

MONDAY, MARCH 5th, 1917.

Council met in regular session with President Barnard in the chair.

The roll being called, the following members answered to their names: Messrs. Cox, Grubb, Lower, Merts, Miller, Penick. Present 6, Absent 0.

On motion of Lower, seconded by Penick, the reading of the minutes was dispensed with.

The following communication was received:

Feb. 26, 1917.

Mr. J. H. McConnell, Public Service Director,
Alliance, Ohio.

Dear Sir: - I am enclosing a copy of opinions of the Attorney General of the State of Ohio, which have a bearing on our claim for compensation for the extra engineering on the Westville Dam over which we had absolutely no control and were compelled to furnish inspection at intervals over several years beyond the time contemplated in the contract.

You will note in looking over these opinions that, while we have no enforceable claim, yet the City of Alliance has received the benefit of the work, there is at least a moral obligation to pay for it, and the right of Council to recognize and pay a moral obligation has been recognized by the Courts of Ohio.

We hope that you will place this before Council with the other data which has been forwarded to you and that they will agree to give us justice in this matter.

Yours very truly,

CHESTER & FLEMING,
Thos. Fleming, Jr.

Referred to the Finance Committee for consideration.

A set of rules governing the Hospital, was submitted to Council by Safety Director Patton.

Referred to a special committee composed of Messrs. Grubb, Lower, Miller, for consideration.

City Solicitor Morris stated in relating to the Light case which is now pending before the State Utilities Commission, that it had now reached the point where if it were possible to do so, and he believed it would be for the best interest of the city to take up the matter of effecting a compromise. The light company has expressed a desire and wished for a conference with the view of settling the controversy, and that in the judgment of Mr. Ballard, the expert who is aiding the city in this case also thinks it wise to enter into a plan for settlement. Mr. Morris suggested that if Council thinks it wise, to enter into negotiations, that they authorize Mr. Ballard and himself to enter into negotiations and if they arrive at an agreement, will come back to Council for action. If the city desires to settle, now is the time to negotiate.

The question was taken up and discussed. Remarks were made by R. M. Scranton, Milo Cathon and others.

Penick moved, seconded by Grubb, that the City Solicitor and Mr. Ballard be empowered to enter into negotiations and receive propositions if the Alliance Gas & Power Company is willing to submit one at this time. The motion was agreed to.

The Platting Committee, to whom was referred Ordinance No. 2293, submitted their report, recommending the passage of same.

L. E. Grubb,
L. L. Lower

The report of the Committee was agreed to.

A special committee, to whom was referred Ordinance No. 2307, relating to the contract taking care of the city garbage, reported it back and recommended its passage.

L. E. Grubb,
L. L. Lower.

The report of the Committee was agreed to.

Ordinance No. 2299.

An ordinance to fix the salary of the Street Commissioner;
Read the third time.

Lower moved, seconded by Penick, that action on Ordinance No. 2299 be postponed until the next meeting. The motion was agreed to.

Ordinance No. 2293.

Mr. Grubb: An ordinance to accept the replat of C. W. Carpenter, Max Geiger and Morris W. Geiger, replatting Lots 5251 to 5254 inclusive, and part of O.L. 262, in the City of Alliance, Ohio.

Read the first time.

Ordinance No. 2307.

Mr. Grubb: An ordinance to amend Sections 1, 5, 8, and 10 of Ordinance No. 1934, passed May 3rd, 1915.

Read the first time.

Communication from Chester & Fleming, regarding claim for extra engineering on Westville Dam.

Set of rules for Hospital submitted by Safety Director.

Mr. Morris and Mr. Ballard empowered to receive propositions of settlement from Alliance Gas & Power Co.

Report of Platting Committee, Ord. 2293.

Report of special Committee on garbage contract, Ord. 2307.

Ord. 2299, Action Postponed.

Ord. 2293, 1st time.

Ord. 2307, 1st time.

MONDAY, MARCH 5th, 1917 - (Continued).

Ord. 2293,
Passed.

Ordinance No. 2293.

Grubb moved, seconded by Lower, that the statutory rule requiring ordinances and resolutions to be read on three different days be suspended and Ordinance No. 2293 be read the second and third time. The question being on the suspension of the rule, the yeas and nays were taken and resulted, Yeas 6, Nays 0. Those who voted in the affirmative were: Messrs. Cox, Grubb, Lower, Merts, Miller, Penick. So the rule was suspended and the ordinance read the second and third time.

The question being on the passage of the ordinance, the yeas and nays were taken and resulted, Yeas 6, Nays 0. Those who voted in the affirmative were: Messrs. Cox, Lower, Grubb, Merts, Miller, Penick. So the ordinance was passed.

Ord. 2307
Passed.

Ordinance No. 2307.

Penick moved, seconded by Grubb, that the statutory rule requiring ordinances and resolutions to be read on three different days be suspended and Ordinance No. 2307 be read the second and third time. The question being on the suspension of the rule, the yeas and nays were taken and resulted, Yeas 6, Nays 0. Those who voted in the affirmative were: Messrs. Cox, Grubb, Lower, Merts, Miller, Penick. So the rule was suspended and the ordinance read the second and third time.

The question being on the passage of the ordinance, the yeas and nays were taken and resulted, Yeas 6, Nays 0. Those who voted in the affirmative were: Messrs. Cox, Grubb, Lower, Merts, Miller, Penick. So the ordinance was passed.

THE FOLLOWING ORDINANCES AND RESOLUTIONS WERE INTRODUCED:

Res. 2311
1st time.

Resolution No. 2311.

Mr. Grubb: Declaring it necessary to improve Penn Avenue between State State Street and Alley south of Chestnut Street, by grading, draining, curbing and paving with vitrified brick blocks.

Read the first time.

Referred to the Committee on Streets & Alleys.

Ord. 2309
1st time.

Ordinance No. 2309.

Mr. Lower: An ordinance to amend Section 6 of Ordinance Number 1554, passed November 25th, 1912.

Read the first time.

Referred to the Water Committee.

Ord. 2306
1st time.

Ordinance No. 2306.

Mr. Lower: An ordinance authorizing the Director of Public Service to enter into a contract with Simon Hartzell, to secure right-of-way across certain land belonging to Simon Hartzell, said right-of-way being necessary in the construction of south side low level sanitary sewer.

Read the first time.

Referred to the Sewer Committee for immediate action.

Ord. 2308
1st time.

Ordinance No. 2308.

Mr. Merts: An ordinance to make supplementary appropriations to the regular semi-annual appropriation ordinance.

Read the first time.

Referred to the Finance Committee.

Ord. 2310
1st time.

Ordinance No. 2310.

Mr. Merts: An ordinance to make supplementary appropriations for the current expenses and other expenditures of the City of Alliance, Ohio, for the fiscal half year ending June 30, 1917.

Read the first time.

Referred to the Finance Committee.

Report of
Sewer Comm.
Ord. 2306.

Council referred back to the 4th order of business, reports of standing committees.

The Sewer Committee, to whom was referred Ordinance No. 2306, reported it back and recommended its passage.

L. L. Lower

W. H. Cox.

The report of the Committee was agreed to.

Ord. 2306
Passed.

Ordinance No. 2306.

Grubb moved, seconded by Miller, that the statutory rule requiring ordinances and resolutions to be read on three different days be suspended and Ordinance No. 2306 be read the second and third time. The question being on the suspension of the rule, the yeas and nays were taken and resulted, Yeas 6, Nays 0. Those who voted in the affirmative were: Messrs. Cox, Grubb, Lower, Merts, Miller, Penick. So the rule was suspended and the ordinance read the second and third time.

The question being on the passage of the ordinance, the yeas and nays were taken and resulted, Yeas 6, Nays 0. Those who voted in the affirmative were: Messrs. Cox, Grubb, Lower, Merts, Miller, Penick. So the ordinance was passed.

Resignation
of Mr.
Binkley
accepted.

Lower moved, seconded by Merts, that the resignation of Councilman-at-large Binkley be accepted.

The motion was agreed to.

Patterson
Street
entrance
to N. Arch
Subway.

Mr. Merts called attention to the Patterson Street entrance to the North Arch Street Subway, and stated that it was a very dangerous point. He thought it should be closed between Arch Avenue and Fifth Street.

MONDAY, MARCH 5th, 1917 - (Concluded).

Patterson
Street
entrance
to N. Arch
Avenue
Subway.

Mr. Cox suggested that the land might be used for hitching purposes.
Mr. Lower stated that the work on the Patterson Street improvement should be held up until Council could investigate. The Service Director stated that the work of paving is now well under way.

City Engineer Shidler spoke regarding the Patterson Street entrance to the Arch Avenue Subway, and stated that he did not consider it nearly so dangerous as crossing of South Linden Avenue and East Market Street; although Patterson Street could be made a one-way traffic road and signs put up directing the route.

Lower spoke at some length as to the matter of expenditures on Street improvements while the city's finances are in such a strained condition, and thought it was time to call a halt on the expenditures.

On motion of Lower, seconded by Penick, Council adjourned.

Attest:

Chas. Silvers

City Auditor.

Chas. C. Barnard

President of Council.