

MINUTES OF THE TWO HUNDRED AND THIRTY-SECOND MEETING
October 7, 1969

Pursuant to bylaws the Ohio Turnpike Commission met in regular session in the conference room of the Ohio Department of Highways building at 139 East Gay Street in Columbus, Ohio at 11:00 A.M. on October 7, 1969 with the key members of the staff; a representative, Mr. H. A. Harnden, of the Consulting Engineers; a representative, Mr. P. Joseph Sesler, of the Trustee; 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; Masheter, Teagarden, Chastang, Redman, Shocknessy.

Absent: None.

The Chairman announced that a quorum was present.

A motion was made by Mr. Teagarden, seconded by Mr. Chastang, that the minutes for the meeting of September 2, 1969 which had been examined by the Members 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: Teagarden, Chastang, Redman, Masheter, Shocknessy.

Nays: None.

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

The Chairman reported that the revenue for September 1969 was approximately \$3,388,000 and was better than for any prior September. He said income for the first nine months of 1969 was approximately \$29,368,000. He said that was \$1,800,000 more than for the best previous comparable period and higher than for any 12 month period prior to 1965.

The Chairman reported also that in September the Trustee purchased \$4,284,000 face amount of Ohio Turnpike bonds for retirement at

an average price of 84.87, and in October purchased \$4,230,000 at an average price of 84.76. He said that brought the total of bonds retired to date in 1969 to \$14,950,000 and left outstanding \$210,081,000.

The Chairman reported also that there was only one fatal accident on the turnpike in September, probably due to sleepiness. He said total deaths for the first nine months of 1969 was 34 compared to 35 in 12 months in 1964 and 1968 and 40 in 12 months in 1966.

The Chairman reported also that the Fourteenth Annual Report of the Consulting Engineers had been received and distributed to the Members.

The Chairman reported also with respect to the Interstate Coordinators' Conference that the Mayor of Cleveland had called him a vile name. He said that on the previous day at the Interstate Coordinators' meeting he said he was inclined to be understanding about it and to consider it a lapse, retardation, or regression or reversion in the Mayor's social development which had been rather rapid.

The Chairman said further that at the meeting Mayor Stokes through his designated representative, the Public Service Director of the City of Cleveland, Ralph C. Tyler, dropped all of the strictures concerning highway development in the City stated in his letter to Governor Rhodes of September 12, 1969 except that portion dealing with Interstate Route 290. He said the Mayor wanted reexamination or something similar with respect to Interstate Route 80 in the vicinity of Cleveland Hopkins International Airport but had agreed generally that I-80 should be built. The Chairman said his own term for the current status of that portion of I-80 was "in sort of limbo".

The Chairman welcomed the Commission's Director of Administrative Services, Robert A. Meywes, and said the Commission was glad to have its executives come to meet with it.

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

The Assistant Secretary-Treasurer, Mr. John Soller, reported for the Secretary-Treasurer, Mr. Chastang, that since the last meeting the following had been sent to all Members:

1. Traffic & Revenue Report for August 1969.

2. Financial Statements as of August 31, 1969.
3. Detail of investment transactions for September 1969.
4. Draft of the minutes of the September 2, 1969 meeting.

The Assistant Secretary-Treasurer reported also that the 14th Annual Report of the J. E. Greiner Company had been mailed to the three principal underwriters in accordance with the requirements of the Trust Agreement.

The Assistant Secretary-Treasurer adverted to comments of the Chairman with respect to bond purchases and said that there was an unusual factor connected with the September purchases of \$4,230,000 in that in the two prior months the initial offerings had not equalled the amount of money that the Trustee had to expend so that it was a case of doing a bit of scrounging to expend the money in the Redemption Account that needed to be spent. He said that contrary to that experience, a surprising total of \$9,966,000 of bonds was offered in October.

The Chairman said 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, reported that the Committee met in September and arrived at an income estimate for 1970 of \$36,500,000 and an expense estimate of \$8,740,525 which was identical with the estimate advanced in the 14th Annual Report of the Consulting Engineers. He said the expense estimate was nearly 10 percent higher than it was for 1969. He said the expenses continued to go up primarily in the wage and salary and fringe-benefit classifications. He said some of the costs of maintenance remained fairly level but where salaries were involved in the maintenance costs the 10 percent increase was reflected. He said there were some costs for replacing equipment which had been in use since 1955. He said that without reviewing in detail the items considered, the budget appeared to be not extremely tight but was realistic.

In response to a question by the Chairman, Mr. Redman said the amount of \$10,000,000 was provided for the Reserve Maintenance Fund for 1970. The Executive Director, Russell S. Deetz, said the Reserve Maintenance Fund for 1970 would include engineering in connection with a third lane on the eastbound roadway on the Humm Road hill at about milepost 125 in the Berlin Heights area.

Mr. Redman reported also that operating expenses for the eight month period ending August 31, 1969 were \$239,676 under budget allocation for the period.

A resolution adopting preliminary budget for fiscal year 1970 was moved for adoption by Mr. Redman, seconded by Mr. Chastang, as follows:

RESOLUTION NO. 19-1969

"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 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 of income and current expenses for the fiscal year 1970 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
1970

Income	\$ 36,500,000
Current Expenses	
Administration & Insurance	1,492,628
Operations	7,104,397
Trust Indenture Expense	143,500
Total Current Expenses	\$ 8,740,525

"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."

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

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

Nays: None.

The Chairman declared the resolution adopted with all Members voting in the affirmative. The resolution was identified as No. 19-1969.

The Chairman said the report of the Committee on Budget and Finance was accepted as offered. He congratulated Mr. Redman on getting the budget ready. 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 the Committee convened several times in September and October to discuss the new restaurant contract. He said General Counsel and his staff raised certain questions which required clarification by the Committee before it could proceed further with the draft form. He said the Committee was scheduled to convene again on October 9 to discuss items which had not yet been resolved. He said the Committee hoped that a draft of a new restaurant contract could then be submitted to the Members of the Commission for consideration.

Mr. Teagarden reported also that a study made during August of traffic by the door and patrons through the door at the Middle Ridge and Vermilion Valley Service Plaza restaurants produced some interesting information. He said one out of approximately every $4\frac{1}{2}$ passenger cars, or 22 percent of the traffic past those plazas, entered the service plaza area for one reason or another. He said that, using the national average of $2\frac{1}{2}$ persons per car per trip, it was determined that approximately 37 percent who entered the service plaza did so to eat.

Mr. Teagarden said further that during a twenty-four hour period on August 17th 21,845 cars passed the Middle Ridge Service Plaza and 4,824 of those cars stopped at the plaza. He said that of 12,066 potential customers 4,522 visited the snack bar or cafeteria line during the twenty-four hour period. He said the concessionaire's revenue for that date indicated that each patron spent an average of 87¢ on food.

Mr. Redman asked if the restaurant contract would include something on the order of a provision for 19¢ hamburgers.

The Chairman said he doubted that a 19¢ hamburger which would maintain the standards turnpike travelers were requiring could be furnished. Mr. Redman said he thought the cheap type hamburger from such restaurants as McDonald's Hamburger System might not be up to turnpike standards but if that type hamburger was what the traveling public wanted he thought the turnpike restaurant operators should furnish it.

The Chairman said he agreed, that he had always felt a cheap hamburger should be available on the turnpike. Mr. Teagarden said he thought providing such a hamburger would increase the Commission's rental receipts.

Mr. Teagarden said he would like to see hot sandwiches instead of cold ones in snack bars. He said that the sandwiches one would find in the majority of snack bars were wrapped and one did not know how long since they had been prepared.

The Chairman said that in the absence of further questions the report of the Committee on Service Plazas would be accepted as offered. He ascertained there would be no report by the Committee on Employee Relations. He said the report of the Committee on Safety would be received.

The Executive Director reported for the Committee on Safety that in the seven months following the installation of an experimental flexible-tension type median barrier three property damage accidents involving vehicles entering the median strip and striking the barrier had been experienced.

The Executive Director said further that on August 3 the driver of a passenger car, upon applying his brakes to avoid striking the vehicle ahead, skidded off the left side of the roadway, spun around and skidded backward into the median and came to rest against the barrier. He said three posts of the barrier were bent. He said the damage to the vehicle was estimated at \$600.00.

The Executive Director said further that on September 1 the driver of a passenger car towing a small trailer at a speed of about 45 miles per hour was unable to hold his vehicle on the roadway when the left tire of the trailer blew out, and drove off the left side into the median where the vehicle struck and came to rest alongside the barrier. He said eleven posts of the barrier were bent out of alignment and damage to the combination was estimated at \$1,000.

The Executive Director said further that on September 21 a passenger car drifted off the roadway and struck a construction sign. He said the vehicle spun around and entered the median where it struck and came to rest in the barrier. He said four posts of the barrier were bent and damage to the vehicle was estimated at \$400.

The Executive Director said further that it was the opinion of the investigating personnel that the median barrier offered very little if any resistance to further lateral encroachment in the median by those vehicles and that the three incidents were not of the type that would have resulted in a crossing of the median. He said that would indicate that at that point a greater frequency of property damage accidents in the median was being experienced than before the barrier was installed. He said he thought the vehicles involved were damaged in a greater degree than if the barrier had not been there. He said he based the conclusion that the vehicles would not have continued across the median into the other roadway on the amount of damage they sustained, the angle at which the vehicles entered the median and the amount of damage to the barrier. He said many vehicles were trapped in the bottom of the median without any damage. He said it depended on the angle at which they entered the median. He said if they went in at a rather sharp angle they had a better opportunity of crossing but if they went in at a flat angle they were generally deflected and would remain in the median.

The Chairman said there was no question of taking out the median barrier but of whether to construct more such barriers. The Executive Director said more experience with the existing barrier was required to make a determination. Mr. Harnden said the fact remained there had not yet been a real test of the barrier - no real hard collision with it. He said it might be found to be very effective in such a circumstance.

The Chairman said the report of the Committee on Safety was accepted as offered. He said the report of the Executive Director would be received.

The Executive Director reported that the report of the Fourteenth Annual Inspection of Project No. 1, The Ohio Turnpike, required to be submitted under the terms of the Trust Agreement on or before the first day of October was submitted by the J. E. Greiner Company under date September 24, 1969. He said copies of the report had been furnished to Members of the Commission, staff members, appropriate supervisory personnel and to the Trustee and Co-Trustee.

The Executive Director said further that the inspection found that the project continued to be well-maintained within reasonable economic

limits, to provide comfort and safety to the traveling public and to be successful financially. He said the report indicated that the work schedule for 1970 should include a continuation of the pavement repair and resurfacing program, initiation of a program for modifications and resurfacing of service plaza driveways and parking areas, continuation of the widening of approach pavement to toll plazas which were experiencing traffic congestion, initiation of a program of roadway sign replacement to conform to Interstate Highway Standards, continuation of the landscaping program and initiation of engineering studies for third lane on long uphill grades. He said preparation of plans and specifications for some of the projects was already under way and similar action would be begun on the other projects in the immediate future.

The Executive Director reported also that The Plain Dealer of Cleveland, Ohio in an editorial urged erection of signs along the Ohio Turnpike to advise travelers from the west wishing to go to Cleveland Hopkins International Airport that they would do well to leave the turnpike at Exit 10 (the Strongsville-Cleveland Interchange). He said the newspaper was advised that steps to provide such a sign had already been taken by the Commission. He said that when the sign and another supplementing its message had been erected, photographs of the two signs were sent to The Plain Dealer which published them as part of a commendatory editorial entitled "Help For Turnpike Traveller" in its issue of September 27, 1969.

The Executive Director reported also that recently the City of Strongsville requested that the Commission remove the roadway lighting poles and other lighting equipment from the roadways on the real estate of old Interchange No. 10 which had been conveyed to the City by a Consent Decree between the City of Strongsville and the Department of Highways et al in the Court of Common Pleas, Franklin County, Case No. 221567 on or about March 30, 1966. He said that the Consent Decree having provided that the Commission would upon request remove the roadway lighting equipment, the Commission was glad to do so since the poles and other equipment could be utilized by the Commission in other locations. He said the return of that equipment represented a savings of approximately \$25,000 to the Commission on future replacements of lighting poles. He said the City of Strongsville had entered into a contract with The Cleveland Electric Illuminating Company for the reinstallation of lighting facilities which would be similar to those used throughout the major portion of the City but included wood poles and overhead wiring.

The Executive Director reported also that currently twelve construction contracts were in progress on the turnpike ranging from five

percent to 99 percent complete. He said final papers were being processed for two other contracts. He said work was started on six of the contracts since the September meeting of the Commission including the contracts for resurfacing approximately 48 miles of existing roadway shoulders, paving the decks of the bridges at Interchange No. 11 with an asphalt concrete surface course, erecting an addition to the metal storage buildings at the Elmore and Hiram maintenance yards and the repair and resurfacing of 7.3 miles of pavement in Mahoning County.

The Executive Director said further that the contract for the construction of an additional toll lane at Interchange No. 10 (Strongsville-Cleveland) where connection was made with Interstate Route 71 was about 99 percent complete. He said the contract for the construction of the toll plaza at the interchange between the turnpike and Interstate Routes 80 and 80-S in Mahoning County was about 62 percent complete. He said the contract for the installation of supplemental air-conditioning units at Erie Islands, Great Lakes, Middle Ridge and Towpath Service Plazas was nearly 90 percent complete.

The Executive Director said further that work was resumed during the second week of September on the three contracts for the repair and resurfacing of sections of the turnpike which were secured for the months of July and August. He said that, weather conditions permitting, all work on those contracts should be completed by the end of 1969.

The Executive Director reported also that at the September meeting of the Commission the Chairman directed that the considerations which would govern a decision as to whether the existing Niles-Youngstown Interchange No. 15 should be closed contemporaneously with the opening of the new Niles-Youngstown Interchange be presented to the Division Engineer, Federal Highway Administration for his information and any comments he might wish to make. He said a meeting for the presentation was held on September 8, 1969. He said those in attendance included the Chairman, Executive Director and Deputy Executive Director of the Commission, Messrs. J. W. Wilson and Allan V. Johnson of the Ohio Department of Highways and Messrs. W. E. Reed, R. D. Morgan and William Hall of the Federal Highway Administration.

The Executive Director said further that it was concluded at the meeting that the Department of Highways would prepare a letter addressed to the Federal Highway Administration asking for its opinion on the question. He said such letter was mailed to the attention of Mr. W. E. Reed, Division Engineer under date September 10, 1969.

He said that by letter under date September 30, 1969 Mr. Reed replied to Director Masheter as follows:

"Dear Mr. Masheter:

"The information provided in your letter of September 10, 1969 is appreciated.

"We have no authority concerning the disposition of Ohio Turnpike Interchange 15 so long as the safe and efficient use of the highway facility is not jeopardized."

(Signed by Mr. W. E. Reed)

The Chairman interjected the comment that the only thing Mr. Reed's letter did was disavow any interest of the Federal Highway Administration in the decision so long as the safe use of the highway facility was not jeopardized. The Chairman said he did not know anything he especially said except it was up to the Commission.

Mr. Chastang commented that Mr. Reed had not answered the real question: that was whether in his opinion operation of existing Interchange 15 contemporaneously with new Interchange 15 would interfere with the safety of the highway.

Mr. Masheter said he thought that question was explored at the meeting of September 8 when representatives of the FHWA thought the two interchanges were too close together to be safe. The Chairman said that subsequent to the meeting the Assistant Ohio Division Engineer of the FHWA, R. D. Morgan, complained about the way his expressions were recorded in the minutes of the meeting. He said the minutes were corrected and sent out to the conferees. The Chairman said that as a matter of fact there was not a lot of difference in what Mr. Morgan said and what he did not want to say. He said the Commission agreed that the FHWA had no authority in the matter of the interchange.

Mr. Masheter said he thought it was the unanimous opinion that the continuation of the two interchanges would not be in the interest of safety. The Chairman said he agreed. He said Mr. Morgan said he did not believe "that any similar instance of two interchanges so close together on a turnpike facility could be found anywhere else in the United States although there might well be interchanges so spaced in urban areas." He said he did not know whether the area of Interchange 15 was an urban area or not. He said that would take definition.

The Executive Director continued his report to say that also at the

September meeting of the Commission the Chairman asked for a written opinion from the Consulting Engineers. He said he was in receipt of such letter under date September 29, 1969 confirming their oral recommendation that the present interchange with State Route 18 be closed at the same time the new interchange with Interstate Highways 80 and 80-S was opened to traffic. He read the letter as follows:

"This letter will confirm our oral recommendations at the Ohio Turnpike Commission's meeting on September 2, 1969 that the existing Interchange 15 between the Turnpike and present State Route 18 be closed simultaneously with the opening of the interchange under construction between the Turnpike and Interstate Highways I-80 and I-80S.

"In the report presented by the Executive Director at that meeting many considerations were presented to warrant the closing. These include problems in administration, operating costs exceeding the benefits to the Commission, minimum service to the public and hazards to traffic.

"We concur in all these factors but wish to emphasize the hazards to traffic. Due to the close proximity of these interchanges and their connections to the Turnpike directional signs will overlap. This will cause confusion with those drivers unfamiliar with area. Necessary speed changes and traffic weaving will be hazardous.

"Therefore, we have recommended the present interchange with State Route 18 be closed at the same time the new interchange with Interstate Highways I-80 and I-80S is opened to traffic."

(signed by Mr. H. A. Harnden)

The Executive Director said further that on September 10, 1969 the Deputy Executive Director and he visited the Division 4 office of the Ohio Department of Highways at Ravenna to read the transcript of the hearing the Department of Highways held on the location for I-80 and I-80S in the vicinity of the crossing of the Ohio Turnpike. He said the transcript showed that no persons voiced any objection to the location of the interstate highway.

The Chairman asked the Executive Director if, at the time the Commission should have to take action, he would be prepared to do whatever was required in the event the existing Interchange 15 was closed or in the event it remained open for a while. The Executive Director said he would be prepared to go either way. He said no money would be spent on either program until the very last minute. He said he would need ap-

proximately one to two months to prepare. He said the changes in the programming of the Commission's computer which would be required would take more time than any other phase of the preparations.

The Chairman said that if the two interchanges were operating contemporaneously a fee would have to be charged for the distance between the interchanges and that no fee had been established. The Executive Director said the Consulting Engineers could present a recommendation for a fee to the Commission at its next meeting.

The Chairman asked Mr. Masheter whether the interstate highway construction in the area of the new interchange would be ready by December 1969. Mr. Masheter said that the thinking of the Deputy Director of Division 4 of the Department of Highways, C. M. Newhall, was that the construction would not be completed entirely at that time but would be useable. The Executive Director said that the contractor's superintendent on the job had informed him that all efforts were being made to have the construction completed during the month of December. The Chairman said that December appeared to be a deadline date so that the Commission would have to decide at its November meeting whether existing Exit 15 would be closed simultaneously with the opening of the new interchange. He said Mr. Masheter had expressed his opinion several times that the existing interchange should be closed. He said the Consulting Engineers had said it ought to be closed.

Mr. Chastang said he thought the Commission must follow the recommendations of the Department of Highways and the Commission's Consulting Engineers. He said he saw no alternative.

Mr. Teagarden said someone had suggested that the existing interchange be left open for a while to see what would happen. He said he thought it had better be closed at the time the new interchange was opened. He said if the closing were to be postponed, trouble would result.

Mr. Redman said it appeared to him the sooner the matter was decided the better.

The Chairman said the report of the Executive Director was accepted as offered. He ascertained that there would be no report by the Director of Highways. He said the report of the General Counsel would be received.

The General Counsel, Judge Lockwood Thompson, reported that he had been continuing to give his best efforts to the problem of clearing a way for issuance of a certificate of completion of Project No. 1, and

some distinct progress had been made. He said the Commission had received from The Cleveland Electric Illuminating Company releases of 23 of the 42 easements it held on Ohio Turnpike right-of-way parcels and that the releases had been filed in the office of the Cuyahoga County Recorder the day before. He said he thought agreement could be reached on most of the remaining 19 easements. The Chairman said that was pretty good negotiating. He said he had talked with the company's principal counsel, Harold G. Fitzgerald, Jr., about the matter and had gotten a letter from him. He said the Commission got good service from Mr. Fitzgerald. He said he regretted to say it was the first time the Commission had gotten good service from the company.

The General Counsel said further that the Toledo Edison Company had released its easements on all of the 46 right-of-way parcels in Lucas County as he had requested. He said all matters relating to easements of the company in six counties were therewith entirely cleared up. He said that Buckeye Pipeline Company was holding back on releases in three counties.

The Chairman said the report of the General Counsel was accepted as offered. He ascertained that there would be no reports by the Consulting Engineers or by 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. 20-1969

"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 September 2, 1969, 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 September 2, 1969 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. 20-1969.

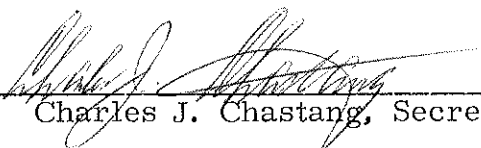
There being no further business to come before the Commission, a motion was made by Mr. Chastang, seconded by Mr. Redman, that the meeting adjourn subject to call of the Chairman. A vote by ayes and nays was taken and all Members responded to roll call. The vote was as follows:

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

Nays: None.

The Chairman declared the meeting adjourned. The time of adjournment was 12:35 P.M.

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



Charles J. Chastang, Secretary-Treasurer