

referred to the Corporation Counsel for an opinion regarding the award of the Contract.

The Corporation Counsel, in an opinion dated November 6, 1959, stated that such qualification became a substantial variance from the advertised basis for bidding, and, therefore, could not be considered the lowest responsible bid.

In view of this opinion, and the uncertainty of steel delivery at this time, it is recommended that all bids be rejected and the readvertisement for new construction bids be deferred until such time as the steel situation has become stabilized and steel products are again available.

Respectfully submitted,
ROBERT C. BEALE,
Secretary.

Recommended:
M. F. WAGNITZ,
City Engineer.

By Councilman Van Antwerp:

Resolved, That all bids received on November 3, 1959, for Addition to Fire Station, Contract FD-13, be and are hereby rejected for the reasons stated in the foregoing communication.

Adopted as follows:

Yeas—Councilmen Carey, Connor, Lincoln, Patrick, Rogell, Smith, Van Antwerp, Wise and President Beck—9.
Nays—None.

Department of Public Works

November 16, 1959

Honorable Common Council:

Gentlemen—This is to certify that all work required of the Contractors in the performance of these Contracts has been fully completed and found acceptable under the terms and conditions thereof, and that the total value of such completed work, including all Contract Changes duly issued, is that stated below as the Adjusted Contract Price.

The Contractors have submitted affidavits that all payrolls, material bills, and all other indebtedness incurred by them in connection with the work have been paid.

It is therefore recommended that the total value of the work, as stated below be paid to the Contractors with the understanding that such payments are made by the City and accepted by the Contractors under the Contract provisions covering final payment.

Street Paving—

PW-3554W—Whitlock, Stahelin to Ashton, J. C. Sachs Company, Adjusted Contract Price, \$26,818.75.

DONALD B. WARD,
Engineer of Tests
& Inspection.

M. F. WAGNITZ,
City Engineer.

GLENN C. RICHARDS,
Commissioner.

By Councilman Lincoln
Whereas, From the foregoing com-

munications, it appears that all work required to be performed by the Contractors under the contracts therein named has been fully completed; and

Whereas, The completed work has been found acceptable under the terms and conditions of said contracts by the Department of Public Works; therefore be it

Resolved, That the said contracts be and are hereby accepted.

Adopted as follows:

Yeas—Councilmen Carey, Connor, Lincoln, Patrick, Rogell, Smith, Van Antwerp, Wise and President Beck—9.
Nays—None.

Reconsideration

"Councilman Wise moved to reconsider the vote by which the resolution was adopted.

Councilman Rogell moved to suspend Rule 23 for the purpose of indefinitely postponing the motion to reconsider, which motion prevailed as follows:

Yeas—Councilmen Carey, Connor, Lincoln, Patrick, Rogell, Smith, Van Antwerp, Wise and President Beck—9.
Nays—None.

Councilman Connor then moved that the motion to reconsider be indefinitely postponed, which motion prevailed.

The regular order was resumed.

Department of Public Works

November 23, 1959

Honorable Common Council:

Gentlemen—We are submitting a contract between the Department of Public Works, City of Detroit, and the Munn Contracting Company for dumping privileges in the Township of Taylor, Wayne County, Michigan.

It has been approved by the Corporation Counsel's Office as to form and execution.

May we have your approval of this contract.

Respectfully submitted,
GLENN C. RICHARDS,
Commissioner.

By Councilman Rogell:

Resolved, That contract for dumping privileges in Taylor Township, as outlined above, be and the same is hereby approved.

Adopted as follows:

Yeas—Councilmen Carey, Connor, Lincoln, Patrick, Rogell, Smith, Van Antwerp, Wise and President Beck—9.
Nays—None.

Department of Public Works

November 19, 1959

Honorable Common Council:

Gentlemen—We are returning herewith the petition of Russ Dawson, Number 5765 requesting the vacation of the east-west public alley, north of Grand River Avenue between Grandview and Winston Avenues. The vacation of said alley was approved by the City Plan Commission and was then referred to this office by your

Committee of the Whole for investigation and report.

We wish to advise that our investigations are completed.

All 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.

We recommend the adoption of the attached resolution.

Respectfully submitted,
GLENN C. RICHARDS,
Commissioner.

By Councilman Rogell:

Resolved, That all of the east-west public alley, 20 feet wide, north of Grand River Avenue between Grandview and Winston Avenues as platted in Supervisor's State Subdivision Number 5, a resubdivision of Lots 22 to 54, 73 to 78 and 87 to 89 inclusive and vacated alleys of Benjamin F. Mortenson's Grand Pointe Subdivision of part of N.W. $\frac{1}{4}$ of N.E. $\frac{1}{4}$ of Section 8, T. 1 S., R. 10 E., City of Detroit, Wayne County, Michigan as recorded in Liber 60, Page 36 of Plats, Wayne County Records, lying south of and adjoining the southerly line of Lots 162, 163 and 179, north of and adjoining the northerly line of Lots 164 to 178 both inclusive 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.

Adopted as follows:

Yeas — Councilmen Carey, Connor, Lincoln, Patrick, Rogell, Smith, Van Antwerp, Wise and President Beck—9.
Nays—None.

Department of Public Works

November 20, 1959.

Honorable Common Council:

Gentlemen — I am in receipt of a copy of a letter written by the Water Resources Commission to the Mayor and Council of the City of Grosse Pointe Park and the Mayor and Council of the City of Detroit in which they state that their staff has found the condition of Fox Creek a public health hazard.

The present contaminated condition of Fox Creek is caused by discharges of overflow from the City of Grosse Pointe Park's combined sewers. The City of Detroit has completed its sewer construction work and has diverted all of the discharge of overflow from Detroit's sewers out of Fox Creek. The entire responsibility now of conforming to the State's health standards is up to Grosse Pointe Park.

The Water Resources Commission asks that the City of Detroit make an official statement as to our position. A hearing is to be held on December 9, 1959, at which representatives of the City of Grosse Pointe

Park, the City of Detroit and the Fox Creek Protective Association will appear to review the problem and to consider ways and means of removing the pollution.

It is my recommendation, and that of the Mayor, that the Common Council of the City of Detroit pass a resolution supporting the Fox Creek Protective Association in requesting the Water Resources Commission to require the City of Grosse Pointe Park to correct the situation at an early date.

Respectfully submitted,
GLENN C. RICHARDS,
Commissioner.

By Councilman Rogell:

Whereas, The pollution of Fox Creek has been a subject of discussion and a source of many complaints for several years, and

Whereas, The staff of the State Health Department has found the condition of Fox Creek to be a public health hazard, and

Whereas, This Common Council is advised by the Commissioner of Public Works that the contaminated condition is caused by discharges of overflow from the combined sewers of the City of Grosse Pointe Park, and

Whereas, The City of Detroit has diverted all of the discharge of overflow from Detroit's sewers out of Fox Creek, and it is now the entire responsibility of Grosse Pointe Park to conform to the health standards of the State of Michigan, therefore be it

Resolved, That the Michigan Water Resources Commission be and it is hereby requested to require the City of Grosse Pointe Park to correct this situation in the immediate future.

Adopted as follows:

Yeas — Councilmen Carey, Connor, Lincoln, Patrick, Rogell, Smith, Van Antwerp, Wise and President Beck—9.
Nays—None.

Department of Public Works

November 17, 1959

Honorable Common Council:

Gentlemen—We are returning herewith the petition of Thomas Farnworth, No. 5775, requesting permission to maintain a masonry dog runway encroaching four feet into the 8.5-foot easement in the rear of his lot.

An investigation of the premises disclosed the existence of an 8.5-foot easement in the rear of the petitioner's property. There are no utility poles located in said 8-5-foot easement. The dog runway consists of 4-inch cement block fence, 15 feet long, and 4 feet high, attached to the rear of the petitioner's garage encroaching 4 feet into said easement.

We find that granting the petitioner's request would not be detrimental to the interests of the City and an appropriate resolution granting same is attached for your Honorable Body's