public Service Committee); JIM LESUEUR (Community Life Committee); MICHAEL MCCORD (Community Life Committee); PAUL LEVIN (Finance Committee); MARTIN VAN VALKENBERG (Landmark Commission); and JACOB KRONENBERG (Safety Committee); and*

*WHEREAS, the term of each of the above-mentioned Committee or Commission members will expire on December 31, 1997; and*

*WHEREAS, each of these individuals has unselfishly given his or her time and talents to the service of the City of Shaker Heights, providing valuable insight and outstanding leadership on the Council Committees and Commissions on which they served; and*

*WHEREAS, this Council desires to honor EDWARD HEMMELGARN, CAROLYN GARVIN, DOUG WANG, LAURIE RONIS, JIM LESUEUR, MICHAEL MCCORD, PAUL LEVIN, MARTIN VAN VALKENBERG and JACOB KRONENBERG, and to express its appreciation for their great devotion and years of service to the City of Shaker Heights as members of their respective Council Committees and Commissions.*

*NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Shaker Heights, State of Ohio:*

*Section 1. This Council expresses its appreciation for the diligent and faithful service of EDWARD HEMMELGARN, CAROLYN GARVIN, DOUG WANG, LAURIE RONIS, JIM LESUEUR, MICHAEL MCCORD, PAUL LEVIN, MARTIN VAN VALKENBERG and JACOB KRONENBERG, and for their great devotion to the community they served, and extends to them and their families its best wishes for continued good health and prosperity.*

Section 2. The Clerk of Council is hereby instructed to furnish EDWARD HEMMELGARN, CAROLYN GARVIN, DOUG WANG, LAURIE RONIS, JIM LESUEUR, MICHAEL MCCORD, PAUL LEVIN, MARTIN VAN VALKENBERG and JACOB KRONENBERG, with a duly inscribed, attested and approved copy of this resolution.

Adopted December 22, 1997.

Approved this 22nd day of December, 1997.

\_\_\_\_\_  
*Kenneth J. Kovach*

\_\_\_\_\_  
*Stephanie W. Turner*

\_\_\_\_\_  
*Margaret H. Jorgensen*

\_\_\_\_\_  
*Judith H. Rawson*

\_\_\_\_\_  
*David E. Weiss*

\_\_\_\_\_  
*Jan M. Devereaux*

\_\_\_\_\_  
*Allen D. Foster, Sr.*

\_\_\_\_\_  
*PATRICIA S. MEARNS, Mayor*

Attest:

\_\_\_\_\_  
*WILLIAM J. SCHUCHART*  
Clerk of Council

RESOLUTION NO. 97-197

BY: Judith H. Rawson

*Expressing appreciation to RICHARD F. DIPIETRO for his years of service to the City.*

*WHEREAS, RICHARD F. DIPIETRO was first employed by the City as a Laborer in the Service Department on September 9, 1983; and*

*WHEREAS, RICHARD F. DIPIETRO will be retiring from his position as Traffic Sign & Line Marker Helper in the Service Department, effective August 31, 1997; and*

*WHEREAS, the hard work and dedication of RICHARD F. DIPIETRO was best exemplified by receiving five (5) letters of commendation for "Outstanding Service to the Community"; and*

*WHEREAS, RICHARD F. DIPIETRO has unselfishly given his time and talents to the service of the City, its officials and citizens; and*

*WHEREAS, this Council desires to honor RICHARD F. DIPIETRO and to express its appreciation for his great devotion and his 14 years of service to the City of Shaker Heights.*

*NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Shaker Heights, State of Ohio:*

*Section 1. This Council expresses its appreciation for the long and faithful service of RICHARD F. DIPIETRO and for his devotion to the community he served, and extends to RICHARD F. DIPIETRO, upon the occasion of his retirement, its best wishes for continued good health and prosperity.*

Section 2. The Clerk of Council is hereby instructed to furnish RICHARD F. DIPIETRO with a duly inscribed, attested, and approved copy of this resolution.

Adopted December 22, 1997.

Approved this 22nd day of December, 1997.

\_\_\_\_\_  
*Kenneth J. Kovach*

\_\_\_\_\_  
*Stephanie W. Turner*

\_\_\_\_\_  
*Margaret H. Jorgensen*

\_\_\_\_\_  
*Judith H. Rawson*

\_\_\_\_\_  
*David E. Weiss*

\_\_\_\_\_  
*Jan M. Devereaux*

\_\_\_\_\_  
*Allen D. Foster, Sr.*

\_\_\_\_\_  
*PATRICIA S. MEARNS, Mayor*

Attest:

\_\_\_\_\_  
**WILLIAM J. SCHUCHART**  
Clerk of Council

coun97/11b1217

ORDINANCE NO. 97-198  
BY: Kenneth J. Kovach

Authorizing the acceptance of a Solar Mobile Traffic Monitor for use in the Police Department.

BE IT ORDAINED by the Council of the City of Shaker Heights, State of Ohio:

Section 1. Pursuant to Section 141.15 of the Shaker Heights Administrative Code, this Council hereby authorizes the Director of Finance to accept, on behalf of the City, a gift of a Solar Mobile Traffic Monitor, with an estimated value of ELEVEN THOUSAND SEVEN HUNDRED TWENTY-FIVE DOLLARS (\$11,725), from the Progressive Insurance Company, for use by the Shaker Heights Police Department.

Section 2. This ordinance shall take effect from and after the earliest time allowed by law.

Enacted December 22, 1997.

Approved this 23rd day of December, 1997.

\_\_\_\_\_  
PATRICIA S. MEARNES, Mayor

Attest:

\_\_\_\_\_  
WILLIAM J. SCHUCHART  
Clerk of Council



ORDINANCE NO. 97-199  
BY: Kenneth J. Kovach

Amending Ordinance No. 96-100, adopting a classification and pay plan for various positions in the service of the City, to provide for additional positions in Fire and Police Departments.

BE IT ORDAINED by the Council of the City of Shaker Heights, State of Ohio:

Section 1. Ordinance No. 96-100, enacted June 25, 1996, and as amended pursuant to Ordinance No. 97-96, enacted June 30, 1997, is hereby further amended by the modification of Exhibit 1 of Ordinance No. 96-100 ("Position Classification Plan") as applied to the Fire and Police Departments, to provide for the addition of the following positions, effective January 1, 1998: Fire Prevention/Education Specialist (Fire Department); and Executive Assistant/Police Administration (Police Department), as more fully set forth in the attached Exhibit 1, included herein by reference.

Section 2. Except as amended by Ordinance No. 97-96, and this ordinance, Ordinance No. 96-100 shall remain in full force and effect.

Section 3. This ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health, safety and welfare for the reason that it is necessary in the current operation of the Fire and Police Departments and, therefore, this ordinance shall take effect immediately upon its enactment and approval by the Mayor.

Enacted December 22, 1997.

Approved this 23rd day of December, 1997.

---

PATRICIA S. MEARNs, Mayor

Attest:

---

WILLIAM J. SCHUCHART  
Clerk of Council

## POSITION CLASSIFICATION PLAN

<u>POSITION TITLE</u>	<u>SALARY GRADE</u>
<u>Fire Department</u>	
Fire Equipment Maintenance Specialist	25
Fire Prevention/Education Specialist	27
Fire Assistant Chief/Prevention & EMS	34
Fire Assistant Chief/Operations & Administration	34
Fire Chief	39
<u>Police Department</u>	
Police Records Clerk	17
Police Watch Officer	19
Police Records Specialist	20
Police Jailer	21
Police Property Officer/Jailer	22
Police Records Supervisor	24
Crime Prevention Officer	24
Executive Assistant/Police Administration	25
Police Crime Analyst	25
Traffic Signal Superintendent	26
Police Auxiliary Services Superintendent	31
Police Information System Technician	31
Police Captain	32
Police Commander	34
Assistant Chief of Police	35
Chief of Police	41

ORDINANCE NO. 97-200  
BY: Judith H. Rawson

Authorizing a contract for property and casualty insurance.

BE IT ORDAINED by the Council of the City of Shaker Heights, State of Ohio:

Section 1. The Mayor and the Director of Finance are hereby authorized and directed to enter into a contract with Indiana Insurance Company for property and casualty insurance for City-owned property in accordance with its written proposal of December 10, 1997.

Section 2. The costs for such insurance shall not exceed the rates set forth in said written proposal of Indiana Insurance Company, and the contract shall be in substantially the form as approved by the Director of Law. The contract authorized herein shall be for a period of one (1) year, but may be renewed annually by the City, so long as any increase in the rates for the services authorized herein are approved by City Council, which approval may be given as part of Council's review and approval of the City's annual budget.

Section 3. This ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health, safety and welfare for the reason that it is necessary in the current operation of the City and, therefore, this ordinance shall take effect immediately upon its enactment and approval by the Mayor.

Enacted December 22, 1997.

Approved this 23rd day of December, 1997.

\_\_\_\_\_  
PATRICIA S. MEARNs, Mayor

Attest:

\_\_\_\_\_  
WILLIAM J. SCHUCHART  
Clerk of Council

1

ORDINANCE NO. 97-201  
BY: Allen D. Foster, Sr.

Authorizing the granting of two permanent underground easements to the Northeast Ohio Regional Sewer District.

WHEREAS, the Northeast Ohio Regional Sewer District is scheduled to continue construction of the Heights Hilltop Interceptor Sewer through the City of Shaker Heights; and

WHEREAS, the locations of this construction phase were approved by the City Planning Commission at its meeting on August 4, 1997, and by City Council at its meeting on August 25, 1997, pursuant to Ordinance No. 97-119; and

WHEREAS, among the construction locations so approved were Clayton Boulevard northwest of Van Aken Boulevard, and Sutton Road south of Van Aken Boulevard; and

WHEREAS, the Northeast Ohio Regional Sewer District has requested from the City permanent easements on public property for underground crossings along the Van Aken Boulevard rapid transit line in connection with the Clayton Boulevard/Van Aken Boulevard and Sutton Road/Van Aken Boulevard sewer construction, one permanent easement at each location; and

WHEREAS, the granting of such easements are necessary in connection with the construction of the Heights Hilltop Interceptor Sewer improvements, which improvements will benefit the residents of the City of Shaker Heights.

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Shaker Heights, State of Ohio:

Section 1. This Council hereby authorizes the conveyance of two permanent underground easements, located along the public property at Clayton Boulevard/Van Aken Boulevard, and Sutton Road/Van Aken Boulevard, to the Northeast Ohio Regional Sewer District, all as more fully set forth in Exhibit 1 (and including Exhibits A, B, C and D), attached hereto and included herein by reference.

Section 2. The Mayor is authorized to execute the easements granted herein, and such other documentation as may be required in connection therewith, as approved by the Director of Law.

Section 3. This ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health, safety and welfare for the reason that it is necessary to grant said easements in order to continue construction of the Heights Hilltop Interceptor Sewer improvements and, therefore, this ordinance shall take effect immediately upon its enactment and approval by the Mayor.

Enacted December 22, 1997.

Approved this 23rd day of December, 1997.

---

PATRICIA S. MEARNS, Mayor

Attest:

---

WILLIAM J. SCHUCHART  
Clerk of Council



# Northeast Ohio Regional Sewer District

3826 Euclid Avenue • Cleveland, OH 44115-2504 • (216) 881-6600 • FAX: (216) 881-4407

December 5, 1997

REC'D

Terrence L. Brennan  
Shaker Heights Law Dept.  
3400 Lee Rd.  
Shaker Heights, OH 44120

DEC 08

Re: Heights Hilltop Interceptor Contract 7C  
Easement Nos HH-724P & HH-725P

Dear Terry,

Enclosed please find the above referenced easement document. Both easements are for underground crossings on the Van Aken Blvd. rapid transit line and need to be granted by both the City of Shaker Heights and the Greater Cleveland Regional Transit Authority. Please have the document executed and returned to my attention. I will then forward the document to GCRTA for their signature.

Thank you for your help and patience on this matter. Call me if you have any questions.

Sincerely,

Robert B. Oberndorf  
Assistant General Counsel

EASEMENTS FOR THE INSTALLATION  
AND MAINTENANCE OF THE  
HEIGHTS HILLTOP INTERCEPTOR

HH-724P & HH-725P

PPN 731-14-015

KNOW ALL MEN BY THESE PRESENTS:

That the CITY OF SHAKER HEIGHTS, claiming title by or through instrument recorded in Volume 610,942, Page 35, Cuyahoga County Records, and the GREATER CLEVELAND REGIONAL TRANSIT AUTHORITY, claiming title by or through a Lines and Tracks Easement instrument recorded in Volume 14493, Page 705, Cuyahoga County Records, the GRANTORS herein, for and in consideration of the sum of One Dollar (\$1.00), and other valuable consideration received in full satisfaction, do hereby give, grant, bargain and convey, to the NORTHEAST OHIO REGIONAL SEWER DISTRICT, a regional sewer district organized and existing as a political subdivision of the State of Ohio under Chapter 6119 of the Ohio Revised Code, the GRANTEE herein, the perpetual rights of way and easements, for the purposes hereinafter mentioned, in and under the premises described in Exhibits "A" and "C" and outlined in Exhibit "B" and "D," attached hereto and made a part hereof.

The easement and rights herein granted shall include the right to enter under and through said premises and to lay, install, repair and maintain therein public sanitary sewers together with appurtenances, specifically one 30" diameter RCP sewer at a depth of approximately 50' located at the intersection of Van Aken Boulevard and Sutton Road, and one 60" diameter RCP sewer at a depth of approximately 100' located at the intersection of Van Aken Boulevard and Lee Road.

The easements and rights herein granted do not authorize GRANTEE the right to enter onto or disturb the surface of said premises.

The GRANTOR hereby restricts said premises within the limits of the above described permanent easements against the drilling or operation of any wells.

The GRANTOR hereby reserves the right to the use of said premises within the limits of the above described permanent easements for purposes which are not herein expressly prohibited by, and are not inconsistent with, the easement and rights herein granted.

GRANTEE agrees to indemnify and save GRANTORS and the agents, employees, tenants, invitees and/or licensees of GRANTORS and/or GRANTORS' lessees, sublessees and assigns harmless from and against all claims, demands, actions, causes of action, or injury to or death of persons and/or loss of or damage to property or to GRANTORS and any of GRANTORS' agents, employees, tenants, invitees and/or licensees of GRANTORS and/or GRANTORS' lessees, sublessees and assigns, caused by or resulting from the use or exercise of the rights and privileges herein conferred.

TO HAVE AND TO HOLD the above granted permanent easements, rights and right-of-ways and its appurtenances to said GRANTEE, and to its successors and assigns forever.

IN WITNESS WHEREOF, this instrument is executed this \_\_\_\_\_ day of

\_\_\_\_\_, 199\_\_.

WITNESSED BY:  
(2 witnesses required)

CITY OF SHAKER HEIGHTS

(Signature) \_\_\_\_\_

By: \_\_\_\_\_

(Print) \_\_\_\_\_

PATRICIA MEARN, MAYOR

(Signature) \_\_\_\_\_

(Print) \_\_\_\_\_

GREATER CLEVELAND REGIONAL TRANSIT AUTHORITY

(Signature) \_\_\_\_\_

By: \_\_\_\_\_

(Print) \_\_\_\_\_

(Title): \_\_\_\_\_

(Signature) \_\_\_\_\_

(Print) \_\_\_\_\_

STATE OF OHIO )  
 ) SS.  
COUNTY OF CUYAHOGA )

BEFORE ME, a Notary Public, in and for said County and State, came The City of Shaker Heights, by \_\_\_\_\_, its Mayor, who acknowledged the execution of the foregoing instrument and that the same is the free act and deed of said municipal corporation and the free act and deed of said Mayor personally and as such officer.

IN WITNESS WHEREOF, I have hereunto set my hand and notarial seal at \_\_\_\_\_, Ohio, this \_\_\_\_\_ day of \_\_\_\_\_, 199\_\_.

\_\_\_\_\_  
NOTARY PUBLIC

STATE OF OHIO )  
 ) SS.  
COUNTY OF CUYAHOGA )

BEFORE ME, a Notary Public, in and for said County and State, came The Greater Cleveland Regional Transit Authority, by \_\_\_\_\_, its \_\_\_\_\_, who acknowledged the execution of the foregoing instrument and that the same is the free act and deed of said municipal corporation and the free act and deed of said Mayor personally and as such officer.

IN WITNESS WHEREOF, I have hereunto set my hand and notarial seal at \_\_\_\_\_, Ohio, this \_\_\_\_\_ day of \_\_\_\_\_, 199\_\_.

\_\_\_\_\_  
NOTARY PUBLIC

The legal form of this instrument is approved.

DATE \_\_\_\_\_, 199\_\_.

---

WILLIAM B. SCHATZ  
General Counsel  
Northeast Ohio Regional Sewer District

Approved by the Board of Trustees  
of the Northeast Ohio Regional  
Sewer District

Resolution Number \_\_\_\_\_, passed \_\_\_\_\_, 199\_\_.

---

Secretary  
Board of Trustees

This instrument prepared by:

Robert B. Oberndorf, Esq.  
Northeast Ohio Regional Sewer District  
3826 Euclid Avenue  
Cleveland, Ohio 44115  
(216) 881-6600

**EXHIBIT "A"**

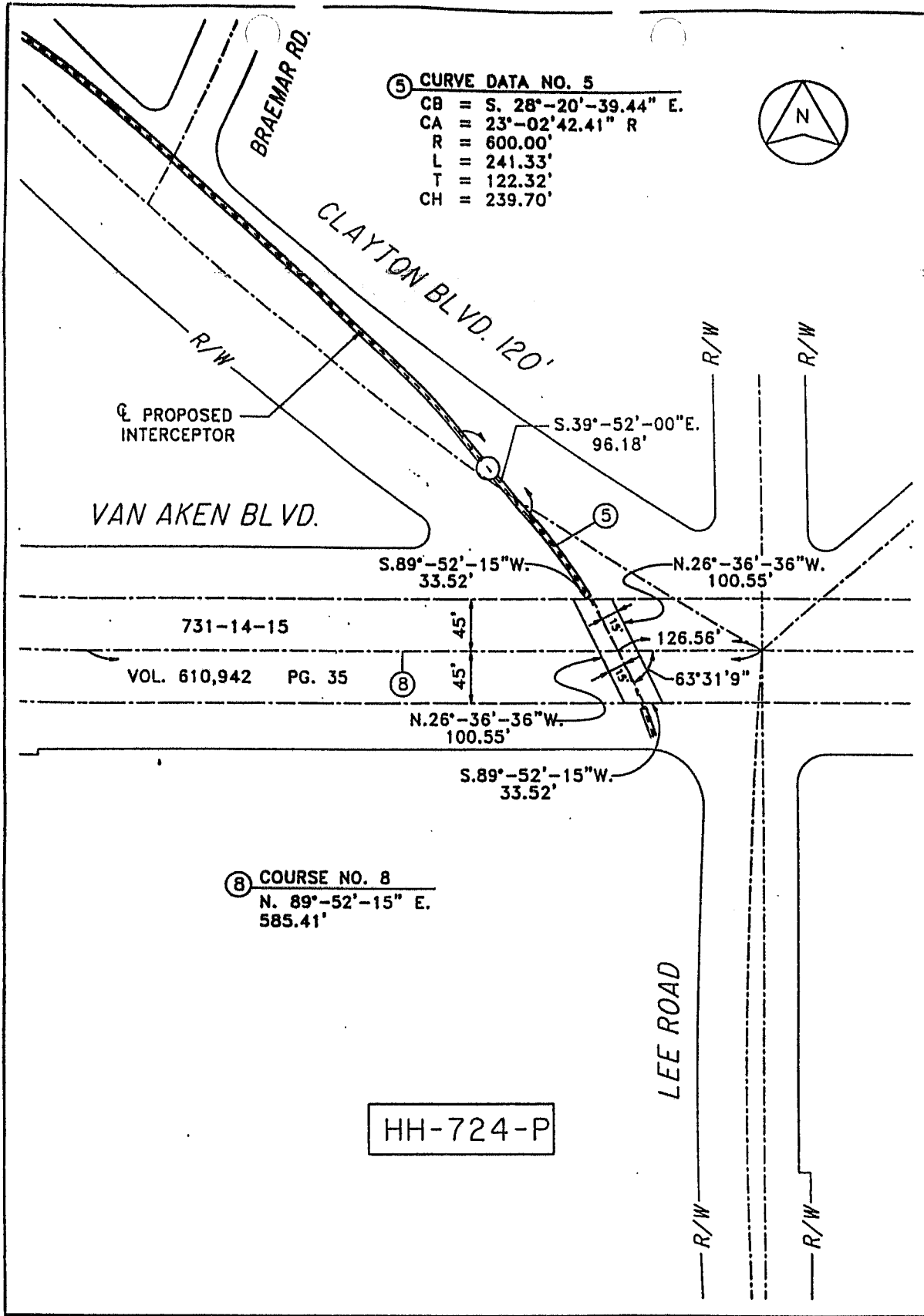
**LEGAL DESCRIPTION  
OF  
A PERMANENT EASEMENT ACROSS THE LAND OF  
THE CITY OF SHAKER HEIGHTS, OHIO**

Situated in the City of Shaker Heights, County of Cuyahoga, and State of Ohio, and being part of Original Warrensville Township Lot No. 42, and being a strip of land having a width of 30.00 feet measured at right angles between parallel lines and being part of a strip or parcel of land having a width of 90.00 feet, measured at right angles between parallel lines, the center of which is Van Aken Boulevard (formerly South Moreland Boulevard) as shown in the Van Sweringen Company's Subdivision No. 16, recorded in Volume 50 of Maps, Page 23, of Cuyahoga County Records and further bounded and described as follows:

Commencing at a point in the centerline of Van Aken Boulevard at its intersection with the centerline of Lee Road; thence South  $89^{\circ} 52' 15''$  West, 126.56 feet along the centerline of Van Aken Boulevard to its intersection with the centerline of said strip of land, 30 feet wide, having parallel sides bearing North  $26^{\circ} 36' 36''$  West, 100.55 feet and intersecting parallel sides, 90.00 feet apart measure at right angles, and bearing South  $89^{\circ} 52' 15''$  West 33.52 feet and containing 3,016 square feet of land, more or less.

Permanent Parcel No. 731-14-15  
NEORS Property No:HH-724P

**EXHIBIT "B"**



Northeast Ohio Regional Sewer District

Prepared By: MONTOMERY WATSON

Project: HEIGHTS 7C

CITY OF SHAKER HEIGHTS		Perm. Ease. No: <u>HH-724-P</u>	Area: <u>3016</u>	Sq. Ft.
Property Owner's Name		Temp. Ease. No: _____	Area: _____	Sq. Ft.
SHAKER HEIGHTS	<u>731-14-15</u>	Scale: 1" = 100'	Date: <u>7/11/97</u>	
Municipality	Permanent Parcel No.		Plat Page <u>23</u> of <u>50</u>	
Deed Volume No. <u>610,942</u>	Page No. <u>35</u>			

**EXHIBIT "C"**

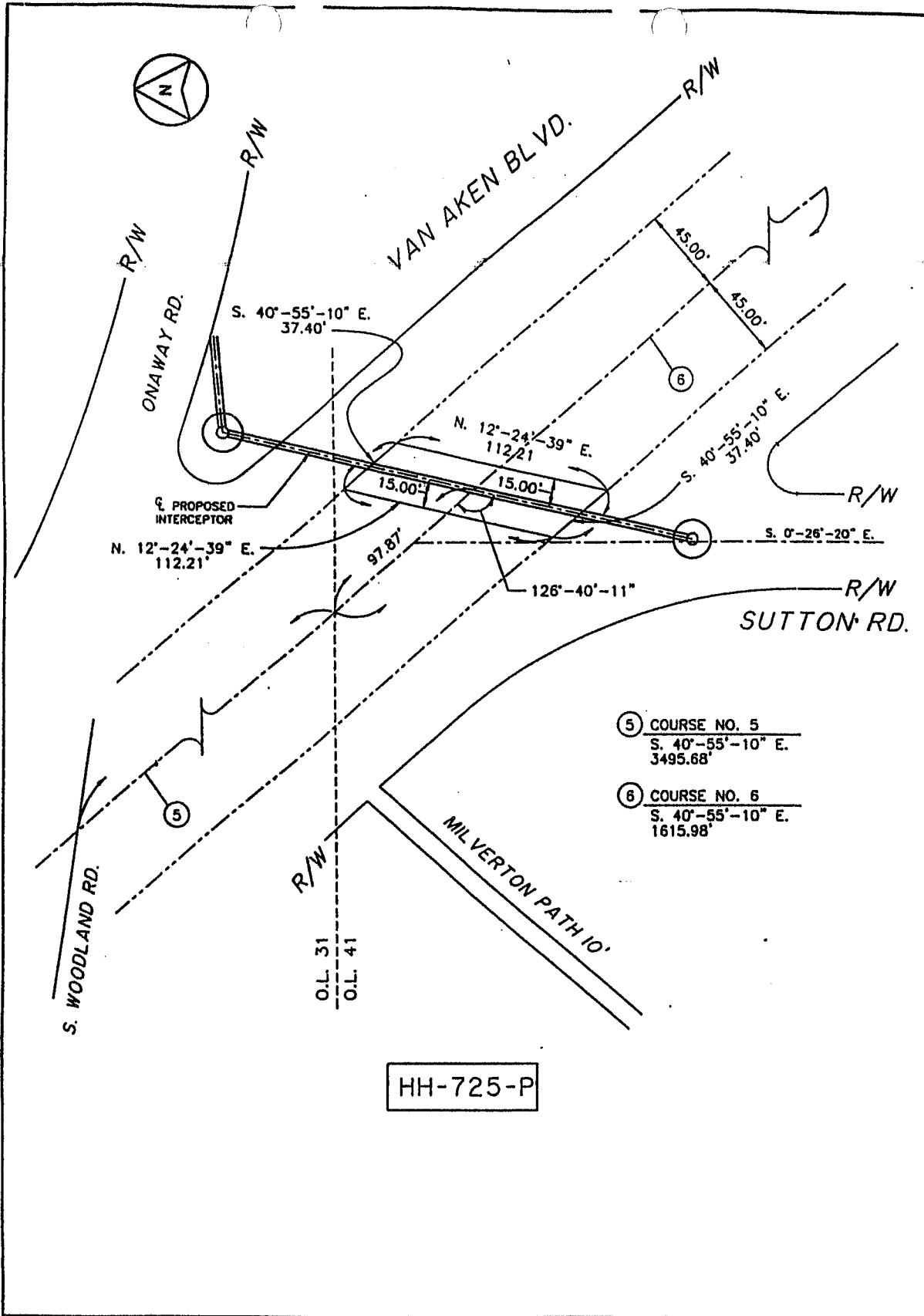
**LEGAL DESCRIPTION  
OF  
A PERMANENT EASEMENT ACROSS THE LAND OF  
THE CITY OF SHAKER HEIGHTS, OHIO**

Situated in the City of Shaker Heights, County of Cuyahoga, and State of Ohio, and being part of Original Warrensville Township Lot No. 41, and being a strip of land having a width of 30.00 feet measured at right angles between parallel lines and being part of a strip or parcel of land having a width of 90.00 feet, measured at right angles between parallel lines, the center of which is Van Aken Boulevard (formerly South Moreland Boulevard) as shown in the Van Sweringen Company's Subdivision No. 16, recorded in Volume 50 of Maps, Page 23, of Cuyahoga County Records and further bounded and described as follows:

Commencing at a point in the centerline of Van Aken Boulevard at its intersection with the centerline of South Woodland Road, as shown in the Re-Subdivision of parts of the Van Sweringen Company Subdivision No. 13 and of Subdivision No. 12, recorded in Volume 50 of Maps, page 38, of Cuyahoga County Records; thence South  $40^{\circ} 55' 10''$  East, 3,495.68 feet along the centerline of Van Aken Boulevard to its intersection with the north line of said Original Lot No. 41; thence continuing South  $40^{\circ} 55' 10''$  East, 97.87 feet along the centerline of Van Aken Boulevard to its intersection with the centerline of said strip of land, 30 feet wide, having parallel sides bearing North  $12^{\circ} 24' 39''$  East, 112.21 feet and intersecting parallel sides, 90.00 feet apart measure at right angles, and bearing South  $40^{\circ} 55' 10''$  East, 37.40 feet and containing 3,366 square feet of land, more or less.

Permanent Parcel No. 731-14-15  
NEORSD Property No:HH-725P

**EXHIBIT "D"**



HH-725-P

Northeast Ohio Regional Sewer District

Prepared By: MONTGOMERY WATSON

Project: HEIGHTS 7C

CITY OF SHAKER HEIGHTS		Perm. Ease. No: <u>HH-725-P</u>	Area: <u>3388</u>	Sq. Ft.
Property Owner's Name		Temp. Ease. No: _____	Area: _____	Sq. Ft.
SHAKER HEIGHTS	731-14-15	Scale: 1" = 60'	Date: 7/11/97	Plot Page 23 of 50
Municipality	Permanent Parcel No.			
Deed Volume No. 610,942	Page No. 35			

RESOLUTION NO. 97-202

BY: David E. Weiss

Providing for the continuation of cable operations under the current cable franchise agreement.

WHEREAS, in October, 1985 the City of Shaker Heights enacted Ordinance No. 85-96 which is the current franchise agreement between the City and Cablevision, Inc.; and

WHEREAS, the term of said franchise agreement was set to expire at the end of June 1995; and

WHEREAS, this Council agreed that cable operations would continue to be governed by the current franchise agreement (Ordinance No. 85-96); and

WHEREAS, the City entered into franchise negotiations with Cablevision, Inc. at the end of June 1995; and

WHEREAS, the City is continuing to negotiate a cable franchise with Cablevision, Inc. and has not yet reached agreement.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Shaker Heights, State of Ohio:

Section 1. This Council hereby agrees that cable operations will continue to be governed by the current franchise agreement (Ordinance No. 85-96) until January 26, 1997.

Section 2. The Clerk of Council is hereby instructed to furnish Cablevision, Inc. with a duly inscribed, attested and approved copy of this resolution.

Adopted December, 1997.

Approved this 23rd day of December, 1997.

\_\_\_\_\_  
PATRICIA S. MEARNs, Mayor

Attest:

\_\_\_\_\_  
WILLIAM J. SCHUCHART  
Clerk of Council



ORDINANCE NO. 97-203  
BY: Kenneth J. Kovach

Approving current updating and replacement pages to the Codified Ordinances of the City of Shaker Heights.

WHEREAS, various ordinances of a general and permanent nature have been enacted by Council which should be included in the Codified Ordinances; and

WHEREAS, Council has heretofore entered into a contract with the Walter H. Drane Company to prepare and publish such revisions.

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Shaker Heights, State of Ohio:

Section 1. The Ordinances of the City of Shaker Heights, Ohio, of a general and permanent nature, as enacted by Council during the period from October 15, 1996 to December 1, 1997, and as revised, recodified, rearranged and consolidated into component codes, titles, chapters and sections within the 1997 Replacement Pages to the Codified Ordinances are hereby approved and adopted.

Section 2. This ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health, safety and welfare for the reason that it is necessary in the current operation of the City, and therefore, this ordinance shall take effect immediately upon its enactment and approval by the Mayor.

Enacted December 22, 1997.

Approved this 23rd day of December, 1997.

\_\_\_\_\_  
PATRICIA S. MEARNs, Mayor

Attest:

\_\_\_\_\_  
WILLIAM J. SCHUCHART  
Clerk of Council



ORDINANCE NO. 97-204  
BY: Kenneth Kovach

Amending Ordinance No. 97-39 making annual appropriations for the current expenses and other expenditures of the City of Shaker Heights for the fiscal year ending December 31, 1997.

NOW, BE IT ORDAINED by the Council of the City of Shaker Heights, State of Ohio:

Section 1. That Ordinance No. 97-39, an ordinance to provide for the current expenses and other expenditures of the City of Shaker Heights for the fiscal year ending December 31, 1997, as amended by Ordinance Nos. 97-59, 97-85, 97-101, 97-105, 97-106, 97-113, 97-117, 97-130 and 97-192, is hereby amended to read as follows:

Section 2. That there be and is hereby appropriated from the General Fund to:

GENERAL FUND - 101

ACCT. NO.	FUND ACTIVITY	PERSONAL SERVICE	OTHER	TOTAL
	Municipal Court	\$ 1,068,100	\$ 135,700	\$ 1,203,800
	Other City Activities	<del>16,931,900</del>	<del>9,464,300</del> (1A)	<del>26,396,200</del>
101	GENERAL FUND	<del>\$18,000,000</del>	<del>\$9,600,000</del> (1A)	<del>\$27,600,000</del>

Section 3. That there be and is hereby appropriated from the various Special Revenue Funds to:

SPECIAL REVENUE FUND - 200

ACCT. NO.	FUND ACTIVITY	PERSONAL SERVICE	OTHER	TOTAL
201	Streets (Maint. & Repair)	\$463,700	\$625,400	\$1,089,100
202	State Highway Maintenance	<del>20,600</del>	<del>30,000</del>	<del>50,600</del>
203	Food Service Inspection	-0-	<del>14,400</del> (2A)	<del>14,400</del>
204	Sewer Maintenance	331,600	887,500 (2B)	1,219,100
205	Police Pension	818,600	-0-	818,600
206	Fire Pension	892,200	-0-	892,200
209	Indigent Driver Alcohol Treatment	-0-	9,000	9,000
210	Court Computerization/Legal Research	30,000	26,900	56,900
211	Clerk's Computerization	<del>38,000</del>	41,500	<del>79,500</del>
213	Housing Exterior Maintenance CDBG	-0-	256,027 (2C)	256,027
214	Fair Housing Grant	-0-	74,000	74,000
215	Community Preservation	-0-	81,500	81,500
216	Law Enforcement Grants	<del>143,183</del>	131,145 (2D)	<del>274,328</del>
801	Street Lighting	-0-	<del>600,000</del>	<del>600,000</del>
802	Tree Maintenance	<del>110,600</del>	293,600	<del>604,200</del>
TOTAL SPECIAL REVENUE FUNDS:		<del>\$3,048,483</del>	<del>\$3,070,972</del>	<del>\$6,119,455</del>

Section 4. That there be and is hereby appropriated from the Debt Service Fund to:

**DEBT SERVICE FUND - 300**

<u>ACCT. NO.</u>	<u>FUND ACTIVITY</u>	<u>PERSONAL SERVICE</u>	<u>OTHER</u>	<u>TOTAL</u>
301	Debt Service	\$ -0-	\$4,150,000	\$4,150,000

Section 5. That there be and is hereby appropriated from the Enterprise Fund to:

**ENTERPRISE FUND - 500**

<u>ACCT. NO.</u>	<u>FUND ACTIVITY</u>	<u>PERSONAL SERVICE</u>	<u>OTHER</u>	<u>TOTAL</u>
501	General Recreation	\$2,125,000	\$1,550,000 (5A)	\$3,675,000

Section 6. That there be and is hereby appropriated from the various Internal Service Funds to:

**INTERNAL SERVICE FUNDS - 600**

<u>ACCT. NO.</u>	<u>FUND ACTIVITY</u>	<u>PERSONAL SERVICE</u>	<u>OTHER</u>	<u>TOTAL</u>
601	Central Stores Purchasing	\$ -0-	\$ 195,000	\$ 195,000
602	Central Printing Operation	20,700	14,300	35,000
603	Central Garage Operation	685,400	220,000	905,400
604	Central Services Operation	176,400	560,000	736,400
605	Self-Insurance Reserve	90,200	1,052,000 (6A)	1,142,200
TOTAL REVOLVING FUNDS:		\$972,700	\$2,041,300	\$3,014,000

Section 7. That there be and is hereby authorized and included in the amounts appropriated by this ordinance the following interfund transfers and advances:

**Itemized List of Transfers by Fund**

**General Fund - 101**

1-A	General Fund to Police Pension Fund	\$ 617,600
1-A	General Fund to Fire Pension Fund	708,000
1-A	General Fund to Street Maintenance & Repair	- 0 -
1-A	General Fund to Recreation Fund	1,300,000
1-A	General Fund to Street Lighting	12,000
1-A	General Fund to Central Services Operation	35,000
1-A	General Fund to COPS Fast Grant Fund	65,400

Itemized List of Transfers by Fund, continued

Special Revenue Fund - 200

2-A	Food Service Inspection to General Fund	\$ 14,000
2-B	Sewer Maintenance to Debt Service	40,400
2-B	Sewer Maintenance to Sewer Capital Improvement Fund (O.97-23, 97-130, 97-192)	383,500
2-D	COPS Fast Grant Fund to Police Pension Fund	18,500

Capital Projects Fund - 400

4-A	General Capital to Debt Service Fund (O.97-158)	\$ 741,195
4-A	General Capital to Shaker Towne Centre NW Quadrant Imp. (O.97-21,146)	160,000
4-A	General Capital to General Fund (O.97-59)	7,200
4-A	General Capital to Streets (Maint. & Repair) Fund (O.97-59)	115,800
4-A	General Capital to Housing Exterior Maintenance CDBG (O.97-105)	581
4-B	Bond Improvement-Sewer Capital Fund to Sewer Maintenance Fund (The unexpended balance of the sewer system improvement projects authorized by the following Ordinance Nos.: 95-42, 96-19 96-72, 96-182, 96-129, 96-204, 97-23,97-130 and 97-192)	

Trust Fund - 700

7-A	Law Enforcement Trust Fund to Law Enforcement Grants Fund	\$ 188
7-A	Law Enforcement Trust Fund to General Capital Fund (O.97-113)	35,000

Itemized List of Interfund Transfer Advances by Fund

General Fund - 101

1-A	General Fund to Law Enforcement Grants Fund (O.97-178)	\$71,311
1-A	General Fund to Shaker Family Center at Sussex Agency	40,000

Capital Projects - 400

4A	General Capital To Exterior Housing Maintenance CDBG (O.97-105)	\$75,000
----	---	----------

Internal Service Fund - 600

6-A	Self-Insurance Reserve Fund to General Capital Improvements (O.97-38)	\$109,100
-----	---	-----------

Itemized List of Interfund Advance Repayments by Fund

Special Revenue Fund - 200

2-C	Housing Exterior Maintenance CDBG Fund to General Capital Fund (O.97-39,105)	\$132,007
2-D	Law Enforcement Grants Fund to General Fund (O.97-178)	71,311

Capital Projects Fund - 400

4-C	STC NW Quadrant Improvement Capital Project Fund to General Capital Fund	\$ 249,014
-----	--	------------

Itemized List of Interfund Advance Repayments by Fund, continued

Enterprise Fund - 500

5-A General Recreation to Self-Insurance Reserve Fund (O.97-38) \$ 43,900

Trust & Agency Fund - 700

7-B Shaker Family Center at Sussex to General Fund (O.96-205) \$ 9,800

Section 8. That all monies in the Trust & Agency Funds Accounts are hereby deemed appropriated for their intended purposes.

Section 9. That all expenditures against appropriations hereinabove authorized shall be made in accordance with the code accounts hereinabove set forth.

Section 10. That the City Finance Director be and he is hereby authorized and directed to draw his warrants against the appropriations set forth upon presentation of proper vouchers.

Section 11. That this ordinance is hereby declared to be an emergency measure and shall take effect and be in force immediately upon its enactment. The reason for the emergency lies in the fact that this ordinance is necessary for the immediate preservation of the public property, safety, welfare and health.

Enacted December 22, 1997.

Approved this 23rd day of December, 1997.

\_\_\_\_\_  
PATRICIA S. MEARNS, Mayor

Attest:

\_\_\_\_\_  
WILLIAM J. SCHUCHART  
Clerk of Council

ORDINANCE NO. 97-205  
BY: Kenneth Kovach

Making temporary appropriations for the current expenses and other expenditures of the City of Shaker Heights during the first quarter allotment period ending March 31, 1998.

BE IT ORDAINED by the Council of the City of Shaker Heights, State of Ohio:

Section 1. That to provide for the current expenses and other expenditures of the City of Shaker Heights for the fiscal year ending March 31, 1998, the appropriation of City funds as hereinafter set forth are authorized:

Section 2. That there be and is hereby appropriated from the General Fund to:

**GENERAL FUND - 101**

<u>ACCT.</u> <u>NO.</u>	<u>FUND ACTIVITY</u>	<u>PERSONAL</u> <u>SERVICE</u>	<u>OTHER</u>	<u>TOTAL</u>
	Municipal Court	\$267,000	\$35,000	\$302,000
	Other City Activities	<u>4,300,000</u>	<u>2,250,000</u> (1A)	<u>6,550,000</u>
101	GENERAL FUND	<u>\$4,567,000</u>	<u>\$2,285,000</u> (1A)	<u>\$6,852,000</u>

Section 3. That there be and is hereby appropriated from the various Special Revenue Funds to:

**SPECIAL REVENUE FUND - 200**

<u>ACCT.</u> <u>NO.</u>	<u>FUND ACTIVITY</u>	<u>PERSONAL</u> <u>SERVICE</u>	<u>OTHER</u>	<u>TOTAL</u>
201	Streets (Maint. & Repair)	\$115,000	\$150,000	\$265,000
202	State Highway Maintenance	5,000	3,000	8,000
203	Food Service Inspection	-0-	3,300 (2A)	3,300
204	Sewer Maintenance	85,000	125,000	210,000
205	Police Pension	205,000	-0-	205,000
206	Fire Pension	223,000	-0-	223,000
209	Indigent Driver Alcohol Treatment	-0-	2,000	2,000
210	Court Computerization/Legal Research	7,500	6,700	14,200
211	Clerk's Computerization	9,300	10,400	19,700
213	Housing Exterior Maintenance CDBG	-0-	-0-	-0-
214	Fair Housing Grant	-0-	18,000	18,000
215	Community Preservation	-0-	20,000	20,000
216	COPS Fast Grant Fund	27,000	27,000 (2C,D)	54,000
801	Street Lighting	-0-	140,000	140,000
802	Tree Maintenance	<u>78,000</u>	<u>73,000</u>	<u>151,000</u>
TOTAL SPECIAL REVENUE FUNDS:		<u>\$754,800</u>	<u>\$578,400</u>	<u>\$1,333,200</u>

Section 4. That there be and is hereby appropriated from the Debt Service Fund to:

**DEBT SERVICE FUND - 300**

<u>ACCT. NO.</u>	<u>FUND ACTIVITY</u>	<u>PERSONAL SERVICE</u>	<u>OTHER</u>	<u>TOTAL</u>
301	Debt Service	\$ -0-	\$5,000	\$5,000

Section 5. That there be and is hereby appropriated from the Enterprise Fund to:

**ENTERPRISE FUND - 500**

<u>ACCT. NO.</u>	<u>FUND ACTIVITY</u>	<u>PERSONAL SERVICE</u>	<u>OTHER</u>	<u>TOTAL</u>
501	General Recreation	\$520,000	\$365,000	\$885,000

Section 6. That there be and is hereby appropriated from the various Internal Service Funds to:

**INTERNAL SERVICE FUNDS - 600**

<u>ACCT. NO.</u>	<u>FUND ACTIVITY</u>	<u>PERSONAL SERVICE</u>	<u>OTHER</u>	<u>TOTAL</u>
601	Central Stores Purchasing	\$ -0-	\$ 49,000	\$ 49,000
602	Central Printing Operation	5,100	3,600	8,700
603	Central Garage Operation	172,000	51,000	223,000
604	Central Services Operation	44,100	123,400	167,500
605	Self-Insurance Reserve	<u>23,000</u>	<u>850,000</u>	<u>873,000</u>
TOTAL REVOLVING FUNDS:		<u>\$244,200</u>	<u>\$1,077,000</u>	<u>\$1,321,200</u>

Section 7. That there be and is hereby authorized and included in the amounts appropriated by this ordinance the following interfund transfers and advances:

**ITEMIZED LIST OF TRANSFERS BY FUND**

**GENERAL FUND - 101**

1-A	General Fund to Police Pension Fund	\$ 155,000
1-A	General Fund to Fire Pension Fund	177,000
1-A	General Fund to Street Maintenance & Repair	- 0 -
1-A	General Fund to Recreation Fund	273,000
1-A	General Fund to Street Lighting	3,000
1-A	General Fund to Central Services Operation	3,500
1-A	General Fund to COPS Fast Grant Fund	17,600

ITEMIZED LIST OF TRANSFERS BY FUND, continued

Special Revenue Fund - 200

2-A	Food Service Inspection to General Fund	\$ 3,200
2-C	COPS Fast Grant Fund to Police Pension Fund	4,200

ITEMIZED LIST OF INTER-FUND ADVANCES BY FUND

GENERAL FUND - 101

1-A	General Fund to COPS Fast Grant Fund	\$10,700
-----	--------------------------------------	----------

ITEMIZED LIST OF INTER-FUND ADVANCE REPAYMENTS BY FUND

SPECIAL REVENUE FUND - 200

2-D	COPS Fast Grant Fund to General Fund	10,700
-----	--------------------------------------	--------

Section 8. That all monies in the Trust & Agency Funds Accounts are hereby deemed appropriated for their intended purposes.

Section 9. That all expenditures against appropriations hereinabove authorized shall be made in accordance with the code accounts hereinabove set forth.

Section 10. That the City Finance Director be and he is hereby authorized and directed to draw his warrants against the appropriations set forth upon presentation of proper vouchers.

Section 11. That this ordinance is hereby declared to be an emergency measure and shall take effect and be in force immediately upon its enactment. The reason for the emergency lies in the fact that this ordinance is necessary for the immediate preservation of the public property, safety, welfare and health.

Enacted December 22, 1997.

Approved this 23rd day of December, 1997.

\_\_\_\_\_  
PATRICIA S. MEARNs, Mayor

Attest:

\_\_\_\_\_  
WILLIAM J. SCHUCHART  
Clerk of Council



RESOLUTION NO. 97-206  
BY: David Weiss

To request the County Auditor to draw and the County Treasurer to pay on such draft, all money in the county treasury to the account of the City and applicable to the purposes of the fiscal year 1998.

BE IT RESOLVED by the Council of the City of Shaker Heights, State of Ohio:

Section 1. This Council requests the County Auditor of Cuyahoga County to draw and the County Treasurer of said county to pay on such draft, all money in the county treasury to the account of this City applicable to the purposes of the fiscal year 1998.

Section 2. This resolution is declared to be an emergency measure necessary for the immediate preservation of the public peace, health, safety and welfare for the reason that said money is required in the current operation of the City government, and this resolution shall, therefore, take effect immediately upon its adoption and approval by the Mayor.

Adopted December 22, 1997.

Approved this 23rd day of December, 1997.

---

PATRICIA S. MEARNNS, Mayor

Attest:

---

WILLIAM J. SCHUCHART  
Clerk of Council

