

damaged by the utility companies, other than that specifically prohibited by this resolution, shall be restored to a satisfactory condition,

Third, Said owners for their heirs and assigns further agree that no buildings or structures of any nature whatsoever including, but not limited to, retaining or partition walls, shall be built or placed upon said easement, nor change of surface grade made, without prior approval of the City Engineering Division — DPW,

Fourth, That if the owners of any lots abutting on said vacated alley shall request the removal and/or relocation of any existing poles or other utilities in said easement, such owners shall pay all costs incidental to such removal and/or relocation, unless such charges are waived by the utility owners,

Fifth, That if any utility located in said property shall break or be damaged as a result of any action on the part of said owners or assigns (by way of illustration but not limitation) such as storage of excessive weights of materials or construction not in accordance with Section 3, mentioned above, then in such event said owners or assigns shall be liable for all costs incidental to the repair of such broken or damaged utility; and further

Provided, The Petitioner makes arrangements with the Public Lighting Department (PLD) for the removal and/or relocation of certain poles, overhead wires and transformer and further

Provided, The Petitioner allows the PLD 24-hour UN-impeded heavy vehicle access for the entire length of the easement and physical access to all facilities within the easement, and further

Provided, That any damage done to existing PLD facilities by the proposed construction must be repaired at project cost, and further

Provided, That the City Clerk shall within 30 days record a certified copy of this resolution with the Wayne County Register of Deeds.

Adopted as follows:

Yeas — Council Members Bates, K. Cockrel, Jr., S. Cockrel, Collins, Everett, McPhail, Tinsley-Talabi, Watson, and President Mahaffey — 9.

Nays — None.

**Department of Public Works  
City Engineering Division**

July 14, 2003

Honorable City Council:

Re: Petition No. 1189 — Detroit International Bridge Company, for street closures in the area of Twenty-First St., W. Fort St., W. Jefferson St., St. Anne St. and Twenty-Third St.

Petition No. 1189 of the "Detroit International Bridge Company" (DIBC), request on behalf of the Ambassador Bridge to close Twenty-First Street, 50

feet wide, between West Fort Street, 100 feet wide and West Jefferson, 60 feet wide; West Jefferson Avenue, 60 feet wide, between Twenty-Third Street, 40 feet wide and Ste. Anne Street, 30 feet wide on a temporary basis for a period of Five (5) years. This request of the "DIBC" is a matter of National Security due to the requirement to protect the infrastructure of international commerce, the Ambassador Bridge.

The petition was referred to the City Engineering Division — DPW for investigation (utility review) and report. This is our report.

The request was approved by the Office of Home Land Security, the Police Department, the Planning and Development Department, the Solid Waste Division — DPW, and the Traffic Engineering Division — DPW (TED) with, provided that access gates are installed, and ingress/egress is provided and maintained for all property owners and businesses adjacent to or directly impacted by said closure. The TED also requires that the petitioner contact the Operations Section of TED for deploying proper signage barricades and detour routes during the closure period.

The Detroit Water and Sewerage Department, The Public Lighting Department, Ameritech/Michigan Bell Telephone Company, Comcast Cablevision and the Fire Department (all) will require unimpeded access to service the public and/or their existing facilities. Any fence and gate installation must provide 13 feet horizontal and 15 feet vertical clearance(s) for utility maintenance vehicles.

The Public Lighting Department (PLD) has no objection to the proposed Temporary closing of W. Jefferson and 21st St. However, PLD has overhead fed street lighting circuit running on W. Jefferson and on 21st St. in the proposed closing area. PLD will remove the OH lighting unit(s) at no cost to the petitioner, after notification from the City Engineering Division/DPW. PLD requires 24-hr. access for heavy vehicles to maintain our installations.

All other City departments and privately owned utility companies have reported no objections to the proposal, provided they have the right to ingress and egress at all times to their facilities.

An appropriate resolution, containing the necessary conditions, is attached for consideration by your Honorable Body.

Respectfully submitted,

SUNDAY JAIYESIMI

City Engineer

City Engineering Division — DPW  
By Council Member McPhail:

The City Engineering Division — DPW is hereby authorized and directed to issue permits to "Detroit International Bridge

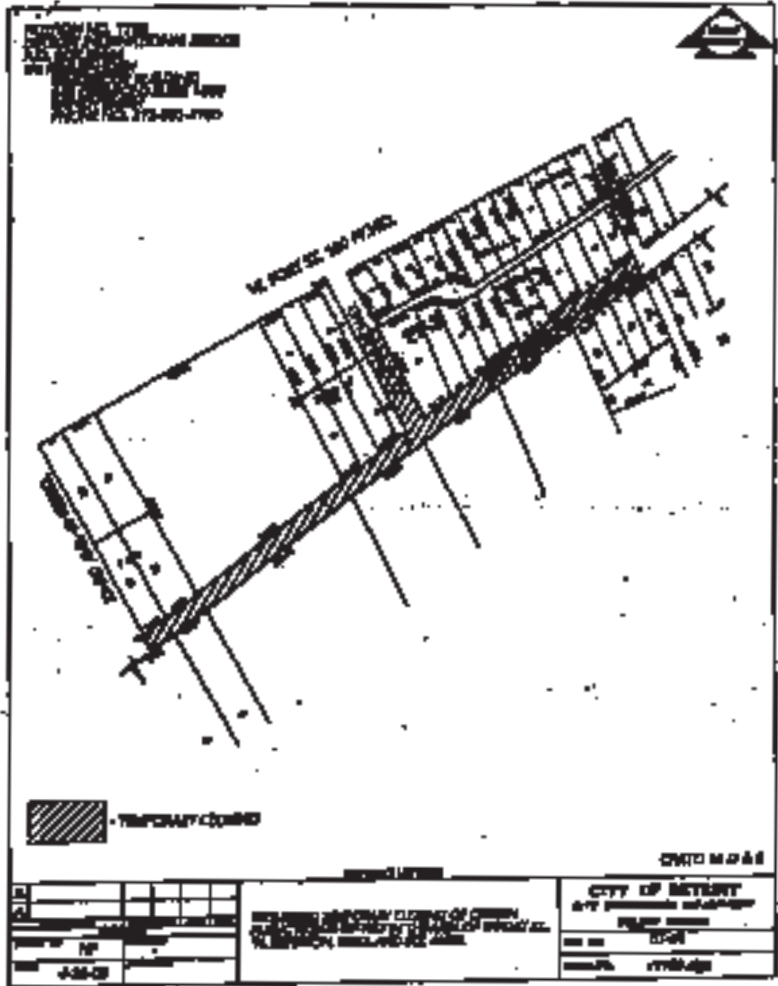
Company" (DIBC), to close a portion of West Jefferson Avenue, 60 feet wide, between the easterly line of Twenty-Third Avenue, 40 feet wide and the westerly line of Ste. Anne Street, 30 feet wide; Also, a portion of Twenty-First Street, 50 feet wide, northerly of the north line of said West Jefferson Avenue and lying southerly of and abutting the south line extended of the east/west public alley, 20 feet wide, first south of West Fort Street; on a temporary basis (for a period of three (3) years) to expire on December 1, 2003;

Provided, That the petitioner shall file with the Finance Department an indemnity agreement in form approved by the Law Department. The agreement shall save and protect the City of Detroit harmless from all claims, damages or expenses that may arise by reason of the issuance of permits and the faithful or unfaithful performance by the petitioner of the terms thereof. Further, the petitioner shall agree to pay all claims, damages or expenses that may arise out of the maintenance of the temporary public alley closing; and

Provided, That access gates are installed, and ingress/egress is provided and maintained for all property owners and businesses adjacent to or directly impacted by said closure. The TED also requires that the petitioner contact the Operations Section of TED for deploying proper signage barricades and detour routes during the closure period.

Provided, The permit shall be issued after the City Clerk has recorded a certified copy of this resolution with the Wayne County Register of Deeds; and

Provided, No buildings or other structures of any nature whatsoever (except necessary barricades), shall be constructed on or over the public rights-of-way. The petitioner shall observe the rules and regulations of the City Engineering Division — DPW. The City of Detroit retains all rights and interests in the temporarily closed public rights-of-way. The City and all utility companies retain their rights to service, inspect, maintain, repair, install, remove or replace utilities in the temporarily closed public rights-of-way. Further, the petitioner shall comply with all



specific conditions imposed to ensure unimpeded 24-hour-per-day access to the City and utility companies; and

Provided, All of the petitioner's public property fence, gate and barricade installations shall be subject to the review and approval of the City Engineering Division — DPW (if necessary, in conjunction with the Traffic Engineering Division — DPW, and the Planning and Development Department); and

Provided, This resolution does not permit the storage of materials, displays of merchandise, or signs within the temporarily closed public rights-of-way. Further, the placement of materials, merchandise, or signs on any adjacent berm area is prohibited; and

Provided, That at the expiration of the permit, all obstructions shall be removed at the petitioner's expense. The public

property shall be restored to a condition satisfactory to the City Engineering Division — DPW by the petitioner at the petitioner's expense; and

Provided, The petitioner's fence, gate and barricade installations shall provide 13 feet horizontal and 15 feet vertical clearance(s) for utility maintenance vehicles; and

Provided, This resolution is revocable at the will, whim or caprices of the Detroit City Council without cause. The petitioner waives the right to claim damages or compensation for removal of encroachments. Further, the permittee acquires no implied or other privileges hereunder not expressly stated herein. If this permit is continued for the five (5) year period, the City Council may (upon written request and if the circumstances justify accord-

ingly) grant an extension thereto; and  
 Provided, This permit shall not be assigned or transferred without the written approval of the Detroit City Council; and further

Provided, That the City Clerk shall within 30 days record a certified copy of this resolution with the Wayne County Register of Deeds.

Adopted as follows:

Yeas — Council Members Bates, K. Cockrel, Jr., S. Cockrel, McPhail, Tinsley-Talabi, Watson, and President Mahaffey — 7.

Nays — None.

**From the Clerk**

February 11, 2004

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

Also, That the balance of the proceedings of January 28, 2004, was presented to His Honor, the Mayor, for approval on February 3, 2004, and same was approved on February 10, 2004.

Also, That the proceedings of the Special Session of January 30, 2004 was presented to His Honor, the Mayor for approval on February 3, 2004, and same was returned on February 10, 2004.

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

Ida M. Crump (pl) v City of Detroit (df), Summons and Return of Service, Complaint, Case NO. 04-402595 NF

Evelyn Henderson (pl) v City of Detroit (df), Summons and Return of Service, Complaint, Case NO. 04-402907 NI

Thomasina Patterson (pl) v City of Detroit, Vincent Booker and Luis Perez (df), Summons in a Civil Action and Return of Service Form, Complaint, Case NO. 04-70439

Placed on file.

**From the Clerk**

February 11, 2004

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**

2274—K. Richard Blount, for a hearing regarding identity theft on the elderly.

2278—Suzanna Kostovski, for hearing regarding excessive tax bill for demolition of property located at 2840-16 17th Street.

2279—Statney Bates, complaints regard-

ing the stereotyping and unfair treatment of black men.

**BUILDINGS AND SAFETY  
 ENGINEERING/CONSUMER  
 AFFAIRS/FIRE/HEALTH/POLICE**

2273—The Master’s Commission, Inc., for second annual “Community Carnival and Summer Festival” from June 23-27, 2004, in field located behind Taft Middle School on Burt Road.

**BUILDINGS AND SAFETY  
 ENGINEERING/CONSUMER AFFAIRS/  
 FIRE/HEALTH/POLICE/PUBLIC WORKS/  
 TRANSPORTATION DEPARTMENTS**

2268—New Center Council, Inc., for 16th annual Comerica TasteFest, June 30-July 4, 2004, in New Center, with temporary street closures in the area of West Grand Blvd., Second, Cass, Third, Milwaukee and Lothrop.

**PLANNING AND DEVELOPMENT  
 DEPARTMENT**

2269—Mr. & Mrs. Leroy Benjamin, for refund of funds received by the City of Detroit, through the refinancing for minor home repair contract at 570 Josephine.

**CITY PLANNING COMMISSION/  
 CITY COUNCIL RESEARCH AND  
 ANALYSIS**

2271—Jermaine L. Reed, for assistance for the Detroit Skilled Trades Workers to obtain certification from the State of Michigan.

**POLICE DEPARTMENT**

2270—Neighborhood and Constituents Complaints, complaints of prostitution, drug activity and loitering in the area of Woodward Avenue and Dakota Street.

**TRANSPORTATION DEPARTMENT**

2275—Ronald Montgomery, complaint regarding the horrible condition of the Detroit Department of Transportation (D.D.O.T.).

**POLICE/PUBLIC WORKS/  
 TRANSPORTATION DEPARTMENTS**

2281—National Urban League 2004 Annual Conference, for parade, July 23, 2004, with temporary street closures in area of Woodward, Jefferson and the Cobo Conference Center.

**PUBLIC WORKS-CITY ENGINEERING  
 DIVISION/PLANNING AND  
 DEVELOPMENT DEPARTMENTS**