

Whereas, A majority of Council, deciding that the \$500,000 CEDD staff stated would be used to fund the BIDCO from 1988-89 block grants would be adequate for the organization's first year of operation, voted to delete the additional \$500,000 appropriation from the proposed 1989-90 Budget, this decision was not vetoed by the Mayor; and

Whereas, Council Members have only recently been informed that CEDD did not have the funds available from the 1988-89 block grant to re-allocate to the BIDCO as expected, and further there are now funds available that can be committed from the Michigan Strategic Fund, if the City can provide matching funds; and

Whereas, Council strongly supports the BIDCO and their programs of technical and financial assistance to high risk minority-owned businesses and believes it is important the City provide the funds to insure the success of BIDCO programs.

Now Therefore Be It

Resolved, Detroit City Council requests the Community and Economic Development Department bring to the Council their proposal for re-allocating 1989-90 Community Development Block Grant funds to BIDCO; and be it further

Resolved, Council Members fully endorse the BIDCO programs and will continue to encourage and support when possible this organization's efforts to assist minority-owned businesses, thereby helping to improve the quality of life in the City of Detroit.

Adopted as follows:

Yeas — Council Members Cleveland, Collins, Eberhard, Hood, Kelley, Mahaffey, Peoples, Ravitz and President Henderson — 9.

Nays — None.

**City Council**  
**Division of Research and Analysis**  
 July 27, 1989

Honorable City Council:  
 Re: Appointment of City Council Youth Advisory Commissioner

Council recently appointed Youth Advisory Commissioners for the 1989-1990 term. There were only 8 appointments. The resolution that established the Youth Advisory Commission called for 9 representatives on this body.

Attached is the resolution for the 9th member. Please put this item on the Daily Calendar.

Thank you for your attention to this matter.

Respectfully submitted,  
 JOSEPHINE A. POWELL  
 Director  
 BARBARA J. ROPER  
 Deputy Director

By Council Member Peoples:

Resolved, That the City Council hereby reappoints to the Detroit City Council Youth Advisory Commission for a term that begins July 1, 1989 and concludes on June 30, 1990, Evan Dixon, 4246 Second Ave., Detroit, MI 48201.

Adopted as follows:

Yeas — Council Members Cleveland, Collins, Eberhard, Hood, Kelley, Mahaffey, Peoples, Ravitz, and President Henderson — 9.

Nays — None.

**City Engineering Department**  
 July 26, 1989

Honorable City Council:

Re: Petition No. 2033. Michigan Bell Telephone Company, et al (Madison Office Building) Street and Alleys to Easement. Smith between Woodward and John R.; also portions of public alleys in the area bounded by Woodward, John R., Bethune and Chandler.

Petition No. 2033 of "Michigan Bell Telephone Company, et al — Madison Office Building" requests the conversion of Smith Avenue, 60 feet wide, between Woodward Avenue and John R. Street; also the conversion of portions of north-south and east-west public alleys (all 20 feet wide; several of said alleys having been temporarily closed until February 1, 1992, Petition No. 511 A & B of "The Lelli's Organization" granted by Council on January 28, 1987 — J.C.C. pp. 203-04) in the area bounded by Woodward Avenue, John R. Street, Bethune and Chandler Avenues into an easement for public utilities.

Michigan Bell plans to develop and share a landscaped and secured parking area. This petition is the first phase of a site development plan. The proposal expands New Center Revitalization concepts east of Woodward at no expense to the City.

The Community and Economic Development Department reports Michigan Bell has reached written agreement with "Lelli's", "Metropolitan Methodist Church", and other adjoining property owners.

The conversions were approved by the Community and Economic Development Department. The petition was referred to the City Engineering Department for investigation and report. This is our report:

The Water and Sewerage Department will require unimpeded access to an existing 8-inch water main in Smith Avenue. The petitioner must maintain a 3.5 feet horizontal clearance between the water main and any parking lot appurtenances (e.g., guardhouses, tree planter boxes, lighting conduit or poles).

City departments and privately-owned

utility companies have reported no objections to the conversion of public rights-of-way into a utility easement. Provisions protecting utility installations are part of the resolution.

The adoption of the attached resolution is recommended.

Respectfully submitted,  
 CLYDE R. HOPKINS  
 Director

**By Council Member Mahaffey:**

All of the remaining part of the east-west public alley, 20 feet wide, in the block bounded by Woodward Avenue, John R. Street, Bethune and Smith Avenues lying southerly of and abutting the south line of Lot 156; also lying northerly of and abutting the north line of Lot 157 of the Plat of William Y. Hamlin and S. J. Brown's Subdivision of Lots No. 3 and 4, Quarter Section 57, Ten Thousand Acre Tract, Hamtramck Township, City of Detroit, Wayne County, Michigan as recorded in Liber 8, Page 72, Plats, Wayne County Records; also

All of the north-south public alley, 20 feet wide, in the block bounded by Woodward Avenue, John R. Street, Bethune and Smith Avenues lying westerly of and abutting the west line of Lot 156; also lying westerly of and abutting the west line of the (remaining) east-west public alley, 20 feet wide (in the above mentioned block); also lying westerly of and abutting the west line of Lot 157; also lying easterly of and abutting the east line of Lots 4 to 9 of the Plat of William Y. Hamlin and S. J. Brown's Subdivision of Lots No. 3 and 4, Quarter Section 57, Ten Thousand Acre Tract, Hamtramck Township, City of Detroit, Wayne County, Michigan as recorded in Liber 8, Page 72, Plats, Wayne County Records; also

All that part of the north-south public alley, 20 feet wide, first east of Woodward Avenue lying between the south line extended westerly of Clay Avenue (20 feet wide; as established on July 2, 1901 — J.C.C. pgs. 591-92), and the north line of Smith Avenue (60 feet wide) of the Plat of William Y. Hamlin and S. J. Brown's Subdivision of Lots No. 3 and 4, Quarter Section 57, Ten Thousand Acre Tract, Hamtramck Township, City of Detroit, Wayne County, Michigan as recorded in Liber 8, Page 72, Plats, Wayne County Records; also

All of Smith Avenue, 60 feet wide, lying between the east line of Woodward Avenue (100 feet wide), and the west line of John R. Street (60 feet wide); also lying southerly of and abutting the south line of Lot 10; also lying southerly of and abutting the south line of the north-south public alley (20 feet wide; in the block bounded by Woodward Avenue, John R. Street, Smith and Chandler Avenues); also lying southerly of and abutting the south line of

Lots 13 to 24; also lying northerly of and abutting the north line of Lots 145 to 156; also lying northerly of and abutting the north line of the north-south public alley (20 feet wide; in the block bounded by Woodward Avenue, John R. Street, Bethune and Smith Avenues); also lying northerly of and abutting the north line of Lot 9 of the Plat of William Y. Hamlin and S. J. Brown's Subdivision of Lots No. 3 and 4, Quarter Section 57, Ten Thousand Acre Tract, Hamtramck Township, City of Detroit, Wayne County, Michigan as recorded in Liber 8, Page 72, Plats, Wayne County Records;

Be and the same are hereby vacated as a public street and alleys and are hereby converted into a public easement of the full width of the street and alleys, which easement shall be subject to the following covenants and agreements, uses, reservations and regulations, which shall be observed by the owners of said street and alleys and by their heirs, executors, administrators and assigns, forever to wit:

First, said owners hereby grant to and for the use of the public an easement or right-of-way over said vacated public street and alleys herein above described for the purposes of maintaining, installing, repairing, removing, or replacing public utilities such as water mains, sewers, gas lines or mains, telephone, electric light conduits or poles or things usually placed or installed in a public street or alley 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 utility easement or right-of-way in and over said vacated street and alleys herein above described shall be forever accessible to the maintenance and inspection forces of the utility companies, or those specifically authorized by them, for the purpose of inspecting, installing, maintaining, repairing, removing, or replacing any sewer, conduit, water main, gas line or main, telephone or light pole or any utility facility placed or installed in the utility easement or right-of-way. The utility companies shall have the right to cross or use the driveways and yards of the adjoining properties for ingress and egress at any time to and over said utility easement with any necessary equipment to perform the above-mentioned tasks, with the understanding that the utility companies shall use due care in such crossing or use, and that any property damaged by the utility companies, other than that specifically prohibited by this resolution, shall be restored to a satisfactory condition.

Third, 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 driveways, retaining or partition walls (excepting therefrom the parking lot

appurtenances shown on the plan entitled "Parking Lot Layout" by Wade-Trim Dziurman, Architects, Engineers, Planners; 155 Romeo Road, Rochester, MI 48063; submitted to the City Engineering Department on May 17, 1989 by Michigan Bell) shall be built or placed upon said easement, any changes of surface grade shall be subject to the review and approval of the City Engineering Department,

Fourth, that if the owners of any lots abutting on said vacated street and alleys shall request the removal and/or relocation of any existing poles, hydrants, or other utilities in said easement, such owners, shall pay all costs incidental to such removal and/or relocation, unless such charges are waived by the utility owners,

Fifth, that if any utility located in said property shall break or be damaged as a result of any action on the part of said owners or assigns (by way of illustration but not limitation) such as storage of excessive weights of materials or construction not in accordance with Section 3, mentioned above, then in such event said owners or assigns shall be liable for all costs incidental to the repair of such broken or damaged utility, and

Provided, The petitioner shall maintain a 3.50 feet horizontal clearance between an existing 8-inch water main (in Smith Avenue) and any parking lot appurtenances (e.g., guardhouses, tree planter boxes, lighting conduit or poles) as required by the Water and Sewerage Department, and

Provided, That if it becomes necessary to remove the paved street or alley returns (into Woodward, John R., or Bethune) at the entrances, such removal and construction of new curb and sidewalk shall be done under City permit and inspection according to City Engineering Department specifications with all costs borne by the petitioner, their heirs or assigns; and

Provided Further, That a certified copy of this resolution shall be recorded with the Wayne County Register of Deeds. The petitioner shall pay all incidental recording costs.

Adopted as follows:

Yeas — Council Members Cleveland, Collins, Eberhard, Hood, Kelley, Mahaffey, Peoples, Ravitz, and President Henderson — 9.

Nays — None.

**City Engineering Department**

July 24, 1989

Honorable City Council:

Re: Petition No. 2291. Ronald Burns. Temporary Alley Closing portion of east-west public alley in the block bounded by Concord, Helen, Nuernberg, and E. McNichols. Petition No. 2291 of "Ronald Burns" requests the temporary closing of portion

of the east-west public alley, 18 feet wide, in the block bounded by Concord, Helen, and Nuernberg Avenues, and E. McNichols Road.

The request was approved by the Community and Economic Development Department with certain restrictions.

The Water and Sewerage Department will require unimpeded access to existing sewers. Any fence and gate installation must provide 15 feet horizontal and 13 feet vertical clearance(s) for maintenance vehicles.

All other City departments and privately-owned utility companies have reported no objections to the proposal, provided they have the right to ingress and egress at all times to their facilities.

An appropriate resolution, containing the necessary conditions, is attached for consideration by your Honorable Body.

Respectfully submitted,  
 CLYDE R. HOPKINS  
 Director

By Council Member Mahaffey:

Resolved, The City Engineering Department is hereby authorized and directed to issue permits to "Ronald Burns" to close a portion of the east-west public alley, 18 feet wide, in the block bounded by Concord, Helen, and Nuernberg Avenues, and E. McNichols Road lying southerly of and abutting the south line of the east 7.00 feet of Lot 7, and Lots 4 to 6; also lying northerly of and abutting the north line of Lot 28 as platted in "Palmer Boulevard Subdivision" of part of the Northeast Quarter of Section 16, Town 1 South, Range 12 East, City of Detroit, Wayne County, Michigan as recorded in Liber 38, Page 96, Plats, Wayne County Records; on a temporary basis to expire on September 1, 1994;

Provided, The petitioner shall file with the Finance Department an indemnity agreement in form approved by the Law Department. The agreement shall save and protect the City of Detroit harmless from all claims, damages or expenses that may arise by reason of the issuance of permits and the faithful performance by the petitioner of the terms thereof. Further, the petitioner shall agree to pay all claims, damages or expenses that may arise out of the maintenance of the temporary public alley closing; and

Provided, The permit shall be issued after the petitioner has recorded a certified copy of this resolution with the Wayne County Register of Deeds. The petitioner shall pay all incidental recording costs; and

Provided, The property owned by the petitioner and adjoining the temporary public alley closing shall be subject to the proper zoning or regulated use (Board of Zoning Appeals Grant) over the total width and length of the alley; and