

MINUTES OF THE ONE HUNDRED AND FIFTY-NINTH MEETING
October 2, 1962

Pursuant to bylaws, the Ohio Turnpike Commission met in regular session in Room 907 of the Ohio Departments Building, Columbus, Ohio, at 11:00 A.M., Eastern Standard Time, October 2, 1962 with the key members of the staff, representatives of the Consulting Engineers, of the Trustee, of the Auditor of State, members of the press, and others in attendance.

The meeting was called to order by the Chairman who said the Commission met at that place rather than the place of meeting under the bylaws pursuant to the call of the Chairman. The roll was called and the attendance was reported to be as follows:

Present: Chastang, Teagarden, Preston, Shocknessy.

Absent: Winter

The Chairman announced that a quorum was present.

A motion was made by Mr. Chastang, seconded by Mr. Teagarden, that the minutes for the meeting of August 7, 1962 which had been examined by the Members of the Commission and on which the corrections suggested by the Members had been made be approved without reading.

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

Ayes: Chastang, Teagarden, Preston, Shocknessy.

Nays: None.

The Chairman declared the minutes stood adopted as corrected with all Members present voting in the affirmative.

The Chairman reported that September revenue was estimated to be about \$2,500,000 which was about \$41,000 higher than September of 1960, which was the best previous September. He said revenue for the first nine months of 1962 was already an estimated \$20,357,000, which was three-quarters of a million higher than the revenue for the best similar period, the first nine months of 1960, and already a

million and one-half higher than the first nine months of 1961. He said that, therefore, if there was any better evidence of business recovery than that he did not know where one would find it. He said he did not think there was any better evidence that there was a sag in the economy in 1961 than that. He said August revenue was \$3,282,000, or more than \$200,000 greater than July of 1962.

The Chairman reported also that there had been purchased for October delivery \$1,420,000 of Ohio Turnpike revenue bonds making the total purchases in 1962 \$7,332,000. He said that to date \$12,019,000 of the bonds had been retired.

The Chairman reported also that the drivers involved in both bus accidents on the turnpike since the last meeting had been charged one with manslaughter and the other with failure to stop within the assured clear distance. He said an editorial which appeared in the Akron Beacon Journal of September 25, 1962 entitled "Slow 'Em Down" called on the Ohio State Highway Patrol to check into bus speeds on the turnpike. He said the Highway Patrol was making speed checks and the Commission's Traffic and Safety Engineer was examining toll charge tickets to determine speed insofar as possible on the basis of time stamps.

The Chairman reported also that the Commission had a letter from the Ohio Roadside Council under date of September 17, 1962 saying in part:

"The Ohio Turnpike is often referred to in the newspapers as one of the most outstanding in the United States and you are to be congratulated, not only on the fine job that has been done, but also on the skill with which this accomplishment has been interpreted to the public through your public relations.

"We also are most appreciative of the cooperation which our organization has always received from the Ohio Turnpike Commission."

The Chairman said the Ohio Roadside Council had contributed a lot to the turnpike, too, and the Commission was grateful.

The Chairman reported also that he had a copy of a letter which the Executive Director had written to the Administrator of Metropolitan Expressways of the Ohio Department of Highways,

Mr. Ralph J. Lehman, under date of September 26, 1962, as follows:

"It is my understanding from our long distance telephone conversation on Monday, September 24th that it will be necessary to present our proposal concerning the designation of the Ohio Turnpike as an alternate route for U. S. 20 between the Maumee-Toledo interchange and the Ohio-Indiana line to a committee of the American Association of State Highway Officials and that it is the intention of the Department of Highways to so do.

"If we can be of any service in furthering this proposal we will be happy to cooperate with the Department in its efforts."

The Chairman reported also that the General Counsel had had some very significant success he would mention to the Commission. The Chairman congratulated the General Counsel of behalf of the Commission for some very significant and meaningful results which the legal department had achieved in the last few months.

The Chairman reported also that the Commission had received since the last meeting the seventh annual report from the Consulting Engineers. He said he did not find anything in the report to be of concern nor did he find it anything other than a rather routine presentation of the inspections and conclusions of the Consulting Engineers.

The Chairman said that in the absence of any questions the report of the Chairman would be accepted as offered. He said the report of the Secretary-Treasurer would be received.

The Executive Director reported for the Secretary-Treasurer in the latter's capacity as Chairman of the Committee on Budget and Finance that the Committee, in cooperation with the Consulting Engineers, had spent considerable time over the previous six weeks in developing its recommendations to the Commission of a preliminary budget of income and current expense for 1963. He said the final result of the Committee's considerations was a recommendation of \$26,500,000 for income for 1963 and an expense of \$5,471,940. He said the recommendation for expense was identical in amount to that by the Consulting Engineers in its seventh annual report to the Commission, copies of which were forwarded to the

Members under date of September 21, 1962.

The Executive Director said also the proposed budget of expense could be compared to actual expenses of \$5,173,024 in 1959, \$5,241,609 in 1960 and \$5,133,880 in 1961. He said that with normal weather the remainder of 1962 he would expect the expenses for 1962 to be the lowest since 1958. He said that while the proposed budget for 1963 was expected to be greater than expenses in 1962 by more than 7%, the proposed budget for 1963 was less than 6% greater than the actual expense for 1959 for an average annual increase of less than one and one-half percent.

The Executive Director said it was the recommendation of the Committee on Budget and Finance that the Commission adopt as a preliminary budget of income for 1963 the amount of \$26,500,000 and as a preliminary budget of current expense for the year 1963 the amount of \$5,471,940.

A resolution adopting preliminary budget for the fiscal year 1963 was moved for adoption by Mr. Chastang, seconded by Mr. Teagarden, as follows:

Resolution No. 12-1962

"WHEREAS it is provided by Sec. 505 of the trust agreement dated June 1, 1952, between the Commission and The Ohio National Bank of Columbus, as trustee, and The National City Bank of New York (now The First National City Bank of New York), as co-trustee, that, on or before the 20th day of October in each fiscal year, the Commission will adopt a preliminary budget of income and current expenses for the ensuing fiscal year;

"WHEREAS the Commission's executive director and comptroller have submitted a preliminary budget and current expenses for the fiscal year 1963 to the Commission, and have recommended the adoption thereof, and said budget is now before the Commission; and

"WHEREAS all reasonable requests of the consulting engineer as to the classifications in which such budget shall be prepared have been complied with, and the consulting engineer has advised the Commission that said budget classifications meet with its approval and that it has no further requests with respect to said classifications;

"NOW, THEREFORE, BE IT

"RESOLVED that the Commission, having duly and fully considered the same, hereby adopts the following:

Preliminary Budget of Income and Current Expenses
1963

| | |
|--------|----------------|
| Income | \$26, 500, 000 |
|--------|----------------|

Current Expenses

| | |
|----------------------------|----------|
| Administration & Insurance | 904, 200 |
|----------------------------|----------|

| | |
|------------|-------------|
| Operations | 4, 438, 840 |
|------------|-------------|

| | |
|-------------------------|-----------------|
| Trust Indenture Expense | <u>128, 900</u> |
|-------------------------|-----------------|

| | |
|------------------------|----------------|
| Total Current Expenses | \$ 5, 471, 940 |
|------------------------|----------------|

"FURTHER RESOLVED that the assistant secretary-treasurer is hereby instructed to file a copy of said budget with the trustee and to mail copies thereof to the consulting engineer and to the principal underwriters forthwith. "

In response to a question the Executive Director said the expected income of \$26, 500, 000 in 1963 was about \$400, 000 more than the income for 1962 was likely to be. The Chairman said the estimate was realistic based on experience in 1962 when in the first nine months income for 1962 was a million and one-half greater than in 1961 and \$750, 000 greater than in 1960. He said it was easier to meet that estimate than to meet one that was inflated. He said the estimate was, if anything, conservative.

In response to a question the Executive Director said the budget of expense for 1963 was \$337, 000 more than the budget estimate for 1962. He said expenses for 1962 were likely to be pretty close to budget, depending a great deal on experience with snow before January 1, 1963. He said that in 1961 expenses were about \$160, 000 under the budget estimate and that to date in 1962 expenses were \$145, 000 under budget. The Chairman said the Commission could feel secure in the preliminary budget which he said was a very good estimate of both income and expense.

The Chairman asked whether the Trustee or the Consulting Engineers cared to make any comment on the resolution. Neither wished to comment.

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

Ayes: Chastang, Teagarden, Preston, Shocknessy.

Nays: None.

The Chairman declared the resolution adopted with the four Members present voting in the affirmative. The resolution was identified as No. 12-1962.

The Assistant Secretary-Treasurer reported for the Secretary-Treasurer that since the last meeting the following had been sent to all Members:

1. Traffic and Revenue Reports for July and August 1962.
2. Accountants' Report for the period ending June 30, 1962.
3. Financial Reports as of July 31 and August 31, 1962.
4. Detail of investment transactions for August and September 1962.
5. Draft of the minutes for the August 7, 1962 meeting.

The Chairman said that in the absence of further questions the report of the Secretary-Treasurer would be accepted as offered. He said the report of the Executive Director would be received.

The Executive Director reported that under date of August 29, 1962 the Governor of Indiana issued a statement relating to a number of road problems in Indiana and involving the Northern Indiana Toll Road. He said that of particular interest to the Commission was the establishment of the Northern Indiana Toll Road as an alternate route for U. S. Route 20 entirely across Indiana. He said that to meet the criteria for establishing the toll road as an alternate U. S. Route 20 would require the Indiana Toll Road Commission to construct on and off ramps to existing U. S. Route 20 where the toll road crossed U. S. Route 20 near the Indiana-Ohio line and between the terminal of the Indiana Toll Road and the Ohio-Indiana line. The Executive Director said that under date of August 30, 1962 he brought the plan to the attention of the

Consulting Engineers, expressing his belief that the ramps would serve no useful purpose and that since the Ohio Turnpike interchanged with U. S. Route 20 at the Maumee - Toledo Interchange it would be better to continue the U. S. Route 20 alternate routing into Ohio from Indiana over and across the Ohio Turnpike to the Maumee-Toledo interchange. He said the Consulting Engineers concurred in that belief and recommended that the problem be brought to the attention of the Ohio Department of Highways, which was done under date of September 17, 1962. The Executive Director said he was informed by Mr. Lehman on September 24, 1962 that he had been assigned the task of handling the Commission's request and that, if it were necessary to refer the plan to the American Association of State Highway Officials and the Bureau of Public Roads as was done by the Indiana Highway Department, it would probably take considerable time to process. He said the Commission had been keeping the Indiana Toll Road Commission advised of its activities in the problem and had its good wishes for success because, if the Commission did succeed, the Indiana Commission would save the cost of the off ramp for eastbound traffic and perhaps the cost of the on ramp for westbound traffic.

In response to a question the Executive Director said the program for alternate U. S. Route 20 was sponsored by the state Highway Department in Indiana and by the Governor of Indiana and not by the Indiana Toll Road Commission. He said that that morning he was handed a letter under date of October 1, 1962 signed by the Director of the Ohio Department of Highways, Mr. Preston. He said the last paragraph of the letter was as follows:

"If Indiana's application to overlap U. S. 20 over their turnpike is given favorable consideration by the Executive Committee of A.A.S.H.O., we will make every effort to route our alternate U. S. 20 off and on the Ohio Turnpike at the Maumee-Toledo interchange."

In response to a question the Executive Director said the effect of the plan for routing alternate U. S. Route 20 off and on the Ohio Turnpike at the Maumee-Toledo interchange would include the saving of the cost of construction and maintenance of an eastbound off ramp at the Indiana line for the Northern Indiana Toll Road, eliminate probable confusion for travelers who were expecting to pick up U.S. Route 20 further east, and prevent the loss of some traffic to the Ohio Turnpike at the Ohio-Indiana line.

The Chairman asked what official status the American Association of State Highway Officials had. He said he would like to see a memorandum on the law that gave the Association authority over the business of the United States or any of the states.

The Director of Highways said the Association was recognized in Federal highway law as having certain rather arbitrary jurisdiction over the use of U. S. route markers. He said the Association was referred to a number of places in the law as being an organization of arbitration. He said he thought that perhaps the whole episode was out of proper perspective because the use of the U. S. route marker was the only thing the Association would be involved in. He said the actual decision on construction and the geometrics of traffic routes was the responsibility of the various states and the various turnpike commissions. He said that, if a U. S. route marker were placed that would direct traffic over the toll road, that would be an extraordinary condition which would involve the arbitrary jurisdiction of the American Association of State Highway Officials. He said he would like an opportunity to reexamine the matter with Indiana highway officials.

The Director of Highways said also that he could cite some examples of how other instances involving U. S. route markers had been submitted to the Association. The Chairman said he understood that it was like submitting the question to any other similar organization, if that were its business and if it were interested in transportation. He said he did not, however, consider that the Association could speak with finality. The Director of Highways said that even though he was a member of the executive committee of the Association he was not going to argue the merits of the question because he realized that the whole issue was all out of perspective.

The Executive Director reported further that, in keeping with the requirements of the Trust Agreement that the Consulting Engineers must make an inspection of the turnpike at least once in each calendar year and submit a report of their findings to the Commission on or before the first day of October, the Consulting Engineers had submitted their seventh annual report under date of September 24, 1962. He said copies of the report were mailed to the Members and distributed to the appropriate members of the staff. He said that because of the time required to make the inspection and meet the submission date of October 1 it was necessary that the Consulting Engineers start their inspections in early

spring and complete them by August. He said the inspection period overlapped a great portion of the period available each year for corrective maintenance procedures particularly in connection with those procedures involving outside construction. He said that because of that overlap in timing and the fact that most findings were brought to the attention of the Commission at the time of the findings, it was possible to accomplish a major portion of the remedial work called for in the report prior to the formal submission of the report. He said that by following that procedure it was possible to make repairs timely and avoid more expensive repairs that would result from delaying many repairs to the following construction season.

The Executive Director reported further that on September 26, 1962 a conference attended by representatives of the Ohio Department of Highways, the Consulting Engineers and the Commission was held in the Berea headquarters for the purpose of reviewing matters involving the crossing of or connection to the Ohio Turnpike by proposed new highways. He said that because there were so many different projects in varying stages from programming to plan preparation it was determined that an orderly progression of projects would require the establishment of a priority schedule. He said efforts in that direction had started and when the schedule was completed each project would be developed for presentation to the Commission on an individual basis and in an orderly fashion. He said it was hoped the first of the projects might be sufficiently advanced for presentation to the Commission before the end of the year.

The Chairman said that in the absence of any further questions the report of the Executive Director would be accepted as offered. He said the report of the Committee on Service Plazas would be received.

The Chairman of the Committee on Service Plazas, Mr. Teagarden, reported that prior to the appearance of an editorial in The Plain Dealer of Cleveland, Ohio for August 21, 1962 he had visited several of the service plazas and found them to be what he considered good, with clean rest rooms, clean and orderly lobbies, and dining and counter service in good condition. He said that when he read the editorial of August 21 he got in touch with the Supervisor of Service Plazas and with him started a tour on August 22 of the service plaza restaurants operated by the Gladieux Corporation for the A.B.C. Vending Corporation and Buddies Lunch System, Inc. Mr. Teagarden said that to his surprise he found conditions in nearly all plazas visited which would not compare with those found during his visit of two weeks before. He said he and the Supervisor of

Service Plazas found rest rooms not clean, paper thrown on the floor, lobbies with dirty paper napkins and cups on the benches and on the floor. He said dirty dishes were very much in prominence in both the dining room and on the counters and continued so for some time after their arrival before being removed. He said traffic was quite heavy and while there were plenty of waitresses about they did not seem to be giving the travelers service as fast as he thought they should.

Mr. Teagarden said he thought the condition needed quick attention by the people in charge of operating the restaurants so he called the president of the Gladieux Company, Mr. Virgil Gladieux, and asked to see him that afternoon. He said he and the Supervisor of Service Plazas were invited to go to Mr. Gladieux's office where he called Mr. Gladieux's attention to the conditions which the Supervisor of Service Plazas and he had found during the day's visit and also mentioned the editorial about conditions which were found by The Plain Dealer. He said Mr. Gladieux appeared to be quite concerned and assured them that he would take immediate steps to correct the conditions. Mr. Teagarden said he particularly called Mr. Gladieux's attention to the forthcoming Labor Day holiday which was expected to be a busy one and would require preparations being made to handle the situation. He said Mr. Gladieux showed him an inter-office memorandum assigning all the company's supervisors and key people to specific restaurant units throughout the toll road operation to make sure that all plazas were prepared to do a good job.

Mr. Teagarden reported further that he visited all of the plazas on September 1 and 2 and was satisfied with the clean, orderly and what he considered satisfactory operation. He said he also discussed with Mr. Gladieux his concern with what might happen after Labor Day and was informed by Mr. Gladieux that the company would have a problem in replacing waitresses and bus boys who would be leaving to return to school. He said he reminded Mr. Gladieux that he should be prepared to furnish whatever help was necessary as the Commission considered it the responsibility of the operator to see that the public was served in a satisfactory manner. He said that the following day he visited some of the plazas and found as many as three bus boys on duty in one restaurant which indicated that the corporation had given recognition to some of the suggestions he and the Supervisor of Service Plazas had made.

Mr. Teagarden said also that a few days after Labor Day he discussed with the Supervisor of Service Plazas the conditions found

by the Supervisor of Service Plazas, who reported a let-down by the operating personnel and unsatisfactory conditions which were not as agreed upon with Mr. Gladieux. Mr. Teagarden said that on September 8, a Saturday, he visited the restaurants at the Oak Openings, Indian Meadow, Tiffin River and Fallen Timbers Service Plazas and that conditions at those restaurants were very bad. He said that in the rest rooms toilet paper was all over the floors, nobody around was doing any cleaning, dirty paper napkins were on the restaurant floors, and dirty dishes were on the counters and on the tables in the dining rooms. He said bus boys were apparently non-existent. He said traffic was quite heavy and some travelers waited ten to fifteen minutes to get seated and after being seated did not have prompt service. He said he observed several travelers leaving without being served.

Mr. Teagarden reported further that after having received assurance from Mr. Gladieux on August 22 that the public would be served in a satisfactory manner, and having observed during the busy Labor Day week end that the operator could do a good job, and having observed further that almost immediately after Labor Day conditions became much worse, and having discussed with Mr. Chastang the latter's experience on the turnpike on September 8, he had called the Chairman of the Commission by telephone and informed him of his disappointment and told him he was ready to ask for cancellation the contracts with A. B. C. Vending Corporation and Buddies Lunch System, Inc. He said the Chairman insisted that he continue his efforts to see if the situation could not be corrected. Mr. Teagarden said there was subsequently on September 11 held a conference at Berea attended by all members of the Committee on Service Plazas, by representatives of the Consulting Engineers, and by the Vice President and General Manager of the Gladieux Corporation, Mr. Peery B. Greever. He said Mr. Greever was informed about all the conditions observed and was told that Commission representatives should not have to be policemen, and that after seven years of operation the operators should have learned the things that were objectionable and should avoid those happenings. He said that at the conclusion of the conference Mr. Greever assured the Committee that everything humanly possible would be done to satisfy the Commission's wishes.

Mr. Teagarden reported further that on Sunday, September 30, he visited the restaurants at Oak Openings, Indian Meadow, Tiffin River and Fallen Timbers Service Plazas and was pleased with the cleanliness of the rest rooms, lobby, counter area and dining room. He said the traffic was very light and service was good. He said

he had dinner at Fallen Timbers Plaza restaurant and considered the food very palatable and good.

Mr. Teagarden said he hoped that from then on operation of the restaurants by the Gladieux Corporation was going to be more satisfactory to the public than it had been in the past.

Mr. Teagarden said also that to explain why he had directed all his attention to the restaurants operated under the contracts with A.B.C. Vending Corporation and Buddies Lunch System, Inc. he would read reports dated August 24 and August 25, 1962 which were made by one of the staff members. He said the Executive Director had asked staff members on occasion to eat their lunches at various of the turnpike restaurants and to make reports from the standpoint of a customer. He said the reports he referred to more or less substantiated his opinion of the operation of the Howard D. Johnson Company as compared to that of the Gladieux Corporation. He read the two reports in part as follows:

"August 24, 1962
"Towpath

"This H(oward) J(ohnson) operation is adequate and efficient. Mrs. Margaret Heglund (roving supervisor) was present and very much 'on-the-ball'. I find the service at H. J. operations along OTC very uniform, consistent and efficient. This is indicative of very close and experienced supervision."

"August 25, 1962
"Middle Ridge

"Managers should supervise and not allow themselves to get tied up with dirty dishes. Hostesses should be trained to do their jobs efficiently. This kitchen should be checked -- I believe it becomes 'swamped' when heavy volumes hit this plaza. It is my opinion that adequate help was present, however, if the kitchen cannot produce, the waitresses cannot serve the patrons promptly."

Mr. Teagarden said the Middle Ridge Plaza restaurant was operated by the Gladieux Corporation. He said he hoped the reports substan-

tiated his reasons for not giving as much attention to the Johnson Company's operation as he did to the Gladieux Corporation's operation.

Mr. Teagarden reported further that the Gladieux Corporation had advised that it was preparing plans to install cafeterias at all its other nine locations on the turnpike. He said the corporation already had one cafeteria in operation at Tiffin River Service Plaza which was not a very satisfactory job. He said that as soon as the plans were ready the Committee would meet with the corporation to discuss changes in the Tiffin River cafeteria design. He said the Committee hoped the corporation could complete the conversions before the summer of 1963. He said the Howard D. Johnson Company also had indicated a desire to install cafeterias at its other five restaurant locations. He said he understood the company's operation of a cafeteria at Great Lakes Service Plaza had proved very satisfactory to the company and it felt that the installation of cafeterias at the other five restaurants was not only going to give quicker and better service but would permit more efficient operation from the standpoint of the operator.

Mr. Teagarden reported further that a contract was awarded to the Reichert Construction Company of Elyria, Ohio pursuant to its low bid of \$69,875 for additions and alterations to the women's rest room at Erie Island Service Plaza. He said bids would be opened on October 11, 1962 for additions and alterations to the women's rest rooms at Great Lakes and Vermilion Valley Service Plazas. He said funds for improving the rest rooms were available without any increase in the budget. He said it was hoped to have the improvements completed and available to accommodate the summer traffic peaks in 1963.

The Chairman thanked Mr. Teagarden for his very complete report. He said the report was reflective of all the hard work Mr. Teagarden had done as Chairman of the Committee. Mr. Chastang congratulated Mr. Teagarden on the excellent job he had done.

Mr. Teagarden said that from then on he was not going to be a policeman every day out on the turnpike. He said the concessionaires ought to know how to operate.

The Chairman said he agreed. He said he took exception to the Commission's having to police the concessionaires. He said he wanted it understood that he had been prepared to come to the meeting

to recommend to the Commission the cancellation of the contracts with A.B.C. Vending Corporation and with Buddies Lunch System, Inc. for the operation of the ten restaurants concerned just as he once had come to the Commission and recommended the cancellation of the contract with the Olympic Commissary Company. He said Mr. Teagarden, after talking with Mr. Chastang and after all the conferences that he had had and all the inspections that he had made, concluded that the time had come to take drastic action. The Chairman said he talked to the Executive Director and to the General Counsel and decided to proceed to get the case ready in the event it would appear by meeting time that the thing to do was to come to the Commission and recommend the cancellation of the two contracts. He said that in view of what Mr. Teagarden had said in summary about the operations of the Gladieux Corporation he would not recommend cancellation at that time.

The Chairman said also that the Commission cancelled the Olympic contract and for a long period of time operated the restaurants involved in that contract itself before they were taken over by the Howard D. Johnson Company. He said the Commission operated six restaurants there and he was not at all dismayed about the fact of operating ten if the Commission had to until such time as it could get another operator. He said that as was the Commission's custom it was bringing the matter out in open meeting so that everybody knew that every Member of the Commission was fully informed and that every Member of the Commission had indicated willingness to take whatever action, however drastic, was necessary to obtain an adequate performance of contracts of whatever kind - in that instance, restaurants - for the benefit of the traveling public to whom the Commission had its obligation and of the bondholders to whom the Commission had an obligation. He said the Commission had an obligation to serve the public and had an obligation to a job which would attract business so that its obligations would be met. The Chairman said the Commission was not in a position of operators of a freeway. He said the Commission had service and goods that it must merchandise. He said the Commission had just as much a job of merchandising its service and its goods as any other entrepreneur in the merchandising business and had merchandised the service from the beginning and had merchandised the food through the operators and had given a good thorough accounting to the public and had paid off bonds in good style and was going to continue doing a good job.

The Chairman said also that in making that comment and congratulating Mr. Teagarden he wanted to assure him that the

whole Commission stood behind him any time he said anything to an operator about the operation of a facility on the turnpike, that the whole Commission spoke with him. He said the whole Commission would speak as firmly if not more firmly but Mr. Teagarden was inclined to be a more reasonable and agreeable man than some Members of the Commission.

Mr. Teagarden reported further that the Committee had received 36 complaints during 1962 from patrons on the restaurant operations. He said only two of the complaints were directed at Howard Johnson's restaurants while thirty-four were against the restaurants operated by Gladieux Corporation. He said he mentioned that to convince the Commission that his activities with respect to the Gladieux Corporation were based on the conviction that it was the operator which needed attention.

Mr. Chastang said he wondered if the president of the Gladieux Corporation had his sights set on the wrong objective. He said he had heard Mr. Teagarden say Mr. Gladieux was seeking to please the Commission. He said Mr. Gladieux's objective as a restaurant man should be to please the patrons who used the service and if he did that he would not be concerned about the Commission.

The Chairman said that in view of the fact that contracts with A.B.C. Vending Corporation and Buddies Lunch System, Inc. had three years to run and that the contractors had to make application 24 months prior to the termination of the ten-year period of the contracts if they wanted a five-year extension, the Commission would be looking at the contracts in a year. He said he did not quite understand the attitude of the contractors but he did know that the Commission had had much too much trouble with its original operators. He said there were six restaurants the Commission was getting good reports on - only two bad reports out of 36 - and that there was some way that the other ten restaurants could be in equally good condition and the Commission would see that they were. He said the public was going to be served. He said the gasoline, oil, and other things that were the business of the Committee on Service Plazas were not the subject of many complaints except for an occasional complaint on waits. He said he assumed that somebody on the staff watched those services, too, and reported to the Committee. He said he would like to be sure that service was being rendered in all areas of the service plazas. Mr. Teagarden said he did not make too much of the condition of those services in his report because he did not consider the waiting was bad.

The Chairman said the report of the Committee on Service Plazas would be accepted as offered. He said the report of the Director of Highways would be received.

The Director of Highways reported that it was his recollection from a meeting some months prior that it was desirable and expected that all the locations of highways which would intersect or cross the turnpike would be presented to the Commission and reviewed after the engineers of both agencies arrived at an agreement. He said that arrangement had been revised as the Executive Director had pointed out in his report earlier in the meeting. He said the Department of Highways had at least two additional instances of interstate routes which were proposed to cross the turnpike which were becoming urgent in nature and that very shortly he hoped the studies concerning them would be presented to the Commission.

In response to a question by the Chairman with respect to the relation between Interstate Route 71 and U. S. Route 42 the Director of Highways said the extension northward of Interstate Route 71 would be placed under contract during the first quarter of 1963. The Chairman said the Commission and the Department of Highways did not have an understanding on the connection between Interstate Route 71 and the Ohio Turnpike. The Director of Highways said the design for the northward extension of Interstate Route 71 was being done by the J. E. Greiner Company. He said he was under the impression that the detail of the connection had been worked out. The Chairman said it had been worked on but had not been concluded, and he had some very definite reservations about the connection. He said he wanted it understood that he did not want anything finalized, not merely because it might not suit the Members as individuals, but because the Commission wanted to be sure that the whole public would be best served. He said he was not certain at all from what he had heard that the contemplation of the relation between Interstate Route 71 and the Ohio Turnpike was the best possible service to the whole public. He said the whole public that rode the Ohio Turnpike and that sought the Ohio Turnpike and that the whole public that was riding Interstate Route 71 and sought Interstate Route 71 was entitled to the most convenient facility and he was not at all certain that the contemplation was most convenient.

The Director of Highways reported further that the design of the northward extension of Interstate Route 71 was in process,

that there had been no definite agreement made on ramps for a connection with the Ohio Turnpike, that the location had been adopted and the consultant authorized to proceed with the design, and that consent had been asked from the municipalities involved. He said the geometrics of the connection with existing U. S. Route 42 and to the turnpike was a matter that was in the development stage of preliminary engineering, which was then under way. He said the projection of Interstate Route 71 beyond Ohio Route 18 in the Cleveland metropolitan area without having provided for the receiving of traffic in the metropolitan area with the existing over-congestion and near strangulation of speed would have been a very grave error. He said the Department of Highways had been developing the urban projects on Interstate Route 71 and on Interstate Route 90 which was part of the so-called Cincinnati-Cleveland-Conneaut, Ohio Route 1 project. He said those urban projects on that route had been emphasized and advanced in the prior two years and eight months in Cincinnati, Columbus and Cleveland. He said the extension of Ohio Route 1 into downtown Cleveland and the beginning of the extension on the most expensive portion, the viaduct structure, on Interstate Route 71 were under way. He said completion of the route into and through Columbus was under contract and the completion into Cincinnati was under contract.

The Director of Highways said there would be a temporary connection into Cleveland over U. S. Route 42 from Parma.

The Chairman said the report of the Director of Highways would be accepted as offered. He said the report of the General Counsel would be received.

The General Counsel reported that there had been a judicial decision which further clarified and emphasized the powers of the Commission. The Chairman said the Commission never had had any question about its powers and authority. The General Counsel said that every so often some county district court or municipal court did question the authority of the General Assembly to grant to the Commission the authority to make regulations including speed regulations. He recalled the case in the Municipal Court of Ravenna in which the Commission found it necessary to go up to the Court of Appeals to make it clear what the authority of the Commission was with reference to the right to make regulations. He said that despite that case the county district court in Clyde had issued a decision four months before in which a man who had been speeding about 70 or 75 miles an hour on the turnpike said that the

act of the General Assembly which gave the Commission the right to fix speed limits was unconstitutional. He said that therefore the matter once more had to be appealed and that the Commission's legal department had helped the County Prosecutor of Sandusky County, who had requested its help. The General Counsel said also that Judge Robert J. Gabel of the Common Pleas Court of Sandusky County in late August gave a very fine opinion in just three sentences that stressed the authority which the Commission knew it had. He quoted the opinion in part as follows:

"Undoubtedly the legislature in giving the commission carte blanche authority to regulate traffic on this specially designed highway realized the need for flexibility with reference to speed, axle loads, vehicle loads and vehicle dimensions.**** They realized the volume of traffic flow would constantly change throughout the year and from year to year and that weather conditions and other hazards would constantly arise and therefore they understandably wished to do everything to facilitate the movement and control of traffic on this highway, all within the limits of the duty of the commission to maintain and preserve good order.

"The legislature also had in mind that the commission in operating such a highway in these days of unusually heavy motor traffic and ever changing traffic conditions would require regulatory authority for the protection of public safety and consequently gave the commission a broad directive to regulate and control traffic without regard to the provisions of Revised Code 4511.21 to 4511.24, inclusive."

He said the Court had pointed out also that if the Commission did not have that authority neither would the Director of Highways have it.

The Chairman said the opinion contained good language and good reasoning. He said the opinion was applicable to the Director of Highways especially on the fast interstate roads and to the Commission and he was glad that it had been said. He said it still remained that the Supreme Court of Ohio said that Section 1201 through Section 1221 of the Turnpike Act constituted a valid enactment. He said the only person that could tear that down was the Supreme Court of Ohio.

The Chairman thanked the General Counsel for his report and said it would be accepted as offered. He said the report of the Consulting Engineers would be received.

The representative of the Consulting Engineers, Mr. Fred S. Cresswell, said its report was routine only because of the splendid attention to maintenance given the Ohio Turnpike. He said he felt the staff of the Commission should be complimented, and the Consulting Engineers had done so in its report. He said the procedures followed with respect to the report represented a time-saving policy and were paying dividends.

The Chairman said he constantly heard from travelers who traveled highways in sister states and returned to say that the maintenance and operation of the Ohio Turnpike was better. He said the credit went to the members of the staff who did an excellent job of keeping the highway in good condition. He said he thought the report of the Consulting Engineers was a good report.

The Chairman said the report of the Consulting Engineers was accepted as offered. The Chairman ascertained that there would be no report from the Director of Information and Research.

A resolution ratifying actions of administrative officers was moved for adoption by Mr. Teagarden, Seconded by Mr. Chastang, as follows:

Resolution No. 13-1962

"WHEREAS the executive director, deputy executive director, chief engineer, general counsel, assistant general counsel, secretary-treasurer, assistant secretary-treasurer, comptroller, and the director of information and research 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 on August 7, 1962, 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 August 7, 1962, hereby are ratified, approved, and confirmed."

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

Ayes: Teagarden, Chastang, Preston, Shocknessy.

Nays: None.

The Chairman declared the resolution adopted with all Members present voting in the affirmative. The resolution was identified as No. 13-1962.

The Chairman said that the next meeting day would be Election Day. He said the Commission had met on Election Day before and he did not have any objection to meeting on that day but, if there was not anything very serious to come before the Commission on that day, he thought the November meeting might be postponed. The Chairman asked the Members for comment. There being no objections to postponing the regular meeting for November subject to call of the Chairman, the Chairman said it could be considered that the Commission had cancelled the meeting for the 6th of November and that the Chairman would call a special meeting later in the month as conditions should dictate.

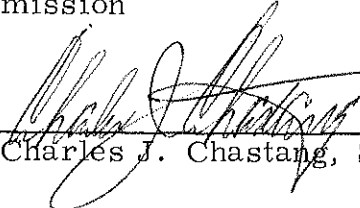
There being no further business to come before the Commission, a motion was made by Mr. Chastang, seconded by Mr. Preston, that the meeting adjourn subject to call of the Chairman. A vote by ayes and nays was taken and all Members present responded to roll call. The vote was as follows:

Ayes: Chastang, Preston, Teagarden, Shocknessy.

Nays: None.

The Chairman declared the meeting adjourned. The time of adjournment was 12:25 P.M.

Approved as a correct transcript of the
proceedings of the Ohio Turnpike Com-
mission



Charles J. Chastang, Secretary-Treasurer