

MONDAY EVENING NOVEMBER 8th, 1920

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

The roll being called, the following members answered to their names: Messrs. Cary, Hall, Lower, Ryan, and Weaver. Present 5, absent 2.

-----

The following communication was received from the Mayor.

October 27th, 1920.

To the Honorable Council,

Kind Sirs:

After a long and sincere study over Ordinance No. 124-C which makes it an offense subject to \$500.00 fine against anyone placing or operating an oil or gasoline filling station, or a public garage, on or within fifty feet from a curb line and also an offense subject to an equal amount of fine to maintain a driveway over said curb and each week being a continued and separate offense, making the poor man a subject of two thousand dollars fine per month to test what he may consider his constitutional rights unless he gets a permit from two-thirds of the property owners on either or both sides of the street a distance of five hundred feet in each direction, thereby one man may hold the trump card and prevent competition on two thousand feet of street frontage.

Communication from Mayor

Also Section 2 declares this ordinance to be an emergency measure, necessary for the preservation of public health, safety and welfare. As yet I cannot understand the emergency feature in favor of health, safety or welfare. The garage business is considered a healthy one and in regards to safety the only time an automobile is safe is when in the garage and in considering the welfare of the City had this ordinance been passed ten years ago, our garages and filling stations would have been built between Louisville and Canton where they are now building our round house, Railway shops, sheet steel mills, etc.

Therefore, I feel it my duty and do veto ordinance No. 124-C.

Yours sincerely,

C. S. Westover,  
Mayor

-----

The following communication was received from the Mayor.

October 27th, 1920.

To the Honorable Council,

Kind Sirs:

I feel an encumbrment upon myself, to veto the attached ordinance No. 125-C for the following reasons:

Communication from Mayor

1st. I feel that we have no right to give drays, busses, trucks and all vehicles used as common carriers, an exclusive right to park on a part of any public street.

2nd. The publishing of same would be a fruitless expense to the City.

Yours respectfully,

C. S. Westover,  
Mayor

-----

The following petition was presented to Council.

IN THE MATTER OF THE VACATION OF A PORTION OF THE FIRST ALLEY WEST OF AND PARALLEL TO SOUTH UNION AVENUE IN THE CITY OF ALLIANCE, OHIO, BETWEEN WEST CAMBRIDGE STREET AND WEST SUMMIT STREET IN SAID CITY, TO-WIT, THAT PORTION EXTENDING SOUTH FROM THE SOUTH SIDE OF WEST CAMBRIDGE STREET A DISTANCE OF SEVENTY AND FIVE TENTHS (70.5) FEET.

Petition

TO THE HONORABLE CITY COUNCIL OF

THE CITY OF ALLIANCE, OHIO:

The undersigned, A. F. Morris, being the owner of City Lots Numbers Nineteen Hundred and Sixty (1960), Nineteen Hundred and Sixty-one (1961), and Two (2) feet off the West side of Nineteen Hundred and Fifty-Nine (1959) in the City of Alliance, Ohio, and MARY N. COLE, being the owner of City Lot Number Nineteen Hundred and Sixty-two (1962) in the City of Alliance, Ohio, said lots being all of the lots and lands bounding and abutting on

the alley hereinafter described, and in the immediate vicinity thereof, respectfully petition Your Honorable Body to vacate the following portion of the first alley West of and parallel to South Union Avenue in the City of Alliance, Ohio, between West Cambridge Street and West Summit Street in said City, to-wit, that portion extending South from the South side of West Cambridge Street a distance of Seventy and five-tenths (70.5) feet.

The undersigned, your petitioners, further represent that the vacation of said portion of said alley will not be detrimental to the general interest, and will be for the benefit of your petitioners as owners of the adjacent property, and the City of Alliance.

A. F. Morris

Mary N. Cole

STATE OF OHIO, STARK COUNTY, SS.

Before Me, a Notary Public in and for said County and State, personally appeared A. F. MORRIS and MARY N. COLE, who, being duly sworn say that the facts stated in their foregoing Petition are true, as they verily believe.

SWORN to and subscribed in my presence this 20th day of October, A. D. 1920.

William L. Hart  
Notary Public

The following consent to vacate was presented to Council.

CONSENT TO VACATION

TO THE CITY COUNCIL OF THE  
CITY OF ALLIANCE, OHIO:

Consent to vacation

WHEREAS A. F. MORRIS and MARY N. COLE have heretofore filed with Your Honorable Body a Petition to Vacate a portion of the first alley West of and parallel to South Union Avenue in the City of Alliance, Ohio, between West Cambridge Street and West Summit Street, in said City, to-wit, that portion extending South from the South side of West Cambridge Street a distance of Seventy and five-tenths (70.5) feet, and

WHEREAS the said A. F. MORRIS is the owner of Lots Numbers Nineteen Hundred and Sixty (1960), Nineteen Hundred and Sixty-one (1961), and Two (2) feet off the North side of Lot Number Nineteen Hundred and Fifty-nine (1959) in the City of Alliance, Ohio, and said MARY N. COLE is the owner of Lot Number Nineteen Hundred and Sixty-two (1962) in the City of Alliance, Ohio, said parties being the owners of all the property abutting upon the portion of said alley so proposed to be vacated,

Said A. F. MORRIS and MARY N. COLE hereby file their written consent to the vacation of said portion of said alley as prayed for in their said Petition, in accordance with Section 3725 of the General Code of the State of Ohio.

A. F. Morris  
Mary N. Cole

City Engineer makes report on consultation regarding overhead bridge and subway

City Engineer Anderson made a report of the consultation with the Pennsylvania Railroad officials on the improvement asked in the way of an overhead bridge or foot bridge if a bridge for all traffic is impractical over Lincoln Avenue and a subway at Johnson Avenue as will make the entrance to the Transue & Williams plant on Rockhill Avenue safe.

On motion of Ryan, seconded by Weaver, the Engineer and Solicitor were instructed to confer with the officials of the Pennsylvania R. R. Co. regarding these improvements which motion was agreed to.

Engineer requested to call Council together regarding collapse of diversion dam

On motion of Ryan, seconded by Lower the Engineer was requested to call Council together as a committee of the whole for a conference to fix the responsibility of the collapse of the diversion dam and determine whether action should be brought against the contractor for damages which motion was agreed to.

Frank Hartzell addresses Council in regard to condition of Ohio St.

Mr. Frank Hartzell was present and called attention to the impassable condition of Ohio Street, which when the sewer was placed on the street, was left in bad condition. It was referred to the streets and alleys committee and Engineer for immediate action.

MONDAY EVENING NOVEMBER 8th, 1920 (continued)

The following ordinances and resolutions were introduced:

Ordinance No. 140-C

Mr. Lower:

Introduction of Ord. No. 140-C

An Ordinance authorizing and directing the Director of Public Service to enter into contract for the purchase of Sulphate of Alumina for the use at the Water Works was read the first time and referred to the Water Committee for immediate action.

Resolution No. 141-C

Mr. Weaver:

Introduction of Res. No. 141-C

To issue a certificate of indebtedness of the City of Alliance, Ohio, to reimburse the Public Service Fund was read the first time and referred to the Finance Committee for immediate action.

Resolution No. 142-C

Mr. Weaver:

Introduction of Resolution No. 142-C

To issue a certificate of indebtedness of the City of Alliance, Ohio, to reimburse the Public Safety Fund was read the first time and referred to the Finance Committee for immediate action.

Ordinance No. 145-C

Mr. Lower:

Introduction of Ordinance No. 145-C

An Ordinance to prevent the sale, traffic, possession or the manufacture of intoxicating liquor and providing the penalty thereof, was read the first time and referred to the Judiciary Committee.

Resolution No. 143-C

Mr. Weaver:

Introduction of Res. No. 143-C

To provide for the issuance of bonds of the City of Alliance, Ohio, in the sum of \$2600.00 for the purpose of extending the time of payment of certain indebtedness which from its limits of taxation, the said City is unable to pay at maturity, was read the first time and referred to the Finance Committee.

-----

Finance Committee submits report. Accepted.

The Finance Committee to whom was referred Resolutions 141-C, 142-C, and 143-C submitted their report and recommended the passage of same.

Weaver  
Hall

The report of the committee was agreed to.

-----

Water Com. submits report. Accepted.

The Water Committee to whom was referred Ordinance 140-C submitted their report and recommended its passage.

Lower  
Weaver  
Hall.

The report of the Committee was agreed to.

-----

Meeting to discuss City Planning Commission Ord. called for Friday Evening

Mr. Hall, Chairman of the Committee of the whole which has under consideration the City Planning Commission Ordinance stated that a meeting of the Council and all others interested in the City Planning proposition would be held in the Council chamber Friday Evening, at 7:30.

-----

Natural Gas proposition brought up

Ryan brought up the proposition of natural gas for the City of Alliance and suggested that the subject be again taken up and renewed as it would not be long until the present contract expired.

-----

On motion of Weaver seconded by Ryan, Council adjourned.

Attest: \_\_\_\_\_  
City Auditor

*Charles E. Barnard*  
\_\_\_\_\_  
President of Council