

Monday January 15th 1912.
 The council met in regular session
 with President Hull in the chair.
 The roll being called the following
 members answered to their names
 Messrs. Barnard, Farmer, Guitt,
 Lower, Voss, Yarnum. Present 6. Absent 1.
 Mr. C. R. Morley President of The Stark
 Electric, P. & Co. being present, addressed
 council, on the subject on running large
 street cars under the Union Ave. bridge.
 He stated that their plan is to change the track and push
 it over to one side, near the abutment of the P. & W. C. bridge,
 which now occupies the sidewalk, leaving a roadway
 and lowering that part of the sidewalk about 2 1/2 feet.
 not interfering with any property owner, and extending
 from a little below hospital street to about 75 feet beyond
 the bridge. The company is willing to do this at its
 own expense, build a retaining wall, a guard rail, take
 care of the station, signs, and everything required that
 is necessary, stated Mr. Farmer. The proposition
 of Mr. Morley together with other and
 such other matters that are to be
 considered in connection with the
 proposition of Mr. Morley, be referred
 to the com. on Railroads, Telegraphs
 City Eng. and Streets and Alley.
 City Solicitor and the attorney
 of the Stark Elect. P. & Co.
 Which motion was agreed to.
 The following communication from
 City Solicitor Pack was presented
 to council.

Jan. 12, 1912.
 To the Honorable Council,
 City of Alliance,
 Gentlemen.
 In response to your motion directing me to
 prepare an ordinance for the Sealer

January 12, 1912.

To the Honorable Council,
 City of Alliance.
 Gentlemen:

In response to your motion directing me to pre-
 pare an ordinance for the Sealer of Weights and Measures of
 the City of Alliance, I have examined the matter, and in my
 judgment no such ordinance is necessary. Section 4322 of
 the Gen. Code, as amended May 31st, 1911, found in 102 Ohio
 Laws at Page 414, prescribes the duties of this office, and
 in my judgment gives him such powers and duties as the leg-
 islature of the state intended him to exercise. An ordinance
 passed by your body could not enlarge these powers and duties
 and should you insist on an ordinance,

the same could contain only the language of this section of the statute, and the section of the statute that I refer to, giving full power with nothing to be gained by the city. The expense of publication of the ordinance, if adopted would be simply throwing that much money away.

Respectfully submitted,

WMR/B

William M Roach
Solicitor

Farmus moved, seconded by Voss, that the City Solicitor be instructed to draw an ordinance repealing the ordinance regulating the Scales of Weights and Measures.

Which motion was agreed to.

The following communication was received and read.

Jan. 15th 1912
Members of the City Council
City

Gentlemen -

I herewith desire to call your attention to the fact that I am unable to secure electricity from the Alliance Gas & Power Co for my electric sign, unless I comply with their demands and accept their "flat rate". I have made overtures to the Alliance Gas and Power Co. that the current used in the sign pass thru the meter in the regular way. They were entirely unwilling to accede to this proposal which, in my estimation I consider fair, but threatened if I connived sign to meter to shut off the electric supply entirely. Such an action on their part would unquestionably ruin my business as I am entirely dependent upon electricity for my kind of work. I believe that in asking The Alliance Gas, Power Co. to furnish power to my sign thru meter is by no means an unreasonable demand and should be granted not only to myself but also to all who desire to pay for what they use and not what a corporation may see fit to impose upon them. Any action that your body may see fit to take in this matter will greatly be appreciated by

Yours Respectfully
J. Widmer.

On motion of Farmer, the above communication was referred to the City Solicitor.
The following communication was received and read.

Jan. 15th 1912.

The Honorable Council,
Alliance, O.

Gentlemen,

The Board of Health unanimously recommended that your honorable body fix the salary of Dr W. H. Burns, for Dairy Inspector at \$15.00 per annum. His salary was formerly \$75.00 per annum.

Yours truly
Alliance City Board of Health
Pres. J. F. Hogan
Clerk

The communication was ordered filed

To the Hon. City of Alliance, Ohio.

Permit me to call your attention to the fact that at the time of the rebuilding of the Bridge over the L.R.A. & W. Railroad right of way at the intersection of said right of way and Oxford street, a written agreement was entered into between the R.R. Co., and the City by the terms of which the R.R. Co., was to pay \$9000.00, towards the construction of the Bridge, - \$4600.00 of which should be refunded by the City, the City to improve the street adjacent to and across the bridge by paving the same with brick and thereafter to maintain the bridge and all parts thereof, and the roadway and sidewalk thereon and the approaches thereto at the sole cost of the City. The abutting lot on the south number 1689, was then owned by the R.R. Co., was unimproved and of little value. The right of way of the Railroad crosses this lot at the west end, and occupies probably one fourth of the lot. The city inadvertently assessed the whole of the lot for this pavement. The Decennial Board appraised the lot after the improvement was made at \$320.00 whereas the assessment is more than twice the appraised value.

J.J. Robertson is now the owner of that portion of the lot lying east of the right of way and desires that such action may be taken by the Council as may be proper under Section #3902, of the General Code.

This lot No. 1689 was unimproved at the time of the paving of the street. Mr. Robertson has since put a cheap building on the lot and has recently put a dwelling house upon it, and has deposited upwards of 4000 cubic yards of dirt upon the lot since the date of the improvement, and it is estimated that 8000 cubic yards will be required to bring his portion of the lot to the grade of the street.

(signed) D. Fording.

On motion the communication was referred to the City Solicitor, with power to act.

Fanner moved, seconded by Lower. the clerk was instructed to ascertain from Mr. Morley when it would be convenient for him to meet with the committee of council. Which motion was agreed to.

By unanimous consent Tuesday January 23^d 1914 was fixed as the date for a conference between Mr. Morley President of The Stark Electric Co. and the committee of council.

The com. on Finance submitted Ordinance No 1355, and recommended its passage.

Geo W. Fanner
Fred Fanner
Peter Voss

The question being on agreeing to the report of the com.

Which report was agreed to.

Ord No. 1355

Mr. Fanner

An ordinance to make appropriations for the current expenses and other expenditures of the city of Alliance, State of Ohio, for the fiscal half year ending June 30^d 1914. Said ordinance being hereby declared to be an emergency measure to enable the City of Alliance, Ohio. to pay its current expenses.

Section 1. Be it ordained by the council of the city of Alliance, Ohio three fourths of all members elected thereto concurring therein, that to provide for the current expenses and other expenditures of the city of Alliance, during the fiscal half year ending June 30^d 1914. Said appropriations being necessary to meet the current expenses and other expenditures falling due within sixty days from the passage hereof, the following sums be, and they are hereby appropriated, viz: was read the first time.

Fanner moved, seconded by Lower that the statutory rule requiring ordinance and resolutions to be read on three different days be suspended and the ordinance 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. Barnard, Farmer, Gubb, Lower, Voss, Yarnsey

So the rule was suspended, and the ordinance read the second and third time

Voss moved, seconded by Yarnsey the appropriation for Incidentals. City Solicitor be increased to \$100.00

Which motion was agreed to

The question being on the passage of Ord No 1355

The Yeas and Nays were taken and resulted Yeas. 6 Nays 0. Those who voted in the affirmative were Messrs. Barnard, Farmer, Gubb, Lower, Voss, Yarnsey

So the ordinance was passed.

The committee on Survs. to whom was referred Ord No. 1316. submitted their report recommending the passage of same.

Chas Barnard
Geo W. Yarnsey
G. E. Gubb.

The question being on agreeing to the report of the com.

Which report was agreed to.

The committee on Judiciary submitted their report recommending the passage of Ord. No 1358. - 1359.

Peter Voss
Geo W. Yarnsey
Chas Barnard

The question being on agreeing to the report of the com.

Which report was agreed to.

The com. on grades submitted their report recommending the passage of Ord No. 1334, 1361, 1362.

Levi Lower
J. H. Adams
Chas Barnard

The question being on agreeing to the report of the com.

Which report was agreed to

Farmer moved, seconded by Lower that the President appoint a committee of three to consider the Garbage ordinance.

Which motion was agreed to.

The President appointed on such committee Messrs. Farmer, Gubb, Barnard.

~~The following ordinances and resolutions were introduced.~~ The following ordinance were taken up,
Res. No. 1351

Declaring it necessary to improve Selby Street between Union Ave. and Garfield Ave. by grading and constructing sidewalks was read the first time.

Res. No. 1354

A resolution to accept the report of Lots Nos 1408, 1409, 1410, 1411, was read the first time.

Barnard moved, seconded by Voss that the statutory rule requiring ordinance and resolution to be read on three different days be suspended and the resolution 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. Barnard, Farmer, Gubb, Lower, Voss, Yarnum.

So the rule was suspended, and the resolution read the second and third time.

The question being on the passage of the resolution. The Yeas and Nays were taken and resulted Yeas 6, Nays 0.

Those who voted in the affirmative were Messrs. Barnard, Farmer, Gubb, Lower, Voss, Yarnum.

So the resolution was passed.

Res. No. 1358.

A resolution to pay claim of Roy Abegglen was read the first time.

Farmer moved, seconded by Voss that the statutory rule requiring ordinance and resolution to be read on three different days be suspended, and the resolution 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

were Messrs. Barnard, Farmer, Gubb, Lower, Voss, Yanner.

So the rule was suspended, and the resolution read the second and third time.

The question being on the passage of the resolution.

The Yeas and Nays were taken and resulted Yeas 6, Nays 0.

Those who voted in the affirmative were Messrs. Barnard, Farmer, Gubb, Lower, Voss, Yanner.

So the resolution was passed.

Ord No 1359

McNoy

An ordinance to amend Section 43 of Ordinance No 1211 of the City of Alliance. Passed August 11th 1911 and approved August 14th 1911, entitled "An ordinance regulating dray wagons, hackney, coaches, omnibuses, automobiles, motor cycles, was read the first time.

Voss moved, seconded by Barnard, that the statutory rule requiring ordinances and resolutions to be read, on three different be suspended, and the ordinance 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. Barnard, Farmer, Gubb, Lower, Voss, Yanner.

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. Barnard, Farmer, Gubb, Lower, Voss, Yanner.

So the ordinance was passed.

Ord No 1316

Declaring it necessary to improve Vine Street, Alley west of Lincoln Ave. and Rockhill Avenue by constructing Sanitary Sewer No 138 was read the first time.

Ord. No. 1329

The ordinance to establish a grade on Watson Avenue, was read the first time.

Lower moved, seconded by Voss, that the statutory rule requiring ordinances and resolutions to be read on three different days be suspended and the ordinance 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. Barnard, Farmer, Gubb, Lower, Voss, Yanney.

So the rule was suspended and the ordinance read the second and read 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. Barnard, Farmer, Gubb, Lower, Voss, Yanney.

So the ordinance was passed.

Ord. No. 1283

An ordinance to establish a grade on the first alley west of West Avenue from Broadway to High Street, was read the first time.

Farmer moved, seconded by Yanney that the statutory rule requiring ordinances and resolutions to be read on three different days be suspended and the ordinance 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. Barnard, Farmer, Gubb, Lower, Voss, Yanney.

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. Barnard, Farmer, Gubb, Gower, Voss, Yarnum.
So the ordinance was passed.

Ord No. 1313.

An ordinance to establish a grade on East Mill St. was read the first time.

Voss moved seconded by Barnard that the statutory rule requiring ordinance and resolutions to be read on three different days be suspended and the ordinances 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. Barnard, Farmer, Gubb, Gower, Voss, Yarnum.

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. Barnard, Farmer, Gubb, Gower, Voss, Yarnum.

So the ordinance was passed.

The following ordinance and resolutions were introduced

Ord No. 1361

Mr Gubb.

An ordinance to amend the grade on Cherry Avenue was read the first time.

Ord No. 1357

Mr Yarnum

To fix the salary of the inspector of Dairies was read the first time.

Referred to Finance Com.

Yarnum moved seconded by Gower that when we adjourn we adjourn to meet Monday evening Jan. 29th 1912.

Which motion was agreed to.

On motion of Voss, seconded by Gower, Council adjourned.

Attest

Chas. O. Silver
Clerk

President

Adjourn