

MINUTES OF THE ONE HUNDRED AND EIGHTY-SECOND MEETING
December 29, 1964

Pursuant to call of the Chairman, the Ohio Turnpike Commission met in special session in the conference room of the Division of Right of Way of the Ohio Department of Highways at 139 East Gay Street in Columbus, Ohio at 11:00 A. M. eastern standard time on December 29, 1964 with the key members of the staff, a representative, Mr. H. A. Harnden, of the Consulting Engineers; a representative, Mr. Robert H. Bartholomew, of the Trustee; members of the press 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: Redman, Chastang, Teagarden, Masheter, Shocknessy.

Absent: None.

The Chairman announced that a quorum was present.

A motion was made by Mr. Chastang, seconded by Mr. Redman, that the minutes for the meeting of December 1, 1964 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 responded to roll call. The vote was as follows:

Ayes: Chastang, Redman, Masheter, Teagarden, Shocknessy.

Nays: None.

The Chairman said the minutes stood adopted with all Members voting in the affirmative.

The Chairman reported that the special meeting of the Commission was called pursuant to discussion at the last meeting as to the desirability of holding a meeting before the end of the year to look at the restaurant contracts with a view of determining after recommendation by the Committee on Service Plazas as to what action the Commission should take, if any, at the special meeting on the contracts which were ready for renewal.

The Chairman reported that the Commission would address itself also to a transfer of funds from the Reserve Maintenance Fund which would, with their investment, complete retirements of Ohio Turnpike bonds for the year in the amount of \$13,410,000 and make total retirements \$40,030,000 and the outstanding indebtedness \$285,970,000. He said the Commission was well in advance of its schedule of retirements. He said the Commission had a right to be proud of its record as it came to the end of the year. He said the interest charges were annually \$1,300,000 less than they were originally.

The Chairman reported further that the revenue for December would be approximately \$2,000,000 and for the year was going to be at least \$28,600,000.

The Chairman reported further that status of construction on Interstate Route 71 was very satisfactory. He said the Director of Highways moved with great expedition and that the I-71 group, which had been meeting every other week the last several months, was going to resume its weekly meeting during the period when outside construction would not be proceeding. He said that by the weekly meetings the group would maintain the feeling of immediacy and urgency which the construction season itself helped maintain.

The Chairman reported further that the City of Strongsville finally, after badgering the Governor and suing the Director of Highways, chose to confer with the Commission's Executive Director and others of the staff and with representatives of the Consulting Engineers. He said another conference was scheduled for January 11, 1965.

The Chairman reported further that two truck drivers were found dead that morning at Erie Islands Service Plaza in the parking lot. He said the two drivers pulled off the turnpike during the night into the service plaza area and supposedly went to sleep with the heater in the cab of their truck operating and were suffocated because of the exhaustion of oxygen in the cab.

The Chairman reported further that although there were more traffic fatalities on the turnpike in 1964 than in any previous year, there was probably 25% more traffic on the turnpike in 1964 than in 1958, the previous worst year. He said that the record, while still not good, was incomparably better than the record of other highways in the state. He said that when one thought of 26 fatalities on the highways of the state on a single week end, the turnpike record of 34 in a whole year did not look

so bad. He said the Akron Beacon Journal had a story on the 10th of December mentioning that there were thirteen fatal accidents on the Akron Expressway in 1964 compared with six in 1963.

The Chairman reported further that the Executive Director was presented with a scroll at a luncheon on December 16 by the President of the American Institute of Travel Trailer and Camper Manufacturers in appreciation for the four travel-trailer parking areas made available on the turnpike during 1964. He said a representative of the Institute was quoted in the Plain Dealer of December 20 as saying that the Ohio Turnpike was the only superhighway in the country that had space for overnight campers.

Mr. Chastang mentioned people crossing I-71 at the bridges which carry I-71 over the Little Miami River. The Chairman said the Commission had never had that problem at the bridges carrying the Ohio Turnpike over the Cuyahoga River. He said that on the Cuyahoga River bridges one could see the whole panoramic view without having to stop. He said that the good experience was despite the fact that newspapers had many times featured the Cuyahoga River bridges because they were magnificent structures, dramatic structures.

The Chairman reported further that since the last meeting Major Herschel H. Allen, whom the Commission had known as senior partner of the J. E. Greiner Company for many years, had passed away. The Chairman said Major Allen was a man of vision and a man who was not afraid to go ahead and take the calculated risk which his profession required. He said an engineer had to take a calculated risk, the lawyer had to take a calculated risk, every man in a profession from time to time had to take a calculated risk. He said Major Allen had what it took to take the risk.

A resolution extending sympathy upon the passing of Major Herschel H. Allen was moved for adoption by Mr. Shocknessy, seconded by Mr. Chastang and all members and unanimously passed as follows:

Resolution No. 21-1964

"WHEREAS we have known Herschel H. Allen as senior partner of the J. E. Greiner Company for many years;

"WHEREAS he has faithfully served our Commission through his company's appointment as Consulting Engineer; and

"WHEREAS we want to express our sentiments of affection for his memory and our bereavement at his loss to his wife, to his family, and to his company;

"NOW, THEREFORE, BE IT

"RESOLVED by this Commission that it spread upon its record today its expression of sympathy to the widow of Major Herschel H. Allen and to his family and to his company with our assurances that not only will we remember Major Allen with affection but we in Ohio shall always remember the contribution that he made to Ohio through the greatness of his intellect and the willingness of his to serve his profession and his country and his community nobly."

The resolution was identified as No. 21-1964.

The Chairman directed that copies of the resolution be sent to Mrs. Herschel H. Allen and to the J. E. Greiner Company.

The Chairman reported further that a letter had been sent to a member of the General Assembly, Representative Bishop Kilpatrick, whose complaint about a snow and ice condition which he thought was unsatisfactory had been reported at the last meeting. He said the letter informed Mr. Kilpatrick that he happened to be coming along at an extreme time when snow was falling faster than the equipment could keep up with it and the condition was aggravated by a minor accident which piled traffic up in one of the roadways. He said no reply had been received from Mr. Kilpatrick.

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

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

1. Detail of Investment Transactions for November 1964.
2. Accountants' Report, Summary of Rentals Reported by Restaurant Operators for the Period October 1, 1963 through September 30, 1964.
3. Traffic & Revenue Report for November 1964.

4. Financial Report as of November 30, 1964.
5. Draft of the minutes for the December 1, 1964 meeting.

The Chairman said that in the absence of questions the report of the Secretary-Treasurer would be accepted as offered. He said the report of the Committee on Budget and Finance would be received.

The chairman of the Committee on Budget and Finance, Mr. Redman, read a letter from the Consulting Engineers addressed to the Turnpike Commission under date of December 17, 1964 as follows:

"December 17, 1964

"Ohio Turnpike Commission
682 Prospect Street
Berea, Ohio

"Gentlemen:

"In accordance with the stipulations of Article V, Section 509, of the Trust Agreement dated June 1, 1952, we hereby certify that the sum of \$500,000 may be transferred from the credit of the Reserve Maintenance Fund to the credit of the Redemption Account since this sum is not required for the purposes for which the Reserve Maintenance Fund has been created.

"Very truly yours,

"J. E. GREINER COMPANY

"by

"E. J. Donnelly"

A resolution authorizing the transfer of moneys from the reserve maintenance fund to the redemption account was moved for adoption by Mr. Redman, seconded by Mr. Teagarden, as follows:

Resolution No. 20-1964

"WHEREAS, Sec. 509 of the trust deed of June 1, 1952 by and between the Ohio Turnpike Commission and The Ohio National Bank of

Columbus as trustee, and The National City Bank of New York (now First National City Bank of New York), as co-trustee provides that the trustee shall from time to time transfer any moneys from the Reserve Maintenance Fund to the credit of the Redemption Account upon the receipt of a certified copy of a resolution duly adopted by the Commission directing such transfer, and a certificate of the Consulting Engineers certifying that the amount so to be transferred is not required for the purposes for which the Reserve Maintenance Fund has been created; and

"WHEREAS, a certificate has been received by the Commission from the Consulting Engineers certifying that the amount of \$500,000 is not required for the purposes for which the Reserve Maintenance Fund has been created;

"NOW, THEREFORE, BE IT

"RESOLVED that the trustee, The Ohio National Bank, upon receipt of the certificate of the Consulting Engineers, and upon receipt of certified copy of this resolution, be, and said trustee hereby is requested to transfer forthwith \$500,000 from the Reserve Maintenance Fund to the credit of the Redemption Account, all in accordance with Sec. 509 of the trust deed."

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

Ayes: Redman, Teagarden, Masheter, Chastang, Shocknessy.

Nays: None.

The Chairman declared the resolution adopted with all Members voting in the affirmative. The resolution was identified as No. 20-1964.

The Chairman said that in the absence of questions the report of the Committee on Budget and Finance was 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 construction work on public rest rooms at Tiffin River, Wyandot, Middle Ridge and Portage Service Plazas was substantially completed early the previous week and the new facilities were open for the Christmas traffic.

Mr. Teagarden reported further that plans and specifications for the additions, alterations and modernization of the food service

areas at Erie Islands, Vermilion Valley, Portage and Mahoning Valley Service Plazas were complete and contracts had been advertised for bid opening on January 14, 1965.

Mr. Teagarden reported further that at the meeting of the Commission on December 1, 1964 he reported that the Commission had received notices of extension in keeping with the terms of the contracts from ABC Consolidated Corporation under date of October 30, 1964 and from the Gladioux Corporation under date of November 2, 1964. He said that subsequent thereto a notice of extension was received from the Howard D. Johnson Company under date of December 15, 1964. Mr. Teagarden said also that under the terms of the contract the Commission might within sixty days after receipt of such notice notify the operator in writing that it was not satisfied with the manner in which the operator had theretofore performed his operation and refuse to assent to such extension; however, if the Commission took no action the contracts became extended automatically.

Mr. Teagarden said also that each member of the Committee on Service Plazas had given his attention to those notices and placed in writing his reactions thereto. He said the Committee met on several occasions to consider the individual reports and to make further individual assignments seeking additional information as determined necessary. He said the individual reports and the minutes of the Committee meetings had been theretofore furnished to Members of the Commission.

Mr. Teagarden said also that it was the consensus of the Committee that the Howard D. Johnson Company had operated the six restaurants under Contract TR-1B and the Gladioux Corporation had operated the six restaurants under Contract TR-3 in accordance with the terms and conditions of the respective contracts and they had served the public in a satisfactory manner and that the ABC Consolidated Corporation did not operate the four restaurants under Contract TR-2 in a manner which would win public esteem until a corporate change had been made in the spring of 1961 which placed the Gladioux Corporation in charge of operating their four restaurants. He said that subsequent thereto progressive improvement had been made and those four restaurants were currently serving the public in a satisfactory manner.

Mr. Teagarden said also that the Commission's General Counsel had informed the Committee that, although there had been some changes in corporate structures and the corporate names, the obligations of the original contract terms continued and there was no legal bar to extending any one of the existing restaurant contracts. He said copies of

the reports prepared by General Counsel had been theretofore furnished to the Members of the Commission.

Mr. Teagarden said also that the Committee, being of the opinion that there should be some formal assurance that the restaurants under Contract TR-2 would continue to be operated by the Gladieux Corporation and would not revert back to the ABC Consolidated Corporation for operation, had asked for some such assurance. He said a letter was thereupon received from the ABC Consolidated Corporation under date of December 23, 1964 requesting permission to assign that portion of the contract covering terms and conditions of operation exclusive of financial responsibility to the Gladieux Corporation. He said the contract with the ABC Consolidated Corporation provided that there should be no assignment of any or all of the rights or privileges granted by the contract without the written consent of the Commission. He said that accordingly the Committee had considered the request for assignment and recommended it for acceptance to the Commission.

Mr. Teagarden said also that in the event the assignment of Contract TR-2 was approved, it was the Committee's recommendation that the notice of extension of that contract and the notices of extension for the other two contracts, TR-1-B and TR-3, be accepted without objection and made a part of the respective contract files, thereby resulting in the extension of each of the restaurant contracts for an additional five years.

A resolution consenting, on conditions stated, to assignment of contract TR-2 was moved for adoption by Mr. Teagarden, seconded by Mr. Redman, as follows:

Resolution No. 22-1964

"WHEREAS, under date of January 17, 1955, the Ohio Turnpike Commission entered into a certain written contract with ABC Vending Corporation, a Delaware corporation, which by appropriate corporate action under date of April 29, 1964 changed its name to ABC Consolidated Corporation, for the operation of two pairs of restaurants on the Ohio Turnpike, two of which are located in Lorain County and two in Sandusky County on the Ohio Turnpike;

"WHEREAS, by Sec. 20 of said contract it is provided that the operator, ABC Vending Corporation (now ABC Consolidated Corporation) shall not sublet the demised premises or any part thereof, nor shall it make any assignment of any or all of the rights or privileges granted by said contract without the written consent of the Commission;

"WHEREAS, ABC Vending Corporation (now ABC Consolidated Corporation) under date of December 23, 1964, has, in writing, formally requested the Ohio Turnpike Commission that it be permitted to assign said contract during the life of said contract, or any extension thereof, as therein provided, to Gladioux Corporation, an Ohio corporation, the mailing address of which is 2140 Ashland Avenue, Toledo 2, Ohio, and has expressly stated that said assignment shall in no manner relieve ABC Consolidated Corporation from its financial obligations or liability under its contract with the Commission; and

"WHEREAS, the Commission is willing to consent to said assignment on the terms stated in the written request for consent on the part of ABC Consolidated Corporation, it being expressly understood that the said ABC Vending Corporation (now ABC Consolidated Corporation) will not be released from any of its financial obligations to the Ohio Turnpike Commission;

"NOW, THEREFORE, BE IT

"RESOLVED that the Ohio Turnpike Commission consents to the assignment by ABC Consolidated Corporation to Gladioux Corporation of the contract entered into by and between the Ohio Turnpike Commission and ABC Vending Corporation (now ABC Consolidated Corporation) on January 17, 1955 on the condition that ABC Consolidated Corporation (previously ABC Vending Corporation) be in no manner released by virtue of said assignment from any of the financial obligations or other obligations or liabilities to the Commission undertaken by ABC Vending Corporation (now ABC Consolidated Corporation) under the said written contract of January 17, 1955."

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

Ayes: Teagarden, Redman, Chastang, Masheter, Shocknessy.

Nays: None.

The Chairman declared the resolution stood adopted with all Members voting in the affirmative. The resolution was identified as No. 22-1964.

The Chairman said the record would show that the Commission had deliberated on the matter and was willing to permit the automatic renewal of the contract as presented by the chairman of the Committee on Service Plazas.

Mr. Teagarden said he wished to compliment the Deputy Executive Director, Mr. Russell S. Deetz, on the manner in which he had been discharging the responsibility assigned to him by the Committee on Service Plazas through the Executive Director to organize and direct the construction phase of the service plaza renovation program.

The Chairman said the report of the Committee on Service Plazas would be accepted as offered. He said the report of the Committee on Interchange Development had in effect already been partially submitted. The chairman of the Committee on Interchange Development, Mr. Chastang, said the balance of the report would be made by the Executive Director in connection with the report of the Executive Director.

The Executive Director reported for the Committee on Interchange Development that a plan was received the day before to alter two of the Commission's bridges where the Ohio Turnpike crossed State Route 45. He said the plan was turned over to the Consulting Engineers. He said he saw no serious problems.

The Executive Director reported for himself that because Christmas was on a Friday in 1964 and because there was a championship professional football game in Cleveland the previous Sunday, the five-day Christmas period of 1964 was a much busier time than had ever been previously experienced. He said traffic for the period was up almost 67,000 vehicles over the corresponding five-day holiday period for 1963 when Christmas fell on a Wednesday and when 168,000 vehicles used the turnpike. He said property damage accidents increased from six to ten but personal injury accidents dropped from eight to five for a net increase of one accident. He said generally fair weather contributed to the favorable experience. He said also that unaudited toll revenue for the five-day period increased from \$208,000 in 1963 to \$303,000 in 1964 for a gain of \$95,000.

The Executive Director reported further that an innovation in the study of traffic patterns on the turnpike was placed into service at the Amherst Maintenance Building on December 16. He said the equipment consisted of induction loops embedded in each of the driving lanes and each of the passing lanes and a counter which counted and tabulated the vehicles passing over the loops separately. He said the counter summarized on the quarter hour. The Executive Director said also that it was expected to install loops in the pavement at all eight maintenance buildings but to have only one counter which could be moved from maintenance building to maintenance building with ease as

might be desired. He said the equipment would permit the determination of lane usage and would provide valuable information with respect to peak-hour usage. He said efforts to obtain that information in the past with pneumatic hoses placed across the pavement were unsuccessful because the ravages of high-speed turnpike traffic would destroy the hoses before any meaningful information could be obtained. In response to a question by Mr. Chastang, the Executive Director said the counter cost approximately \$5,000.

The Chairman said that in the absence of further questions the reports of the Executive Director for the Committee on Interchange Development and for himself would be accepted as offered. He determined that there would be no reports by the Director of Highways, the General Counsel, the Consulting Engineers, or 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. 23-1964

"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 December 1, 1964, 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 December 1, 1964 hereby are 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: Teagarden, Chastang, Redman, Masheter, Shocknessy.

Nays: None.

The Chairman declared the resolution adopted with all Members voting in the affirmative. The resolution was identified as No. 23-1964.

The Chairman said he saw no reason for the Commission to meet in January. Following discussion, the Chairman said there would be no regular meeting in January, all the Members having concurred.

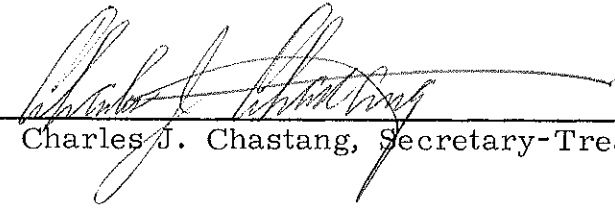
There being no further business to come before the Commission, a motion was made by Mr. Chastang, seconded by Mr. Teagarden, that the meeting adjourn subject to call of the Chairman. A vote by ayes and nays was taken and all Members responded to roll call. The vote was as follows:

Ayes: Chastang, Teagarden, Masheter, Redman, Shocknessy.

Nays: None.

The Chairman declared the meeting adjourned. The time of adjournment was 11:55 o'clock A. M.

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



Charles J. Chastang, Secretary-Treasurer