

apartment house district to a type D business district. (5-20; 27)

### COUNCIL PROCEEDINGS

Regular Meeting, Monday, May 22, 1950. (No. 26) 7:00 P.M.

Council met in regular session with the following members present: Messrs. Fillinger, Jones, Kearns, Oestreicher, Snider, Whitacre and President Koontz — 7.

The Columbus Chamber of Commerce submitted communication relative to water supply problems. Service.

Director Elmer A. Keller, submitted communication relative to the issuance of bonds in the amount of \$1,000,000 in connection with waterworks improvements. Finance.

Also, report with estimates of cost in connection with the Big Walnut project water supply. Finance.

Also, communication relative to an agreement to relocate the present water main in Edgemoor road. Service.

Also, Communication outlining specifications for the purchase and installation of new parking meters. Safety.

The divisions of police and fire submitted monthly reports for April, 1950. Placed on file.

Robert N. Tucker, superintendent, division of electricity, submitted report on municipal light plant equipment. Service.

Richard W. Gordon, city attorney, submitted copy of memorandum by the Court in connection with the case of the Columbus Transit company. Placed on file.

Franklin county board of elections submitted results of election on proposition submitted to authorize the board of purchase to advertise for bids of the sale of city-owned property be approved or rejected. Placed on file.

P. W. Maetzel, chief engineer, submitted estimate assessment report of the cost and expense of improving Medina street, from Weber road to Oakland Park avenue. Placed on file.

The department of city treasurer submitted annual report for the year 1949. Placed on file.

Franklin County Welfare Department submitted statements of encumbrance and disbursements in connection with the issuance of relief service during the month of April, 1950. Placed on file.

Mrs. John Castle, 519 Clarendon avenue, and 11 others, submitted petition requesting the installation of a street light in the alley between Union avenue and Springmont avenue. Service.

William J. Monette, et al., submitted petition requesting the vacation of the alley west of Gilbert street, from the alley north of Thurman avenue to the second alley north of Thurman avenue. Service.

Ben Franklin Hospital, et al., submitted communication and petition requesting the installation of a traffic signal at Livingston avenue and Alum Creek drive. Safety.

Mr. and Mrs. P. H. Richardson, 483 Piedmont road, and others, submitted

petition requesting the installation of a traffic light at Indianola avenue and Piedmont road. Safety.

Ray. W. Ulrey, 2676 Deming avenue, and others, submitted petition requesting the installation of a traffic light at Fourth street and 19th avenue. Safety.

Mrs. C. L. McLane, 19 N. Wheatland avenue, submitted claim for personal injuries sustained by her son. Judiciary.

Philip A. Knall, Jr., 2909 Dresden street, submitted claim for damages to automobile. Judiciary.

Progressive Stores, Inc., 31 W. Chestnut street, submitted claim for damages to one of their delivery trucks. Judiciary.

Eugene A. C. Hay, 2505 Wickliffe road, submitted claim for damages to automobile. Judiciary.

Edgar A. Thompson, 1097 Cole street, submitted claim for damages to automobile. Judiciary.

Mrs. John Castle, 519 Clarendon avenue, submitted communication relative to weeds on certain vacant lots. Service.

Roy King, clerk of courts, submitted communication relative to the installation of street lights on Fairwood avenue from Forest to Whittier. Service.

Robert T. Scott, 1431 S. Ohio avenue, submitted communication objecting to the re-zoning of property for the purpose of building a Y.M.C.A. building. Service.

Rand P. Hollenback, president, Clintonville Community council, submitted communication relative to the construction of sidewalks on Indianola avenue, vicinity Torrence road. Service.

The following motion was adopted: That it is our intent and that we request the city attorney to prepare legislation for the issuance of bonds as outlined in the letter this date of Director Keller for Big Walnut project, and that the water department make a study to increase the water rates to take care of the matter, as outlined in the letter of said director.

### IMPROVEMENT PETITION

Louise E. Wondes, et al., submitted petition for the improvement of the alley west of Seymour avenue from the alley south of Livingston avenue to Forest street, and the alley north of Forest street from Geers avenue to Seymour avenue. Service.

### ORDINANCES REFERRED

By Dr. Fillinger, No. 414-50, to amend section 1 of Ordinance No. 351-44, passed November 6, 1944, and to repeal said original section 1. Safety.

By Mr. Jones, No. 424-50, to fix the number and salaries of the officers and employees in the division of electricity, department of public service and to repeal Ordinance No. 508-47, passed September 29, 1947. Finance.

By Mr. Kearns, No. 433-50, determining to proceed with the improvement of Bucher street from Innis avenue to Reeb avenue, in the city of Columbus, Ohio. Service.

By Mr. Kearns, No. 434-50, deter-

mining to proceed with the improvement of Joyce avenue, from Denué avenue to Agler road, in the city of Columbus, Ohio. Service.

### ORDINANCE LOST

By Mr. Kearns, No. 346-50, to change the zoning map attached to Ordinance No. 38852, passed February 27, 1928, and as subsequently amended as herein provided. (316 S. Roys avenue.)

### RESOLUTION REFERRED

By Mr. Kearns, to issue special permit to The Columbiana Company, 11 E. Gay street, to use the storeroom in basement of building located at 1580½ N. 4th street for business purposes. Safety.

## ORDINANCES

AN ORDINANCE NO. 385-50—To vacate Fieser street (alley west of Fifth street), from Main street to Noble street (alley north of Mound street).

Whereas, a petition, signed by the owners of all lots and lands abutting Fieser street, from Main street to Noble street, was duly presented to this council, praying for and consenting to the vacation of said street, between the limits named, and

Whereas, council, upon hearing, is satisfied that there is good cause for such vacation as prayed for in said petition, that it will not be detrimental to the general interests and ought to be made; now, therefore,

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

Section 1. That Fieser street (alley west of Fifth street), from Main street to Noble street (alley north of Mound street), be and the same is hereby vacated.

Sec. 2. That the city of Columbus reserves the right to operate and maintain any and all sewers, water lines and any other public utilities owned by said city and that the right is reserved to operate and maintain any other public utilities, if any, now existing on or in said alley hereby vacated, and shall have the right to enter thereon at any time for the purpose of operating, replacing and maintaining the same.

Sec. 3. That the petitioners herein shall deposit with the city treasurer, through the office of the chief engineer, a sum of money, based upon the estimate of the chief engineer, sufficient to cover the cost of removing the paved intersection of Fieser street with the south side of Main street, and constructing straight curb and sidewalk across the intersection of said alley hereby vacated.

Sec. 4. That this ordinance shall take effect and be in force from and after the earliest period allowed by law, upon the filing with the clerk of this council, by the petitioners herein, their acceptance, in writing, of each and all of the terms and provisions of this ordinance, depositing with the city treasurer the stipulated amount of money and the payment of the cost of publication hereof.

Passed May 22, 1950.

HENRY A. KOONTZ,

President of Council.

Approved, May 23, 1950.

JAMES A. RHODES, Mayor.

Attest:

AGNES BROWN CAIN, City Clerk.

AN ORDINANCE NO. 406-50—To vacate a portion of the second alley west of Cleveland avenue, from Grove street to a point 62 feet south of Grove street.

Whereas, a petition, signed by the owner of all lots and lands abutting the second alley west of Cleveland avenue, from Grove street to a point 62 feet south of Grove street, was duly presented to this council, praying and

consenting that said alley, between the limits named, be vacated, and

Whereas, council, upon hearing, is satisfied that there is good cause for such vacation as prayed for in said petition, that it will not be detrimental to the general interests and ought to be made; now, therefore,

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

Section 1. That the second alley west of Cleveland avenue, from Grove street to a point 62 feet south of Grove street, be and the same is hereby vacated.

Sec. 2. That the city of Columbus reserves the right to operate and maintain any and all sewers, water lines and any other public utilities owned by said city, and that the right is reserved to the owners thereof to operate and maintain any and all other public utilities, if any, now existing on or in said alley hereby vacated, and shall have the right to enter thereon at any time for the purpose of operating, replacing, and maintaining said public utilities.

Sec. 3. That the owner of the abutting property shall secure and pay for a driveway permit for the use of the existing paved intersection of Grove street and the second alley west of Cleveland avenue, as a depressed driveway, and said owner, its successors and assigns, shall keep and maintain in good condition said paved intersection without cost to the city of Columbus, and upon notice from said city, shall, at its own cost and expense, remove said paved intersection and reconstruct said driveway in accordance with the city specifications therefor; provided further that the owner of the abutting property, its successors and assigns, shall save the city of Columbus free and harmless from any and all damages or claims for damages which may arise or grow out of the existence, use or maintenance of said depressed driveway.

Sec. 4. That the owner of the abutting property shall convey, by warranty deed, to the city of Columbus, a strip of land 18 feet in width, off the south side of lot 126, Robert Neil's executor's, et al. addition to Neilston Park Place addition, and that said 18 foot strip of land so conveyed is hereby accepted and dedicated to public use for alley purposes.

Sec. 5. That this ordinance shall take effect and be in force from and after the earliest period allowed by law, upon the filing with the clerk of this council, by the owner of the abutting property, its acceptance, in writing of each and all of the terms, conditions and provisions of this ordinance, and depositing with the city treasurer a sum of money, based upon the estimate of the chief engineer, sufficient to cover the cost of paving the intersection of Grant avenue and the alley herein dedicated, and the cost of grading and surfacing said alley with gravel.

Passed May 22, 1950.

HENRY A. KOONTZ,

President of Council.

Approved, May 23, 1950.

JAMES A. RHODES, Mayor.

Attest:

AGNES BROWN CAIN, City Clerk.

AN ORDINANCE NO. 412-50—To authorize the director of public service to enter into an agreement with an architect to design, prepare plans, specifications and supervise the construction of a public health and safety center building, to appropriate funds to pay the cost thereof, and to repeal Ordinance No. 244-48, passed March 29, 1948.

Whereas, pursuant to ordinance No. 244-48, passed March 29, 1948, the director of public service was authorized to enter into an agreement with an architect or architectural firm to prepare plans, specifications and supervise construction for building a health and safety center building; and

Whereas, no agreement has yet been entered into; and

Whereas, on November 6, 1945, the electors of the city of Columbus voted in favor of issuing bonds in the sum of \$500,000 for the purpose of construct-

ing a health and safety center building together with appurtenant structures necessary in connection therewith; and

Whereas, pursuant to ordinances Numbers 32-48, passed January 19, 1948, and 54-49, passed January 31, 1949, the entire issue of said bonds in the sum of \$500,000 was authorized to be sold and the proceeds were deposited in Health and Safety Center Building Funds, Nos. 1 and 3; and

Whereas, on April 3, 1950, the council adopted a resolution declaring its intention to construct a public health center and to appropriate \$640,000 as its share of the cost and expense thereof, provided that one-third of the entire cost and expense be paid by means of federal funds under and pursuant to Public Law 725 of the 79th Congress as amended and Sections 1236-8 et seq. of the Ohio General Code; and

Whereas, on April 17, 1950, council passed ordinance No. 323-50, and amended Section 1 thereof on May 1, 1950 by the passage of ordinance No. 376-50, by the terms and provisions of which a building commission of 9 members was created for the purpose, among other things, of recommending to the city council the names of architects, or architectural firms for the architectural work necessary to be done in the planning, construction and equipping of a public health and safety center building; and

Whereas, pursuant thereto, the commission has recommended the names of Dan A. Carmichael and Sims, Cornelius and Schooley, associate architects, as architects for said work; and

Whereas, an emergency exists in the usual daily operation of the departments of public health and safety in that it is immediately necessary to proceed with the construction of a public health and safety center building for the preservation of the public health, peace and safety; now, therefore,

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

Section 1. That the director of public service be and he is hereby authorized and directed to enter into a joint agreement with Dan A. Carmichael and Sims, Cornelius and Schooley, as associate architects, to design, prepare plans and specifications and supervise the construction of a public health and safety center building.

Sec. 2. That the fee to be paid for such services shall be 6 percent, being a percentage of the total construction cost, excluding cost of land and the cost of any special equipment or furnishings not handled by said associated architects.

Sec. 3. That the cost of such services is a proper charge against and shall be paid from the Health and Safety Center Building Fund No. 1, and that the sum of \$48,000 or so much thereof as may be necessary, be and it is hereby appropriated from the above mentioned fund to pay the said architectural fees.

Sec. 4. That ordinance No. 244-48, passed March 29, 1948, be and the same is hereby repealed.

Sec. 5. That for the reasons stated in the preamble hereto, which is hereby made a part hereof, this ordinance is 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 May 22, 1950.

HENRY A. KOONTZ,

President of Council.

Approved, May 23, 1950.

JAMES A. RHODES, Mayor.

Attest:

AGNES BROWN CAIN, City Clerk.

AN ORDINANCE NO. 413-50—To amend section 4 of ordinance No. 323-50, passed April 17, 1950, as amended by ordinance No. 376-50, passed May 1, 1950, and to repeal said original section 4.

Whereas, an emergency exists in the usual daily operation of the departments of health and safety in that it is immediately necessary to change provisions in the newly created building commission for the preservation of public health, peace and safety; now, therefore,

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

Section 1. That section 4 of ordinance No. 323-50, passed April 17, 1950, be and the same is hereby amended to read as follows:

"Section 4. Unless otherwise specifically provided for by this council, the director of public service of the city of Columbus shall be and he is hereby designated and appointed to act on behalf of the city and the commission in the signing of any and all of the documents necessary to be done in furtherance of the execution of the planning construction and equipping of said building including the requirements to be met therefor under and pursuant to Public Law 725 of the 79th Congress as amended and Sections 1236-8 et seq. of the Ohio General Code."

Sec. 2. That original section 4 of ordinance No. 323-50, passed April 17, 1950, be and the same is hereby repealed.

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 May 22, 1950.

HENRY A. KOONTZ,

President of Council.

Approved, May 23, 1950.

JAMES A. RHODES, Mayor.

Attest:

AGNES BROWN CAIN, City Clerk.

AN ORDINANCE NO. 415-50—To authorize the board of purchase to advertise for bids and enter into contract for the purchase of bread for the division of workhouse and police, of the department of public safety, and to appropriate the money therefor.

Whereas, the contract for the furnishing of bread to the aforesaid divisions of the city government will expire as of June 30, 1950, and

Whereas, an emergency exists in the usual daily operation of said divisions, in that it is immediately necessary to provide bread as food for the sustenance of the inmates in the city prison and in the workhouse, both of the department of public safety, now, therefore,

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

Section 1. That the board of purchase be and it is hereby authorized and directed to advertise for bids and enter into contract for the furnishing of bread for the divisions, and in such quantities as hereinafter set out:

Approximately 25,000 pounds of bread for the Division of workhouse; and

Approximately 10,000 pounds of bread for the division of police; both divisions of the department of public safety; according to specifications, and for the use of the aforesaid divisions of the city government for the six months period ending December 31, 1950.

Sec. 2. That the money necessary to purchase the said bread for the six months ending December 31, 1950, be and the same is hereby appropriated from the various funds, in the amounts as set forth below:

Division of Workhouse, No. 41-B fund .....	\$2,750
Division of police, No. 36-B fund..	1,100
(Both divisions of the department of public safety)	

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 May 22, 1950.

HENRY A. KOONTZ,

President of Council.

Approved, May 23, 1950.

JAMES A. RHODES, Mayor.

Attest:

AGNES BROWN CAIN, City Clerk.