

Police Department indicating that they would like to donate funds to support the expansion of the police force. Check number 169457 in the amount of \$99,000.00, dated February 4, 2015, accompanied the letter. There is no cost to the Department for this donation. The funds will be deposited in appropriation 00119 and cost center 370590.

I request approval of your Honorable Body to accept the donation and adoption of the enclosed resolution.

If you have any questions or concerns, regarding this matter, please feel free to contact Second Deputy Chief Tina M. Tolliver, of Budget/Fiscal Operations at (313) 596-5494, Monday through Friday, 9:00 a.m. to 5:00 p.m.

Sincerely,
JAMES E. CRAIG
Chief of Police

Approved:

PAMELA SCALES
Budget Director
JOHN NAGLICK
Finance Director

By Council Member Benson:

Resolved, That the Detroit Police Department be and is hereby authorized to accept a donation in the amount of \$99,000.00 from The Segal Company that will be deposited in Appropriation 00119, Cost Center 370590, and be it further

Resolved, That the Finance Director be and is hereby authorized to transfer funds and honor payrolls and vouchers when presented in accordance with the foregoing communication.

Adopted as follows:

Yeas — Council Members Ayers, Benson, Cushingberry, Jr., Leland, Sheffield, Spivey, Tate, and President Jones — 8.

Nays — None.

*WAIVER OF RECONSIDERATION (No. 3), per motions before adjournment.

**Department of Public Works
City Engineering Division**

March 4, 2015

Honorable City Council:

Re: Petition No. 359 — Detroit Housing Commission, request permission to install a chain link fence around the undeveloped portion of the Gardenview Estates site, which will temporarily enclose the public streets.

Petition No. 359 — Detroit Housing Commission, request for the temporary closure of eight streets within the development known as Gardenview Estates:

- 1) Abington Avenue, 60 feet wide from Tireman Avenue to Constance Avenue.
- 2) Memorial Avenue, 60 feet wide from Tireman Avenue to Constance Avenue.
- 3) Clayburn Avenue, 60 feet wide from Tireman Avenue to Gardenview Circle.

4) Rutland Avenue, 60 feet wide from Tireman Avenue to Longacre Avenue.

5) Longacre Avenue, 60 feet wide from Tireman Avenue to Gardenview Circle.

6) Benton Avenue, 60 feet wide from Longacre Avenue to Grandmont Avenue.

7) Constance Avenue, 60 feet wide from Longacre Avenue to Clayburn Avenue.

8) Gardenview Circle, 70 feet wide from Longacre Avenue to Memorial Avenue.

The request is being made to meet requirements of the Department of Environmental Quality (DEQ) to receive full approval of the documentation of Due Care Compliance. The closed area will be fenced off to prevent pedestrians from entering the site and having contact with contaminated soils.

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

All involved City departments and privately owned utility companies have reported no objections to the temporary closure of these streets, provided they have the right to ingress and egress at all time to their facilities. Provisions protecting the rights of the utilities and the City are a part of this resolution.

I am recommending adoption of the attached resolution.

Respectfully submitted,
RICHARD DOHERTY, P.E.

City Engineer

City Engineering Division—DPW

By Council Member Benson:

Whereas, The temporary closure of the streets will ensure compliance with the Department of Environmental Quality; and allow the continued development of the former Herman Gardens public housing site, now known as Gardenview Estates; therefore be it

Resolved, The City Engineering Division — DPW is hereby authorized and directed to issue a permit to Detroit Housing Commission to temporarily close the following public rights-of-way dedicated to the City of Detroit on April 11, 2007 as recorded in the Journal of City Council on Page 810 thru 818. The streets are described as follows: Abington Avenue, 60 feet wide from the north line of Tireman Avenue, 103 feet wide, to the south line of Constance Avenue, 60 feet wide; also Memorial Avenue, 60 feet wide from the north line of Tireman Avenue, 103 feet wide, to the south line of Constance Avenue 60 feet wide; also Clayburn Avenue, 60 feet wide from the north line of Tireman Avenue, 103 feet wide, to the south line of Gardenview Circle, 70 feet wide; also Rutland Avenue, 60 feet wide from the north line of Tireman Avenue, 103 feet wide, to the southeast line of Longacre Avenue, 60 feet wide; also Longacre Avenue, 60 feet wide from the north line of Tireman

Avenue, 103 feet wide, to the southwest line of the southerly part of Gardenvue Circle, 70 feet wide; also Benton Avenue, 60 feet wide from the east line of Longacre, 60 feet wide, to the west line of Grandmont Avenue, 60 feet wide; also Constance Avenue, 60 feet wide from the east line of Longacre Avenue, 60 feet wide to the west line of Clayburn Avenue, 60 feet wide; also the southwest part of Gardenvue Circle, 70 feet wide from the southeast line of Longacre 60 feet wide to the west line of Memorial Avenue, 60 feet wide. The described streets are closed on a temporary basis until the remediation work is completed, the fences removed and the streets are reopened, or until April 1, 2020 when these closures shall expire.

Provided, That the petitioner shall file with the Finance Department and/or City Engineering Division — DPW 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 street closures.

Provided, The property owned by the petitioner and adjoining the temporary public street closings shall be subject to the proper zoning or regulated use (Board of Zoning Appeals Grant) over the total width and length of the streets; and

Provided, The petitioner shall agree to pay all claims, damages or expenses that may arise out of the maintenance of the temporary public street closings, and

Provided, No buildings or other structures of any nature whatsoever (except necessary line fence), 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, The petitioner's fence, gate and barricade installations shall provide 13 feet horizontal and 15 feet vertical clearance(s) for utility maintenance vehicles and must only be installed in such a way to not prohibit pedestrian traffic within the sidewalk space; 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 temporary 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, 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 accordingly) grant an extension thereto; and

Provided, That 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.

PETITION NO. 359
 DETROIT HOUSING COMMISSION
 1301 E. JEFFERSON AVE.
 DETROIT, MICHIGAN 48207
 C/O MARTINA J. ORANGE
 PHONE NO. 313 877-8000

JOY RD. 120 FT. WD.

SOUTHFIELD FREEWAY

CHESAPEAKE & OAK R.R.

ASBURY PARK AVE. 86 FT. WD.

TIREMAN AVE. 103 FT. WD.

CARTO 99 B

- REQUESTED TEMPORARY STREET CLOSURE (FOR OFFICE USE ONLY)

B					
A					
APPROVED	REVISED	DATE	BY	DATE	BY
DATE	08-04-14	APPROVED			

REQUEST TO TEMPORARY CLOSE
 VARIOUS PUBLIC STREET, VARIOUS WD.
 IN THE BLOCK BOUND BY
 JOY RD., ASBURY PARK, TIREMAN AVE.
 AND SOUTHFIELD FWY.

CITY OF DETROIT
 CITY ENGINEERING DEPARTMENT
 SURVEY BUREAU

JOB NO. 01-01
 DRWG. NO. X 359

Adopted as follows:

Yeas — Council Members Ayers, Benson, Cushingberry, Jr., Leland, Sheffield, Spivey, Tate, and President Jones — 8.

Nays — None.

*WAIVER OF RECONSIDERATION (No. 4), per motions before adjournment.

Dangerous Structures

Honorable City Council:

In accordance with Section 12-11-28.4 of the Building Code, hearings were held for the purpose of giving the owner or owners the opportunity to show cause why certain structures should not be demolished or otherwise made safe. After careful consideration of same, your committee recommends that action be taken as set forth in the following resolution.

Respectfully submitted,

SCOTT BENSON

Chairperson

By Council Member Benson:

Resolved, That the findings and determination of the Buildings, Safety Engineering and Environmental Department that certain structures on premises known as 969 Adeline, 664 Alger, 18929 Asbury Park, 6200 Avery, 14110 Blackstone, 19701 Blackstone, 8189 Bliss, 5006 Campbell, 14931 Chatham, 15031 Chatham, as shown in proceedings of March 17, 2015 (JCC _____), are in a dangerous condition and should be removed, be and hereby approved, and be it further

Resolved, That the Buildings, Safety Engineering and Environmental Department be and is hereby authorized and directed to take the necessary steps for the removal of dangerous structures at 969 Adeline, 664 Alger, 18929 Asbury Park, 6200 Avery, 14110 Blackstone, 8189 Bliss, 5006 Campbell, 14931 Chatham, and to assess the costs of same against the properties more particularly described in the above