

lation and Order of Dismissal approved by the Law Department.

Respectfully submitted,
WILLIAM B. DANIEL,

Supr. Asst. Corporation Counsel

Approved:

SYL DELANEY

Deputy Corporation Counsel
By Council Member Eberhard:

Resolved, that the Finance Director be and he is authorized and directed to draw his warrant upon the the proper fund in favor of Stanley D. Sadowski and John W. Mason, his attorney, in the sum of \$12,500.00 in full payment of any and all claims which they may have against Tom Worzniak and the City of Detroit, as a result of an assault and false imprisonment which occurred on April 27, 1977 in front of 12000 Conant and that said amount be paid upon presentation of Releases and Stipulation and Order of Dismissal of Lawsuit No. 77 723 805 NI, approved by the Law Department.

Approved:

SYL DELANEY

Deputy Corporation Counsel

Adopted as follows:

Yeas — Council Members Cleveland, Cockrel, Eberhard, Kelley, Mahaffey, McFadden, and President Henderson — 7.

Nays — None.

Law Department

November 7, 1980

Honorable City Council:

Re: James Walker vs. City of Detroit, D.O.T. Our File: 78-1657 RWR, District Court No. 80-7185 NI.

We have reviewed the above-captioned lawsuit, the facts and particulars of which are set forth in the memorandum. From this review, it is our considered opinion that a settlement in the amount of Twelve Thousand Five Hundred (\$12,500.00) Dollars is in the best interest of the City of Detroit.

We, therefore, request the Finance Director to issue his draft in the amount of \$12,500.00 payable to James Walker and his attorneys, Sommers, Schwartz, Silver & Schwartz, to be delivered upon receipt of properly executed Releases and Stipulation and Order of Dismissal of Lawsuit No. 80-7185 NI.

Respectfully submitted,

MERCEDES MUECKENHEIM,
Supr. Asst. Corporation Counsel

Approved:

SYL DELANEY

Deputy Corporation Counsel

By Council Member Eberhard:

Resolved, that the Finance Director be and he is hereby authorized and di-

rected to draw his warrant upon the the proper fund in favor of James Walker and attorneys Sommers, Schwartz, Silver & Schwartz in the sum of \$12,500.00 in full payment of any and all claims which they may have against the City of Detroit, Department of Transportation by reason of injuries sustained when the coach on which Plaintiff was a passenger was rear-ended by another DOT coach, and that said amount be paid upon presentation of Releases and Stipulation and Order of Dismissal of Lawsuit No. 80-7185 NI, approved by the Law Department.

Approved:

SYL DELANEY

Deputy Corporation Counsel

Adopted as follows:

Yeas — Council Members Cleveland, Cockrel, Eberhard, Kelley, Mahaffey, McFadden, and President Henderson — 7.

Nays — None.

Law Department

November 20, 1980

Honorable City Council:

Re: Petition of Union Carbide Corporation (3776) for encroachment at Fort Street, Mellon and Oakwood.

Pursuant to your request, this office has prepared the appropriate resolution granting the above petition in accordance with the recommendation of the involved City Departments.

Respectfully submitted,

JOSEPH N. BALTIMORE
Asst. Corporation Counsel

By Council Member Kelley:

RESOLVED, that the Department of Public Works Department be and it is hereby authorized and directed to issue a permit to the Union Carbide Corporation for permission to encroach at three City of Detroit Street Right-of-Ways, property being described as:

"1) Oakwood Boulevard within its intersection with South Dix, and

2) Fort Street at its intersection with the Conrail Right-of-Way west of Sanders Avenue, and

3) Mellon Avenue at its intersection with the Conrail Right-of-Way west of Lowdell Avenue."

Encroachment to consist of twelve (12) inch pipelines to transport gaseous nitrogen and oxygen from a point in the City of River Rouge to the Ford Rouge Plant, said pipes to cross the City of Detroit at the above locations.

PROVIDED, that the necessary permit be obtained from the Department of Public Works Department and that the same shall be con-

structed and maintained under its rules and regulations, and in accordance with plans submitted to and approved by said department.

PROVIDED, that permittee at the time of obtaining said permit 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, or expenses that may arise out of the maintenance of said encroachment; 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 so 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 of said encroachment, and further, that permittee acquires no implied or other privileges hereunder not expressly stated herein; and

PROVIDED, that these permits 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 permits 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 expense.

Approved:

SYL DELANEY

Deputy Corporation Counsel

Adopted as follows:

Yeas — Council Members Cleveland, Cockrel, Eberhard, Kelley, Mahaffey, McFadden, and President Henderson — 7.

Nays — None.

Law Department

November 19, 1980

Honorable City Council:

Re: Ordinance for pay plan for certain employees.

Please find enclosed a proposed amendment to Chapter 16, Article 4, Section 16-4-4.1 of the City Code. This amendment would allow certain city employees, who are not covered under collective bargaining agreements to be paid in accordance with the official city pay plan until December 31, 1984. A summary of the proposed ordinance is also enclosed.

Respectfully submitted,

WILLIAM DIETRICH,

Supr. Asst. Corporation Counsel

By Council Member Kelley:

AN ORDINANCE to amend Chapter 16 Article 4 Section 16-4-4.1 of the City of Detroit Municipal Code to provide, pursuant to Section 2-108 of the City Charter, a pay plan for employees, except elective officers and those employees whose compensation is paid pursuant to terms of collective bargaining agreements.

IT IS HEREBY ORDAINED BY THE PEOPLE OF THE CITY OF DETROIT:

Section 1. That Chapter 16 Article 4 Section 16-4-4.1 of the City of Detroit Municipal Code is amended to read as follows:

Section 16-4-4.1. The pay plan for employees of the City (except elective officers and those employees whose compensation is paid pursuant to terms of Collective Bargaining Agreements) in effect June 30, 1976 1980 and as amended by city council resolution is hereby approved and continued. Changes in such plan may be made upon approval of the City Council by resolution.

This section shall not be effective after December 31, 1980. 1984.

Section 2. All ordinances or parts of ordinances in conflict herewith by and the same are hereby repealed. This ordinance is declared necessary for the preservation of the public peace, health, safety and welfare of the people of the City of Detroit.

Section 3. This ordinance is given immediate effect.

Approved:

SYL DELANEY

Deputy Corporation Counsel

Read twice by title, ordered printed and laid on the table.

Resolution Setting Hearing

By Council Member Kelley:

Resolved, That a public hearing will be held by this body in the Committee Room, 13th Floor of the City-County Building, on Thursday, December 11, 1980, at 10:00 A.M., for the purpose of considering the advisability of adopting the foregoing proposed ordinance to amend Chapter 16, to allow certain