

McGraw designated as "REC" Recreation.

B. East property line of Thyssen Steel, Ford Freeway N, West side of 35th Street and Devereaux is designated as "RLM", Low-Medium Density Residential.

The land use designations are changed to "IND" General Industrial to accommodate Thyssen Steel Expansion.

C. West side of 33rd Street, McGraw, 32nd Street, and Devereaux is designated as "RLM" Low-Medium Density Residential.

D. West side of 32nd Street, Devereaux, West side of 35th Street, and Ford Freeway property line is designated as "RLM" Low-Medium Density Residential.

The land use designations are changed to "REC" Recreation, as replacement of Atkinson Playfield.

E. East side of 32nd Street, alleys south of McGraw and Ford Freeway property line is designated as "RLM" Low-Medium Density Residential.

The land use designations are changed to "RLM/OS" Low-Medium Density Residential/Open Space.

(2) The second map to be modified is the "Rezoning Concept" Southwest Sector. Presently, the area bounded by:

A. East property line of Thyssen Steel, Devereaux, 35th Street, and McGraw is shown as "R-2" Two Family Residential, and "PD" Planned Development.

B. East property line of Thyssen Steel, Ford Freeway Property line N, 35th Street, and Devereaux is shown as "R-2" Two Family Residential.

The zoning designations are changed to "PD" Planned Development.

C. West side of 33rd Street; McGraw, 32nd Street, and Devereaux is designated as "R-2" Two Family Residential.

D. West side of 32nd Street, Devereaux, West side of 35th Street, and Ford Freeway property line N is designated "R2" Two Family Residential.

The land use designations are changed to "PR" Parks and Recreation

Adopted as follows:

Yeas — Council Members Cleveland, Cockrel, Everett, Hill, Hood, Ravitz, Scott, Tinsley-Williams and President Mahaffey — 9.

Nays — None.

*WAIVER OF RECONSIDERATION (No. 8) per motions before adjournment.

Planning & Development Department

June 17, 1997

Honorable City Council:
Re: Surplus Property Sale By Development Agreement. Land Disposition: Parcel A bounded by McGraw, Campbell and Devereaux.

We are in receipt of an offer from the Economic Development Corporation (EDC), that the captioned property be

transferred to the Economic Development Corporation. This property contains approximately 3.797 acres.

Under the terms of a proposed transfer agreement, the property will be transferred to the Economic Development Corporation for the sum of \$1.00. This transfer of land is in conjunction with the Economic Development Corporation Project Plan.

The Economic Development Corporation will negotiate a Development Agreement with Thyssen Steel calling for the purchase and development of this property for an industrial re-use.

All net proceeds will be used by the Economic Development Corporation for the eligible project costs or Economic Development Activities approved by the City of Detroit. There is also a provision in the agreement that if the property is not developed, the property shall revert to the City.

We, therefore, request that your Honorable Body adopt the attached resolution and authorize the Finance Director to execute a Transfer Agreement with the Economic Development Corporation (EDC) of the City of Detroit, a Michigan Public Body Corporate, covering approximately 3.797 acres in the East Side Industrial Revitalization Project.

Respectfully submitted,

JOSEPH J. VASSALLO

Deputy Director

By Council Member Cockrel:

Resolved, That in accordance with the terms of a proposed Transfer Agreement and the foregoing communication, the City Finance Director be and is hereby authorized to execute a Transfer of Land Agreement on the property as described in the attached Exhibit A with the Economic Development Corporation of the City of Detroit, a Michigan Public Body Corporate, in the amount of \$1.00.

Legal Description Parcel "A"

Lots 1 through 46, inclusive and adjacent 17.00 feet wide public alley of Block 5 and the Easterly 10.00 feet of adjacent Campbell Avenue of "Fyfe, Barbour and Warren's Sub.", of that part of P.C. 260 lying between Horatio St. and Warren Ave., City of Detroit, Wayne County, Michigan, as recorded in Liber 16 of Plats, on Page 42, Wayne County Records; being more particularly described as commencing at the Northeasterly corner of said Lot 46, for a point of beginning; thence South 28°01'04" East, 690.56 feet, along the Westerly right-of-way of said Parkdale Ave., to the Northerly right-of-way of Devereaux Ave.; thence South 61°53'30" West, 238.45 feet, along the Northerly right-of-way of said Devereaux Ave.; thence North 28°11'55" West, 690.38 feet, (said line being 10.00 feet West of and parallel to the Easterly right-

of-way of Campbell Avenue), to the Southerly right-of-way of McGraw Avenue; thence North 61°50'56" East, 240.63 feet, along the Southerly right-of-way of said McGraw Avenue, to the point of beginning. All of the above containing 3.797 Acres. All of the above being subject to easements, restrictions, and right-of-ways of record.

Adopted as follows:

Yeas — Council Members Cleveland, Cockrel, Everett, Hill, Hood, Ravitz, Scott, Tinsley-Williams and President Mahaffey — 9.

Nays — None.

*WAIVER OF RECONSIDERATION (No. 9) per motions before adjournment.

Department Of Public Works

June 16, 1997

Honorable City Council:

Re: Request for the Transfer of Emergency Funds for Contractual Services to Provide Floodwater Controls along the Fox Creek Canal.

As a result of constant seepage through the berm caused by missing sections of the concrete seawall, and an increase in water pressure against the berm bordering the east side of the Fox Creek Canal, the safety and protection of this structure has been compromised. In addition, the Army Corps of Engineers has projected an increase in water levels during the Month of July. The City Engineer has determined that immediate action is needed to erect and construct a new structure along Fox Creek to control flood waters in certain areas within the City of Detroit to ensure the public safety, health, and welfare.

In order to expedite the time schedule to permit immediate construction activity to control and abate present and anticipated high water levels, it is necessary to utilize the emergency provision of the City of Detroit Code, Section 21-3-6(B) which provides for waiver of competitive bids when "Public exigencies require the immediate delivery of the articles or performance of the service." Therefore, the Department of Public Works respectfully requests to enter into contract with O'Laughlin Construction Company to provide sheet piling and clay dikes in the subject area. The work will commence within 24 hours of issuance of the Notice to Proceed.

The construction cost for this project is \$2.5 Million Dollars. The total amount of sheet piling work is 6,500 linear feet, of which only 5,000 linear feet abuts the street right-of-way. Therefore, only \$1,925,000 is eligible for street funds. It is requested that your Honorable Body approve the transfer of the sum of Five Hundred Seventy-five Thousand Dollars (\$575,000) from available funds, as outlined in the attached Resolution. The

remaining balance of \$1,925,000 will be paid from Appropriation No. 4189, Major Street Fund Capital.

As an additional measure to protect and safeguard the riparian owners in the vicinity, the department is in discussions with the U.S. Army Corps of Engineers to provide financial, technical, and advance measures assistance in the affected areas.

Your continued cooperation is appreciated.

Respectfully submitted,
CLYDE D. DOWELL
Director

Approved:

EDWARD J. HANNAN,
Budget Director
VALERIE JOHNSON,
Finance Director
JON MESSNER
Deputy Budget Director
ROGER SHORT,
Deputy Finance Director

By Council Member Everett:

Whereas, in accordance with the foregoing communication from the Department of Public Works for the transfer of funds and emergency contractual services to provide floodwater controls along the Fox Creek Canal; therefore

Be It Resolved, that the Department of Public Works is hereby authorized to enter into contract with O'Laughlin Construction Company to provide services for the construction of sheet piling and clay dikes along the Fox Creek Canal; and be it further

Resolved, That \$95,000 be transferred from Appropriation No. 08-0229 Administration and Licenses, and \$480,000 from Appropriation No. 08-5095, Zoning Enforcement Initiative, to Appropriation No. 22-4189, Major Street Fund Capital; and be it further

Resolved, That the Finance Director be and is hereby authorized to establish accounts, transfer funds, and honor vouchers in accordance with this resolution, the foregoing communication and standard City procedures.

Adopted as follows:

Yeas — Council Members Cleveland, Cockrel, Everett, Hill, Hood, Ravitz, Scott, Tinsley-Williams and President Mahaffey — 9.

Nays — None.

*WAIVER OF RECONSIDERATION
(No. 10) per motions before adjournment.

From The Clerk

June 18, 1997

This is to report for the record that, in accordance with the City Charter, the portion of the proceedings of June 11, 1997, on which reconsideration was waived, was presented to His Honor, the Mayor, for approval on June 13, 1997, and same was approved on June 16, 1997.

Also, That the balance of the proceedings of June 4, 1997 was presented to His Honor, the Mayor, on June 10, 1997 and same was approved on June 16, 1997.

Also, That the proceedings of the Adjourned Session of June 6, 1997 was presented to His Honor, the Mayor, for approval on June 9, 1997, and same was approved on June 16, 1997.

Also, That my office was served with the following papers issued out of Wayne Circuit Court, and same were referred to the Law Department:

Gloria Faustyn (pl) vs. City of Detroit (df), Summons and Complaint, and Demand for a Jury Trial, Case No. 97-717223 NO.

Aubrey Stanley (pl) vs City of Detroit Police Department (df), Summons and Complaint, and Demand for a Jury Trial, Case No. 97-717-527 NO.

Placed on file.

From The Clerk

June 18, 1997

Honorable City Council:

This is to inform your Honorable Body that I am in receipt of the following petitions since the last regular session, and recommend their reference as follows:

Respectfully submitted
JACKIE L. CURRIE
City Clerk

GENERAL ORDER

- 3161—Most Worshipful Prince Hall Grand Lodge (The), requesting permission to conduct a parade, with police escort, June 22, 1997, in the area of French Road, Almont, Van Dyke, and Doyle
- 3162—Glanz and Killian, Inc., requesting support of award of Contract PC-717, presently being protested by Best American Industrial Services, Petition #3100.
- 3164—Mack Alive, requesting permission to hang banners from city light poles August 8 through 25, 1997, and to conduct parade and rally, August 23, 1997, in the area of Mack, St. Jean, and East Grand Boulevard.
- 3166—South Bramell Street & Friends, requesting a listing of homes in the Repair to Own Program.
- 3167—Lamont Green, requesting an explanation for rejection from Detroit Police Department employment.
- 3168—Sharing and Caring Block Club, protesting the release of Dr. Anita Cain from the Bruce Douglas Clinic.
- 3170—Ernest Friday, requesting a hearing to expedite demolition of 9314 American.
- 3171—Thomas W. Goodford, requesting permission to conduct a candle-