

Public Acts of 1948, First Extra Session, as amended; and

WHEREAS, this Council has been advised of the necessity to amend said Articles of Incorporation of such Authority in order to empower the Mayor as Chairman of the Authority to designate an alternate to sit as a member of the Commission during the absence or temporary disability of the Mayor, and

WHEREAS, this Council has been advised of the necessity to amend said Articles of Incorporation of such Authority in order to allow for the facsimile signature as well as manual signature on bonds, interest coupons, deeds and contracts executed in the name of the Authority, and

WHEREAS, this Council has fully reviewed the provisions of said Amendment to the Articles of Incorporation and is advised that the Corporation Counsel of the City has approved the form of such Amendment,

NOW, THEREFORE, BE IT RESOLVED, That:

1. The City Council of the City of Detroit does hereby express and record its determination and judgment that it is necessary for the public health, safety and general welfare of the City of Detroit and its inhabitants to amend the Articles of Incorporation of the City of Detroit Building Authority under the provisions of Act 31 of the Michigan Public Acts of 1948, First Extra Session, as amended, which Authority may acquire necessary public improvements and lease such improvements to the City upon approval of said lease by the City Council of the City of Detroit.

2. The said foregoing Amendment to the Articles of Incorporation for the City of Detroit Building Authority is hereby adopted and authorized to be executed on behalf of the City by its Mayor and City Clerk.

3. The City Clerk is hereby authorized and directed to publish said amendments to the Articles of Incorporation of the City of Detroit Building Authority in full in either the Detroit News or the Detroit Free Press and the Michigan Chronicle, newspapers of general circulation within the City after filing of certified copies of the amendment as provided in Act 31 of the Michigan Public Acts of 1948, First Extra Session, as amended.

4. The adoption of this resolution and the Amendment to the Articles of Incorporation shall not impair the Authority's obligation of any bond or other contract.

5. Further, the City Clerk is directed to cause said Articles to be filed as provided by law.

Adopted as follows:

Yeas — Council Members Cleveland, Cockrel, Eberhard, Hood, Kelley, Mahaffey, McFadden, and President Henderson — 8.

Nays — None.

**Environmental Protection
& Maintenance Department**

May 31, 1979

Honorable City Council:

Re: Petition No. 2009. Grand Trunk Western Railroad Company— Request permission to install a coaxial cable over a public alley.

The above petition was referred to this department for investigation and report.

Our report is as follows:

The Public Lighting Department has approved the installation provided the installation is performed according to the National Electrical Code as adopted by the Michigan Public Service Commission.

All other departments have no objections provided proper provisions are contained in the resolution protecting their facilities.

An appropriate resolution with the proper provisions is attached for consideration by your Honorable Body.

Respectfully submitted,

LOUIS W. KLEI
City Engineer

Approved:

JAMES W. WATTS
Director

By Council Member Eberhard:

Resolved, that the Environmental Protection and Maintenance Department be and it is hereby authorized and directed to issue permits to the Grand Trunk Western Railroad Company for permission to encroach over the public alley, 20 feet wide, commonly known as Federal Court, in the block bounded by Shelby, Griswold, Fort Street, and Lafayette, between properties located at 131 West Lafayette and 719 Griswold, Detroit, Michigan, property being described as:

Lots 15 and 16 on the south side of Lafayette Boulevard and Lots 10 and 16 to 19 on the north side of Fort Street, all inclusive of the Plat of the Military Reserve, as recorded in Liber 5, Page 218, Plats, Wayne County records.

Encroachment to consist of the placement of a coaxial cable over the above described alley connecting the rear of the buildings at the above addresses.

Provided, that cable must be installed as per National Electrical code as adopted by the Michigan Public

Service Commission, and that the cable be a minimum of twenty-five (25) feet above grade of the alley,

Provided, that permittee at the time of obtaining said permits file with the Finance Department an indemnity agreement in form approved by the Law Department, saving and protecting the City of Detroit harmless from any and all claims, damages or expenses that may arise by reason of the issuance of said permits and the faithful performance by the permittee of the terms thereof, and in addition to pay all claims, damages or expenses that may arise out of the maintenance of said encroachments; and

Provided, that no rights in the public streets, alleys or other public places shall be considered waived by this permission which is granted expressly on the condition that said encroachment shall be removed at the expense of the permittee at any time when so directed by the City Council, and that the public property affected shall be restored to a condition satisfactory to said department by said permittee at its expense; and

Provided, that this resolution is revocable at the will, whim or caprice of the City Council, and permittee hereby expressly waives any right to claim damages or compensation for removal or encroachment, and further, that permittee acquires no implied or other privileges hereunder not expressly stated herein; and

Provided, that this permit shall not be assigned or transferred without the written approval of the City Council; and

Provided, that the filing of the indemnity agreement and the securing of the necessary permit referred to herein shall be construed as acceptance of this resolution by the permittee; and

Provided, that a certified copy of this resolution shall be recorded with the Office of the Register of Deeds for Wayne County by and at permittee's expenses.

Adopted as follows:

Yeas — Council Members Cleveland, Cockrel, Eberhard, Hood, Kelley, Mahaffey, McFadden, and President Henderson — 8.

Nays — None.

Historic Designation Advisory Board

June 1, 1979

Honorable City Council:

The staff of the Advisory Board is in the process of seeking the information requested relative to the proposed resolution for study of 642 W. Forest. Meanwhile, however, it appears that

the desired information cannot be obtained in time for the Advisory Board to begin its official study at its scheduled June 12, 1979, meeting.

In order that the flow of designation requests through the process not be interrupted, the Advisory Board would recommend that Council consider at this time a resolution for study of Trinity Episcopal Church, located at Myrtle and Trumbull. This proposal is next in order received after 642 W. Forest.

In this way, the flow of work through the Advisory Board process can be maintained, and the house at 642 W. Forest can be dealt with when Council's questions have been answered and Council thinks it appropriate to proceed.

The request for designation of Trinity Episcopal was addressed to Council under date of May 25, 1978, by Rev. Charles Carter, pastor, acting in the name of the vestry and congregation. The request was forwarded to the Advisory Board office by the clerk to be added to the list of requests awaiting attention. Fr. Carter has supplied to Advisory Board staff "reasonable grounds" for the designation request which staff considers more than adequate. The staff is prepared to explain those grounds to Council should Council so desire.

A resolution for study is attached for your consideration. Also attached is a resolution appointing ad hoc members of the board for the study; these ad hocs were suggested by Fr. Carter to Advisory Board staff. They are Fr. Carter, acting for the owners, and Gordon P. Bugbee, an architect and member of the church.

It would be appreciated if Council desires to act on these resolutions that it be done at the formal session of June 6 so that the board may proceed with its process at its meeting of June 12th.

Respectfully submitted,
WILLIAM M. WORDEN

Advisory Board Staff

By Council Member Kelley:

WHEREAS, the City Council has received a request to designate Trinity Episcopal Church, located at the southwest corner of Myrtle and Trumbull, as a historic district, and

WHEREAS, the City Council finds that there are reasonable grounds for such a request,

NOW, THEREFORE, BE IT RESOLVED, That the City Council directs the Historic Designation Advisory Board to conduct studies to determine whether Trinity Episcopal Church meets the criteria for historic designation, and to issue appropriate reports.