

September, 19th - 1912
 The council met in adjourned session
 with President Hull in the chair.
 The roll being called, the following
 members answered to their names.
 Messrs. Barnard, Farmer, Gubb, Lower,
 Voss, Yarney, Present 6. Absent 1.
 The following communication was
 received and read.

Alliance, Ohio. Sept. 18-1912.

To the Honorable Council of the
 City of Alliance, Ohio.

The undersigned owners of lots Numbers 5971 to 5980, both inclusive, against each of which lots a special assessment has been levied, for the improvement of Vine street between Union avenue and Rockhill Road, in the name of Clement Rockhill's heirs, hereby make complaint against the respective amounts of assessment levied against each of said lots and object to the amount of assessment against each of said lots for the following reason, to-wit:-
 That the amount assessed against each of said lots is excessive, the same exceeding the limitation of assessments as provided by section 3819 of the General Code of Ohio.

The undersigned owners request that they be given notice of the time and place of any hearing to be held by a Board of Equalization to consider their objections to such assessment.

Respectfully submitted.

O.C. Rockhill

Clarence Rockhill

Mrs Lula Kellogg,

Per Rockhill & Morris

Per Diehl & Brown.

Their attorneys.

Referred to the committee on Assessments.

The equalization board appointed to consider certain objections to certain assessments on certain improvements submitted the following reports

Alliance, Ohio, September 19th, 1912.

THE HONORABLE CITY COUNCIL,
Alliance, Ohio.

The undersigned being duly appointed as an equalizing board to hear certain complaints beg to submit the following report. *after being first duly sworn according to law*

We have considered remonstrances from the following persons: W. H. Dutton, G. A. Paddock, D. L. Ray, Dennis Smeltz, W. H. Antram, E. B. Silver and a petition signed by A. Nichols and eighteen others, owners of real estate on East State Street.

In a considerable number of these complaints the board finds upon advice of the city solicitor that they have no jurisdiction to act and, therefore, make no reports concerning those petitions or complaints concerning which the jurisdiction of our board is doubtful. On the things which are pertinent and upon which we have authority we beg leave to submit the following.

It is the judgment of our board that we would recommend no changes in the ~~figures~~ ^{value} as made by the estimating committee excepting in the case of Dennis Smeltz relative to lot #3382 located on the Northeast Corner of Freedom Avenue and South Street it being the opinion of our board that the value of this lot after improvement is made would be Eleven Hundred and No/100 Dollars (\$1100.00) and that the estimate should be based upon that valuation

Complaint having been made to us by certain property owners on South Street as to the findings ~~of~~ ^{of} the estimating committee on the value, after the improvement is made, of the lot located on the Southwest corner of Liberty Avenue and South Street the same having been found by the estimating committee to have no value. In our judgement the estimating committee has erred in this as we believe after the improvement is made the value of this lot will be Four Hundred Dollars (\$400.00).

Trusting that we have properly served your Honorable Body in so far as we may have jurisdiction, we remain

Respectfully,

BOARD OF EQUALIZATION

By *[Signature]*

By *[Signature]*

By *[Signature]*

The question being on agreeing to the report of the board, which report was agreed to.

The following communication was received
 Sept. 19, 1912
 To the Hon. President and
 Members of the Council
 of the City of Alliance, O.
 Gentlemen:

In response to the request that I should prepare, for the purpose of having the same introduced to council, tonight, and ordinance to provide for the issuing of bonds to the amount of \$9,000.00 the proceeds from the sale of such bonds to be used in the erection of a municipal lighting plant, I would say that if it is the intention of council to issue and sell bonds of the city, to use the proceeds thereof for the purpose of erecting an electric works for furnishing electricity for lighting the town, or city Hall, the High School Building, the city Library, and other public city buildings, only, then the body is without authority to issue such bonds, or, to erect such works, and that any attempt of the part of council so to do, would be illegal, and void.

The only authority that I find authorizing council to issue bonds for or to erect a municipal lighting plant is Section 3939 of the General Code, which provides as follows,

"When it seems it necessary, the council of a municipal corporation by an affirmative vote of not less than two-thirds of the members appointed thereto, by ordinance, may issue and sell bonds in such amounts and denomination, for such period of time, and at such rate of interest, not exceeding six per annum, as council may determine and in the manner provided by law for any of the following specific purposes"

Paragraph 12 of the Section providing as follows

"For the erecting or purchasing gas works or works for the generation and transmission of electricity, for the supplying of gas or electricity to the corporation and the inhabitants thereof"

By the provisions of this section council may issue bonds and provide for and erect works for supplying the city, and the inhabitants thereof with electricity, but I now here find authority for council to erect works for supplying the city building only with electricity for lighting purposes.

I have prepared and submit an ordinance drawn under the law that I have used above,
Respectfully Submitted
Wm M Roach
Solicitor.

Lower moved, seconded by Fanner that council recess for 5 minutes to allow the committee on Assessments to consider assessing ordinances which motion was agreed to.

Council reconvened

The Finance committee submitted their report on Res. No. 1511, 1509, 1510.

Gov. Fanner
Fred Fanner
Peter Voss.

The report of the committee was agreed to. The com on Public lights submitted Ord No. 1524 and recommended passage.

The committee on Sidewalks submitted their report on Ord and recommended passage.

The com. on Judiciary reported Ord No 1501 and recommended passage.

Voss, Chairman of the Judiciary Com. reported Ord No 1503. To refund certain portions of special assessments heretofore levied for the improvement of S. Liberty Avenue, between Spruigg Street and Main Street in the city of Alliance, O. and recommended that same be placed on file.

Report agreed to.

On Voss motion of Voss the Solicitor was instructed to take the matter contained in Ord No 1503. up with the Attorney General's Department.

The com. on Assessments submitted their report recommending the passage of Ord No 1512.

W. Gubb
Geo Lower,
Geo Jamney

The report of the com. was agreed to
The following ordinance were taken up.

Ord. No 1512

To levy special assessment for the improvement of the west side of Union Avenue, between Ely Street and the P. & W. C. R. R. by constructing Sanitary Sewer No 117, was read the first time

Barnard moved, seconded by Jamney 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, Jamney.

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, Jamney.

So the ordinance was passed.

Ord No. 1514

Mr Gubb. An ordinance to levy special assessment for the improvement of Rockhill Avenue between Main Street and State Street by grading the east half of same, was read the first time

Farmer 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, Jamney

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, Yarnum

So the ordinance was passed.

Ord. No. 1515. a.

To amend Section 1. of Ordinance 1278 by correcting the rate of the special assessment levied therein on account of irregularity in making the assessment and rate per foot of the improvement therein provided for.
was read the first time

Voss moved, seconded by Yarnum 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, 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, Lower, Voss, Yarnum

So the ordinance was passed.

Ord. No. 1516

An ordinance to levy and assess a special tax to pay the cost and expense of grading, draining, setting curb paving with brick and improving West Garrison Street from Union Avenue to Rockhill Road in the City of Alliance. O was read the third time

Voss moved, seconded by Yarnum 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, Yarnney.

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, Yarnney.

So the ordinance was passed.

Ord. No. 1517.

An ordinance to levy and assess a special tax to pay the cost and expense of grading, draining, setting curb paving with brick, and improving South Oak Avenue from S. L. State Street to N. & G. Mill Street in Alliance, Ohio was read the first time.

Yarnney moved, seconded by Barnard 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, Yarnney.

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, Yarnney.

So the ordinance was passed.

Ord. No. 1522.

To appoint equalization board on Vine Street paving between Union Avenue and Center line of Rockhill Avenue was read the first time.

Voss moved, seconded by Gubb 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,
 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, Lower, Voss,
 Yarnum

So the ordinance was passed.
 Ord No. 1518.

An ordinance to levy and assess a special
 tax to pay the cost and expenses of grading
 draining, setting out paving brick and
 improving West Oxford Street from Euclid
 Avenue to the Rockhill road in the
 city of Alliance, O. was read the first time
 Barnard moved, seconded by Gubb, 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, 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, Lower, Voss, Yarnum
 So the ordinance was passed

Ord. No. 1519

An ordinance to levy a special tax to pay the cost and expense of grading, draining, setting curb, paving with brick and improving West College Street from Union Avenue to Miller Avenue in the City of Alliance, O. was read the first time.

Barnard moved, seconded by Gubb, 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, 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, Lower, Voss, Yarnum.

So the ordinance was passed.

Ord. No. 1520

An ordinance to levy and assess a special tax to pay the cost and expenses of grading, draining, setting curb, paving with brick and improving West Market Street from Union Avenue to Haine Avenue in the city of Alliance, O. was read the first time.

Farmer moved, seconded by Barnard 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, 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, Lower, Voss, Yarnum.

So the ordinance was passed.

Ord. No. 1509

An ordinance to transfer from the contingent account of the Genpal fund to the contingent account of the Public Safety fund, was read the first time.

Voss moved, seconded by Farmer, 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, Yarnum.

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

The question being on the passage of the ~~resolution~~ 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, Yarnum.

So the ordinance was passed.

Ord. No. 1521

Declaring it necessary to issue bonds for the purpose of erecting works for the generation and transmission of electricity for the supplying of electricity to the city of Alliance, Ohio, and the inhabitants thereof, was read the first time.

Lower moved, seconded by Farmer 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, Yarnum.

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

The question being on the passage of the ord.

The Yeas and Nays were taken, and resulted Yeas 6, Nays 0. Those who voted in the affirmative were

Misses. Barnard, Farmer, Gubb, Lower, Voss, Yarny.
So the ordinance was passed.

Ord No. 1511.

To issue a certificate of indebtedness of the City of Alliance, State of Ohio, to provide a fund for the purpose of the cost and expense of improving the property portion of the west side of Union Avenue between Ely Street and the P. & W. C. R. R., was read the first time.

Voss moved, seconded by Gubb, 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, Messes. Barnard, Farmer, Gubb, Lower, Voss, Yarny.

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, Messes. Barnard, Farmer, Gubb, Lower, Voss, Yarny.

So the ordinance was passed.

Ord No. 1501.

Mr. Barnard. To establish the sidewalk line on the west side of Union Avenue in the city of Alliance, Ohio, from the north curb line of Ely Street to the north line of the right-of-way of the Pennsylvania Company was read the first time.

Voss moved, seconded by Gubb that the statutory rule requiring ordinance and resolution 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 Messes. Barnard, Farmer,

Gubb, Lower, Voss, Yarny.
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, Hammer, Subst. Sawyer, Voss, Yarnum.
So the ordinance was passed.

Ord. No. 1510.

An ordinance to provide for a deficiency of funds in the appropriation account of the Public Safety funds was read the first time. Voss moved, seconded by Yarnum 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, Hammer, Subst. Sawyer, 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, Hammer, Subst. Sawyer, Voss, Yarnum.
So the ordinance was passed.

Voss moved, seconded by Barnard that the Solicitor be instructed to prepare an ordinance providing for vacations.

Which motion was agreed to. The Special Com. to whom was referred the matter of a state armory submitted the following

Sept. 4th 1912
To the Honorable Council
of the City of Alliance, O.
Gentlemen:

Ok, your committee appointed to investigate the matter of the city purchasing a site for the proposed State Armory Building beg leave to report that we have carefully considered the matter, and would respectfully recommend that the city purchase the lots at the corner of Oxford and Seneca Avenue, at a sum not to exceed \$5,500.00

Respectfully Submitted
 Chas. Barnard
 L. G. Lower
 W. C. Hamner.

The question being on agreeing to the report of the com.,
 which report was agreed to.
 On motion of Ross, Council adjourned.

Attest
 Chas. Silow
 — Clerk —

R. H. Huley
 — President —