

Monday Evening March 15th, 1920.

Council met in regular session with President Barnard presiding.

The roll being called the following members answered to their names: Messrs. Cary, Hall, Lower, H. T. Miller, Ryan, and Weaver. Present 6, absent 1.

The minutes of the previous meeting were read and approved.

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The Trustees of the Sinking Fund presented their annual report of the receipts and expenditures of the year 1920 which was read and ordered filed.

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The following petition was presented to Council and referred to the Finance Committee.

Alliance, Ohio, March 15th, 1920.

We the undersigned, being the Engineers employed by the City of Alliance at the City Water Works, do hereby petition the Hon. Council of said City for an increase in our salaries and one day a week off duty. We work seven days a week, which is contrary to the laws of the State of Ohio.

Respectfully submitted,

M. B. Carter
J. A. Rook
Frank Karper

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The following petition was presented to Council and referred to the Mayor, Safety Director, and Finance Committee.

Alliance, Ohio, March 1920.

To the Honorable Mayor, Chief of Police, and Safety Director.

We the undersigned members of the Alliance Police Force wish to submit the following for your consideration relative to the salaries we are receiving. Whereas we feel that we have exhausted all available means of asking by ordinary methods are forced to affix the following demand and make that demand requisite and final.

We further maintain our demand not eronomous but in true conformity to salaries paid people in other towns doing same line of work. We believe property, homes, and lives just as dear in our town as others. The work as hard, the risk as great and the efficiency of the present force as good. And that your honorable body will assist its utmost in the proper channel to grant our wish which is only that we receive a fair wage earning.

Namely that we after ten days from date March 11th, 1920 receive such raise per man as was last submitted to City Council such raise to be granted in full not in part and continue on from date.

Otherwise we are forced by necessity rather than choice to affix our names to the following resignation in justice to ourselves and citizenship.

In failure to confirm with above said raise in salary we the undersigned do hereby tender our resignation to take effect this day March 11th, 1920, and terminate March 20th, 1920 at midnight.

Thereby discontinuing to be at your service.

Respectfully signed,

R. O. Blair
Harry Somerville
Charles Coy
Jas. G. Johnston
Archie L. Westover
J. J. Vignos
W. H. Miller
J. E. Carter
H. S. Bowhall
F. Eagleton
E. L. Reeder

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The following communication from the City Solicitor was read to Council.

March 15th, 1920.

TO THE HONORABLE MEMBERS OF THE CITY COUNCIL OF THE CITY OF ALLIANCE, OHIO.

Gentlemen:

The question of issuing bonds of the City of Alliance, Ohio in the sum of \$525,000.00 for the purpose of erecting a municipal artificial gas plant has been foremost in the minds of the members of your Honorable Body for the past six months and

has been given considerable consideration by the citizens of Alliance.

Several days ago your Honorable Body voted down an ordinance to issue bonds of the City of Alliance, Ohio in the sum of \$525,000.00 for the purpose of erecting a municipal artificial gas plant for said City, the bond issue having been voted on by the citizens of Alliance on September 6th, 1919 and carried by a majority of more than two-thirds as provided by law.

The question of issuing bonds as above referred to has been called to my attention by numerous citizens and one Arthur Hebdem on the 8th day of March 1920 made written demand upon me as City Solicitor to bring a mandamus proceeding in the Courts of this County, compelling your Honorable Body to issue said bonds in accordance with the vote of the people on September 5th, 1919.

Since receiving this notice I have given the matter considerable thought and have investigated the authorities on this subject and have been unable to find an adjudicated case in this State directly covering this proposition. I also submitted the proposition to the attention of the Attorney General who have in a semi-official opinion advised that the proposition as submitted was not free from doubt and that the question should properly be adjudicated by the Courts of this State.

This question presents a proposition of considerable importance to the City of Alliance and under my oath of Office as City Solicitor of the City of Alliance, Ohio it becomes my duty to see that the laws of this State are complied with and for this reason I have decided to bring a mandamus proceeding in the Courts of Stark County, Ohio against Charles S. Westover, Mayor of the City of Alliance, Ohio, Chas. O. Silver, City Auditor, and the individual members of Council praying that a writ of mandamus be issued compelling the enactment of the necessary legislation to issue said bonds. In this manner the proposition can be fully adjudicated and a legal construction of the law obtained.

I know that the individual members of the Council are desirous of performing every act required of them by law and I do not wish to have any member feel that this is in any way a reflection on them, but that the sole and only purpose in bringing this action is to ascertain whether or not council acted according to law in defeating this bond issue.

I wish to assure you that I am not prejudiced in this matter and that I am taking this action because I feel that it is my duty as City Solicitor in order to protect the interests of the citizens of the City of Alliance, Ohio.

Respectfully submitted.

CMS'S

Curtis M. Shetler

H. T. Miller moved seconded by Ryan that the communication be referred to the committee of Council as a whole.

The City Solicitor called attention to the damage claim of Clara McKinsie whereby she sustained injuries by reason of the piles of brick located on Oxford Street. On motion of H. T. Miller, seconded by Weaver, the City Solicitor was instructed to settle the case with the best possible advantages to the City which motion was agreed to.

On motion of Ryan seconded by H. T. Miller, the Engineer was instructed to prepare a grade ordinance on 23rd Street from Miller Avenue to Union Avenue.

REPORTS OF STANDING COMMITTEES.

The Finance Committee submitted their report recommending the payment of the following bills:

Review Publishing Company	\$	77.18
" " "		6.34
" " "		19.18
" " "		9.75
" " "		10.08
" " "		73.60

L. L. Weaver
H. T. Miller
S. P. Hall

The report of the committee was agreed to.

The committee on Streets and alleys submitted Resolution No. 31-C, Mr. Ryan, and recommended its passage.

M. Ryan
J. H. Miller
H. T. Miller

The report of the committee was agreed to.

The committee on Railroad and Telegraph submitted Resolution 38-C, Mr. Weaver, and recommended its passage.

Hall
Weaver
Cary

The report of the committee was agreed to.

The Sewer Committee submitted its report recommending the construction of storm sewer on Patterson Street and the one as suggested by the Alliance Vitreous China Co. and recommended that they be constructed.

H. T. Miller
Cary,
Lower

The report of the committee was agreed to.

The committee on grades to whom was referred Ordinance 34-C submitted their report and recommended the passage of same.

H. T. Miller
Ryan
Weaver

The report of the committee was agreed to.

The committee on platting to whom was referred Ordinance 33-C submitted their report and recommended its passage.

Cary
Weaver
Ryan

The report of the committee was agreed to.

INTRODUCTION OF ORDINANCES AND RESOLUTIONS.

Ordinance No. 40-C

Mr. Lower:

An Ordinance authorizing the Director of Public Safety to enter into a contract for the purchase of an automobile fire truck and equipment for the use of the fire department of the City of Alliance was read the first time and referred to the Finance Committee for immediate action.

Mr. Ryan introduced the following petition which was referred to the committee on streets and alleys.

PETITION FOR PAVING

NOTE: This petition should be signed in ink by the owner or owners of the lots abutting on the street, that is, each person in whose name the title to the property is recorded, should sign, and the signer set up not the house number but the lot number and the frontage of the same.

To the Council of the City of Alliance, State of Ohio:

Gentlemen:

We, the undersigned, being the owners of the number of feet of property set opposite our names below and being three-fourths or more in interest of the owners of property abutting upon Harrison Street from Union to Garfield respectfully petition your Honorable Board for an improvement of said street between the points aforesaid by grading, draining, curbing, paving and constructing sidewalks, and that the entire cost of said improvement except only such portions whereof as is by law chargeable against the municipality be assessed in proportion to the benefits upon the lots and lands bounding and abutting upon said Harrison Street between the points aforesaid.

And the undersigned and each of them consent and request that said assessments be levied and collected without reference to the value of the property of the subscribers hereto and waive all benefits of the Statute limiting assessments to 33 1/3 per cent of the actual value of the property assessed, and hereby agree to pay the assessments as levied on their respective properties and waive all errors and technicalities that may arise in connection with said improvements and agree to pay the entire cost of said improvements except only such portions thereof as is by law chargeable against the municipality; said assessments to be payable in ten semi-annual installments proportioned to the whole assessment or in cash at the option

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of the owner of the property assessed, in the manner provided by law for the levy and collection of assessments.

<u>OWNER OF TITLE</u>	<u>No. of FEET FRONT</u>	<u>LOT NO.</u>
William E. Croft and Katherine Croft	39	33
John F. Mann	39	33
Ellsworth Messmore and May Messmore	40	37
Karl Wheeler	40	5111
Ida Haidet	44	35
W. C. Card	55	33
Hallie Rothley	40	5115
Martin Mathias	90	
H. A. Kelly	40	5106
" " "	40	5107
Earl D. Bair	40	
V. J. Oswalt	40	5098
R. E. Roose	40	5097
Clarence McKnight	40	
M. E. Steele	35	5104
I. P. Williams and	40	5113
Mrs. Ida Williams		
Anna Irene Shreve	50	5198
W. S. Ansley	40	5095
C. C. Davidson	132	O. L. 32
C. Strom	72	31
Mrs. M. A. Barr		
Mrs. Susie Brown		O. L. 38
Fred Hodge		O. L. 34
J. H. Ryan	40	5109
Mrs. Anna Ryan	40	5110
Mary A. Henry	40	5108
Pat Scanlon	40	5114
E. H. Alden	147	
Hess & Son	40	
Chas. Horvath Julig	44	
L. L. Sheidler	39	

Resolution No. 43-C

Mr. Ryan:

Declaring it necessary to improve Harrison Street between Union Avenue and Garfield Avenue by grading, draining, curbing, constructing sidewalks and paving with brick block or bituminous macadam was read the first time and referred to the committee on streets and alleys.

Resolution No. 39-C

Mr. Ryan:

Declaring it necessary to improve N. Garfield Avenue between Wayne and Vine Sts by grading and constructing sidewalks was read the first time and referred to the committee on grades and sidewalks.

REPORTS OF STANDING COMMITTEES.

On motion of H. T. Miller seconded by Weaver, Council referred back to the fourth order of business, reports of standing committees.

The Finance committee to whom was referred Ordinance 40-C submitted their report and recommended its passage.

Weaver
H. T. Miller
Hall

The report of the committee was agreed to.

The committee on sewers submitted their report recommending the passage of Ordinance 35-C, 36-C, and 37-C.

H. T. Miller
Cary
Lower

The report of the committee was agreed to.

The following ordinances and resolutions were taken up and considered.

Ordinance No. 33-C

Ryan moved, seconded by H. T. Miller that the statutory rules requiring

Resolution No. 29-C

Ryan moved, seconded by H. T. Miller that the statutory rules requiring ordinances and resolutions to be read on three different days be suspended and ordinance No. 29-C be read the second and third time. The question being on the suspension of the rules the yeas and nays were taken and resulted yeas 6, nays 0. Those who voted in the affirmative were Messrs. Cary, Hall, Lower, H. T. Miller, Ryan, and Weaver. So the rules were 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. Cary, Hall, Lower, H. T. Miller, Ryan, and Weaver. So the ordinance was passed.

Resolution No. 36-C

H. T. Miller moved, seconded by Weaver that the statutory rules requiring ordinances and resolutions to be read on three different days be suspended and ordinance No. 36-C be read the second and third time. The question being on the suspension of the rules the yeas and nays were taken and resulted yeas 6, nays 0. Those who voted in the affirmative were Messrs. Cary, Hall, Lower, H. T. Miller, Ryan, and Weaver. So the rules were 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. Cary, Hall, Lower, H. T. Miller, Ryan, and Weaver. So the ordinance was passed.

Resolution No. 37-C

H. T. Miller moved, seconded by Weaver that the statutory rules requiring ordinances and resolutions to be read on three different days be suspended and ordinance No. 37-C be read the second and third time. The question being on the suspension of the rules the yeas and nays were taken and resulted yeas 6, nays 0. Those who voted in the affirmative were Messrs. Cary, Hall, Lower, H. T. Miller, Ryan, and Weaver. So the rules were 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. Cary, Hall, Lower, H. T. Miller, Ryan, and Weaver. So the ordinance was passed.

On motion of Weaver, seconded by H. T. Miller, J. H. Miller was excused on account of sickness.

On motion of H. T. Miller, seconded by Ryan, Council recessed for five (5) minutes. Council reconvened.

H. T. Miller moved, seconded by Ryan that the Council rules be suspended and that an Ordinance to issue bonds for the purpose of erecting or purchasing gas works for the manufacture of artificial gas for the inhabitants of the City of Alliance be re-introduced, which motion was agreed to.

Mr. Lower introduced Ordinance No. 154-B: To issue bonds for the purpose of erecting or purchasing Gas Works for the manufacture of artificial gas to the inhabitants of the City of Alliance, Ohio, was read the first time.

Mr. C. L. Archer addressed Council on the subject of smoke consumers for the manufacturing plants of the City of Alliance.

On motion of H. T. Miller, seconded by Hall, the City Auditor was requested to have a state examiner come to Alliance to make a financial examination as to the status of the finances and to estimate whether it would be possible to increase the salaries of the Policemen and Firemen under our existing financial condition.

On motion of Lower, Council adjourned.

Attest:

Chas. Silver
CITY AUDITOR

Chas. E. Barnard
PRESIDENT OF COUNCIL