

Alliance Ohio April 11th 1898.

The Alliance City Council met in adjourned session with president Morgan in the chair and the following members present, Conger, Kay, King, Love, Miller, Scott, Scranton, Trail, Wilson. absent Russell and Williams.

Minutes of the preceding meeting read and approved. In compliance with the law Justice of the Peace J. M. Stilwell and the City Clerk met and canvassed the votes cast at the Municipal Election held in Alliance April 4th 1898 and announced the result as follows: For Mayor, W. H. Dressler. Treasurer, W. P. Shann, Solicitor, W. E. Rogers. Marshal, Dennis Smeltz, Street Commissioner, Frank Berlin, Cemetery Director, R. M. Scranton.

Councilmen.

1st ward. W. W. Gilson.
2nd ward. P. A. Gabel.
3rd ward. W. H. Morgan.
4th ward. Samuel Katzenstein.
5th ward. J. F. Zimmerman.
6th ward. W. M. Scott.

Assessors.

1st ward. E. Osborn.
2nd ward. R. E. Morgan.
3rd ward. A. L. Hubbard.
4th ward. James McGregor.
5th ward. J. W. Wood.
6th ward. J. F. Kallenbaugh.

An Ordinance for the issuing of Bonds of the City of Alliance, Ohio, in anticipation of the collection of a special assessment on the property abutting on East Main Street from the west line of Arch Avenue to the west right of way line of the C. & P. R. R. was read the first time as follows:

Section 1. Be it ordained and enacted by the Council of the City of Alliance, Ohio, That to pay the immediate cost and expense of improving East Main street from the west lot line of Arch Avenue to the west right of way line of the C. & P. Railroad, in accordance with an ordinance passed April 5th A. D. 1898. and in anticipation of the collection of a special assessment therefor, the Mayor and Clerk of said City be and they are hereby authorized and directed to issue the bonds of the City in the sum of Twenty thousand dollars as hereinafter provided.

Section 2. That said bonds shall consist of forty bonds and shall be in denominations of Five hundred dollars each, shall bear date of June 1st 1898, and shall become due and payable as follows:

Report names of
Officers elected at
the election held
April 4th 1898.

Ordinance to
issue Bonds to
Pay East Main St.

Four thousand dollars in one year,
 Four thousand dollars in two years,
 Four thousand dollars in three years,
 Four thousand dollars in four years, and
 Four thousand dollars in five years from date of issue.

Said bonds shall bear interest at the rate of five per cent per annum, payable semi-annually on the first day of December and on the first day of June of each year, and the several installments of interest shall be evidenced by coupons attached to said bonds, and both principal and interest shall be payable when due at the office of the City Treasurer of Alliance, Ohio, Said Bonds shall be designated "East Main Street Improvement Bonds" and shall express on their face the purpose for which they are issued and that they are issued under and in pursuance of this Ordinance, and they shall be signed by the Mayor and countersigned by the Clerk of said City under the corporate seal of said City and they shall be sold in the manner provided by law for the sale of Municipal bonds.

Section 3. That upon the sale of said bonds the proceeds thereof shall be placed in the Treasury of said City to the credit of the East Main Street Improvement Fund and shall be applied to the payment of the cost and expense of improving said East Main street and for no other purpose whatsoever; and the special assessments in anticipation of which said bonds are issued shall be paid into the East Main Street improvement fund of said city when collected and applied to the payment of said bonds and the interest thereon as the same shall become due and to no other purpose whatsoever.

Provided that if on or before the sale of said bonds any of the property owners shall pay the full amount of their assessments less the interest included therein, the amount so paid shall be applied to the payment of the cost and expense of said improvement and bonds shall be issued for the unpaid remainder of the total amount to be provided.

Section 4. This Ordinance shall take effect and be in force from and after its passage and legal publication.

Congress moved that the rules be suspended and the ^{above} Ordinance be read the second time by Title seconded by Scott the yeas and nays were called resulting yeas Conger, Kay, King, Loe, Miller, Scott, Seranton, Trail, Wilson, Morgan yeas 10 nays none, the ruler was declared

suspended and the Ordinance was read the second time by title and King moved that the rules be again suspended and the Ordinance be read the third time by title seconded by Trail the yeas and nays were called resulting yeas Conger, Kay, King, Lorr, Miller, Scott, Scranton, Trail, Wilson, Morgan yeas 10 nays none the rules were declared suspended and the Ordinance was read the third time by title & Scott moved that the Ordinance be placed on its final passage seconded by Conger the yeas and nays were called resulting yeas Conger, Kay, King, Lorr, Miller, Scott, Scranton, Trail, Wilson, Morgan yeas 10 nays none and the Ordinance was declared passed.

Ordinance to issue
Bond for sewer
purposes.

An Ordinance to issue Bonds for sewer purposes was read the first time as follows:

Section 1. Be it ordained and enacted by the Council of the City of Alliance, Ohio, that to provide a fund for the immediate payment of the cost and expense of constructing Lateral Sewers No 9, 19, 20, 21, 23, 26, 28, 29, & 32 in accordance with Ordinances passed August 2nd and 16th, 1891 and in anticipation of the collection of a special assessment upon the property abutting on said sewers, the Mayor and Clerk are hereby authorized to issue the bonds of said City of Alliance, Ohio, in the sum of Eight thousand dollars, as hereinafter provided.

Section 2. That said Bonds shall be in denominations of Five hundred dollars each, shall bear date of June 1st, 1891 and shall become due and payable as follows:

Two thousand dollars in one year,

Three thousand dollars in two years, and

Three thousand dollars in three years from date of issue.

Said Bonds shall bear interest at the rate of five per cent per annum, payable semi-annually, and the several installments of interest shall be evidenced by coupons attached to said bonds, and both principal and interest shall be payable when due at the office of the City Treasurer Alliance, Ohio.

Said bonds shall be designated as Lateral Sewer Bonds, and shall express on their face the purpose for which they are issued, and that they are issued under and in pursuance of this Ordinance, and shall be signed by

St Con
to repair
Libro
Clerk
or Bic
sewers.
Report
advisary

the Mayor and countersigned by the Clerk of said City, under the corporate seal of said City.

Section 3. That upon the sale of said Bonds the proceeds thereof shall be placed in the treasury to the credit of the Lateral sewer fund, and be used and applied to the payment of the cost and expense of constructing said Lateral sewers, and to no other purpose whatsoever, and the said special assessments and all portions thereof in anticipation of which said Bonds are issued shall, when collected, be paid into the Lateral Sewer fund and be applied to the payment of said Bonds and the interest thereon and to no other purpose whatsoever.

Section 4. This Ordinance shall take effect and be in force from and after its passage and legal publication.

Love moved that the rules be suspended and the foregoing Ordinance be read the second time by title seconded by King the yeas and nays were called resulting yeas Conger, Kay, King, Love, Miller, Scott, Scranton, Trail, Wilson, Morgan yeas 10 nays none, the rules were declared suspended and the Ordinance was read the second time by title and Love moved that the rules be again suspended and the Ordinance be read the third time by title seconded by Wilson the yeas and nays were called resulting yeas Conger, Kay, King, Love, Miller, Scott, Scranton, Trail, Wilson, Morgan yeas 10 nays none the rules were declared suspended and the Ordinance was read the third time by title and Love moved that the Ordinance be placed on its final passage seconded by Trail the yeas and nays were called resulting yeas Conger, Kay, King, Love, Miller, Scott, Scranton, Trail, Wilson, Morgan yeas 10 nays none and the Ordinance was declared passed.

On motion of Trail, ^{see by Scranton} the Street Commissioner was instructed to repair a sidewalk on N. Liberty Avenue. Love moved that the Clerk be instructed to advertise for Bids for the building of Lateral sanitary sewers No 9, 19, 20, 21, 23, 26, 28, 29, and 32 seconded by King the yeas and nays were called resulting yeas Conger, Kay, King, Love, Miller, Scott, Scranton, Trail, Wilson, Morgan yeas 10 nays none and the motion was declared passed.

The Judiciary Committee made the following report to the Council.

We the Judiciary Committee to whom was referred the

St Commissioner
to repair Walk on
Liberty Ave.
Clerk to advertise
for Bids on Sanitary
sewers.

Report of the
Judiciary Com.

Ordinance establishing the route of the Stark Electric Street Rail Road Co known as route No 2, by leave to report favorable on the Ordinance as read, signed, Thomas Wilson, A. B. Low, Chas G. Kay.

On motion of Conger seconded by Scott the above report was accepted and ordered placed on file.

Ordinance establishing a Street Railway route.

An Ordinance Establishing a Street Railway route on State street in the City of Alliance, Stark County, Ohio, to be known as route No. 2. was read the second time.

Be it ordained by the Council of the City of Alliance Stark County, Ohio, as follows:

Sec. 1: That a Street Railway route to be known as route No. 2 be and the same is hereby established as follows:

Commencing on West State street at the west line of the Corporation of the City of Alliance, and running thence east on State street to the east line of Union Avenue, in said City of Alliance. The said Railway to be built and established in and upon said route shall be constructed, equipped and operated in the manner following, to-wit:

First. said Street Railway shall be constructed with a single track with all proper and necessary switches and turnouts. said Railway shall be of the gauge known as Standard gauge and no other, and shall be laid as near the center of the street over the entire route as practicable.

Second. At the time of building said track and before cars are operated thereon, the person or company constructing the same shall fill or cause to be filled between the rails and for a space of 18 inches on the outside of the rails to a depth of 10 inches with a good quality of gravel, and cover the same with a coat of good clean gravel, and shall cause the same to be permanently so maintained, until said street is paved as hereinafter provided.

Third. said track shall be laid to the present surface grade of said street, and should a change be hereafter made in the grade of said street the person or company owning and controlling said tracks shall make same conform to such changed grade when ordered so to do by the City Council without receiving or being entitled to receive from said City any compensation or damages by reason of such change of grade.

Fourth. The motive power to be used in propelling cars on said line shall be electricity.

Fifth. The right to construct and operate said Street Railway shall include the right to erect poles and string trolley wires and such other wires and appliances as are proper and necessary for conducting the electric current for propelling cars and maintaining lights. Said poles shall be of wood not less than 25 feet in length, shall be firmly set in the ground a depth of at least 4 feet, shall be placed as nearly as practicable a uniform distance of 125 feet apart, shall be placed near the curb line of the street and be so located as not to interfere with the ingress and egress of abutting property.

The standing committee on streets and alleys of the City Council, shall have power and authority to change the location of any of said poles and they may be temporarily removed when necessary, when any improvements or repairs are being made by authority of the City Council.

Said poles shall be painted when erected and shall be repainted from time to time as may be necessary.

The wires herein maintained shall be provided with the latest improved appliances for the protection of life and shall be so laid, placed and constructed as not to interfere in any manner with the wires and appliances of the City Fire Alarm system or Police Patrol system or any other wires that may be hereafter used and controlled by the City.

Sixth. The cars to be used on said line shall be provided with all the latest improved appliances for the comfort and protection of passengers and employees, and to be provided with vestibules at the forward end thereof, during the months of November, December, January, February and March of each year.

They shall be provided at either end with a suitable signal light, which shall be lighted and kept burning at night, and they shall be provided at the forward end of each car with a bell or gong.

The person or company building or operating said Street Railway line shall comply with any and all rules and provisions that may be hereafter passed, and adopted by the City Council, touching the equipment and operation of said Street Railway line.

Seventh. Work shall be commenced on said line within six (6) months, and shall continue without

unnecessary delays, until the line is completed, and the entire route shall be completed and in operation within eighteen (18) months from the passage of the ordinance granting the franchise for the construction and operation of said Street Railway.

Eighth. Cars shall be run over said route at regular intervals and at least one (1) car each way per hour, shall be operated over said lines between the hours of 7 o'clock in the morning and 9 o'clock at night; all City officials, members of the Police force and Chief of the Fire Department to have free transportation over said route within the limits of said City.

Sec. 2. Whenever the City Council shall cause any of said streets in or through which said route is established to be graded or paved with gravel, boulders, fire brick or such other material as may be deemed proper or to be both graded and paved, then the person or company operating said Street Railway shall pay so much of the expense thereof, as may be necessary to grade or pave the space between the rails of their track, and for a distance of nine (9) inches outside the rails on either side of said track, and upon the same terms and conditions that may be prescribed for abutting property holders.

Sec. 3. The person or company operating said Street Railway shall at all times hereafter defend, keep harmless, and indemnify the City of Alliance from all damages, lawful claims and demands for injuries to persons or property, and costs and expenses to which said City may be subjected or made liable by any proceedings at law or in equity or otherwise growing out of the grant of the privileges in this ordinance set forth, or out of the exercise or enjoyment of the same.

Sec. 4. The franchise for the building and operating a Street Railway on said route to be granted by ordinance hereafter to be passed, shall be for the term of 25 years from the passage of such ordinance and said franchise shall not be negotiable or transferable until said route shall be completed and in operation at least 30 days.

Sec. 5. The Ordinance hereafter to be passed granting a franchise for the construction and operation of a Street Railway on said route shall contain a provision that

should the person or company to whom such franchise is granted its successors or assigns, fail, neglect or refuse to comply with any of the provisions of this Ordinance, or should fail to operate any cars of said line for a period of 10 consecutive days, then such franchise be forfeited and become null and void at the option of the City Council.

Sec. 6. The City is to have the right to string wires for Fire Alarm purpose or for street light purpose, upon the poles of said Company within the limits of said City; providing the same is done in such a manner as not to interfere with the wires of said company or their successful operation.

Sec. 7. The City Clerk is hereby directed to advertise for sealed proposals to construct and operate said street Railway route as established in section one hereof, for a period of 3 consecutive weeks as provided by law.

Sec. 8. This Ordinance shall take effect and be in force from and after its passage and legal publication.

Wilson moved that the rules be suspended and the foregoing Ordinance be read the third time by title seconded Scott the yeas and nays were called resulting yeas Conger, Kay, King, Lorr, Miller, Scott, Seranton, Trail, Wilson, Morgan yeas 10 nays none the rules were declared suspended and the Ordinance was read the third time by title and Wilson moved that the Ordinance be placed on its final passage seconded by Seranton the yeas and nays were called resulting yeas Conger, Kay, King, Lorr, Miller, Scott, Seranton, Wilson, Trail, Morgan yeas 10 nays none and the Ordinance was declared passed.

Wilson moved that where ever the word Village appears in the Street Railway Ordinance just passed, that it be stricken out and the word City be inserted in its place, seconded by Conger and carried.

The matter of printing specification for the Civil Engineers Office was on motion of Scott seconded by Kay referred to the Engineer with power to act.

Lorr moved that the City Clerk be instructed to advertise for sale of Main street improvement bonds and Sanitary sewer bonds seconded by King the yeas

Printing specifications
referred to Engineer.

Clerk to advertise
for sale of
Bonds

Ordinance for
making connections
to Sanitary sewers.
on East Main st.

and nays were called resulting yeas Conger, Kay, King,
Lor, Miller, Scott, Scranton, Trail, Wilson, Morgan,
yeas 10 nays none and the motion was declared passed.

An Ordinance for connections and branches to sanitary
sewer from said sewers in Main street Alliance, Ohio, to the
curb lines of said street was read the first time as follows:

Section 1. Be it ordained and enacted by the Council of the
City of Alliance, Ohio, that in advance of paving East Main
street the proper house connections and branches to sanitary
sewers shall be constructed from said sanitary sewers to
the inside of the curb line for every lot and parcel of
land abounding and abutting on Main street from Arch Ave
to the C. & P. R. R. by the owner thereof on or before the
15th day of May, 1898, in accordance with the Ordinance
governing sewer connections.

Section 2. That in case there are any delinquent sewer connections
not made by the owners of lots and lands abutting on said
Main street within the time specified in this Ordinance,
the Council will cause such sewer connection to be made
and the cost and expense thereof will be assessed upon the
lots and parcels of lands for the accommodation of which said
sewer connections were made.

Section 3. The Clerk of said City is hereby directed to
cause a proper notice of the passage of this Ordinance to
be legally served upon each and all property owners whose
lots and lands or parcel of land abut upon Main street
between Arch Avenue and the C. & P. R. R.

Section 4. This Ordinance shall take effect and be in full
force from and after its passage and legal publication.

King moved that the rules be suspended and that the Ordinance
be read the second time by Title seconded by Trail the yeas
and nays were called resulting yeas Conger, Kay, King, Lor,
Miller, Scott, Scranton, Trail, Wilson, Morgan yeas 10 nays none
the rules were declared suspended and the Ordinance was read
the second time by Title, and Miller moved that the rules
be again suspended and the Ordinance be read the third
time by title seconded by Conger the yeas and nays were
called resulting yeas, Conger, Kay, King, Lor, Miller, Scott,
Scranton, Trail, Wilson, Morgan yeas 10 nays none, the rules
were declared suspended and the Ordinance was read the third
time by title, and Miller moved that the Ordinance be

placed on its final passage seconded by Trail the yeas and nays were called resulting yeas Conger, Kay, King, Lorr, Miller, Scott, Scranton, Trail, Wilson, Morgan, yeas 10 nays none and the Ordinance was declared passed.

An Ordinance for connections and Branches to Gas and Water Mains from said Mains in Main Street Alliance, Ohio, to the Curb lines of said street, was read the first time as follows:

Section 1. Be it ordained and enacted by the Council of the City of Alliance, Ohio, That in advance of the paving of Main street, the proper house service pipes to the Gas mains and Water mains shall be constructed from said mains to the inside of the curb, for every lot and parcel of land abounding and abutting on Main street from Arch Avenue to the C. & P. R. R. by the owner thereof on or before the 15th day of May, 1898, in accordance with the rules and regulations of the Gas company and Water Company governing services.

Section 2. That in case there are any delinquent Gas or Water services not made by owners of lots and lands abutting on Main street within the time specified in this Ordinance; then the owner of such property shall be prohibited from making such connection or causing the same to be made for a period of four years from May 15th 1898.

Section 3. The Clerk of said City is hereby directed to cause a proper notice of the passage of this Ordinance to be legally served upon each and all property owners whose lots and lands or parcel of land abut upon Main street between Arch Avenue and the C. & P. R. R.

Section 4. This Ordinance shall take effect and be in full force from and after its passage and legal publication.

Conger moved that the rules be suspended and that the above Ordinance be read the second time by title seconded by King, the yeas and nays were called resulting yeas Conger, Kay, King, Lorr, Miller, Scott, Scranton, Trail, Morgan, nays Wilson, yeas 9 nays 1, the rules were declared suspended and the Ordinance was read the second time by title, and Miller moved that the rules be again suspended and that the Ordinance be read the third time by title seconded by Trail the yeas and nays were called resulting yeas Conger, Kay, King, Lorr, Miller, Scott, Scranton, Trail, Morgan, nays Wilson, yeas 9 nays 1, the rules were declared suspended and the Ordinance was

Ordinance requ-
lating Gas & Water
connections on
East Main st.

read the third time by title and Conger moved that
 the Ordinance be placed on its final passage
 seconded by Miller the yeas and nays were called
 resulting yeas Conger, Kay, King, Lorr, Miller, Scott,
 Trail, Morgan, nays Scranton, Wilson, yeas 8 nays 2
 and the Ordinance was declared passed.
 On motion of Trail seconded by Conger Council adjourn

J. H. McConnell
 City Clerk.

W H Morgan
 Pres. of Council

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Clas
 R. B.

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