

Adopted as follows:

Yeas — Councilmen Carey, Connor, Patrick, Rogell, Smith, Van Antwerp, Wise, Youngblood and President Beck —9.

Nays—None.

**FRIDAY, MARCH 3RD**

Chairman Youngblood submitted the following committee reports for above date, and recommended their adoption:

**Claims and Accounts**

Honorable Common Council:

Gentlemen—To your Committee of the Whole was again referred petition of Alfred DeLoof (8081), for compensation for property damage. After further consideration of the matter, your committee recommends that said claim be allowed in accordance with the following resolution.

Respectfully submitted,

**CHARLES N. YOUNGBLOOD,**

Chairman.

By Councilman Youngblood:

Resolved, That the City Controller be and he is hereby authorized and directed to draw a warrant upon the proper fund in favor of Alfred DeLoof, 6468 Venice Ave., in the sum of \$214.37, in full settlement of any and all claims which he may have against the City of Detroit, by reason of damage to property at above address on July 25, 1960, by city workmen during tree removal operations, and that said sum be paid upon presentation of release, in form approved by the Corporation Counsel.

Adopted as follows:

Yeas — Councilmen Carey, Connor, Patrick, Rogell, Smith, Van Antwerp, Wise, Youngblood and President Beck —9.

Nays—None.

**Permits**

Honorable Common Council:

Gentlemen—To your Committee of the Whole was referred petition of the Food Service Executives Assn. (9633), to hold a disaster mass feeding program in Civic Center Park and adjacent parking area. After consultation with the Dept. of Parks & Recreation, and careful consideration of the request, your committee recommends that same be granted in accordance with the following resolution.

Respectfully submitted,

**CHARLES N. YOUNGBLOOD,**

Chairman.

By Councilman Youngblood:

Resolved, That permission be and is hereby granted to the Food Service Executives Assn., to serve a luncheon to delegates of their 60th National Convention, and invited guests, on Tues., August 15th, 1961, as a public demonstration in authentic "Disaster Mass Feeding Field Style," in Civic Center Park, including the adjacent

space currently used for parking, and further

Resolved, That the following departments are requested to render their cooperation in said program: Parks & Recreation, Public Works, Civic Center Comm., Police, Health and Office of Civilian Defense.

Adopted as follows:

Yeas — Councilmen Carey, Connor, Patrick, Rogell, Smith, Van Antwerp, Wise, Youngblood and President Beck —9.

Nays—None.

**Encroachments**

Honorable Common Council:

Gentlemen—To your Committee of the Whole was referred petition of George A. Gardella Co. (9683), to vacate an 11 ft. wide strip of right-of-way along the west side of Lafferty Pl., north of Howard St. After investigation by the City Plan Commission, your committee is advised that petitioner proposed to improve their dock facilities to encroach beyond the property line, and that under the circumstances their needs could be served by permitting same as encroachments instead of vacating said strip. After careful consideration of the matter, your committee concurs in said recommendation, and offers the following resolution.

Respectfully submitted,

**CHARLES N. YOUNGBLOOD,**

Chairman.

By Councilman Youngblood:

Resolved, That the Dept. of Public Works be and it is hereby authorized and directed to issue permit to George A. Gardella Co., owner of premises described as Lots 5 to 10, incl., of Lafferty Farm Sub., commonly known as 2030-40 Howard St., corner of Lafferty Pl., to erect two docks to extend perpendicular to their existing loading dock facilities to encroach beyond the property line approximately 11 ft. into the right-of-way of Lafferty Pl., north of Howard, subject to petitioner filing an Agreement in accordance with this resolution.

Provided, That same shall be constructed and/or maintained under the rules and regulations of the Dept. of Public Works and the Dept. of Buildings & Safety Engineering, in accordance with plans submitted to and approved by those departments, and further

Provided, that the permittee, for itself, its successors, assigns, and representatives shall accept such permit on the conditions hereby imposed, and with the further distinct understanding that during the life of said encroachment the permittee will assume full liability for any and all damages which may be sustained by the City arising by reason of the granting of said permit, and that said permittee will, before the issuance of said permit, file with the City Con-



troller an agreement as above set forth, naming the City of Detroit as obligee therein, conditioned to indemnify and save harmless the City of Detroit from any and all loss or damage emanating from personal injury and property damage, costs and expenses it may suffer arising during the life of said encroachment by reason of the issuance of said permit. The said document shall be approved by the Corporation Counsel as to form and execution before filing same with the City Controller; and further

Provided, that the permittee shall acquire no implied or other privileges hereunder not expressly stated herein; that no rights in the public streets, alleys, or other public property shall be considered waived by this permission, which is granted expressly on the condition that the encroachment hereby permitted shall be removed at the expense of the permittee at any time said structure or installation is remodeled, rebuilt, or otherwise changed, so that the street, alley, or other public property affected thereby shall remain free of such encroachment; and further

Provided, that said permit shall be issued only after a certified copy of this resolution has been duly recorded in the office of the Wayne County Register of Deeds, by and at the permittee's expense; and further

Provided, that this resolution is revocable at the will, whim, or caprice of the Common Council, and that at any time said permit is revoked by the Common Council the said encroachment shall be removed by the permittee within the time directed, and that upon failure to do so, the Commissioner of the Department of Buildings and Safety Engineering or his agents may enter into and upon the premises and remove at permittee's expense any part of said structure or installation which encroaches into or upon a street, alley, or other public property, and further provided, that the permittee, hereby waives any right to claim damages or compensation from the City of Detroit, or from any official agent thereof, due to the trespass or damage resulting from removing any such encroachment upon a street, alley, or other public property.

Adopted as follows:

Yeas—Councilmen Carey, Connor, Patrick, Rogell, Smith, Van Antwerp, Wise, Youngblood and President Beck—9.

Nays—None.

**Reconsideration**

Councilman Rogell moved to reconsider the vote by which the resolution was adopted.

Councilman Rogell moved to suspend Rule 23 for the purpose of indefinitely postponing the motion to reconsider, which motion prevailed as follows:

Adopted as follows:

Yeas—Councilmen Carey, Connor, Patrick, Rogell, Smith, Van Antwerp, Wise, Youngblood and President Beck—9.

Nays—None.

Councilman Wise then moved that the motion to reconsider be indefinitely postponed, which motion prevailed.

The regular order was resumed.

**MONDAY, MARCH 6TH**

Chairman Carey submitted the following committee report for above date, and recommended its adoption:  
**Deposit Refund Re, Vacated Street**  
Honorable Common Council:

Gentlemen—To your Committee of the Whole was referred petition of Mt. Elliott Realty (3583), for refund of deposit to construct curb and steel post barricade across pavement in line of vacated Newhall St., east of Mt. Elliott, inasmuch as same has been installed by petitioner east of the point of street closing. After consultation with the Dept. of Public Works, and careful consideration of the request, your committee recommends that same be granted, and offers the following resolution.

Respectfully submitted,

ED CAREY,  
Chairman.

By Councilman Carey:

Resolved, That the Dept. of Public Works be and it is hereby authorized and directed to draw a voucher upon the property fund, and the City Controller to honor same in favor of Mt. Elliott Realty, in the sum of \$625.00, being refund of deposit referred to in communication of the Dept. of Public Works in proceedings of July 19, 1960, (J.C.C. p. 1471), Receipt No. GR-4570, for construction of curb and steel post-type barricade across pavement, in connection with the vacation of a portion of Newhall St., east of Mt. Elliott; petitioner having constructed the same approximately 10.7 ft. to the east of the point of said street closing.

Adopted as follows:

Yeas—Councilmen Carey, Connor, Patrick, Rogell, Smith, Van Antwerp, Wise, Youngblood and President Beck—9.

Nays—None.

**FINANCE**

**Civic Center Commission**

February 20, 1961.

Honorable Common Council:

Gentlemen—Appropriations for the current fiscal year are depleted in the Ford Auditorium Supplies & Expense Account. Elevator and escalator maintenance costs were estimated to total \$1000, but due to consistent exposure to moisture in the Ford Auditorium Garage escalator