

# COMMON COUNCIL

(REGULAR SESSION)

All action of the Common Council appearing herein is subject to reconsideration and/or approval of the Mayor.

Detroit, Tuesday, January 31, 1956

The Council met and was called to order by the President, Hon. Louis C. Miriani.

Present—Councilmen Beck, Connor, Lincoln, Rogell, Smith, Van Antwerp, Wise, Youngblood, and President Miriani—9.

There being a quorum present, the Council was declared to be in session.

The journal of the preceding session was approved.

## Invocation

### PRAYER FOR GUIDANCE

O Holy Spirit of God, take us as Thy disciples; guide us; illuminate us; sanctify us. Bind our hands that they may do no evil; cover our eyes that they may see it no more; sanctify our hearts, that evil may not dwell within us. Be Thou our God; be Thou our Guide. Whithersoever Thou leadest us we will go; whatsoever Thou biddest us we will renounce; and whatsoever Thou commandest us, in Thy strength we will do. Lead us, then, unto the fullness of Thy truth.—Amen.

Father Vincent J. Howard,  
St. Aloysius Church.

## Taken from the Table

Councilman Beck moved to take from the table an ordinance to amend Sec. 11, of Ordinance 82-F, Chapter 49, Compiled Ordinances, "Water Board Revenue Bonds," to designate the National Bank as depository for Water Board funds, laid on the table January 24, 1956 (J.C.C. p. 123), which motion prevailed.

The Ordinance was then placed on the order of third reading.

### THIRD READING OF ORDINANCE.

The title to the ordinance was read a third time.

The ordinance was then read.

The question being "Shall this ordinance now pass?" The ordinance was passed, a majority of the Councilmen present voting therefor as follows:

**Yeas — Councilmen Beck, Connor, Lincoln, Rogell, Smith, Van Antwerp, Wise, Youngblood, and President Miriani—9.**

**Nays—None.**

Title to the ordinance was confirmed.

Department of Public Works

January 30, 1956.

Honorable Common Council:

Gentlemen—Your Committee of the

Whole referred to this office for investigation and report the petition of Charles M. Bauervic, Petition No. 5792, requesting the vacation of a portion of east-west public alley west of Telegraph Road and south of Seven Mile Road, and an offer to dedicate land for a new alley outlet into Seven Mile Road in lieu of the alley to be vacated. The vacation of said alley was denied by the City Plan Commission in their communications to your Honorable Body of August 17, 1955, and November 10, 1955.

We wish to advise that our investigations are completed.

As per our directive, the petitioner (on January 30, 1956) deposited with the City Treasurer the amount of \$630.00, Receipt No. B-34113, credited to the Public Lighting Commission Fund Code No. 990-9423-472, said amount being the estimated cost of removing and rerouting P.L.C. facilities necessitated by the vacation of said portion of alley.

On January 30, 1956, the petitioner deposited with the Permit Division of the Department of Public Works the sum of \$3,200.00, Receipt No. 70886, said amount being the estimated cost of paving newly deeded alley, constructing sidewalk and alley return and removing two trees, incidental to the vacation of said alley.

The petitioner also deposited with the Permit Division of the Department of Public Works the amount of \$700.00, Receipt No. 70885, said amount being the estimated cost of constructing a new manhole in Telegraph Road at the intersection of the alley to be vacated.

A proper provision is incorporated into the vacating resolution protecting the City's interests in the sewer located in the alley to be vacated.

We are in receipt of a Warranty Deed from Charles M. Bauervic and Rose D. Bauervic, his wife, to the City of Detroit, deeding land for alley purposes. Said deed was approved as to form and execution by the Corporation Counsel and as to description by the City Engineer and is attached hereto for your Honorable Body's acceptance.

In reply to our inquiries, all other City departments and privately-owned utility companies reported that they will be unaffected by the vacation of said alley or that they have reached satisfactory agreements with the petitioner regarding their installations therein.

A resolution vacating said alley follows:

Respectfully submitted,  
GLENN C. RICHARDS,  
Commissioner.

By Councilman Beck:

Resolved, That all that part of the east-west public alley, 16 feet wide,

south of Seven Mile Road, and west of Telegraph Road, as platted in Bungalohill Subdivision of part of the N.E. ¼ of Section 8 and part of the N.W. ¼ of Section 9, Redford Township, T. 1 S., R. 10 E., Wayne County, Michigan, as recorded in Liber 35, Page 61 of Plats, Wayne County Records, lying south of and adjoining the south line of lots 375 to 379 both inclusive, south of and adjoining the south line of the east 16 feet of lot 380, and north of and adjoining the north line of the east 122 feet of lot 382 of the above mentioned subdivision, be and the same is hereby vacated as a public alley to become a part and parcel of the adjoining property subject to the following provisions:

1) Provided, That by reason of the vacation of the above described alley the City of Detroit does not waive any rights to the sewers located therein and at all times shall have the right to enter upon premises, if found necessary, on account of said sewers to repair, alter, or service same; and further

2) Provided, That if a building is to be constructed over said sewers, the sewers shall be replaced with cast iron pipe of the same size, rerouted or encased in 6 inches of Class A concrete, or in lieu of the above, such work shall be done as will be specified by the City Engineer, all of the work mentioned to be done under the supervision and inspection of the Department of Public Works and all costs entailed to be borne by the petitioners, their successors, or assigns; and further

3) Provided, That no buildings shall be constructed over said sewers without the prior approval of such building construction by the City Engineer and the Department of Buildings and Safety Engineering; and further

4) Provided, In the event that the sewers located in said alleys, if built upon, shall break causing damage to any construction above, the petitioners and its assigns, by acceptance of the permit for building over said sewers, waive all claims for damages to such construction and agree to pay all costs incident to the repair of such broken sewers; and further

Resolved, That Warranty Deed of Charles M. Bauervic and Rose D. Bauervic, his wife, to the City of Detroit deeding land for alley purposes, said land being described as "Lot 381 and the west 5 feet of Lot 380 of Bungalohill Subdivision of part of the N.E. ¼ of Section 8 and part of the N.W. ¼ of Section 9, Redford Township, T. 1 S., R. 10 E., Wayne County, Michigan, as recorded in Liber 35, Page 61 of Plats, Wayne County Records," be and the same is

hereby accepted and the City Controller be and he is hereby directed to record said deed in the office of the Register of Deeds for Wayne County.

Adopted as follows:

Yeas — Councilmen Beck, Connor, Lincoln, Rogell, Smith, Van Antwerp, Wise, Youngblood, and President Miriani—9.

Nays—None.

**Taken from the Ttable**

Councilman Beck moved to take from the table an ordinance to amend District Map 71, Ordinance 171-D, to change the district classification from R1 to B2 on west side of Telegraph Road south of Seven Mile Road, laid on the table Oct. 11, 1955 (JCC, p. 2145), which motion prevailed.

The Ordinance was then place on the order of third reading.

**THIRD READING OF ORDINANCE.**

The title to the ordinance was read a third time.

The ordinance was then read.

The question being "Shall This Ordinance Now Pass?" The Ordinance was passed, a majority of the Councilmen present voting therefor as follows:

Yeas — Councilmen Beck, Connor, Lincoln, Rogell, Smith, Van Antwerp, Wise, Youngblood, and President Miriani—9.

Nays—None.

Title to the Ordinance was confirmed.

**Taken from the Table**

Councilman Wise moved to take from the table an ordinance to amend Chapter 325, Compiled Ordinances, by adding Sec. 14 (m), to prohibit the use of flashing signals or other devices which interfere with the visibility of traffic signals, laid on the table January 24, 1956 (JCC, p. 104), which motion prevailed.

The Ordinance was then placed on the order of third reading.

**THIRD READING OF ORDINANCE.**

The title to the Ordinance was read a third time.

The ordinance was then read.

The question being "Shall This Ordinance Now Pass?" The Ordinance was passed, a majority of the Councilmen present voting therefor as follows:

Yeas — Councilmen Beck, Connor, Lincoln, Rogell, Smith, Van Antwerp, Wise, Youngblood, and President Miriani—9.

Nays—None.

Title to the Ordinance was confirmed.

**COMMUNICATIONS**

From the Mayor

January 26, 1956.

Honorable Common Council:

Gentlemen—Please be advised that