

MINUTES OF THE FIFTY-FIFTH MEETING
JANUARY 16, 1953

Pursuant to call of the Chairman the Ohio Turnpike Commission met in special open session at the Seneca Hotel in Columbus, Ohio, at 11:30 A. M. on January 16, 1953, with the key members of its staff, representatives of the Consulting Engineer, of the Trustee, Mr. Dennis E. Murphy of the Ohio Company, and others in attendance.

The meeting was called to order by the Chairman, the roll was called, and the attendance was reported to be as follows:

Present: Teagarden, Linzell, McKay, Shocknessy, Allen.

Absent: None .

The Chairman announced that a quorum was present.

The Chairman said that there were no minutes for consideration because the minutes of the last meeting had not yet been submitted to the members for correction.

The Chairman stated that this special meeting had been called for the purpose of considering bids which had been received for the construction of the superstructure of the Cuyahoga River Bridge for the award of contract if the Commission be satisfied with the bids received. He said that the members had been advised by correspondence and telephone that they were to confer on the afternoon of January 16, 1953 to consider certain matters. He advised the Chief Engineer and the Consulting Engineer that the Commission would expect them to disclose the estimate of cost for the Cuyahoga River Bridge after the Commission had accepted a bid for the superstructure contract since such acceptance would complete the award of contracts for an entire design section.

The Chairman also stated that the Commission would expect to receive reports from the Chief Engineer and the Consulting Engineer upon variable median widths and variable gradelines; reports from Mr. Allen's committee on petroleum service facilities and Mr. McKay's committee on the Erie County alignment study; and a report from Mr. Linzell concerning the remodeling of the leasehold which the Commission has on Gay Street in Columbus.

The Chairman reported briefly upon the so-called "Revised Code" pending in the Ohio General Assembly whose effect upon the

existing Turnpike Act and impact upon the Commission he had mentioned at the preceding meeting, and said that without attempting to relate any cause or effect, it was noteworthy that the bonds of the Turnpike Commission which were at 102-1/2 on the preceding Thursday were on the morning of January 16 at 101-5/8, which was almost a point off and which was a quite sizable drop for a public issue. He said that he believed that the bonds went off rather noticeably on January 14, the day that the press and radio had reported that the recodification bill would pass as submitted.

The Assistant Secretary-Treasurer and Comptroller reported for the Secretary-Treasurer that since the last meeting the following documents had been transmitted to each member of the Commission:

1. Tentative Schedule of Plan Completion and Beginning of Advertising, mailed January 8, 1953.
2. Financial Statements (Unaudited), mailed January 9, 1953, covering the period to December 31, 1952.
3. Semi-monthly Right-of-Way Summary Report for the period of December 15 to 31 inclusive, mailed January 14, 1953.

The Assistant Secretary-Treasurer further reported that the public accountants had completed the year-end audit and that the report thereon could be expected in a few days.

The Chief Engineer then reported to the Commission concerning the bids received for Contract C-15-B in Summit County. He handed to the members of the Commission a letter of recommendation from the Consulting Engineers under date of January 15, 1953 signed by Mr. E. J. Donnelly, and a letter of recommendation under date of January 16, 1953, signed by himself, as follows:

"J. E. GREINER COMPANY

1201 St. Paul St.
Baltimore 2, Md.

January 15, 1953

C-616

Mr. T. J. Kauer
Chief Engineer
Ohio Turnpike Commission
361 E. Broad Street
Columbus 15, Ohio

Dear Mr. Kauer:

The work covered by Contract C-15-B consists of furnishing ,

fabricating, erecting and painting all of the steel superstructure and of constructing the reinforced concrete decks and parapets for the twin bridges which will carry the Ohio Turnpike across Cuyahoga River Valley just north of Peninsula in Summit County.

Each of the two 30 foot wide roadways will be supported on 9 - 250 foot long deck truss spans and 4 - 100 foot long deck girder spans, 2 adjacent to each abutment. The overall length of each structure between abutment bearings is 2,682' - 3". The estimated quantities of steel and concrete required to complete this work are as follows:

6,500 cubic yards of Concrete
2,165,000 pounds of Reinforcing Steel
17,400,000 pounds of Structural Steel
11,000 lineal feet of handrail

On January 14, 1953 the Ohio Turnpike Commission received the following four proposals for performing the above described work under Contract C-15-B:

Bethlehem Steel Company Bethlehem, Penna.	\$4,637,790.
Allied Structural Steel Co. Chicago, Illinois	\$4,691,420.
American Bridge Division U. S. Steel Corporation Cincinnati, Ohio	\$4,734,438.
Fort Pitt Bridge Works Pittsburgh, Penna.	\$4,737,425.

We have carefully checked these proposals and have determined the proposal submitted by Bethlehem Steel Company to be the lowest of the four received. Our examination of the qualification papers submitted by Bethlehem Steel Company showed that they are fully qualified to perform the work.

We have also reviewed the right-of-way required for the performance of this contract and have found the Commission has purchased or obtained right-of-entry to all lands required with the exception of that parcel owned by the B. & O. Railroad. Whereas the Commission has obtained right-of-entry to that parcel for the purpose of constructing Pier No. 4, the easement for the superstructure will not be obtained until

formal agreement with the Railroad is consummated. However, since the erection of steel will not commence for six months, ample time is available to complete the railroad negotiations.

We therefore recommend the immediate award of Contract C-15-B to Bethlehem Steel Company at the low bid price of \$4,637,790.

Very truly yours,

J. E. GREINER COMPANY

By S/E. J. Donnelly.
E. J. Donnelly."

"Report of the Chief Engineer

January 16, 1953

To
James W. Shocknessy, Chairman
O. L. Teagarden, Vice Chairman
A. J. Allen, Secretary-Treasurer
J. Gordon McKay, Member
S. O. Linzell, Member Ex Officio
Ohio Turnpike Commission

Re: Recommendations of Award of Contract C-15-B, Summit
County

Contract C-15-B is for the construction of the superstructure of the twin bridges over the Cuyahoga River in Summit County. Contract C-15-A for the construction of the sub-structure for these bridges was awarded to the Horvitz Company on October 18, 1952, and work is now under way.

The work embodied in Contract C-15-B, being part of Design Section 5, consists generally of the construction of the superstructure for twin bridges over the Cuyahoga River, near Peninsula, in Summit County, total length 2682' --3" c--c of bearings of abutments, being 13 spans, 9 of which are deck trusses of a span of 250 feet each, 40 feet high, and 4 deck girder spans of 100 feet each. This superstructure will be placed on piers and abutments now under contract.

The construction of this superstructure will require almost 10,000 tons of steel and 6500 cubic yards of concrete in the deck. Work is to be completed in 500 calendar days.

Plans for Contract C-15-B were prepared by the J. E. Greiner Company, Contracting Engineers and were completed early in December 1952, and were approved by the Chief Engineer of the Commission on December 9, 1952. The Contract was duly advertised for bids in Columbus and Akron newspapers and in Engineering News-Record, a national engineering and construction trade publication, for letting January 14, 1953.

Bids were received in the offices of the Commission until 10:00 AM (EST) on Wednesday, January 14, 1953. Immediately after the closing of bids, the bid box was removed to the Neil House Hotel Ball Room, 41 S. High Street, Columbus, where the bids were publicly opened and read.

Four bids were received on Contract C-15-B as follows:

BETHLEHEM STEEL COMPANY Bethlehem, Pennsylvania	\$4,637,790.00
ALLIED STRUCTURAL STEEL CO. 20 North Wacker Drive Chicago, Illinois (6)	\$4,691,420.00
AMERICAN BRIDGE DIVISION U. S. Steel Corporation 1302 Union Trust Building Cincinnati 2, Ohio	\$4,734,437.50
FORT PITT BRIDGE WORKS 212 Wood Street Pittsburgh 22, Pennsylvania	\$4,737,425.00

All bids have been carefully checked and reviewed by the engineers of the Commission, and myself and found to be in order. The Confidential Financial Statement and Experience Questionnaire of the Bethlehem Steel Co. has also been reviewed by the Consulting Engineers, the Comptroller and myself and found to be satisfactory.

The J. E. Greiner Co., Consulting Engineers and Contracting Engineers, have carefully reviewed all bids received and the qualifications of the low bidder, The Bethlehem Steel Co., Bethlehem, Pa., and recommend that the award be made to them on their low bid in amount of \$4,637,790.00 on Contract C-15-B. A copy of the J. E. Greiner Co. recommendation is attached hereto.

I have personally reviewed all of the bids received on Contract C-15-B and am familiar with the conditions surrounding the work. I have discussed the work with the Contractor and recommend that the low bidder, The Bethlehem Steel Co., Bethlehem, Pa., being fully

qualified, be awarded the Contract today for Contract C-15-B in accordance with the terms and prices set forth in the Proposal.

The General Counsel for the Commission has reviewed the Proposal submitted by the Bethlehem Steel Company, and has found it to be complete and in compliance with all legal requirements.

S/ T. J. Kauer
T. J. Kauer
Chief Engineer

TJK:nb

cc: Greiner - 2
General Counsel"

The General Counsel then read to the Commission his opinion with respect to the award of Contract C-15-B, as follows:

"January 16, 1953

Ohio Turnpike Commission
Columbus, Ohio

Subject: Award of Contract C - 15 - B

Gentlemen:

The chief engineer has informed me that he expects to report to you today with respect to his opening and analysis of the bids for Contract C-15-B, covering the work of constructing the superstructures of the twin bridges over the Cuyahoga River, a part of Ohio Turnpike Project No.1, and that he is prepared to recommend the award of that contract to Bethlehem Steel Company.

I have reviewed the proceedings of the commission and the things done by its administrative officers having a bearing upon the award of this contract, and find that the commission has duly advertised, according to law, for bids for it (proof of such advertising is herewith submitted to you), that bids were duly received, opened, and read, as provided in the public notice for said bids, that all the bids received were solicited on the basis of the same terms and conditions and the same specifications, and that all requirements imposed by law or by the commission with respect to the taking of these bids, and which are prerequisites to the making of an award to Bethlehem Steel Company, have been met.

Accordingly, I am of the opinion that if you are satisfied on the basis of other-than-legal considerations that the bid of Bethlehem Steel Company is the lowest and best of those received, you may lawfully make the award to it.

Very truly yours,

S/Frank C. Dunbar, Jr.
Frank C. Dunbar, Jr.
General Counsel

cc: Chief Engineer
Consulting Engineer (2)"

Mr. McKay expressed his opinion that the bidding was very close since there was only a difference of \$99,000 between the lowest and highest bids. Mr. Linzell and Mr. Allen agreed with Mr. McKay's statement.

Resolution No. 20-1953 awarding Construction Contract C-15-B was moved for adoption by Mr. Teagarden and seconded by Mr. Linzell, as follows:

"WHEREAS the Commission has duly advertised according to law for bids upon a contract for the construction of a portion of Ohio Turnpike Project No. 1 which has been designated as construction section C-15-B, and proof of said advertising is before this Commission;

"WHEREAS bids for the performance of that contract have been received, and were duly opened and read as provided in the published notice for said bids, and all of said bids are before this meeting;

"WHEREAS said bids have been analyzed by the commission's consulting engineer and by its chief engineer, and he has reported thereon to the Commission with respect to said analysis, and made his recommendations predicated thereon;

"WHEREAS all of the aforesaid bids were solicited on the basis of the same terms and conditions and the same specifications, and the bid of Bethlehem Steel Company was, and is by the Commission determined to be, the lowest of said bids, and the Commission has been advised by its general counsel that said bid conforms to the requirements of Sec. 1205 of the General Code of Ohio and to the terms and conditions and specifications and legal notice applicable thereto, and, accordingly, the Commission is authorized to accept said bid as the

lowest and best bid; and

"WHEREAS the Commission is satisfied with the capacity of said bidder to perform its obligations pursuant to its proposal;

"NOW, THEREFORE, BE IT

"RESOLVED that the bid of Bethlehem Steel Company for the performance of construction contract C-15-B, Ohio Turnpike Project No. 1, be, and hereby it is, determined to be the lowest and best bid and is accepted; and that each of the chairman and the chief engineer be, and each of them hereby is, authorized (1) to execute a contract with said successful bidder in the form heretofore prescribed by the Commission, pursuant to the aforesaid bid and upon condition that said successful bidder shall furnish a performance bond as heretofore approved by the Commission by and in its resolution No. 69-1952, and meeting the conditions and requirements of said resolution, (2) to return to all other bidders the bid security furnished by each of them, respectively, (3) to return said successful bidder's bid security when the aforesaid contract shall have been duly executed and said performance bond furnished, and (4) to take any and all action necessary or proper to carry out the terms of said bid and said contract."

At the request of the Chairman the Chief Engineer presented to the Commission Mr. J. J. Crooks, Contracting Engineer for the Bethlehem Steel Company, and Mr. J. E. Johns, Ohio representative of Bethlehem Steel Company. In response to a question by Mr. Linzell, Mr. Kauer said that he was advised that Bethlehem Steel Company would probably sublet the concrete deck work under Contract C-15-B, but that no work of any kind would be sublet without the approval of the Chief Engineer. A vote by ayes and nays was taken and all members responded to roll call. The vote was as follows:

Ayes, Teagarden, Linzell, McKay, Allen, Shocknessy.

Nays, None.

The Chairman declared the resolution adopted, extended to Mr. Crooks and Mr. Johns the best wishes of the Commission, and said that the Commission would expect Bethlehem Steel Company to fulfill its representations fully.

The Chief Engineer then advised the Commission that there was a difference of approximately \$857,000 between the report estimate of the Greiner Company upon which the financing had been completed and the award of Contract C-15-B, the \$857,000 being that much less than the report estimate upon which the financing was completed.

The Chairman inquired of the Chief Engineer concerning his report upon variable widths of median and variable grades, and the Chief Engineer stated that his report would be presented to the Commission at its next meeting. He stated that the report of the Consulting Engineer in this matter was ready for submission. The Chairman stated that the Commission would receive the report by the Consulting Engineer and use it as the basis for discussion at the afternoon conference with the Contracting Engineers. Mr. Donnelly thereupon read the following report:

" J. E. Greiner Company
Consulting Engineers

1201 St. Paul Street
Baltimore 2, Md.
Reply to: Room 233 - 361
E. Broad St.
Columbus 15, Ohio

C-619

January 15, 1953

Ohio Turnpike Commission
361 E. Broad Street
Columbus 15, Ohio

Gentlemen:

Numerous recent articles appearing in the Cleveland Press have contained assertions, most of them attributed to Commissioner McKay, to the effect that we, as your Consulting Engineers, have failed to cause to be incorporated in the design of Ohio Turnpike Project No. 1 certain features which the Ohio Turnpike Commission had been led to believe would be utilized. Moreover it has been charged that elements of design alleged to contribute to the safety of the project have been eliminated by us without our having advised the Commission or having discussed the matter with them. Broadly speaking, the people of Ohio have been led to believe by these newspaper articles that the original concept of the Turnpike was that it would be in the nature of a parkway in which each of the two directional roadways would follow a more or less independent alignment and would have grades separately adapted to the terrain traversed by these roadways. We do not believe that the Commission ever had such a conception. However, since the implications are so far-reaching and to clarify any misunderstanding which may have arisen, we take this opportunity of reviewing in detail the various stages of development of the project and of the criteria controlling its design. The principal design elements involved are the width of the median strip separating the directional roadways and the

vertical variation in the grades of those roadways.

Early in the development of the Engineering Report, we submitted to the Commission for its consideration the concept of transposed traffic flow. By its very nature, transposed flow required wide separation of the directional roadways at all interchanges, service areas and maintenance areas, thus resulting in a variation of the width of the median strip over a considerable length of the Turnpike. There was much discussion of the concept at that time, particularly with reference to the treatment of the median strip under the transposed traffic scheme. In order that the Commission would have before it complete factual data, we prepared separate studies for alignments and grades suitable for transposed traffic flow and for normal traffic flow and developed estimates of cost for each scheme. After full consideration and study, the Commission adopted normal traffic flow because it was determined that transposed flow was an entirely new and untried concept and that the idea was too revolutionary to attempt its use for the first time on a project of the magnitude of the Ohio Turnpike.

At this stage questions arose concerning the validity of the estimated construction costs of the project. Commissioner McKay stated that he thought that our estimates were excessive, and we were directed by the Highway Director to re-examine the preliminary draft of our report and to make all possible adjustments which would result in lowering the cost of the project. Such re-examination was made and substantial reductions accrued through the modification of the Turnpike grade line. These modifications resulted principally from carrying a large number of cross roads over the Turnpike whereas it was originally planned to keep the Turnpike over as many of the cross-roads as possible. At the same time we were called upon by Commissioner McKay to defend our recommendation of a median divider as wide as 56 feet, which he deemed excessive when compared with widths provided on other comparable facilities. He also called upon us to defend our recommendations that inside or left-hand shoulders be provided, that upgrades be limited to 2% and that bridges carrying the Turnpike be designed as twin structures so that the full median width could be maintained throughout the length of the project. We justified these recommendations on the basis of the added safety which they provided.

These and other similar features which were carefully considered and approved and were incorporated in the Engineering Report dated August 15, 1951 and on the strip maps accompanying that report, which maps portrayed the alignment and grades for the entire project. The strip maps definitely showed that except in two

particular locations the width of the median divider was to be constant. The Engineering Report in no way indicates that a variation of the median width was envisioned except in the two locations noted above. Moreover in the Prospectus covering the bond issue, the roadway is described by the Commission as follows:

"The typical roadway sections will consist of two 12-foot lanes in each direction. Each 24-foot roadway will be flanked by a 10-foot shoulder adjacent to the normal (slow speed) travel lane and an 8-foot shoulder adjacent to the passing (high speed) lane. The passing lanes of each directional roadway are to be separated by a 56-foot median divider. The graded width of the Turnpike, including the median divider and flanking shoulder, will measure 124 feet".

The same document also contains the following statement concerning the median divider:

"The unusually wide median strip will be not only an outstanding safety feature, but will permit variation and adjustment of grades between the roadways. The wide depressed medial divider also will serve as an economical and effective drainage device".

The foregoing data are factual proof that a variable median width for the entire length of the project was never envisioned or planned. It further proves that additional widening of the median divider was contemplated only at two locations where the heavy terrain was such that substantial savings in grading costs accrued through the wide separation of the directional roadways. The facts are: we were directed to find ways of reducing construction costs to render the project financially feasible rather than introduce additional features which would have substantially increased the cost; and we had to vigorously defend what we considered essential safety features of design so that they would not be eliminated in the interest of economy.

The second element of design about which there has been apparent misunderstanding is the vertical variation of grades between the directional roadways. The Engineering Report states that adjustment of grades between the roadways would be employed where surrounding terrain permits, and the clear intent of the design criteria was to permit latitude in the establishment of variable grades during the design phase where such variations were feasible and practical. The studies of the final grade line by the engineers responsible for

the detail design revealed that variation of the roadway grades was feasible at the following locations:

Mahoning County Sta 1234 to Sta 1285
Mahoning County Sta 225 to Sta 340
Summit County Sta 315 to Sta 422
Summit County Sta 40 to Sta 251
Cuyahoga County Sta 910 to Sta 990
Cuyahoga County Sta 603 to Sta 797
Erie County Sta 951 to Sta 1029

During the establishment of the final grade line by the Contracting Engineers it was found that in areas where structures were encountered at relatively close intervals the design criteria governing sight distance virtually prohibited the use of variable grades. In the flat terrain encountered in the western half of the project it was found that grades are largely controlled by flood elevations and that in instances where the Turnpike grade is rolled to pass over intersecting roads, again the use of variable grades was limited by sight distance controls which made them impractical.

Finally, with respect to the design criteria covering the vertical and horizontal relationship of the directional roadways, there has been no change in such criteria since they were approved and incorporated in the Engineering Report and on the strip maps; there has been no "junking" or "dropping" of design concepts since the submission of the report; and the Ohio Turnpike Project No. 1 is being designed in conformance with the approved criteria. It is and has been our considered opinion that Ohio Turnpike Project No. 1 is being designed to the highest of engineering standards and that the standards of design incorporate many features directed toward the safety of the Turnpike users. The width and shape of the median are specifically designed to trap an out of control vehicle and prevent its crossing to the opposing traffic lanes. The adopted cross-section will also discourage, if not eliminate, U turns. The right-hand surfaced shoulders will provide adequate emergency parking space while the surfaced shoulders adjacent to the median strip will serve to materially reduce the number of rear-end collisions. With the introduction of the median shoulders, a driver executing a normal overtaking movement need not be crowded into the median area but instead can ride the shoulder and avert disaster to himself and others. Horizontal curvatures of the highway are limited to a maximum of two and one-half degrees and all curves with curvature of one degree or greater will be marked by delineators thereby

giving night drivers advanced warning of a change in alignment. Vertical curves at the summits of hills are designed to permit a driver to see a 4-inch high object on the pavement a minimum distance of 900 feet ahead. Vertical curves at sags are so designed that headlights from a car at night will light the pavement for a minimum distance of 1,000 feet ahead. Guard rails will be provided on all fills over ten feet in height and adjacent to piers and abutments of all structures crossing over the Turnpike. Traffic lanes will be delineated by luminous lane markers.

All of the above are safety features over and above the normal safety elements found on similar expressway projects such as vertical separation of grades at all intersecting highways, access limited to points of interchange, acceleration and deceleration lanes at all interchanges and service areas and other similar features. We are convinced that Ohio Turnpike Project No. 1 is being designed to the highest possible standards that can economically be incorporated into a project of this type. We also know that a parkway type facility consisting of two independent roadways meandering within a thousand to two thousand feet of right-of-way as has been suggested would not be economically feasible, just as we know that it is not economically feasible to incorporate heating elements in the pavement to eliminate snow and ice on the roadway as has been suggested to us by others, and that it is not economically feasible to install mechanical devices along the highway to dispell fog as has been suggested by still others. It is the basic and fundamental problem of all engineers to produce a facility of the highest engineering standards within the economic limitations imposed. We are completely satisfied that this end is being attained in Ohio on Turnpike Project No. 1.

Since the last meeting of the Commission and at the direction of the Commission we have completely re-examined the entire alignment of Ohio Turnpike Project No. 1 for the purpose of determining what could be done to vary the median width. We have found that the median divider could be widened at eight additional locations without imposing substantial increases in cost. All of these locations occur at horizontal curves where the widening could be obtained by varying the degree of curvature of the north and south lanes. These variations could be obtained for longitudinal distances of 1000 to 3000 feet at each location.

In addition to the above we have analyzed the possibility of placing the service areas between the roadways, thus forcing the roadways apart at these locations. To accomplish this will require the construction of four additional grade separation structures and four additional ramps and will require a minimum right-of-way width of 1100 feet. The cost of making such provisions, exclusive

of additional right-of-way costs and engineering costs is estimated at \$500,000 to \$600,000 per site depending upon location. A review of the possible sites, however, revealed that it would be very impractical to accomplish at a large percentage of the sites because of extensive property damage involved.

In summary, our recent studies have revealed, that, with the exception of the eight locations at curves noted above, any further separation of the median will require the expenditure of substantial sums of money.

Very truly yours,

J. E. GREINER COMPANY

By S/ E. J. Donnelly

E. J. Donnelly. "

Following the reading of his report, Mr. Donnelly reminded the Commission that J. E. Greiner Company had prepared an engineering report for the Director of Highways which report was approved by the Commission. He said that the engineering report included the estimates of the construction costs, the schedule for doing the work and the design criteria and that the strip maps which were a part of the report showed the alignment for the entire project. He said that after the report and the strip maps had been approved J. E. Greiner Company had been retained as Consulting Engineers to the Commission under a contract which placed upon J. E. Greiner Company the responsibility under the direction of the Commission's Chief Engineer to see that the project was constructed within the costs that were included in the report and based upon which the bonds were sold. Mr. Donnelly said that it was the responsibility of his firm to see that the project was completed within the schedule set up under the engineering report. He stated his opinion that this was also the responsibility of the Commission to the bondholders. He concluded his report by stating that the Consulting Engineer is proceeding under the terms of its contract to see that the work is performed under the criteria that have been approved by the Commission, and that the Consulting Engineer had no authority to change any of the criteria unless so directed by the Commission, and had made no change in design and criteria since the project started. A copy of the report by Mr. Donnelly was handed to each member of the Commission and to the Chief Engineer.

The Chief Engineer handed to the members of the Commission for consideration a report and drawings pertaining to the design of toll plazas.

Mr. McKay then reported for the committee appointed to study suggested alignment changes in Erie County and handed to each member of the Commission a copy of the following documents:

a. Report of Ohio Turnpike Sub-Committee appointed to study suggested realignment changes in Erie County, dated January 16, 1953.

b. Memorandum entitled "Suggested Line Change in Construction Section 33, Erie County" dated January 16, 1953.

c. Memorandum entitled "Suggested line change in Construction Section C-29, Erie County," dated January 16, 1953.

Mr. McKay said that it was the recommendation of the committee that relocation of the Turnpike be not approved in the eastern section of Erie County and that decision with respect to alignment change in the western part of Erie County be deferred until certain foundation investigations have been completed. In the absence of objection, the report of Mr. McKay was received and the Chairman stated that the Commission would expect to take action upon it on February 3, 1953. At the suggestion of Mr. McKay the Chief Engineer was instructed to send copies of the reports submitted by Mr. McKay to representative interested persons in Erie County.

Mr. Allen reported for the committee on Petroleum Service Facilities, and that another report might be expected after February 1, 1953.

The Executive Assistant reported to the Commission that advertising had been initiated for the receipt of bids on January 29, 1953 for remodeling the building on Gay Street in Columbus, and with the construction schedule established by the architects for a prospective occupancy of the building by the Commission about May 1, 1953.

The Chairman reported that the preparation of the Fourth Annual Report was proceeding, and that a draft of the report was expected to be submitted to the members for their consideration prior to the next meeting.

The meeting was recessed by the Chairman at 12:35 PM for lunch and for a conference with the Consulting Engineer and the contracting engineers. At 6:30 P. M., December 16, 1953, the meeting, after the recess and pursuant thereto, was called to

order by the Chairman in the Ballroom of the Seneca Hotel in Columbus. The roll was called and the attendance was reported to be as follows:

Present: Allen, Teagarden, Shocknessy, Linzell, McKay.

Absent: None.

The Chairman announced that all members of the Commission were present, and noted that the General Counsel, the Comptroller, the Consulting Engineer, the Director of Research, the Chief Engineer, and the Executive Assistant also were present at the meeting.

The General Counsel then presented a recommended form of resolution by which there would be accomplished an amendment of Resolution No. 102-1952 changing the description of property to be appropriated which was incorporated in Resolution No. 102-1952. He presented also to the Commission written recommendations signed by himself, by the Chief Engineer, and by the Chief of Right-of-way Section with respect to the suggested form of resolution. Resolution No. 21-1953 amending Resolution No. 102-1952, was moved for adoption by Mr. Teagarden and seconded by Mr. Allen, as follows:

RESOLUTION NO. 21-1953 AMENDING RESOLUTION NO. 102-1952.

"WHEREAS it has come to the attention of the Commission that under the detailed plans for the construction of that portion of Ohio Turnpike Project No. 1 which has been denominated construction section C-16, it is necessary that a greater amount of the land owned by Herbert E. Bigelow and others than was described in resolution No. 102-1952 be acquired for the construction and efficient operation of said project; and

"WHEREAS the Commission has been unable to agree with the owners of said property as to the compensation to be paid for said property, either as described in resolution No. 102-1952 or as hereinafter described and amended,

"NOW, THEREFORE, BE IT

"RESOLVED that resolution No. 102-1952 adopted by the Commission on December 2, 1952 be, and the same hereby is, amended so that the description therein of parcel No. 143-B shall read as follows:

"Parcel No. 143-B

"Situated in the Township of Boston, County of Summit and State of Ohio and known as being parts of Original Boston Township Lots Nos. 2 and 3, in Tract No. 1, and part of Tract No. 7, and bounded and described as follows:

"Beginning on the Northerly line of said Original Lot No. 3 at the Northwesterly corner of land conveyed to Laura Mancz by deed dated December 27, 1934 and recorded in Volume 1600, Page 404 of Summit County Deed Records; thence South $0^{\circ} 39'$ East, along the Westerly line of land so conveyed to Laura Mancz, 355.92 feet to its intersection with a line drawn parallel to and distant 220 feet Southwesterly of, measured on a line normal to, the center line of Ohio Turnpike Project No. 1, as shown by plat recorded in Volume 44, Page 142 of Summit County Map Records; thence Northwesterly along said parallel line, being a curved line deflecting to the right having a radius of 11,894.30 feet, an arc distance of 1904.09 feet to its intersection with the Easterly line of the third parcel of land conveyed to Lloyd L. Bigelow by deed dated July 5, 1949 and recorded in Volume 2625, Page 107 of Summit County Deed Records; thence North $1^{\circ} 02' 30''$ West along the Easterly line of land so conveyed to Lloyd L. Bigelow, 485.95 feet to its intersection with a line drawn parallel to and distant 245 feet Northeasterly of, measured on a line normal to, the said center line of Ohio Turnpike Project No. 1; thence Southeast-erly along said parallel line, being a curved line deflecting to the left having a radius of 11,429.30 feet, an arc distance of 1920.93 feet to its intersection with the Westerly line of land conveyed to Henry G. Bender by deed dated January 2, 1945 and recorded in Volume 2155, Page 426 of Summit County Deed Records; thence South $4^{\circ} 29' 30''$ West along the Westerly line of land so conveyed to Henry G. Bender 111.91 feet to the place of beginning, containing 20.80 acres of land, according to a survey made by Henry W. Berson, Registered Surveyor No. 3166, dated December 26, 1952.

"FURTHER RESOLVED that the General Counsel be, and he hereby is, instructed to do or cause to be done all things that may be necessary in the premises in order that the proceedings already commenced in the Common Pleas Court of Summit County in connection with parcel No. 143-B may be amended to provide for the appropriation of Parcel No. 143-B as described above."

A vote by ayes and nays was taken and all members responded to roll call. The vote was as follows:

Ayes, Teagarden, Linzell, Allen, McKay, Shocknessy.

Nays, None.

The Chairman declared the resolution adopted.

The General Counsel then presented three recommended forms of resolutions by which the Commission would declare the necessity for appropriating three designated parcels of property. He stated that in each of the three cases the Commission's negotiators had endeavored, without success, to agree with the owners of the land as to the compensation to be paid therefor. He presented to the Commission written recommendations signed by himself, by the Chief Engineer, and by the Chief of the Right-of-way Section with respect to each of the three cases. Resolutions Nos. 22-1953, 23-1953, and 24-1953, each declaring the necessity of appropriating certain property and directing that proceedings to effect such appropriation be begun and prosecuted were moved for adoption by Mr. Linzell and seconded by Mr. McKay, as follows:

RESOLUTION NO. 22-1953

"RESOLVED that the Commission has endeavored for a reasonable time to agree with the owner or owners of the property described herein as to the compensation to be paid therefor, but has been unable to agree with said owner or owners, and said property is needed for the construction and efficient operation of the Ohio Turnpike Project No. 1, and

"BE IT FURTHER RESOLVED that proceedings be begun and prosecuted to effect the appropriation in fee simple of the following-described property, and the easements, rights, and restrictions hereinafter described, from the following-named owner or owners and persons having interests therein, to-wit:

<u>"Owner(s)</u>	<u>Place of Residence</u>
Julian A. Mayer	Stine Road Peninsula, Ohio
Hilda M. Mayer	Stine Road Peninsula, Ohio
Hallie H. Pease	1569 West Main Road Newport, Rhode Island
County Auditor of Summit County	Summit County Court House Akron, Ohio
County Treasurer of Summit County	Summit County Court House Akron, Ohio

"The aforementioned property to be appropriated in fee

simple is described as follows:

"Parcel No. 145-B

"Situated in the Township of Boston, County of Summit and State of Ohio and known as being part of Original Boston Township Lots Nos. 2 and 3, in Tract No. 1, and bounded and described as follows:

"Beginning at the Northeasterly corner of land conveyed to Julian A. Mayer and Hilda M. Mayer, by deed dated May 15, 1950, and recorded in Volume 2719, Page 121 of Summit County Deed Records; thence South $0^{\circ} 25'$ East along the Easterly line of land so conveyed to Julian A. Mayer and Hilda M. Mayer 442.47 feet to its inter section with a line drawn parallel to and distant 185 feet Southeasterly of, measured on a line normal to, the center line of Ohio Turnpike Project No. 1, as shown by plats recorded in Volume 44, Pages 118 and 141 of Summit County Map Records; thence Southwesterly along said parallel line, being a curved line deflecting to the right having a radius of 13,732.55 feet, an arc distance of 696.43 feet to a point of compound curve in said line; thence continuing along said parallel line on a curve deflecting to the right, said curve having a radius of 11,859.30 feet, an arc distance of 426.80 feet to the Westerly line of land conveyed to Julian A. Mayer and Hilda M. Mayer as aforesaid; thence North $1^{\circ} 29'$ West, along the Westerly line of land so conveyed to Julian A. Mayer and Hilda M. Mayer, 438.53 feet to its intersection with a line drawn parallel to and distant 250 feet Northwesterly of, measured on a line normal to, the said center line of Ohio Turnpike Project No. 1; thence Northeasterly along said parallel line, being a curved line deflecting to the left having a radius of 11,424.30 feet, an arc distance of 357.00 feet to a point of compound curve in said line; thence continuing along said parallel line on a curve deflecting to the left, having a radius of 13,297.55 feet, an arc distance of 756.87 feet to the Northerly line of land conveyed to Julian A. Mayer and Hilda M. Mayer as aforesaid; thence due East along the Northerly line of land so conveyed to Julian A. Mayer and Hilda M. Mayer 19.12 feet to the place of beginning, containing 11.25 acres of land, according to a survey made by Henry W. Berson, Registered Surveyor No. 3166, dated December 26, 1952.

"The aforementioned easements, rights, and restrictions to be appropriated are as follows:

"First: Any and all abutters' rights, including access rights, appurtenant to any remaining portion of the lands of said owner or owners of which the above-described real estate shall have formed a part prior hereto, in, over, or to the above-described real estate, including such rights to any turnpike constructed thereon.

"Second: All rights to erect on any of the aforesaid remaining lands any billboard, sign, notice, poster, or other advertising device which would be visible from the travel way

of Ohio Turnpike Project No. 1, and which is not now upon said lands."

RESOLUTION NO. 23-1953.

"RESOLVED that the Commission has endeavored for a reasonable time to agree with the owner or owners of the property described herein as to the compensation to be paid therefor, but has been unable to agree with said owner or owners, and said property is needed for the construction and efficient operation of the Ohio Turnpike Project No. 1, and

"BE IT FURTHER RESOLVED that proceedings be begun and prosecuted to effect the appropriation in fee simple of the following-described property, and the easements, rights, and restrictions hereinafter described, from the following-named owner or owners and persons having interests therein, to-wit:

<u>"Owner(s)</u>	<u>Place of Residence</u>
Marty R. Williams	Route 224, Canfield, Ohio
Ethel L. Williams	Route 224, Canfield, Ohio
The East Ohio Gas Company	1405 East Sixth Street Cleveland, Ohio
The Home Savings and Loan Company	Youngstown, Ohio
County Auditor of Mahoning County	Mahoning County Court House Youngstown, Ohio
County Treasurer of Mahoning County	Mahoning County Court House Youngstown, Ohio

"The aforementioned property to be appropriated in fee simple is described as follows:

"PARCEL NO. 187-J

"Situated in the Township of Canfield, County of Mahoning and State of Ohio, and known as being part of Original Canfield Township Lot No. 50, in 2nd Division, and being all that part of the lands described in the deed to Marty R. Williams and Ethel L. Williams dated August 12, 1946, and recorded in Volume

577, Page 166 of Mahoning County Deed Records, lying Northeasterly of a line drawn parallel to and distant 145 feet Southwesterly, measured on a line normal to the centerline of Ohio Turnpike Project No. 1, as shown by plat recorded in Volume 33, Pages 33 and 39 of Mahoning County Map Records.

"The aforementioned easements, rights, and restrictions to be appropriated are as follows:

"First: Any and all abutters' rights, including access rights, appurtenant to any remaining portion of the lands of said owner or owners of which the above-described real estate shall have formed a part prior hereto, in, over, or to the above-described real estate, including such rights to any turnpike constructed thereon.

"Second: All rights to erect on any of the aforesaid remaining lands any billboard, sign, notice, poster, or other advertising device which would be visible from the travelway of Ohio Turnpike Project No. 1, and which is not now upon said lands."

RESOLUTION NO. 24-1953

"RESOLVED that the Commission has endeavored for a reasonable time to agree with the owner or owners of the property described herein as to the compensation to be paid therefor, but has been unable to agree with said owner or owners, and said property is needed for the construction and efficient operation of the Ohio Turnpike Project No. 1, and

"BE IT FURTHER RESOLVED that proceedings be begun and prosecuted to effect the appropriation of the following-described property, and the easements, rights, and restrictions hereinafter described, from the following-named owner or owners and persons having interests therein, to-wit:

<u>"Owner(s)</u>	<u>Place of Residence</u>
Frank Cerny	Black Road, Richfield Township Summit County, Ohio
Mildred Cerny	Black Road, Richfield Township Summit County, Ohio

<u>"Owner(s)</u>	<u>Place of Residence</u>
County Auditor of Summit County	Summit County Court House Akron, Ohio
County Treasurer of Summit County	Summit County Court House Akron, Ohio

"The aforementioned property to be appropriated is described as follows:

"Parcel No. 142A - 143E -- Fee Simple

"Situated in the Township of Richfield, County of Summit and State of Ohio, and known as being a part of Original Richfield Township Lots Nos. 5 and 6 in Tract No. 5 and being all that part of the lands conveyed to Frank Cerny and Mildred Cerny, by deeds dated November 24, 1944, and recorded in Volume 2167, Pages 223 and 226 of Summit County Deed Records, lying within a strip of land 550 feet wide between parallel lines, the Northeasterly line of said strip being parallel to and distant 330 feet Northeasterly measured on a line normal to the center line of the Ohio Turnpike Project No. 1, as shown by plat recorded in Volume 44, Pages 130, 135, 136 of Summit County Map Records and the Southwesterly line of said strip being parallel to and distant 220 feet Southwesterly measured on a line normal to said center line.

"Parcel No. 142A - 143E (1) - Easement for Slope Purposes

"Situated in the Township of Richfield, County of Summit and State of Ohio and known as being part of Original Richfield Township Lot No. 5 in Tract No. 5 and bounded as follows:

"Southwesterly by a line parallel to and distant 330 feet Northeasterly of, measured on a line normal to, the center line of Ohio Turnpike Project No. 1, as shown by plat recorded in Volume 44, Page 135 of Summit County Map Records; Northeasterly by a line normal to, said Turnpike center line; Northwesterly by a line drawn normal to said Turnpike center line from Station 131 + 00 and Southeasterly by a line drawn normal to said Turnpike center line from Station 133 + 00.

"The aforementioned easements, rights, and restrictions to be appropriated are as follows:

"First: Any and all abutters' rights, including access rights, appurtenant to any remaining portion of the lands of said owner or owners of which the above-described real estate shall have formed a part prior hereto, in, over, or to the above-described real estate,

including such rights to any turnpike constructed thereon.

"Second: All rights to erect on any of the aforesaid remaining lands any billboard, sign, notice, poster, or other advertising device which would be visible from the travelway of Ohio Turnpike Project No. 1, and which is not now upon said lands."

A vote by ayes and nays was taken and all members responded to roll call. The vote was as follows:

Ayes, Linzell, McKay, Allen, Teagarden, Shocknessy.

Nays, None.

The Chairman declared the resolutions adopted.

Resolution No. 25-1953 was moved for adoption by Mr. Teagarden and seconded by Mr. Linzell, as follows:

"RESOLVED that the rate of compensation of T. J. Kauer, the commission's chief engineer effective January 1, 1953, be and the same hereby is fixed at \$17,000.00 per annum."

A vote by ayes and nays was taken and all members responded to roll call. The vote was as follows:

Ayes, Teagarden, Linzell, Allen, Shocknessy, McKay.

Nays, None.

The Chairman declared the resolution adopted.

Resolution No. 26-1953 was moved for adoption by Mr. McKay and seconded by Mr. Allen, as follows:

"RESOLVED that the rate of compensation of the commission's general counsel, Frank C. Dunbar, Jr., effective January 1, 1953, be and the same hereby is fixed at \$18,000.00 per annum."

A vote by ayes and nays was taken and all members responded to roll call, and voted aye except Mr. Linzell who voted nay. The vote was as follows:

Ayes, McKay, Allen, Teagarden, Shocknessy.

Nays, Linzell.

Mr. Linzell stated that he had voted against the resolution because he believed that the general counsel should not be paid more than the chief engineer. Mr. Allen stated that lawyers employed by a telephone company of which he had been an officer had on occasion been paid more than was paid to the president of the firm. The Chairman declared the resolution adopted.

Resolution No. 27-1953 was moved for adoption by Mr. Teagarden and seconded by Mr. Allen, as follows:

"RESOLVED that the rate of compensation of Charles P. Smith, the commission's executive assistant, effective January 1, 1953, be and the same hereby is fixed at \$14,000.00 per annum."

A vote by ayes and nays was taken and all members responded to roll call. The vote was as follows:

Ayes, Teagarden, Allen, McKay, Linzell, Shocknessy.

Nays, None.

The Chairman declared the resolution adopted.

Resolution No. 28-1953 was moved for adoption by Mr. Linzell and seconded by Mr. Teagarden, as follows:

"RESOLVED that the rate of compensation of C. W. Hartford, the commission's chief of the right-of-way section, effective January 1, 1953, be and the same hereby is fixed at \$11,500.00 per annum."

A vote by ayes and nays was taken and all members responded to roll call. The vote was as follows:

Ayes, Linzell, Teagarden, McKay, Allen, Shocknessy.

Nays, None.

The Chairman declared the resolution adopted.

Resolution No. 29-1953 was moved for adoption by Mr. Teagarden and seconded by Mr. Allen, as follows:

"RESOLVED that the rate of compensation of John Soller, the commission's comptroller, effective January 1, 1953, be and the same hereby is fixed at \$10,600.00 per annum. "

A vote by ayes and nays was taken and all members responded to roll call. The vote was as follows:

Ayes, Teagarden, Allen, McKay, Linzell, Shocknessy.

Nays, None.

The Chairman declared the resolution adopted.

Resolution No. 30-1953 ratifying actions of administrative officers was moved for adoption by Mr. Linzell and seconded by Mr. Teagarden, as follows:

"WHEREAS the executive assistant, chief engineer, general counsel, assistant secretary, comptroller, and chief of the right-of-way section of the Commission have, by various written and oral communications, fully advised the members of the Commission with respect to their official actions taken on behalf of the Commission since the Commission's last meeting, and the Commission has duly reviewed and considered the same;

"NOW, THEREFORE, BE IT

"RESOLVED that all official actions taken by the aforesaid administrative officers of the Commission on its behalf since the Commission's meeting on January 6, 1953, are hereby ratified, approved, and confirmed. "

A vote by ayes and nays was taken and all members responded to roll call.

The vote was as follows:

Ayes, Linzell, Teagarden, McKay, Allen, Shocknessy.

Nays, None.

The Chairman declared the resolution adopted.

There being no further business to come before the Commission, a motion was made by Mr. Teagarden, seconded by Mr. Allen, that the meeting adjourn subject to call of the Chairman. A vote by ayes and nays was taken and all members responded to roll call. The vote was as follows:

Ayes, Teagarden, Allen, McKay, Linzell, Shocknessy.

Nays, None.

The Chairman declared the meeting adjourned. The time of adjournment was 6:50 o'clock P. M.

Approved as a correct transcript of the proceedings of the Ohio Turnpike Commission.



A. J. Allen, Secretary-Treasurer.