

Marquises and Signs

To the Honorable, the Common Council:

Gentlemen—To your Committee of the Whole were referred petitions of 1426 Woodward Ave. Corp. (6754), to maintain marquise at 1426 Woodward Ave., and Famous Door, Inc. (6887), for permit to erect marquise and signs at 212 Grand River Ave. After consultation with the Department of Buildings and Safety Engineering and the Fire Marshal, and careful consideration of the matters, your committee recommends that same be denied.

Respectfully submitted,

CHAS. E. DORAIS,
Chairman.

Accepted and adopted.

Permits

To the Honorable, the Common Council:

Gentlemen—To your Committee of the Whole was referred petition of Albert Finn (6886), requesting permission to continue use of brick veneer building at 961 West Warren Ave. for commercial purposes. After consultation with the Department of Buildings and Safety Engineering and careful consideration of the matter, your committee recommends that same be denied.

Respectfully submitted,

CHAS. E. DORAIS,
Chairman.

Accepted and adopted.

Street Improvements

To the Honorable, the Common Council:

Gentlemen—To your Committee of the Whole was referred petition of Earl A. Graef (6732), to extend time to comply with resolution to improve Albany between Outer Dr. and Lantz Ave., for F.H.A. approval. After consultation with the Department of Public Works, and careful consideration of the request, your committee recommends that same be granted, and offers the following resolution.

Respectfully submitted,

CHAS. A. DORAIS,
Chairman.

By Councilman Dorais:

Resolved, That Earl A. Graef be and he is hereby granted a three months extension of time from date of the adoption of this resolution, in which to comply with Common Council resolution of November 12, 1940 (JCC p-3181), for the improvement of Albany Ave. between Outer Dr. and Lantz Ave., for F.H.A. approval.

Adopted as follows:

Yeas—Councilmen Dorais, Garlick, Lodge, Sweeny, and the President—5.
Nays—None.

Streets

To the Honorable, the Common Council:

Gentlemen—To your Committee of the Whole was referred petition of Denby Community Hikers Club (6927), to rope-off Troester Ave., from Salter to Kelly Rd., for a street party. After careful consideration of the request, your committee recommends that same be granted in accordance with the following resolution.

Respectfully submitted,

CHAS. E. DORAIS,
Chairman.

By Councilman Dorais:

Resolved, That subject to its approval, the Department of Police be and it is hereby authorized to issue permit to the Denby Community Hikers Club, to close Troester Ave., to vehicular traffic, from Salter Ave. to Kelly Rd., on May 16, 1941, from 7:45 p. m. to 11:00 p. m., for the purpose of holding a street party.

Provided, That such use shall be made of said street under the supervision and rules and regulations of the Department of Police, and further

Provided, That there shall be no admission fee or charge of any kind in connection with said function, and further

Provided, That this resolution is revocable at the will, whim or caprice of the Common Council.

Adopted as follows:

Yeas—Councilmen Dorais, Garlick, Lodge, Sweeny, and the President—5.
Nays—None.

Vacation of Alley

To the Honorable, the Common Council:

Gentlemen—To your Committee of the Whole was referred petition of the Kroger Grocery & Baking Co. (6596), for the vacation of a part of the alley north of Merritt Ave. and east of Junction Ave. After consultation with the City Plan Commission, and careful consideration of the request, your committee recommends that same be granted in accordance with the following resolution.

Respectfully submitted,

CHAS. E. DORAIS,
Chairman.

By Councilman Dorais:

Resolved, that all that part of east and west public alley in block lying east of Junction avenue between Merritt avenue and McGregor Place, more particularly described as that part of east and west public alley 20 feet wide lying between the southerly line of Lot 4 and the northerly line of Lot 32, all of McMillan Sub'n. of the S. 270 feet of the east Half of the rear concession of P. C. 260 lying north of the north line of Annexation st. (now Merritt avenue), Detroit, Wayne Co., Mich.

as recorded in Liber 12, Page 95 of Plats of Wayne County Records.

Be and the same is hereby vacated to become part and parcel of the adjoining property.

Provided, that by reason of the vacation of the above described alley the City of Detroit does not waive any rights in the lateral sewer located in said alley and shall at all times have the right to enter upon the premises if found necessary on account of said sewer to repair same and provided, further, that if a building is to be constructed over said vacated alley said sewer must be replaced with cast iron pipe of the same size. Plans of the new building are to be submitted to the City Engineer to the Department of Buildings, and further,

Provided, petitioners file with the City Clerk, within thirty days an agreement in writing waiving any and all claims for damages which may arise due to the separation of grades affecting the property herein vacated and further,

Resolved, that upon compliance with the above provisos the City Controller be and is hereby directed to issue Quit Claim Deed to the Kroger Grocery and Baking Company, an Ohio Corporation, as owner in fee of adjoining property.

Adopted as follows:

Yeas—Councilmen Dorais, Garlick, Lodge, Sweeny, and the President—5.

Nays—None.

Zoning Ordinance

To the Honorable, the Common Council:

Gentlemen—To your Committee of the Whole was referred petition of Arthur F. Kerby (6928), requesting the postponement of passage of amendment to Section 3.12 of the zoning ordinance relative to parking lots, and requesting a hearing on same. Your committee wishes to report that this proposed amendment was introduced at the session of the Council of April 22, 1941, and a resolution adopted at that time (J. C. C. p. 1197), setting a public hearing on said amendment for 10:30 a. m., Friday, May 9, 1941, notice of said hearing being published on April 23, 1941. In accordance with this action, a public hearing was held on May 9, 1941, at which time no protests were presented. Therefore, inasmuch as the conditions imposed by law with reference to amendments to the zoning ordinance have been complied with, your committee recommends that the petition be denied.

Respectfully submitted,

CHAS. E. DORAIS,
Chairman.

Accepted and adopted.

RESOLUTIONS

By Councilman Dorais:

Whereas, Under date of March 19, 1941, the Hon. Homer Ferguson, Circuit Judge, acting as a one man grand jury, in accordance with the provisions of the Statutes of the State of Michigan, served upon this Common Council certain findings pertaining to Councilman Robert G. Ewald; and

Whereas, On March 20, 1941, a resolution was adopted preferring charges against the said Robert G. Ewald in accordance with said findings (J. C. C. 1941, pp. 798-799); and

Whereas, The original resolution as adopted set a time for hearing on said charges on April 3, 1941; and

Whereas, Subsequently that portion of the resolution setting the time for hearing was amended by resolution adopted March 28, 1941, to read as follows:

“Resolved, That a hearing on said charges will be held in the Council Chamber in the City Hall upon a date not less than ten days from the time of the service of the charges upon you, said date to be subsequently determined in an appropriate resolution, a certified copy of which will be served upon you.” (J. C. C. 1941, pp. 865-866),

and

Whereas, Councilman Robert G. Ewald has returned to Detroit and his health is such as to permit a hearing on said charges. Now, Therefore, Be It

Resolved, That a hearing on charges preferred against the said Robert G. Ewald in a resolution dated March 20, 1941 (J. C. C. 1941, pp. 798-799), previously served upon the said Robert G. Ewald as indicated by proof of service printed in the Council Proceedings (J. C. C. 1941, pp. 900-901), will be held in the Council Chamber in the City Hall in the City of Detroit, on the 26th day of May, 1941, at 10:30 o'clock in the forenoon; and be it further

Resolved, That a certified copy of this resolution be forthwith served upon Councilman Ewald, together with a certified copy of the findings of the Council containing findings submitted by the Ferguson (J. C. C. 1941, pp. 798-799).

Approved as to form:

PAUL E. KRAUSE,

Corporation Clerk

Adopted as follows—Councilmen Dorais, Garlick,

Yeas—Councilmen the President—5.

Lodge, Sweeny.

Nays—None

Consideration

When Councilman Garlick moved to reconsider the vote by which the resolution was adopted.

When Councilman Dorais moved to suspend Rule 23, except amendment as

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