

Approved:

W.I. STECHER

Budget Director

JOHN P. KANTERS

Deputy Finance Director

By Council Member Kelley:

Resolved, That Coleman A. Young, Mayor of the City of Detroit, is hereby authorized and directed to accept an offer of grant in the amount of \$150,000 from the U.S. Department of Transportation — Urban Mass Transportation Administration, and authorized to execute the contract pertaining to the grant application and furnish such information as reasonably requested in connection with the aforesaid grant; and

Be It Further Resolved, That the Law Director is hereby authorized and directed to provide the required certifications for execution and acceptance in connection with the aforesaid grant; and

Be It Further Resolved, That the Finance Director is authorized and directed to establish appropriations for the aforesaid grant and honor vouchers when presented in accordance with these resolutions.

Adopted as follows:

Yeas — Council Members Cleveland, Collins, Eberhard, Hood, Kelley, Mahaffey, Peoples, Ravitz, and President Henderson — 9.

Nays — None.

Department of Public Works

February 24, 1983

Honorable City Council:

Re: Petition No. 1088. North Detroit General Hospital. Request to Construct a Pedestrian Bridge over Carpenter — Amending Resolution.

On November 3, 1982 (J.C.C. p. 2610-11) your Honorable Body granted the petition of North Detroit General Hospital to construct a pedestrian bridge over Carpenter Avenue east of McDougall.

Further investigation necessitates that the resolution adopted by your Honorable Body on the above date be rescinded and be replaced by a resolution containing all the necessary provisions.

An appropriate resolution is attached for consideration by your Honorable Body.

Respectfully submitted,

LOUIS W. KLEI

City Engineer

Approved:

JAMES W. WATTS

Director

By Council Member Ravitz:

Resolved, That the resolution adopted

on November 2, 1982 (J.C.C. p. 2610-2611) granting Petition No. 1088 of North Detroit General Hospital,

Be and the same is hereby rescinded and replaced by the following:

Resolved, That the Department of Public Works be and it is hereby authorized and directed to issue permits to the North Detroit General Hospital to construct and maintain a pedestrian skywalk bridge linking the existing hospital building with a proposed new building to be located on the south side of Carpenter Avenue in the City of Hamtramck; and to construct and maintain bridge piers and footing to support same in the right-of-way of Carpenter Avenue,

The street right-of-way (Carpenter) involved is as platted in Schellberg and Barnes' Subdivision of the East 40 Acres of the West 80 Acres, ¼ Section 20, 10,000 Acre Tract, Hamtramck, Wayne County, Michigan as recorded in Liber 17, Page 1, Plats, Wayne County records,

The aerial easement for the bridge encroachment over Carpenter Avenue is to be approximately 11.1 feet in width with a minimum underclearance of 14.5 feet above the established pavement grade. The centerline of said bridge is located at a point approximately 26 feet east of the intersection of the east line of McDougall Avenue, 50 feet wide, and the north line of Carpenter Avenue, 66 feet wide. The bridge is to be supported by two piers, approximate size of footing being 23.25 feet by 5.0 feet. The northerly pier is located in the Detroit side of Carpenter and the southerly pier is located in the street right-of-way on the Hamtramck side of Carpenter,

Nothing in this resolution is to be construed as giving any authority, permission on grant to the North Detroit General Hospital for the encroachment construction and maintenance of said bridges and bridge piers where they extend over or are placed upon privately owned property. Such portions of said structures must meet all requirements of and a building permit shall be obtained from the Department of Buildings and Safety Engineering.

Provided, That the necessary permits be obtained from the Department of Public Works and Buildings and Safety Engineering Department and that same shall be constructed and maintained under their rules and regulations and in accordance with plans submitted to and approved by those departments, as to materials, colors and general appearance; and

Provided, That permittee file with the office of the Finance Director a Surety Bond in the sum of One-Hundred and

Fifty Thousand (\$150,000.00) Dollars, approved by the Corporation Counsel, 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 encroachment; and

Provided, That all costs for construction and the use of same shall be borne by permittee; and

Provided, That no advertising material of any type is displayed on any part of the bridge; and

Provided, That the issuance of permits for said installation shall not in any way waive the rights of the City to utilize the area for street widening or other purposes as may become necessary in the future; and

Provided, That said permittee shall be subject to any tax under the provisions of the General Property Tax Act which may be levied against it pursuant to law with respect to the pedestrian bridge and its appurtenances; and

Provided, That no rights in the public streets, or other public places shall be considered waived by this resolution, which resolution is adopted expressly on the condition that said encroachments shall be removed at the expense of the permittee at any time when so directed by resolution of the City Council, and that the public property affected shall be restored to a condition satisfactory to said Department of Public Works by said permittee at its sole cost and expense; and

Provided, That said permits issued by the Department of Public Works are granted with the distinct understanding that in the event of the Charter of the City of Detroit being amended in such manner as will provide for the levying thereafter, of a fee, charge or rental, to be hereafter determined upon, or in the event of an ordinance or resolution being enacted for an annual charge or rental to be charged thereafter, for the occupancy of public streets, alleys or other public places, that the grantee will pay said fee, charge or rental provided for in said charter, or ordinance or resolution and that said permittee does hereby bind himself thereunto and to accept said permits on the conditions hereby imposed and in the event of said permittee contesting the validity of said Charter amendment, ordinance or resolution or of said fee, charge or rental, or upon refusal to pay same, these permits shall immediately become void; and

Provided, That all costs incurred by the Public Lighting Commission in temporarily and permanently relocating their facilities which are located in the encroachment area, and which may interfere with construction, shall be borne by permittee; 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 property constructed hereunder for removal of same and further that permittee acquires no implied or other privileges hereunder not expressly stated herein; and

Provided, That the securing of the necessary permits referred to herein shall be construed as acceptance of the terms of this resolution by the permittee; and

Provided, That these permits shall not be assigned or transferred without the written approval of the City Council; and

Provided, That said permits 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.

Adopted as follows:

Yeas — Council Members Cleveland, Collins, Eberhard, Hood, Kelley, Mahafey, Peoples, Ravitz, and President Henderson — 9.

Nays — None.

Department of Transportation

January 19, 1983

Honorable City Council:

Re: Federal-Aid Urban Highway Program
St. Antoine: Hancock to Alexandrine
Traffic Signal Installation and Channelization Urban Project M-2000 (092).

On March 1, 1978 (J.C.C. pp. 496-97), your Honorable Body authorized the establishment of Appropriation 5218 in the amount of \$25,000 to provide funds for preliminary engineering on the above project. On January 10, 1979 (J.C.C. p. 108), your Honorable Body authorized an increase of \$128,950 in Appropriation 5218 to provide funding for the construction of the project. That work has now been completed and we are awaiting final audit of the costs by the Michigan Department of Transportation.

In the meantime, there is a need to increase the project appropriation by \$10,200 to eliminate an existing deficit and provide for payment of some of the remaining bills outstanding including an increase in the encumbrance for City Contract 54115 for consultant's