

**Department of Public Works**

August 18, 1994

Honorable City Council:

Re: Transportation Enhancement Activities, Surface Transportation Program. Landscaping of Medians Along Warren Ave., E. Grand Blvd. and Mack Ave. STP Program No. 2000 (341). State Agreement No. 93-2210.

We are transmitting herewith a proposed agreement between the Michigan Department of Transportation and the City of Detroit which provides for Transportation Enhancement Activities, Surface Transportation Program Funding for the following project:

Landscaping of the medians along Warren Avenue from Woodward to Russell Street, along East Grand Boulevard from Woodward Avenue to Russell Street and along Mack Avenue from Cass Avenue to the Grand Trunk Railroad; together with necessary related work; located within the corporate limits of the City of Detroit.

Under the Transportation Enhancement Activities, Surface Transportation Program, the construction will be performed by a contractor hired by the City of Detroit after receiving authorization from the Michigan Department of Transportation.

The estimated project cost is \$586,286 with the following participation:

Project: Warren Ave. between Woodward & Russell. Federal Aid: \$58,320. City Share: \$14,563. Non-Part.: \$78,080. Total: \$150,963.

Project: Mack Ave. between Cass & GTWRR. Federal Aid: \$125,390. City Share: \$31,350. Non-Part.: \$125,482. Total: \$282,222.

Project: East Grand Blvd. between Woodward & Russell. Federal Aid: \$71,940. City Share: \$18,000. Non-Part.: \$63,161. Total: \$153,101.

Total Federal Aid: \$255,650. Total City Share: \$63,913. Total Non-Part.: \$266,723. Grand Total: \$586,286.

The City will be responsible for the payment of all cost and expenses incurred during construction for which the City will receive 80% Federal-Aid reimbursement, not to exceed \$255,650. The funds for the City share and non-participating cost will be funded by the Recreation Department and the Department of Public Works.

We therefore recommend adoption of the attached Resolution which authorizes the Finance Director to do the following:

1. Establish an appropriation for the project in the total amount of \$586,286 for this work which includes anticipated revenue of \$255,650 for Federal-Aid reimbursement of construction to be per-

formed by City hired contractor and transfer to it \$330,636 for the City's share from; Appropriation No. 5059-Parks and Landscape in the amount of \$269,851; and Appropriation No. 4189-Major Street Fund in the amount of \$60,785.

2. Establish an anticipated revenue of \$255,650 for Federal-Aid reimbursement of construction to be performed by the City hired contractor.

Respectfully submitted,  
ERNEST W. BURKEEN JR.

Director  
CLYDE D. DOWELL  
Street Administrator

Approved:

JON P. MESSNER  
Deputy Budget Director  
JOHN MARCO  
Deputy Finance Director

By Council Member Cleveland:

Resolved, That, in accordance with the above communication, the Finance Director, is hereby authorized to establish Appropriation No. 5788, Landscaping Along Warren, E. Grand Blvd. and Mack Ave. in the amount of \$586,286 which includes \$255,650 for Federal-Aid reimbursement and transfer to it \$330,636 from: Appropriation No. 5059 — Parks and Landscape, in the amount of \$269,851 and Appropriation No. 4189, Major street Fund, in the amount of \$60,785.

Be It Further Resolved, That, the Finance Director be and is hereby authorized to establish an anticipated revenue for Appropriation No. 5788 in the amount of \$255,650; and

Be It Further Resolved, That, the Finance Director is hereby authorized to honor contractual vouchers in an amount of \$586,286 when presented for payment; and

Be It Further Resolved, That, State Agreement No. 93-2210 is hereby approved and Clyde D. Dowell, Street Administrator, is hereby authorized to execute it on behalf of the City of Detroit.

Adopted as follows:

Yeas — Council Members Cleveland, Cockrel, Everett, Hill, Hood, Ravitz, Scott, Tinsley-Williams and President Mahaffey — 9.

Nays — None.

**Public Works Department  
City Engineering Division**

September 16, 1994

Honorable City Council:

Re: Petition No. 2965. Linwood Church of Christ. Alley to Easement westerly part of the east-west public alley in the block bounded by Linwood, LaSalle, Kendall, and Oakman.

Petition No. 2965 of "Linwood Church of Christ" requests the conversion of a westerly part (about 90.00 linear feet) of the east-west public alley, 18 feet wide, in the block bounded by Linwood, LaSalle and Kendall Avenues, and Oakman Boulevard into a private easement for public utilities.

The requested conversion was approved by the Planning and Development Department, Solid Waste Division — DPW, and Traffic Engineering Division — DPW. The petition was referred to the City Engineering Division — DPW for investigation (utility review) and report. This is our report:

The petitioner plans to use the paved alley return entrance (into Linwood Avenue) and requests such remain in its present status. The petitioner shall pay all incidental removal costs whenever discontinuance of use makes removal necessary.

City departments and privately-owned utility companies have reported no objections to the conversion of public rights-of-way into a private easement for public utilities. Provisions protecting utility installations are part of the resolution.

The adoption of the attached resolution is recommended.

Respectfully submitted,  
WILLIAM L. TALLEY  
Head Engineer

By Council Member Ravitz:

Resolved, All that part of a westerly portion (about 90.00 linear feet) of the east-west public alley, 18 feet wide, in the block bounded by Linwood, LaSalle and Kendall Avenues, and Oakman Boulevard lying southerly of and abutting the south line of the east 10.00 feet of Lot 820, and Lots 816 thru 819; also lying northerly of and abutting the north line of the east 90.00 feet of Lot 884 of "Robert Oakman's Twelfth Street Subdivision of part of Quarter Section 7, Ten Thousand Acre Tract, City of Detroit and Greenfield Township", City of Detroit, Wayne County, Michigan as recorded in Liber 34, Page 90, Plats, Wayne County Records;

Be and the same is hereby vacated as a public alley and is hereby converted into a private easement for public utilities of the full width of the alley, which easement shall be subject to the following covenants and agreements, uses, reservations and regulations, which shall be observed by the owners of the lots abutting on said alley 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 alley herein above described for the purposes of maintaining, installing, repair-

ing, 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 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 alley 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, (except necessary line fence; said fence and gate installations shall be subject to the review and approval of the Fire Marshal and Buildings and Safety Engineering Department, if necessary) shall be built or placed upon said easement, nor change of surface grade made, without prior approval of the City Engineering Division — DPW,

Fourth, that if the owners of any lots abutting on said vacated alley shall request the removal and/or relocation of any existing poles 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 further

Provided, That if it becomes necessary to remove the paved alley return at the entrance (into Linwood Avenue), such

September 28

removal and construction of new curb and sidewalk shall be done under city permit and inspection according to City Engineering Division — DPW specifications with all costs borne by the abutting owner(s), their heirs or assigns; and further

Provided, That the City Clerk shall within 30 days record a certified copy of this resolution with the Wayne County Register of Deeds.

Adopted as follows:

Yeas — Council Members Cleveland, Cockrel, Everett, Hill, Hood, Ravitz, Scott, Tinsley-Williams and President Mahaffey — 9.  
Nays — None.

### Recreation Department

September 8, 1994

Honorable City Council:

Re: Acceptance of State of Michigan Grant for Renovation/Replacement of Hard Surface Courts at Eight City Parks.

On March 31, 1992, your Honorable Body authorized the filing of an application for State assistance in the renovation and/or replacement of basketball and tennis courts at several City parks. The State has offered the City a grant from the Michigan Recreation Bond Program for renovation and/or replacement of basketball and tennis courts at Bessy, Farwell, St. Hedwig, Wible and Zussman Playfields, Henderson and Palmer Parks and Kelly Playground. The grant would be for \$750,000, with a required City match of \$250,000. The City's match is available in Appropriation 5061, Recreation Facility Improvements. It is respectfully requested that your Honorable Body adopt the following resolution authorizing the acceptance of this grant.

Respectfully submitted,  
ERNEST W. BURKEEN, JR.  
Director

Approved:

JON MESSNER  
Deputy Budget Director  
JOHN MARCO  
Deputy Finance Director

By Council Member Everett:

Whereas, The City of Detroit has been offered a grant from the State of Michigan Recreation Bond Program for renovation and/or replacement of basketball and tennis courts at Bessy, Farwell, St. Hedwig, Wible and Zussman Playfields, Henderson and Palmer Parks, and Kelly Playground, and

Whereas, The required matching funds can be provided from Appropriation 5061, entitled Recreation Facility Improvements, now, therefore, be it

Resolved, That the Director of the Recreation Department be and is hereby authorized to execute the grant agree-

ment for the above project, and be it further

Resolved, That the Director of the Finance Department be and is hereby authorized to establish Appropriation 5816, entitled Renovations — Hard Surface Courts, and to establish accounts, transfer funds and honor vouchers, in accordance with this resolution, the foregoing communication, and standard City procedures.

Adopted as follows:

Yeas — Council Members Cleveland, Cockrel, Everett, Hill, Hood, Ravitz, Scott, Tinsley-Williams and President Mahaffey — 9.

Nays — None.

### Recreation Department

September 13, 1994

Honorable City Council:

Re: Acceptance of State of Michigan Grant for Belle Isle Canal Restoration.

On March 31, 1993, your Honorable Body authorized the filing of an application for State assistance in the restoration of the canals at Belle Isle. The State has offered the City a grant from the Michigan Natural Resources Trust Fund for dredging of the canals and bank stabilization. The grant would be for \$375,000, with a required City match of \$125,000. The City's match is available in Appropriation 5060, Belle Isle Park Improvement. It is respectfully requested that your Honorable Body adopt the following resolution authorizing the acceptance of this grant.

Respectfully submitted,  
ERNEST W. BURKEEN JR.  
Director

Approved:

JON MESSNER  
Deputy Budget Director  
JOHN MARCO  
Deputy Finance Director

By Council Member Everett:

Whereas, The City of Detroit has been offered a grant from the State of Michigan Natural Resources Trust Fund for renovation of the Belle Isle canals, and

Whereas, The required matching funds can be provided from Appropriation 5060, Belle Isle Park Improvement, Now Therefore Be It

Resolved, That the Director of the Recreation Department be and is hereby authorized to execute the grant agreement for the above project, and be it further

Resolved, That the Director of the Finance Department be and is hereby authorized to establish Appropriation 6022, Belle Isle Canal Restoration, and to establish accounts, transfer funds and honor vouchers, in accordance with this