

Approved:

G. J. SAAM,
Deputy Controller.

By Councilman Wierzbicki:

Resolved, That the Mayor's Committee for Total Action Against Poverty be and is hereby authorized to pay Dr. Darwin Palmiere, Mr. Aron Krasner, Mrs. Lena Bivens, and Dr. George Henderson on a consultant basis in accordance with the foregoing communication; and be it further

Resolved, That the City Controller be and is hereby authorized to honor vouchers in accordance with the above and the foregoing communication.

Adopted as follows:

Yeas — Councilmen Beck, Brickley, Connor, Poindexter, Rogell, Wierzbicki and President Carey—7.

Nays—None.

Municipal Parking Authority

October 19, 1965.

Honorable Common Council:

Gentlemen—Our contract with the Radcliff Management Company for the operation of the 300 Griswold Parking Lot expires December 31, 1965. This lot is located in the area south of Jefferson Avenue between the Ford Auditorium and the Veterans Memorial Building which is the site for the proposed Civic Center Plaza and a two-level underground garage. The architectural firm of Smith, Hinchman and Grylls, Inc., has been hired by the City Engineers to prepare construction plans for the development of both the Plaza and the garage. It is estimated that final construction drawings should be completed by June, 1966 and work started shortly thereafter.

The starting of construction will eliminate the 300 Griswold Parking Lot. In view of the short period of time involved, it would seem practical to extend the present management contract. The Radcliff Management Co. has indicated their willingness to an extension providing the fee they are paid is increased from \$169.00 per month to \$199.00 per month. They are requesting the additional \$30.00 per month to cover increases in Workmen Compensation premiums and the cost of other insurance that they must carry. Their request appears to be reasonable.

We therefore recommend the existing contract with Radcliff Management Company be extended to June 30, 1966, all terms and conditions to remain the same except that the monthly fee be increased from \$169.00 per month to \$199.00. The contract contains a 30-day cancellation clause which can be exercised if it becomes necessary to use the property for other purposes during the extension period.

Respectfully submitted,
WILLIAM L. FINNIN,
Director.

Approved:

G. J. SAAM,
Deputy Controller.

By Councilman Rogell:

Resolved, That the Municipal Parking Authority be and is hereby authorized and directed to extend to June 30, 1966, the contract for operation of the 300 Griswold Parking Lot with the Radcliff Management Company in accordance with the foregoing communication.

Adopted as follows:

Yeas — Councilmen Beck, Brickley, Connor, Poindexter, Rogell, Wierzbicki and President Carey—7.

Nays—None.

Department of Parks and Recreation

October 25, 1965.

Honorable Common Council:

Gentlemen—In recent years, we have purchased our Christmas trees directly at the source. Because of the number and sizes of the trees involved, we have found this to be the most economical means of purchasing this item.

We send a crew to the area involved at the expense of the City, and it is their job to select and transport the trees to Detroit. We find it much cheaper to purchase the trees this way, rather than to buy them delivered to the City. The vendors of the Christmas trees require cash payment at the time of securing the trees.

Because of the amount of money involved, the Controller's Office has suggested that we bring this matter to the attention of your Honorable Body. We are requesting, therefore, your permission to proceed as usual with the purchase of Christmas trees for this year's Christmas decorations for a total not to exceed \$3,500.00 as follows:

Meals, lodgings, etc.	\$ 525.00
Trees and Birch Logs	2,900.00

Total	<u>\$3,425.00</u>
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Respectfully submitted,
HOWARD CROWELL,
General Superintendent.

Approved:

G. J. SAAM,
Deputy Controller.

By Councilman Wierzbicki:

Resolved, That the City Controller be and he is hereby authorized and directed to honor vouchers when presented in accordance with the foregoing communication.

Adopted as follows:

Yeas — Councilmen Beck, Brickley, Connor, Poindexter, Rogell, Wierzbicki and President Carey—7.

Nays—None.

Department of Public Works

October 14, 1965.

Honorable Common Council:

Gentlemen—We wish to advise that in carrying out the development plan for the area known as the Central Business District Project No. 1, Michigan R-3, which is being undertaken

by the City pursuant to Act 344 of the Public Acts of 1945, as amended, the Detroit Housing Commission (Petition No. 9150) has requested the vacation of portions of Fourth Avenue between Lafayette Avenue and Michigan Avenue, and Porter Avenue between Third Avenue and Second Avenue subject to easements for underground utilities.

All City departments and privately owned utility companies reported that they will be unaffected by the vacation of the above mentioned street subject to the reservation of easements for underground utilities.

In view of the foregoing, it will be necessary to adopt a resolution vacating said portions of Fourth Avenue and Porter Avenue mentioned above.

Respectfully submitted,
GLENN C. RICHARDS,
Commissioner.

By Councilman Beck:

WHEREAS, The City is undertaking the rehabilitation of the area known as the Central Business District Project No. 1, Michigan R-3, pursuant to Act 344 of the Public Acts of 1945, as amended, and

WHEREAS, In order to carry out the development plan for the project, it is necessary among other things to vacate the following streets.

All of Fourth Avenue, 60 feet wide, between Lafayette Street and Howard Street lying west of and adjoining the westerly line of Lots 6 and 7 of Block 31, west of and adjoining the westerly line of the vacated alley lying between Lots 6 and 7 of Block 31, of the Subdivision of the Cass Farm lying between Chicago Road and Fort Street, City of Detroit, Wayne County, Michigan as recorded in Liber 12, Page 324 of City Records and lying east of and adjoining the easterly line of Lot 1 of Block 32, east of and adjoining the easterly line of the northerly 116.935 feet of Lot 12 of Block 32 and lying east of and adjoining the easterly line of the vacated alley lying between Lots 1 and 12 of Block 32, all of the Plat of the Subdivision of that part of Private Claim 247 between the northerly line of Woodbridge and Larned Streets and the southerly line of Michigan Avenue by Mrs. Catherine H. Jones, City of Detroit, Wayne County, Michigan as recorded in Liber 44, Page 1 of Deeds Wayne County Records.

Also, all of Fourth Avenue, 60 feet wide, between Howard Street and Abbott Street as platted in the Plat of the Subdivision of part of Private Claim 247, between the northerly line of Woodbridge and Larned Streets and the southerly line of Michigan Avenue by Mrs. Catherine H. Jones, City of Detroit, Wayne County, Michigan as recorded in Liber 44, Page 1 of Deeds Wayne County Records lying west of and adjoining the westerly line of Lots 7 and 13 of Block 35, west of and adjoining the westerly

line of the vacated alley lying between Lots 7 and 13 of Block 35, east of and adjoining the easterly line of Lots 1 and 16 of Block 40 and lying east of and adjoining the easterly line of the vacated alley lying between Lots 1 and 16 of Block 40, all of the above mentioned subdivision.

Also, all of Fourth Avenue, 60 feet wide, between Abbott Street and Michigan Avenue as platted in the Plat of the Subdivision of part of Private Claim 247 between the northerly line of Woodbridge and Larned Streets and the southerly line of Michigan Avenue by Mrs. Catherine H. Jones, City of Detroit, Wayne County, Michigan as recorded in Liber 44, Page 1 of Deeds Wayne County Records lying west of and adjoining the westerly line of Lots 13 and 14 of Block 47, west of and adjoining the westerly line of the vacated alley lying between Lots 13 and 14 of Block 47, west of and adjoining the westerly line of vacated Porter Street, west of and adjoining the westerly line of Lots 8, 9, 10, 15, 16, 17, 18 and 19 of Block 46, west of and adjoining the westerly line of the vacated alley lying between Lots 8 and 10 of Block 46, east of and adjoining the easterly line of Lot 1 of Block 53½, east of and adjoining the easterly line of vacated Labrosse Street, east of and adjoining the easterly line of Lots 15 and 16 of Block 52, east of and adjoining the easterly line of the vacated alley lying between Lots 15 and 16 of Block 52, east of and adjoining the easterly line of vacated Porter Street, east of and adjoining the easterly line of Lots 15 and 16 of Block 48 and lying east of and adjoining the easterly line of the vacated alley lying between Lots 15 and 16 of Block 48, all of the above mentioned subdivision.

Also, all that part of Porter Street, 60 feet wide, west of Second Avenue, as platted in the Subdivision of the Cass Farm between Chicago Road and Fort Street, City of Detroit, Wayne County, Michigan as recorded in Liber 12, Page 324 of City Records more particularly described as follows: Beginning at the intersection of the south line of Porter Street with the west line of Second Avenue, said point also being the northeast corner of Lot 1 of Block 45 of the above-mentioned subdivision; thence westerly along the northerly line of said Lot 1, 50.00 feet to the northwest corner of Lot 1; thence northerly along the westerly line of Lot 1 extended, 60.00 feet to a point in the southerly line of Lot 1 of Block 45½; of the last mentioned subdivision, said point being 16.20 feet west of the northeast corner of Lot 1 of Block 45½; thence easterly along said south line of Lot 1, 16.20 feet to a point, said point being the intersection of the northerly line of Porter Street, 60 feet wide, with the southerly line of Michigan Avenue, 100

feet wide; thence southeasterly along the southerly line of Michigan Avenue extended, to a point of intersection of the west line of Second Avenue, 60 feet wide, extended northerly; thence southerly along the westerly line of Second Avenue extended to the point of beginning.

Also, the north 10.00 feet of Porter Street, 60 feet wide, east of Third Avenue, as platted in the Subdivision of the Cass Farm between Chicago Road and Fort Street, City of Detroit, Wayne County, Michigan as recorded in Liber 12, Page 324 of City Records lying south of and adjoining the southerly line of Lots 2, 3, 4, and 5 of Block 45½ and lying south of and adjoining the southerly line of the westerly 50.00 feet of Lot 1 of Block 45½, all of the above mentioned subdivision.

Also, the south 30.00 feet of Porter Street, 60 feet wide, east of Third Avenue as platted in the Subdivision of the Cass Farm lying between Chicago Road and Fort Street, City of Detroit, Wayne County, Michigan as recorded in Liber 12, Page 324 of City Records lying north of and adjoining the northerly line of Lots 2, 3, 4, 5 and 6 of Block 45, all of the above mentioned subdivision.

Resolved, That all of the above described streets are hereby vacated to become a part and parcel of the adjoining property subject to the following provisions:

1) Underground public basements are hereby reserved within the right-of-way of said streets hereinabove described for public utilities.

2) The right to ingress and egress to and over said easement for the purpose of installing, maintaining, repairing, removing, or replacing of public utilities.

3) Public utilities shall not be installed on surface but only underground and no buildings or structures of any nature whatsoever (except necessary line fences) shall be built or placed upon said easement; and further

Resolved, That the Detroit Edison Company and the Michigan Bell Telephone Company are hereby directed to remove all their overhead lines and poles from the vacated streets without expense to the City within thirty (30) days after receipt of a copy of this resolution; and be it further

Resolved, That the City Clerk is hereby directed to mail to the Detroit Edison Company, the Michigan Bell Telephone Company and the Michigan Consolidated Gas Company, a certified copy of this resolution.

Adopted as follows:

Yeas — Councilmen Beck, Brickley, Connor, Poindexter, Rogell, Wierzbicki and President Carey—7.

Nays—None.

Department of Public Works
October 19, 1965.
Honorable Common Council:

Gentlemen—Contract PW-4560 is for the John Kronk Relief Sewer Arm in John Kronk, east of Lonyo to Central. The work consists of the construction of a 4 ft. 6 in. diameter sewer in tunnel. The Contract was awarded on April 27, 1965, to Foma Company of Detroit in the amount of \$109,000.00. The Contractor was ordered to start work June 28, 1965. The Contract allowed 120 consecutive calendar days for completion, making the required completion date October 25, 1965.

While the time allowed for completion has practically elapsed, the amount of work completed is practically nil. The only work done to date has been a shaft constructed at the lower end of the proposed sewer. One length of pipe has been placed in position.

Since the work had not progressed in the time allowed or by the methods proposed by the Contractor, the Contractor and his surety were notified on September 27, of a hearing relative to the City's intent to declare the Contractor in default under the terms of the Contract.

The bases of such default were the terms of Article 26 of the General Conditions, Subarticle "A":

"b) The Contractor refuses, neglects, or fails to supply a sufficiency of properly skilled workmen or proper amount of materials of the specified quality."

"g) The City Engineer be of the opinion that the work cannot be completed within the time herein provided or within such time as the completion may have been extended; provided, however, that the impossibility of timely completion is, in the City Engineer's judgment, attributable to conditions within the Contractor's control."

A hearing was duly held on October 1. At this hearing the Contractor was present, as were representatives and the attorney of the surety company, the Glen Falls Company, representatives of the City Engineer's Office and the Corporation Counsel. The reasons for the hearing were presented, and the Contractor was given an opportunity to reply. The Contractor acknowledged that adequate grounds existed for the default action contemplated by the City, but stated that he felt that if given an opportunity to present an alternate plan he could cure the reasons and grounds for default.

The Contractor proposed an alternate scheme of constructing this sewer, changing from the required tunnel construction in the City street to open cut construction in private property adjacent to the original line. After considering the Contractor's proposal, I exercised the option provided in Article 26, Subarticle "C"