

MONDAY MARCH 18th, 1918.

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

The roll being called, the following members answered to their names: Messrs. Grubb, Lower, Merts, Harry Miller, James Miller, Penick, Weaver. Present 7, Absent 0.

The reading of the minutes of the previous meeting were approved.

The Finance Committee and Auditor reported that the following bids had been received for the \$190,000.00 - 5 1/2% - Water Improvement Bonds:

Finance Comm. & Auditor submitted bids for Water Bonds.

Weil, Roth & Co. Cincinnati, O.....	\$195,317.00
Provident Savings Bank, Trust Co. Cincinnati, O.....	\$194,142.00
The Merchants Loan Trust Co. Chicago, Ill.....	\$195,762.70
Sidney, Spitzer Co., Toledo, O.....	\$195,141.75
Spitzer, Rorick Co., Toledo, O.....	\$193,257.50
Hornblower & Weeks, New York.....	\$198,800.00
Hayden, Miller Co., Cleveland.....	\$193,648.00
Tillotson & Wolcott, Cleveland, O.....	\$192,438.00.

It was discovered that the bid of Hornblower & Weeks was not made on the blanks as requested on the advertisement, nor did they agree to furnish the blank bonds for the cost of City and neither did they agree to the Alliance delivery of the bonds.

Hornblower & Weeks Bid irregular.

On motion of Penick seconded by Merts the clerk was instructed to communicate with Hornblower & Weeks to ascertain if they would comply with the conditions of our advertisement.

Penick moved, seconded by Merts, that when Council adjourn it adjourn to meet next Thursday evening, to consider the bids for Water Bonds.

The following communications were read to Council and referred to Sewer Committee:

Alliance, Ohio, March 16, 1918.

To The Honorable City Council,
Alliance,
Ohio.

Gentlemen:-

Agreement to pay 25 house connections beyond Vine & Rockhill.

We hereby propose to your body and agree that in case a sewer line is built accessible to us at the intersection of Vine Street and Rockhill Avenue, within four months from this date, that we will pay for twenty-five (25) house connections until such time as that number of individual owners beyond the intersection of Vine Street and Rockhill Avenue, are connected up with this line of sewer.

Yours very truly,

THE COLLEGE HILL LAND COMPANY

Walter M. Ellett, Pres.

Alliance, Ohio, March 16th, 1918

Honorable City Council,
Alliance,
Ohio.

Gentlemen:-

Sanitary Sewer facilities asked for at intersection of Vine and Rockhill.

It doubtless will be in the memory of some of your members that we were told that a sewer line would be available to us at the intersection of Vine Street and the Rock-Hill Road. Relying upon this we placed several hundred dollars worth of sewer pipe on the Park Side Home Allotment. Circumstances having changed your plans the delay is a matter rather serious to us at this time as we are desiring very much to build homes in this allotment and feel that we cannot proceed with them, much as they are needed at this time, until we are assured by legislative action that sanitary sewer facilities will be available to us.

We feel, that in the light of the promises made us in the past, that this service should have been available long before this. We also know that no one is more interested in the welfare of the City and in its future growth than your honorable body and we know that you desire to do all things possible to further the prosperity of Alliance and the welfare of our citizens. To show our good faith as to what our intentions are, we are handing you herewith an agreement which will speak for itself.

Trusting that all necessary steps may be taken at the earliest possible moment to accomplish the purposes that have been contemplated for some time, we are

Very sincerely yours,

THE COLLEGE HILL LAND COMPANY

By Walter M. Ellett, President.

The following communication was read from City Engineer Shidler and referred to the Finance Committee:

March 18th, 1918.

The Honorable City Council,
Alliance, Ohio.

Gentlemen:-

Report on
S. Side
Low Level
Sewer
showing
amt. ex-
ceeding
estimated
cost.

I herewith submit a report on the South Side Low Level Sewer showing the amount this sewer exceeded the estimated cost and reason for same:

Total cost of sewer	\$8703.40
Estimated cost \$7200.00, bonds issued	<u>\$7199.00</u>

Total amount over Bond Issue	\$ 1504.40
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It will be necessary for bonds to be issued in the sum of \$1504.40 to take care of the shortage of this fund.

The reason for this shortage is as follows:

The rock excavation estimated was 700 cubic yards but the actual amount excavated was 1229 cubic yards, a difference of 529 cubic yards at \$2.00 which is \$1048.00. This rock estimated yardage could only be a guess as no drilling was done to determine the depth of the rock before said estimate was made by the Engineer. The rock slanted upward and in some of the deepest cuts we found twenty to twenty-one feet of rock. This rock in some places was found only three to four feet below the surface of the ground. This was a circumstance that could not be foreseen by the Engineer when making the estimate.

There were also two modifications of contract not included in the original estimate, these being two depth manholes averaging twenty-four feet at \$100.00 each or \$200.00. These were put in by agreement with Frank Hartzell for permission to cross his land. Modification #2 was for placing a new reinforced concrete top in culvert on Liberty Street and taking off thick stone top to allow sewer to pass and for placing concrete around pipe near State Street to protect same, which amounted to \$204.60. There were also several small items over-run, such as 4" risers placed and etc., making \$41.80. The total of the above shortage was \$1504.40

The large amount of rock excavated over estimated amount, together with the modifications of contract has caused the shortage in this fund, all of which were circumstances that could not have been foreseen at the time of making this estimate.

Very respectfully submitted,
Wade W. Shidler,
City Engineer.

Statement of cost of South Side Low Level Sewer.
February 7th, 1918.

Paid Contractor	\$8206.14
Advertising, Inspection, Engineering and Inspection	497.26
	<hr/>
Total	\$8703.40
	<hr/>
Total issued bonds	7199.00
	<hr/>
Bonds needed	1504.40

J.J.Yochum
calls
attention
to injur-
ies rec'd.
from plate
gutter.

A communication was received from J. J. Yochum, calling attention to an injury that he had received by fall which he sustained January 9th, at a gutter in front of John Eyers residence. On motion of Lower, seconded by James G. Miller, the communication was referred to the Judiciary Committee, Solicitor and Mayor.

E.C.Teeters
asks for
compen-
sation for
auto damag
es.

A Communication was read from E. C. Teeters of Maximo, asking Council to compensate him in the sum of \$25.00 for automobile repairs which he claimed he had to have made owing to his machine being damaged when he struck an excavation on South Arch Ave. near South Street. The matter was referred to the City Solicitor and Service Director.

The following memorandums of agreement were read and referred to the Streets and Alley Committee:

MEMORANDUM OF AGREEMENT.

MEMORANDUM OF AGREEMENT, made and entered into this 18th, day of March A.D.1918, by and between The City of Alliance, Ohio, party of the first part, and A.D.Wallace, party of the second part.

WITNESSETH:*

Memorandum
of agree-
ment to
vacate
one half
of alley
from
Prospect
St. to Pa.
Company.

Party of the first part hereby agrees to vacate the west one half of a certain alley described as follows:

Located in the City of Alliance, County of Stark and State of Ohio, and known as the west ten (10) feet of an alley leading from the north line of Prospect Street in said City to the south right of way of The Pittsburgh, Fort Wayne & Chicago Railroad, commonly known as The Pennsylvania Company, and being the 10 feet just immediately east of second party's Lot Number 487 in said City and extending north and south the length of second party's Lot Number 487 as aforesaid.

For and in consideration of said first party's vacation of said one half of said alley, said second party hereby fully releases said first party from any and all damages he sustained by reason of the change of grade on said Prospect Street in said City or from any other reason, in front of said second party's said Lot Number 487 on said Prospect Street in said City.

In Testimony Whereof the parties hereto sign their names this 18th, day of March A. D. 1918.

Witnesses:-

E. P. Speidel	A. D. Wallace
N. E. Speidel.	Second Party.
As to Second Party.	

RESOLUTION NO. 25-B.

Mr. Grubb:

Declaring it necessary to improve Shunk avenue between south line of State street and the south line of 23rd street by grading, draining, curbing and paving with brick block or bituminous macadam.

WHEREAS, the owners of three-fourths in interest of the property abutting upon Shunk avenue between south line of South street and the south line of 23rd street have petitioned in writing for the improvement of said street between the points named, by grading, draining, curbing and paving with brick, block or bituminous macadam, now therefore,

Be It Resolved By The Council of The City of Alliance, State of Ohio, three-fourths of all members elected thereto, concurring:

Section 1. That it is necessary to improve Shunk avenue from south line of State street to south line of 23rd street in the following manner: By grading, draining, curbing and paving with brick, block or bituminous macadam.

Section 2. That the grade of street as improved shall be the grade established by ordinance passed June 12, 1911, and that the grade of the curbs shall conform to the established grade.

Section 3. That the plans, specifications, estimates and profiles of the proposed improvement heretofore prepared by the Engineer and now on file in the office of the Director of Public Service, be and the same are hereby approved.

Section 4. That the whole cost of said improvement less 1-50 thereof and the cost of intersections shall be assessed by the foot front upon the following described lots and lands to-wit: All lots and lands bounding and abutting upon the proposed improvement which said lots and lands are hereby determined to be especially benefited by said improvement, and the cost of said improvement shall include the expense of the preliminary and other surveys, and all printing and publishing of notices, resolutions and ordinances required, and the serving of said notices, the cost of construction, together with interest on bonds issued in anticipation of the collection of deferred assessments and all other necessary expenditures.

Section 5. That the assessments so to be levied shall be paid in 10 semi-annual installments with interest on deferred payments at 5% per annum, provided that the owner of any property may, at this option, pay such assessments in cash within 30 days from and after the passage of the assessing ordinance, in which case said cash assessment shall not include any item of interest upon bonds to be issued in anticipation of the collection of deferred installments of assessments.

Section 6. That the bonds of the City of Alliance, Ohio, shall be issued in anticipation of the collection of assessments by installments and in an amount equal thereof.

Section 7. That the remainder of the entire cost of said improvement not especially assessed including the cost of intersections, together with the cost of any real estate or interest therein purchased or appropriated and the cost and expense of any appropriation proceedings therefore, and the damages awarded any owner of adjoining lands and interest thereon and the cost and expense of any such award shall be paid out of the fund, (or by the issuance of bonds in the manner provided by law.)

Section 8. This resolution is hereby declared to be an emergency measure and its enactment is necessary for the immediate preservation of the public health, safety and welfare. The necessity therefore, lies in the fact that unless immediate legislation is provided therefore, such improvement cannot be consummated before the winter months will necessitate the delay of making and finishing such improvement until the following summer much to the inconvenience and detriment of the public health, safety and welfare of the inhabitants of the City of Alliance, Ohio.

Section 9. This resolution shall take effect and be in force from and after the earliest period allowed by law.

Passed March 10, 1919.

C. E. BARNARD,

President of Council.

Attest: CHAS. O. SILVER,

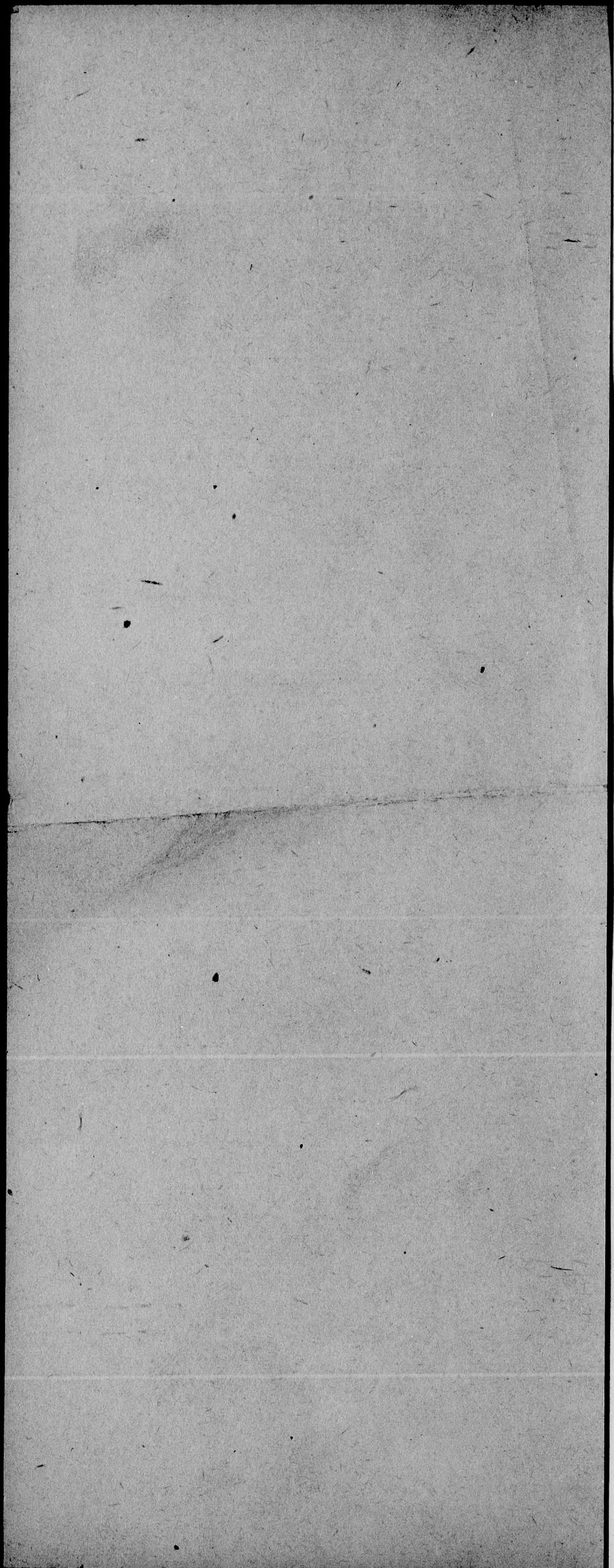
City Auditor.

Approved March 12, 1919.

C. S. WESTOVER,

Mayor.

3-14-20



MONDAY MARCH 18th, 1918 (CONTINUED).

MEMORANDUM OF AGREEMENT.

MEMORANDUM OF AGREEMENT, made and entered into this 18th, day of March A. D. 1918, by and between The City of Alliance, Ohio, party of the first part, and W. B. Wilson, Administrator of the Estate of S. Warner Estate, party of the second part.

WITNESSETH:-

Memorandum of agreement to vacate alley from Prospect to Pa. Co.

Party of the first part hereby agrees to vacate the east one half of a certain alley described as follows:

Located in the City of Alliance, County of Stark and State of Ohio, and known as the east ten (10) feet of an alley leading from the north line of Prospect Street in said City to the south right of way of The Pittsburgh, Fort Wayne & Chicago Railroad, commonly known as The Pennsylvania Company, and being the 10 feet just immediately west of second party's Mill property, and extending north and south the length of second party's Lots Number 488 and 489 in said City.

For and in consideration of first party's vacation of said one half of said alley said second party hereby releases said first party from any and all damages it may have sustained by reason of change of grade on said Prospect Street in said City or from any other reason in front of said second party's said Lots Numbers 488 and 489 on said Prospect Street in said City.

Said second party further agrees to pay to the said first party the sum of \$ the cost of the intersection leading into said alley as a further consideration for said vacation of said alley.

Witnesses:

Wm. B. Wilson,
Administrator of the Estate of
S. Warner, Deceased.
Second Party.

Complaint of dogs running at large and law concerning same.

Mayor Westover called attention to the many complaints being filed relative to dogs running at large in the City. Solicitor Shetler stated that the officials had no authority to kill the dogs without the owners consent. The state law provides that animals may be taken up but they must be kept for four days and a description advertised so that owners may call for them. If the owners do not claim them the dogs may be killed and the state must pay for the keeping of the animals and also for the killing and disposing of the carcasses. The subject was referred to the mayor and solicitor.

Arbitration upon reconsidering Coal Bill to E.B. Silver.

Contractor E. B. Silver, who made the improvements when the Nurses' Home, at the City Hospital was remodeled, appeared before Council, having with him some dozen witnesses who were to testify regarding the disputed claims of \$71.00 for coal used in heating the Nurses' Home while the repair work was in progress. Mr. Patton, Safety Director had sent Mr. Silver a bill for coal which Mr. Silver refused to pay. The matter was submitted to Council at a previous meeting and Council reconsidered the matter by arbitration. Upon learning this, Mr. Silver and his witnesses withdrew, it being the understanding that arbitration would be taken up and settle the dispute by that method.

Request Asst. Clerk for Court.

Judge Moore urged Council to take some action in regard to the request for an assistant clerk for the Municipal Court. Also as to providing an expense fund for the bailiff or raising the latter official's salary. President Barnard suggested that the Judge or Solicitor should present to Council some proposition for that body's action. The matter of the salary of the Court Bailiff was referred to the Finance Committee. Also the question of expenses of the Chief of Police in the conveying of prisoners sentenced to the Canton workhouse.

Finance Comm. recomm. paying of bills.

The Finance Committee recommended the payment of the following bills in the submitting of their report:

Review Publishing Company....\$ 5.20
Review Publishing Company....\$25.68

Chas. F. Merts
J. W. Penick
L. E. Grubb.

The report of the Committee was agreed to.

Finance Comm. recomm. passage of Ord. 26-A & 22-A.

The Finance Committee submitted Ordinances 26-A and 22-A and recommended their passage.

Chas. F. Merts
J. W. Penick
L. E. Grubb.

The report of the Committee was agreed to.

THE FOLLOWING ORDINANCES AND RESOLUTIONS WERE TAKEN UP AND CONSIDERED:

Ord. 37-A read 1st time.

ORDINANCE NUMBER 37-A.

Mr. Grubb: To vacate the first alley west of and running parallel with North Lincoln Avenue between the north line of Washington Street and the south line of West Main Street; was read the first time.
Referred to the Committee on Streets and Alleys.

Ord. 32-A read 1st time.

ORDINANCE NUMBER 32-A.

Mr. Penick: An Ordinance to amend Ordinance Number 922 in so far as same applies to the ditch filling rates; was read the first time.
Referred to the Committee on Streets and Alleys.

Ord. 33-A read 1st time.

ORDINANCE NUMBER 33-A.

Mr. Penick: An Ordinance authorizing the Director of Public Service to enter into a contract with Engineers to prepare plans, specifications and estimates for making additions, repairs and enlargements to the Water Works System in the City of Alliance and to superintend and inspect the construction and erection of same; was read the first time.
Referred to the Water Committee.

MONDAY MARCH 18, 1918 (CONTINUED).

ORDINANCE NUMBER 34-A.

Ord. 34-A
read 1st
time.

Mr. Merts: To amend Ordinance Number 25-A so as to give the Stark Electric Railroad Company the preference in the use of the right-of-way of its tracks over the Morgan Engineering Company at the Summit Street Crossing at Alliance, Ohio; was read the first time.

Referred to the Railway and Telegraph Committee for immediate action.

ORDINANCE NUMBER 36-A.

Ord. 36-A
read 1st
time.

Mr. Merts: To amend Ordinance No. 2352, fixing the salaries of the employees in the Department of Public Safety, City Hospital; was read the first time.

Referred to Finance Committee for immediate action.

ORDINANCE NUMBER 38-A.

Ord. 38-A
read 1st
time.

Mr. Grubb: An Ordinance to accept the plat of Anna H. Waugh, P. C. Leist and Carl L. Case by replatting the City Lots 3992 and 3993; was read the first time.

Referred to the Platting Committee.

RESOLUTION NUMBER 35-A.

Res. 35-A
read 1st
time.

Mr. James G. Miller: Declaring it necessary to improve Perry Street from alley west of Diehl Court to Garfield Avenue by constructing and extension to Sanitary Sewer Number 153; was read the first time.

Referred to the Sewer Committee.

Decision
in light
case
expected.
Need of
paving
Morgan
Ave.

City Solicitor Shetler reported having received a letter from the State Utilities Commission in which it was stated that a decision in the Alliance light case might be expected within a few weeks.

President Barnard called attention to the imperative need of paving Morgan Avenue from Oxford Street to Summit street, this owing to the new plant being erected by the Morgan Engineering Company. On motion of Lower, seconded by Harry Miller the engineer was instructed to prepare plans and specifications.

Signs
being made
for park-
ing vehi-
cles.

Safety Director Patton stated that signs were being made by the Fire Department men to designate the places along several streets where the parking of vehicles is prohibited by ordinance.

Finance
Comm. rec-
ommends
passage of
Ord. 36-A.

Council referred back to the fourth order of business to the reports of the standing committees.

The Finance Committee submitted Ordinance 36-A and recommended its passage.

Chas. F. Merts

J. W. Penick

L. E. Grubb.

The report of the Committee was agreed to.

Railway &
Telegraph
Comm. rec-
ommend
passage of
Ord. 34-A.

The Committee on Railways and Telegraphs submitted their report recommending the passage of Ordinance 34-A.

L. L. Weaver

Harry Miller

Chas. F. Merts.

The report of the Committee was agreed to.

Water Comm.
recommends
passage of
Ord. 33-A.

The Committee on Water submitted Ordinance 33-A and recommended its passage.

L. L. Lower

L. E. Grubb

Chas. F. Merts.

The report of the Committee was agreed to.

Ordinance Number 22-A.

Ord. 22-A
Passed.

Ordinance 22-A was taken up and considered.

Merts moved, seconded by Harry Miller that the statutory rule requiring ordinances and resolutions to be read on three different days be suspended and Ordinance 22-A 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 7, Nays 0. Those who voted in the affirmative were; Messrs. Grubb, Lower, Merts, Harry Miller, James Miller, Penick, Weaver. 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 7, Nays 0. Those who voted in the affirmative, were: Messrs. Grubb, Lower, Merts, Harry Miller, James Miller, Penick, Weaver. So the Ordinance was passed.

Ordinance Number 26-A.

Ord. 26-A
Passed.

Ordinance Number 26-A was taken up and considered.

Penick moved, seconded by James G. Miller that the statutory rule requiring ordinances and resolutions to be read on three different days be suspended and Ordinance 26-A 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 7, Nays 0. Those who voted in the affirmative were: Messrs. Grubb, Lower, Merts, Harry Miller, James Miller, Weaver. 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 7, Nays 0. Those who voted in the affirmative, were: Messrs. Grubb, Lower, Merts, Harry Miller, James Miller, Penick, Weaver. So the Ordinance was passed.

Ordinance Number 36-A.

Ord. 36-A
Passed.

Ordinance Number 36-A was taken up and considered.

Merts moved, seconded by Harry Miller that the statutory rule requiring ordinances and resolutions to be read on three different days be suspended and Ordinance Number 36-A 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 7, Nays 0. Those who voted in the affirmative were: Messrs. Grubb, Lower, Merts, Harry Miller, James Miller, Penick, Weaver. 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 7, Nays 0. Those who voted in the affirmative, were: Messrs. Grubb, Lower, Merts, Harry Miller, James Miller, Penick, Weaver. So the Ordinance was passed.

MONDAY MARCH 18th, 1918 CONCLUDED.

ORDINANCE NUMBER 34-A.

Ord.
34-A
Passed.

Ordinance Number 34-A was taken up and considered.
James G. Miller moved, seconded by Lower that the statutory rule requiring Ordinances and resolutions to be read on three different days be suspended and Ordinance 34-A 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 7, Nays 0. Those who voted in the affirmative were: Messrs. Grubb, Lower, Merts, Harry Miller, James Miller, Penick, Weaver. 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 7, Nays 0. Those who voted in the affirmative, were: Messrs. Grubb, Lower, Merts, Harry Miller, James Miller, Penick, Weaver. So the ordinance was passed.

ORDINANCE NUMBER 33-A.

Ord.
33-A
Passed.

Ordinance Number 33-A was taken up and considered.
Penick moved, seconded by James G. Miller that the statutory rule requiring Ordinances and Resolutions to be read on three different days be suspended and Ordinance 33-A 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 7, Nays 0. Those who voted in the affirmative were: Messrs. Grubb, Lower, Merts, Harry Miller, James Miller, Penick, Weaver. 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 7, Nays 0. Those who voted in the affirmative, were: Messrs. Grubb, Lower, Merts, Harry Miller, James Miller, Penick, Weaver. So the ordinance was passed.

On motion of James G. Miller, seconded by Lower, Council adjourned.

Attest:

Chas Silvers

City Auditor.

C. E. Bernard

President of Council.