

the westerly 271.71 feet (as measured along its southerly edge), on petition of Housing Associates (2897), the Department of Buildings and Safety Engineering and Public Works are hereby directed to refrain from issuing permits for the development of the aforesaid property and to refer all applications to the City Plan Commission for review and approval. Adopted as follows:

Yeas — Councilmen Browne, Eberhard, Hood, Levin, Rogell, Van Antwerp, Wierzbicki and President Ravitz—8.

Nays—None.

COMMUNICATIONS

From the Mayor

August 3, 1971

Honorable Common Council:

Re: Common Council Resolution of July 27, 1971 providing authorization for year II agreement with Metro Arts Complex, Inc.

Gentlemen — I am herewith returning Common Council minutes of July 27, 1971 which I have approved except for the item authorizing a year II agreement with Metro Arts Complex, Inc., which item I am vetoing. The basis for this veto is set forth in the letter attached hereto from the Model Neighborhood Agency director to me, and I have concurred in Mr. Angel's recommendation.

In the process of winding up the affairs of this corporation as they relate to the Model Neighborhood Agency, it may be necessary to seek some additional payment authorization from your body, and I am assured that Mr. Angel will provide you with the necessary detail and justification in the near future.

Respectfully submitted,
ROMAN S. GRIBBS,

Mayor

Councilman Wierzbicki moved to reconsider the vote by which the resolution authorizing a year II agreement with Metro Arts Complex, Inc., referred to in the veto message of His Honor, the Mayor, was adopted, which motion prevailed as follows:

Yeas — Councilmen Browne, Eberhard, Hood, Levin, Rogell, Van Antwerp, Wierzbicki, and President Ravitz — 8.

Nays — None.

Councilman Hood moved that the matter be referred back to committee of the Whole, which motion prevailed.

Department of Public Works

July 29, 1971

Honorable Common Council:

Re: Petition No. 2897; Housing Associates; Vacation of Anderdon Avenue.

Gentlemen — The above petition requests the vacation of Anderdon Avenue, 60 feet wide, between Waverney and Canfield. The requested vacation was recommended by the City Plan Commission. The petition was then referred to us for investigation and report. Our report, accompanied by the original petition is as follows:

An easement is reserved in the vacating resolution for the Detroit Edison Company for the maintenance of its installations located in the public right-of-way to be vacated.

All other involved City departments and privately-owned utility companies reported that they have no objection to the proposed vacation or that they have reached satisfactory agreements with the petitioner regarding their installations therein.

An appropriate resolution is attached for consideration by your Honorable Body.

Respectfully submitted,
CLARENCE C. RUSSELL,
Commissioner

Resolution

By Councilman Wierzbicki:

Resolved, That all that part of Anderdon Avenue, 60 feet wide, as opened on March 15, 1927, J.C.C. Page 651 and 652 lying north of the north line of Waverney Avenue, 66 feet wide, and southerly of the southerly line of the east-west-18 foot wide public alley first southerly of Canfield said Anderdon being, a part of Private Claim 322, more particularly described as:

Beginning at a point said point being S. 24 deg 42 min. E., 18.0 feet from the southeasterly corner of Lot 257 of DeBuck's Subdivision of all that part of Private Claim 388, lying east of Connors Creek Road, and all that part of Private Claim 219 lying in Gratiot Township, Grosse Pointe and Gratiot Townships, Wayne County, Michigan, as recorded in Liber 32, Page 78, Plats, Wayne County Records; thence S. 24 deg 42 min E., 489.02 feet to a point in the northerly line of Waverney; thence N. 64 deg 21 min E., 60.52 feet along said northerly line of Waverney; thence N. 24 deg 42 min W., 489.02 feet to a point; thence S. 64 deg 21 min W., 60.52 feet to the point of beginning;

Be and the same is hereby vacated as a public street to become a part and parcel of the abutting property; subject to the following:

First, Said owners hereby grant to and for the use of the Detroit Edison Company an easement or right-of-way over the westerly 12 feet of the southerly 140 feet of said vacated public street hereinabove described for the purposes of maintaining, installing, repairing, removing, or

replacing utilities such electric light conduits or poles or things usually placed or installed in a public street in the City of Detroit, with the right to ingress and egress at any time to and over said easement for the purpose above set forth.

Second, Said owners for their heirs and assigns further agree that no buildings or structures of any nature whatsoever including but not limited to concrete slabs or driveway, retaining or partition walls (except necessary line fence) shall be built or placed upon said easement, nor any change of surface grade made, without prior approval by the Department of Public Works.

Third, That if at any time in the future the owners of any lots abutting on said vacated street shall request the removal and/or relocation of any existing poles or other utilities in said easement, such owners, upon whose property the poles or other utilities are located shall pay all costs incidental to such removal and/or relocation, unless such charges are waived by the Detroit Edison Company.

Provided Further, That if any utility located or to be located in said property shall break or be damaged as a result of any action on the part of the petitioner or assigns (by way of illustration but not limitation), such as storage of excessive weights of materials or construction not in accordance with Section 2, mentioned above, then in such event the petitioner or assigns shall be liable for all costs incidental to the repair of such broken or damaged utility.

Adopted as follows:

Yeas — Councilmen Browne, Eberhard, Hood, Levin, Rogell, Van Antwerp, Wierzbicki, and President Ravitz — 8.

Nays — None.

Controller

July 30, 1971

Honorable Common Council:

Gentlemen—In accordance with the resolution of the Common Council passed on December 10, 1963, we are submitting claim sheets to the City Clerk representing vouchers paid during the week ending July 29, 1971, and payroll paid during the week ending July 30, 1971.

Vouchers payment during this period amounted to \$44,603,368.38, whereas payroll paid totaled \$8,245,569.40. All of these expenditures were audited by the office prior to payment and found to be correct.

Respectfully submitted

R. P. ROSELLE,
Controller

By Councilman Eberhard:

Resolved, that the foregoing voucher and payroll expenditures were processed in the total amount of \$52,-

848,937.78, be and are hereby approved.

Adopted as follows:

Yeas — Councilmen Browne, Eberhard, Hood, Levin, Rogell, Van Antwerp, Wierzbicki, and President Ravitz — 8.

Nays — None.

Controller

July 29, 1971

Honorable Common Council:

Gentlemen — During the period July 23, 1971 through July 29, 1971, the Controller purchased the par value of \$20,085,000 U.S. Treasury Securities and Certificates of Deposit at a cost of \$19,959,758.15. During the same period \$600,000 U.S. Treasury Bills were liquidated to meet cash requirements.

In accordance with Common Council resolution adopted June 22, 1971, a detailed list of investment transactions for said period is on file with the City Clerk.

Respectfully submitted

R. P. ROSELLE,
Controller

By Councilman Eberhard:

Resolved, That the foregoing investment purchases in the amount of \$19,959,758.15, and that the liquidation of investments in the amount of \$600,000 for the period July 23, 1971 through July 29, 1971 be approved in accordance with the detailed list on file with the City Clerk, which list is hereby made a part of this resolution.

Adopted as follows:

Yeas — Councilmen Browne, Eberhard, Hood, Levin, Rogell, Van Antwerp, Wierzbicki, and President Ravitz — 8.

Nays — None.

Corporation Counsel

July 29, 1971

Honorable Common Council:

Gentlemen — Recently the Michigan Public Service Commission dismissed a Michigan Consolidated Gas Company rate case on the grounds that the Company had filed for the increase too soon after the Commission's most recent rate order granted them a substantial increase in revenues. The Company has again filed an application to increase its rates, but is limiting its request to cover only the increased cost of pipe line gas it will be experiencing during the next heating season. The Company proposes to spread the increased cost of gas pro rata among its various rate schedules with slightly higher increases to Detroit consumers than to its out-state customers for the purpose of reaching uniform state-wide rates.

We are of the view that it would be in the best interest of the City as well as the consumers of natural gas in the City for Detroit to intervene and