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Board of Trustees Meeting Minutes 1959-02-13

Bowling Green State University

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The Board of Trustees met at 5:00 p.m., Friday, February 13, 1959, the following members being present: E. T. Rodgers, President; Carl H. Schwyn, Vice President; Alva W. Bachman, Secretary. Mr. J. C. Donnell II and Mr. John F. Ernsthausen were outside the United States, hence unable to attend the meeting.

The minutes of the meeting of August 28, 1958, were approved.

It was moved by Mr. Schwyn, seconded by Mr. Bachman, that the following letter of certification from Finkbeiner, Pettis, and Strout be recorded in the minutes of the Board:

President Ralph W. McDonald
Bowling Green State University
Bowling Green, Ohio

Re: Campus Sewer System
Bowling Green State University

Dear President McDonald:

The proposed campus sewer system has been designed on the basis of handling the storm water falling within the Eastern Drainage District during a storm of intensity occurring approximately once in eight to ten years. It is entirely ample to serve as an outlet for sanitary wastes from a campus population of 15,000 students.

Inasmuch as the proposed trunk line for the campus sewer system has an approximate minimum capacity of 90 million gallons per day at its southern terminus at Wooster Street between Baldwin Avenue and State Street, and increasing to 100 million gallons per day at its northern terminus at Poe Road, the permitted drainage of sanitary sewage in the maximum amount of 500,000 gallons per day from without the established drainage area, being negligible in amount, will in no way jeopardise the effectiveness of the sewer system.

Yours truly,

FINKBEINER, PETTIS & STROUT

Signed: Carleton S. Finkbeiner
Signed: Henry W. Hauenstein

The motion carried, the following members voting "aye": Bachman; Rodgers; Schwyn.

It was moved by Mr. Bachman, seconded by Mr. Schwyn, that the following resolution be adopted:

RESOLUTION

WHEREAS, Bowling Green State University has had appropriated to it the sum of $500,000.00 for a sewer line system for the campus of the University; and

WHEREAS, appropriate action has been taken by the proper officers causing the final phases of the preliminary procedures preparatory to construction of the sewer line system as aforesaid to be accomplished; and

WHEREAS, this Board of Trustees of Bowling Green State University, after due investigation and deliberation, considers it in the best interests of the State of Ohio and necessary for the proper maintenance and successful and continuous operation of Bowling Green State University to enter into an agreement with the City of Bowling Green, Ohio, for the considerations therein described, providing for the joint use by said City and said University of a part of the campus sewer line system as aforesaid;

NOW, THEREFORE, BE IT RESOLVED

That the Board of Trustees of Bowling Green State University enter into such an agreement with the City of Bowling Green, Ohio, and that the Chairman and Secretary of the Board of Trustees be, and they hereby are, authorized and directed to execute said agreement, as follows:

AGREEMENT

THIS AGREEMENT, made and entered into as of this 17th day of February, 1959, by and between Bowling Green State University, acting by and through its Board of Trustees (herein called the "University"), and the City of Bowling Green, Ohio, (herein called the "City"),

WITNESSETH THAT:

WHEREAS, the One Hundred and Second General Assembly of the State of Ohio duly enacted Amended House Bill No. 939 which appropriated the sum of $500,000.00 "For complete new main sewer line system for campus" of the University; and

WHEREAS, the Department of Public Works of the State of Ohio is empowered by Section 123.01 (c) of the Revised Code of Ohio to make contracts for and supervise construction of any projects and improvements under the control of the state government, or any institution thereof, and has herefore caused maps, plans and specifications of said main sewer system to be prepared by Finkbeiner, Pettis & Strout, Consulting Engineers, Toledo, Ohio, which said maps, plans and specifications signed by the University and the City are affixed hereto and made a part hereof and marked Exhibit "A"; and

WHEREAS, the Department of Public Works shall, after funds therefor have been released by the State Board of Control, furnish all the materials and perform all the work necessary to construct said main sewer system in accordance with said maps, plans and specifications; and

WHEREAS, upon construction of said main sewer system, the supervision and control thereof is vested in the University; and
WHEREAS, the sewage from said main sewer system of the University is to be treated by the sewage treatment plant of the City; and

WHEREAS, said main sewer system will be, in part, constructed over the lands of the City; and

WHEREAS, the Board of Trustees of Bowling Green State University is vested with the government of Bowling Green State University situated largely within the corporate limits of the City of Bowling Green, Ohio, and is required to do all things necessary for the proper maintenance and successful and continuous operation of the University, under and by virtue of Sections 3341.02 and 3341.04 of the Revised Code of Ohio; and

WHEREAS, the said Board of Trustees deem it in the interest of public health and safety and consider it necessary for the proper maintenance and successful and continuous operation of the University to permit the City for considerations hereinafter set forth to use jointly with the University a part of the main sewer system as hereinafter described serving the campus of the University to conduct sewage originating from lands other than the campus of the University; and

WHEREAS, the City is desirous of using said part of the main sewer system serving the campus of the University jointly with the University; and

WHEREAS, the City has been authorized to enter into this Agreement pursuant to Ordinance No. 1336 of the Council of the City of Bowling Green; and

WHEREAS, the University has been authorized to enter into this Agreement pursuant to a Resolution passed by its Board of Trustees on the 13th day of February, 1959;

NOW, THEREFORE, the parties hereto do mutually agree as follows:

1. The University shall, upon the construction of said main sewer system in accordance with maps, plans and specifications set forth as Exhibit "A" hereto, permit the City perpetually to use jointly with the University the last part of said main sewer system shown in red on Sheet 1 of Exhibit "A" and commencing at a point shown on said Sheet 1 near the intersection of Biddle Street and East Wooster Street, which point is in front of Rodgers Hall, which point is located at the north edge of said East Wooster Street, thence proceeding from said point across University property in a generally easterly direction parallel with Wooster Street to a point on University property shown on said maps and plans, thence proceeding northerly and parallel with University grounds, and across grounds of the City to Poe Ditch located along the southerly side of Poe Road.

2. As a partial consideration for the University permitting the City to use said part of said main sewer system jointly with the University, the City, after the contract for the construction of said main sewer system has been let and the contractor thereunder has commenced construction, shall furnish all the materials and perform all the work necessary to construct a regulator chamber and regulator mechanism therein to be located on said main sewer line near the southeasterly corner of the sewage treatment plant site, and the intercepting sewer from said regulator chamber to the sewage treatment plant at or near the inlet to the existing grit chamber, substantially in accordance with the maps, plans and specifications prepared by Finkbeiner Pettis & Strout, and attached hereto and marked Exhibit "B." Such construction shall be undertaken as nearly as possible contemporaneously with the construction of said main sewer described in paragraph 1.

3. The University shall, where not so accomplished during construction of the main sewer system, connect to said main sewer system at its expense existing City sewers which now connect with the existing City sewers crossing the campus of the University, and all other existing sewers and drain tile encountered during construction of said main sewer system, the use of which would be impaired if not so connected.

After the aforesaid connections have been made, the City as further partial consideration for its use of a part of the main sewer system of the University jointly with the University, shall grant to the University the right to cut off, remove, abandon, or use for other purposes the said City sewer lines located on University property and shown on the attached map in yellow, said map being marked Exhibit "C."

4. The University grants to the City the perpetual right to connect at the expense of the City, future City sewers to said main sewer system at the following locations:

a. at Wooster Street and approximately midway between Baldwin Avenue and State Street;

b. at Ridge Street and approximately the southeast corner of Outlot 83;

c. at any one or more locations on said main sewer between a point 350 feet north of the north property line of Ridge Street and the regulator chamber described in paragraph 2 hereof, provided, however, that no connection shall be made under this subparagraph conducting sewage originating from any lands east of said main sewer between the points aforesaid.

5. (a) The City shall have the right to conduct storm and sanitary sewage (including industrial and commercial wastes) into sewers draining directly or indirectly into said main sewer system from lands lying within the present boundaries of the eastern main sewer drainage district which are described as follows:

Beginning at a point in the present south corporation limits of the City of Bowling Green, which point is 310 feet east of the centerline of Main Street; thence in a general northerly direction along a line parallel to and 310 feet east of Main Street to the centerline of Napoleon Road; thence in a general easterly direction along the centerline of Napoleon
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Road to the centerline of Summit Street; thence in a general northerly direction along the centerline of Summit Street to the centerline of Lehman Avenue; thence in a general easterly direction along the centerline of Lehman Avenue to the centerline of Enterprise Street; thence in a general northerly direction along the centerline of Enterprise Street to a point at the intersection of the centerline of Enterprise Street and the extension of the centerline of the alley between Gould Street and Lincoln Street; thence in a general easterly direction along the extension of the centerline of the alley between Gould Street and Lincoln Street and along the centerline of the alley between Gould Street and Lincoln Street to the centerline of the New York Central Railroad right-of-way; thence in a general northerly direction along the centerline of the New York Central Railroad right-of-way to the centerline of Wooster Street; thence in a general easterly direction along the centerline of Wooster Street to the centerline of Thurston Street; thence in a general northerly direction along the centerline of Thurston Street to the centerline of Ridge Street; thence in a general northerly direction along the centerline of Ridge Street to the centerline of the alley between North College Drive and Park Avenue; thence in a general northerly direction along the extension of the centerline of the alley between North College Drive and Park Avenue and along the centerline of the alley between North College Drive and Park Avenue to the centerline of Reed Avenue; thence in a general easterly direction along the centerline of Reed Avenue to a point 350 feet east of the centerline of Park Avenue; thence in a general northerly direction along a line parallel to the centerline of Park Avenue to the centerline of Poe Road; thence in a general easterly direction along the centerline of Poe Road to the present eastern corporation limits of the City of Bowling Green; thence following the present eastern and southern corporation limits of the City to the point of beginning.

(b) The City shall also have the right to conduct sanitary sewage (including industrial and commercial wastes) into sewers draining directly or indirectly into said main sewer system from all or any portion of the land lying outside the present boundaries of the eastern main sewer drainage district, provided that at the time sanitary sewage facilities are so made available, the lands served thereby are located within the corporate limits of the City and, provided further, that the maximum volume of sewage (including all industrial and commercial wastes) to be conducted from such lands, shall be 500,000 gallons per day; and provided further, that the total pumping capacity of any pump or pumps in operation at any time shall not exceed 347 gallons per minute. The boundaries of such lands are as follows:

All those lands lying outside the present corporation limits and within the area formed by the intersection of the centerline of Yount Road (also known as Mercer Road) extended and the present most southerly corporation line extended.

6. As further partial consideration for the joint use of a part of said main sewer system, the City shall grant to the State of Ohio a one hundred foot construction easement across certain property of said City through which said main sewer shall be constructed, and a thirty foot perpetual easement for such maintenance as herein described:

Beginning at a point which is 20 feet west of the east property line of Outlot 83 and 340 feet north of the north line of Ridge Street; thence continuing in a general northerly direction parallel to and 20 feet west of the east property line of Outlot 83 and 340 feet north of the property line of Outlot 83 extended, to the south line of Poe Road. The permanent easement for the sewer shall extend 20 feet east of and 10 feet west of the above described line. The temporary easement for the construction of the sewer shall extend 20 feet east of and 80 feet west of the above described line.

7. As further partial consideration for the joint use of a part of the said main sewer system, the City agrees to maintain said main sewer, together with all connecting catch basins used jointly by the City and the University, in good repair, and in good, clean condition, and to repair or replace any portion thereof which may be injured or destroyed, or which may become defective, and to keep said catch basins free from obstructions, or from accumulations of filth, scum or other dirt. The cost of such repairs shall be paid by the City and the University jointly.

8. As further partial consideration for the joint use of a part of the said main sewer system, the City hereby agrees to exempt, for so long as sewage of the City is conducted through said main sewer, but for a maximum period of fifty (50) years from the date of this Agreement, from the levy of special assessments for trunk, main and intercepting sewers, all lots and lands owned by the University or the Bowling Green University Housing Commission at the time such assessments for trunk, main and intercepting sewers are levied and located within the eastern drainage district of the City as described and located within the following described area of the central drainage district, to-wit:

Commencing at the corner of Ridge and Thurston Streets; thence north on Thurston Street to Fraser Avenue; thence east on Fraser Avenue to North College Drive; thence north on North College Drive to Poe Road; thence east on Poe Road to the westerly boundary of the eastern drainage district herein before described; thence along the westerly boundary of the eastern drainage district in a generally southerly and westerly direction to the place of beginning.
The exemption of the above described lands in the central drainage district from special assessments shall be limited to fifty thousand ($50,000.00) dollars. This exemption from special assessments shall not preclude the City from making a sewer rental charge against the University or Bowling Green University Housing Commission for the treatment of sewage from the University or Bowling Green University Housing Commission in the City's sewage treatment plant.

9. The University shall, as further partial consideration for the aforesaid covenants of the City, grant to the City a one hundred foot construction easement over the most easterly portion of lands now owned by the State of Ohio for the use of the University between Wooster Street and Ridge Street and bounded on the east by Yount Road (also known as Mercer Road) and a thirty foot perpetual easement for the maintenance, repair or replacement of a sewer or sewers to be located within said one hundred foot easement at such place as the City shall determine; and the University further agrees that when and if the University acquires lands between Ridge Street and Poe Road bounded on the east by Yount Road (also known as Mercer Road), it will grant to the City an easement of the same type and extent over the most easterly portion of such lands.

10. If all or any of the rights granted to either party herein shall be taken away from it or be held to be invalid, the other party shall have the option and right to terminate this Agreement and any and all rights granted hereby.

11. This Agreement shall remain in full force and effect until terminated by mutual consent of the parties hereto, or as provided in paragraph 10 above.

12. This Agreement is made subject to, and conditional upon the approval of this Agreement by the Attorney General of the State of Ohio.

IN WITNESS WHEREOF, the parties have hereunto set their hands and seals this 17th day of February, 1959.

BOWLING GREEN STATE UNIVERSITY

In the presence of:

Paul W. Jones
Elma B. Dienst
John E. Pendleton
Charles E. Bartlett

By E. T. Rodgers
By Alva W. Bachman, Sec.
By Clarence W. Dick
By Charles Yawberg

CITY OF BOWLING GREEN, OHIO

By LeRoy Monroe
By E. R. Haines
By Hayden S. Crabtree

The motion carried, the following members voting "aye": Bachman; Rodgers; Schwyn.

It was moved by Mr. Schwyn, seconded by Mr. Bachman, that, upon approval of said agreement by the Attorney General of Ohio, the President of the University be authorized and directed to take all steps necessary to execute, fulfill, and carry out for the University the provisions of the agreement, including the execution of a construction easement to the City of Bowling Green as provided in Section 9 of said agreement. The motion carried, the following members voting "aye": Bachman; Rodgers; Schwyn.

It was moved by Mr. Bachman, seconded by Mr. Schwyn, that the following resolution be adopted:

RESOLUTION

WHEREAS, the City of Bowling Green, Ohio, has requested of this Board of Trustees that it grant an easement to said City across certain lands of the University for water line purposes; and

WHEREAS, said water line will be used in part for fire protection and other purposes of the University; and

WHEREAS, this Board of Trustees of Bowling Green State University, after due investigation and deliberation, considers it in the best interests of the State of Ohio and necessary for the proper maintenance and successful and continuous operation of Bowling Green State University to grant an easement for water line purposes over the lands of said University to the City as aforesaid;

NOW, THEREFORE, BE IT RESOLVED:

That this Board of Trustees grant to the City of Bowling Green, Ohio, an easement for water line purposes over lands of the University as follows:

Situated in the City of Bowling Green, Wood County, Ohio, being a strip of land 40 feet wide, the northerly edge of which is the center line of Ridge Street; said strip commences at the west edge of the right of way of Mercer Road (also known as Yount Road) and extends west to the center line of Thurston Avenue.

That the President of the University be, and he hereby is, authorized and directed to execute an easement conforming to this resolution, and to do any and all things necessary or incident thereto.

The motion carried, the following members voting "aye": Bachman; Rodgers; Schwyn.

President McDonald reported that, through careful management and strict economy, he believes that it will be possible for the University to maintain a quality educational program in 1959-60 on the basis of present fees and the requested amount of State aid. He stated, however, that if it should be impossible for the Legislature to provide a biennial appropriation close to the amount requested, the Board of Trustees would have no alternative but to increase student fees still further.
It was moved by Mr. Bachman, seconded by Mr. Schwyn, that the board-and-room rate be $350 a semester for 1959-60. The motion carried, the following members voting "aye": Bachman; Rodgers; Schwyn.

Attest:

[Signature]

President

[Signature]

Secretary

Bowling Green, Ohio
May 9, 1959

The Board of Trustees met at 2:30 p.m., Saturday, May 9, 1959, the following members being present:

E. T. Rodgers, President; Carl H. Schwyn, Vice President; Alva W. Bachman, Secretary; John F. Ernsthagen. Mr. J. C. Donnell II was on a business trip outside the State, hence unable to attend the meeting.

The minutes of the meeting of February 13, 1959, were approved.

It was moved by Mr. Ernsthagen, seconded by Mr. Bachman, and voted by Messrs. Schwyn, Bachman, Ernsthagen, and Rodgers that the following resolutions be adopted:

RESOLVED, that the President and Treasurer of the University, acting in the name and on behalf of Bowling Green State University and its Board of Trustees, be and they are hereby authorized to execute a Loan Agreement with the appropriate officials of the United States Government, under which Loan Agreement the University will agree to sell and the United States Government will agree to purchase $2,500,000 aggregate principal amount of dormitory revenue bonds to be issued by the University for the construction of dormitories for men students; that the President and Treasurer of the University be authorized and directed to do any and all things necessary or proper to carry out the provisions of the Loan Agreement so executed.

RESOLVED, that the Treasurer of the University be authorized to establish such bank accounts and make such withdrawals therefrom and give such instructions regarding such accounts as may be deemed by the President and Treasurer of the University to be appropriate and advisable under the provisions of the Loan Agreement authorized at this meeting; and that the Board of Trustees hereby approves and adopts such forms of resolutions as may be required by any such bank.

It was moved by Mr. Ernsthagen, seconded by Mr. Bachman, and voted by Messrs. Schwyn, Bachman, Ernsthagen, and Rodgers that the following resolution be adopted:

RESOLVED, that the President of the University be and he is hereby authorized and directed to act for and on behalf of Bowling Green State University and the Board of Trustees in all matters incident to financing, constructing, equipping, and furnishing additional residential and dining facilities for men students in the area east of Fraternity Row and north of Wooster Street.

It was moved by Mr. Bachman, seconded by Mr. Schwyn, that the President of the University be authorized gradually to concentrate University scholarships and grants-in-aid more heavily at the freshman level up to a maximum of one-half of the total number previously authorized. The motion carried, the following members voting "aye": Bachman; Ernsthagen; Rodgers; Schwyn.

It was moved by Mr. Bachman, seconded by Mr. Schwyn, that the following adjustments in special fees and charges be adopted, effective beginning on the dates indicated:

Beginning September, 1959:

Applied music courses: $40.00 per semester hour for students majoring or minoring in music or participating fully in the University Orchestra, University Band, A Cappella Choir, or University Chorale; $60.00 per semester hour for other students.

House Residence for home economics students: $25.00 plus the cost of food and other supplies.

Remedial and tutorial instruction for making up academic deficiencies: $25.00 per course.

Fees for part-time on-campus enrollment (for less than nine semester hours of credit in any regular semester, for less than three hours of credit in a summer session, or for workshops and short courses): $20.00 a semester hour plus a Nonresident Fee of $10.00 per semester hour for out-of-state students.

Beginning June, 1959 (Summer School charges):

Board and room (double occupancy): $110.00 per term, or $25.00 per week if less than full term
Board and room (single occupancy): $145.00 per term, or $30.00 per week if less than full term
Room only (double occupancy): $60.00 per term, or $12.50 per week for less than full term
Room only (single occupancy): $85.00 per term, or $18.00 per week for less than full term
Board only: $45.00 per term
Summer Parking Permit: $3.00 (not required if the student has paid the regular academic-year Automobile Registration Fee of $10.00).

The motion carried, the following members voting "aye": Bachman; Ernsthagen; Rodgers; Schwyn.