

Whereas, it is necessary that a contract be entered into at the earliest possible date, in order that the public health and safety be preserved, now therefore,

Be it ordained by the council of the city of Columbus:

Section 1. That the board of purchase be and is hereby authorized and directed to award a contract for the said coal, according to law.

Sec. 2. That the money necessary to purchase the said coal for the last six months of the year 1940 be and the same is hereby appropriated from fund No. 41, B-2, division of workhouse, department of public safety, in the amount of \$650.

Sec. 3. That for the reasons stated in the preamble hereto, which is hereby made a part hereof, this ordinance is hereby declared to be an emergency measure and shall take effect and be in force from and after its passage and approval by the mayor.

Passed September 16, 1940.

ROGER N. ADDISON,
President of Council.

Approved September 16, 1940.

FLOYD F. GREEN, Mayor.

Attest: HELEN T. HOWARD, City Clerk.

AN ORDINANCE NO. 384-40—To authorize payment of the claim of Helen Heim and Imelda Heim, 1277 Bryden road.

Whereas, on or about June, 1940, at about 12:40 p. m., the clothing of Helen Heim and Imelda Heim was damaged when a city sprinkler turned the corner at Bryden road and Wilson avenue throwing water on the above mentioned claimants; and

Whereas, said claimants caught cold by reason of being wet by said sprinkler; and

Whereas, said Helen Heim and Imelda Heim were damaged and suffered colds, all to their damage in the sum of \$5; now, therefore,

Be it ordained by the council of the city of Columbus:

Section 1. That the claim of Helen Heim and Imelda Heim in the sum of \$5 for damage to clothing and colds suffered on or about June, 1940, as hereinabove set forth, be and the same is hereby recognized as a moral claim against the city of Columbus.

Sec. 2. That for the purpose of paying said claim, there be and hereby is appropriated from department No. 91, 010 D-9, damage fund, the sum of \$5.

Sec. 3. That the city auditor be and he is hereby authorized and directed to draw his warrant upon the city treasurer in the sum of \$5 in payment of said claim, upon receipt of voucher approved by the director of public service and a release properly executed by said Helen Heim and Imelda Heim of all damages arising out of said sprinkling of water.

Sec. 4. That this ordinance shall take effect and be in force from and after the earliest period allowed by law.

Passed September 16, 1940.

ROGER N. ADDISON,
President of Council.

Approved September 16, 1940.

FLOYD F. GREEN, Mayor.

Attest: HELEN T. HOWARD, City Clerk.

AN ORDINANCE NO. 385-40—To amend ordinance No. 226-40, passed June 10, 1940.

Whereas, council by ordinance No. 226-40 authorized Alton Ramsey, as owner of certain property, to construct and maintain an electrical conduit under the alley north of Spring street at a point approximately 124 feet east of Fletcher street—Lecrone way, and

Whereas, it has now been determined that Lecrone Motor Transport Line, Inc., is the owner of said property instead of Alton Ramsey; now, therefore,

Be it ordained by the council of the city of Columbus:

Section 1. That ordinance No. 226-40, passed June 10, 1940, be amended by substituting the name of Lecrone Motor Transport Line, Inc. in each instance where the name Alton Ramsey appears.

Sec. 2. That this ordinance shall take effect and be in force from and after the earliest period allowed by law.

Passed September 16, 1940.

ROGER N. ADDISON,
President of Council.

Approved September 16, 1940.

FLOYD F. GREEN, Mayor.

Attest: HELEN T. HOWARD, City Clerk.

AN ORDINANCE NO. 386-40—To authorize payment direct to the Fritz-Rumer-Cooke company of the city's portion of the cost of repairing the Taylor avenue viaduct, and appropriating funds necessary therefor.

Whereas, the Fritz-Rumer-Cooke company is making repairs to the Taylor avenue viaduct on a force account contract with the Pennsylvania railroad company, and

Whereas, the city is obligated by statute and contract to pay a portion of the cost thereof, and

Whereas, the usual manner of settling these accounts is for the railroad company to bill the city for said city's portion, adding thereto a 15% overhead charge, and

Whereas, if payment is made direct to the Fritz-Rumer-Cooke company, the 15% overhead charge can be saved by the city; now, therefore,

Be it ordained by the council of the city of Columbus:

Section 1. That upon receipt of invoices from the Fritz-Rumer-Cooke company covering the city's portion of the cost of repairs to the Taylor avenue viaduct, the director of public service be and he is hereby authorized and directed to cause vouchers to be prepared in favor of said the Fritz-Rumer-Cooke company in the amount of said invoices, the costs involved to be determined as follows:

the cost of labor and materials, plus 10%; \$3 per hour for cement gun equipment rental, complete; \$0.76½ per hour for truck rental; and the actual cost of state workmen's compensation, public liability insurance and social security tax.

Sec. 2. That upon receipt of such vouchers properly executed by the director of public service, the city auditor be and he is hereby authorized and directed to draw his warrant upon the city treasurer in the amount of such vouchers in favor of the Fritz-Rumer-Cooke company.

Sec. 3. That the sum of \$600, or so much thereof as may be needed, be and it is hereby appropriated from the maintenance and repair No. 65 — viaduct repair fund to pay the cost thereof.

Sec. 4. That this ordinance shall take effect and be in force from and after the earliest period allowed by law.

Passed September 16, 1940.

ROGER N. ADDISON,
President of Council.

Approved September 16, 1940.

FLOYD F. GREEN, Mayor.

Attest: HELEN T. HOWARD, City Clerk.

AN ORDINANCE NO. 387-40 — To change the name of Diana road.

Whereas, due to the meandering course of Diana road, the house numbers necessary to be issued on said road do not run in consecutive order; now, therefore,

Be it ordained by the council of the city of Columbus:

Section 1. That the name of Diana road, from the intersection of Clinton Heights avenue to Indianola avenue, be and the same is hereby changed to Clinton Heights avenue.

Sec. 2. That this ordinance shall take effect and be in force from and after the earliest period allowed by law.

Passed September 16, 1940.

ROGER N. ADDISON,
President of Council.

Approved September 16, 1940.

FLOYD F. GREEN, Mayor.

Attest: HELEN T. HOWARD, City Clerk.

AN ORDINANCE NO. 388-40—To grant permission to Wallace F. Ackley to cause the improvement of the alley west of Cassingham road from College avenue to a point west of Berwick boulevard.

Whereas, Wallace F. Ackley has requested permission to improve the alley west of Cassingham road from College avenue to a point west of Berwick boulevard, at his own cost and expense; now, therefore,

Be it ordained by the council of the city of Columbus:

Section 1. That permission be and it is hereby granted to Wallace F. Ackley to cause the improvement of the alley west of Cassingham road from College avenue to a point west of Berwick boulevard, by grading, draining and paving the same in accordance with the plans and specifications marked drawer A-1071, on file in the office of the director of public service, which are hereby approved, subject to the following terms and conditions:

Said Wallace F. Ackley shall pay the entire cost of such improvement, shall save the city free and harmless from any and all claims for damages and shall defend any and all suits which may be brought against the city of Columbus because of such improvement, and shall deposit with the city treasurer to the credit of the M. & R. 65—alley west of Cassingham road, College avenue to a point west of Berwick boulevard fund, the sum of \$30 to cover the cost of inspection.

Sec. 2. That the grade of said alley shall be established as of record on plan marked drawer A-1071, on file in the office of the chief engineer.

Sec. 3. That this ordinance shall take effect and be in force from and after the earliest period allowed by law, provided, however, that said Wallace F. Ackley shall agree to the terms and conditions of this ordinance within thirty days from the date of passage thereof, otherwise said ordinance shall be without force and effect.

Passed September 16, 1940.

ROGER N. ADDISON,
President of Council.

Approved September 16, 1940.

FLOYD F. GREEN, Mayor.

Attest: HELEN T. HOWARD, City Clerk.

AN ORDINANCE NO. 389-40—To authorize the conveyance of a deed of easement to the State of Ohio over and through certain city owned property.

Whereas, the department of highways, State of Ohio, is improving state highway No. 910, section A, as a W.P.A. project, and

Whereas, in connection therewith council by ordinance No. 275-40, passed July 15, 1940, authorized the conveyance of certain city owned property necessary in connection with such improvement, and

Whereas, an emergency exists in that the conveyance of an additional 15 foot strip of land for said purpose is immediately necessary in order to protect the public health, property and safety; now, therefore,

Be it ordained by the council of the city of Columbus:

Section 1. That the director of public service and the mayor of the city of Columbus, Ohio be and they are hereby authorized and directed to execute a deed of easement to the State of Ohio, department of highways, in, upon and over certain city owned property for a strip of land 15 feet in width extending from the intersection of Avondale avenue and state highway No. 910, section A, to a point 800 feet east thereof, parallel and adjacent to the land authorized to be conveyed to the State of Ohio by ordinance No. 275-40, passed July 15, 1940, for the purpose of constructing thereon a storm sewer in connection with the improvement of state highway No. 910, section A, as a W.P.A. project.

Sec. 3. That for the reasons stated in the preamble hereto, which is hereby made a part hereof, this ordinance is hereby declared to be an emergency measure and shall take effect and be in force from and after its passage and approval by the mayor.