

ID number 313095, be forwarded to the Michigan Department of Consumer and Industry Services, Liquor Control Commission, 7150 Harris Drive, P.O. Box 30005, Lansing, MI 48909-7575, the Detroit Police Department, Liquor License Unit, 2100 Park Street, Room 114-2, and the Consumer Affairs Business License Center, 105 Coleman A. Young Municipal Center.

Adopted as follows:

Yeas — Council Members K. Cockrel, Jr., S. Cockrel, Collins, McPhail, Tinsley-Talabi, Watson, and President Mahaffey — 7.

Nays — None.

*WAIVER OF RECONSIDERATION (No. 2), per Motions before Adjournment.

Office of the City Clerk

July 15, 2005

Honorable City Council:

Re: Resolution regarding Grant Application to the State of Michigan for acquisition of New Voting Equipment and Associated Software.

Submitting the attached Resolution for your consideration and approval at your formal session on Wednesday, July 20, 2005.

Respectfully submitted,
JACKIE L. CURRIE
City Clerk

By Council Member Tinsley-Talabi:

Whereas, The Detroit City Council wishes to apply to the Secretary of State for a grant to purchase an upgrade of our current optical scan voting system and related Election Management (EMS) software to comply with the Help America Vote Act (HAVA) of 2002.

Whereas, The Detroit City Council has chosen to submit a grant application for a new optical scan voting system to be implemented in 2006. This system would be an upgrade of our current optical scan system implemented in 1998.

Whereas, The Detroit City Clerk and the Department of Elections have conducted extensive tests, interviews, and research on the three (3) vendors approved by the State of Michigan through their Request for Proposal (RFP).

Whereas, The State of Michigan has recommended that each Michigan County select an election system vendor for their respective county.

Whereas, As the result of the extensive testing, interviews with each vendor and supporting documentation, the City of Detroit's Election Department determined that the system selected by the County Clerk (M-100, manufactured and distributed by Elections Systems and Software) had several major deficiencies and adverse cost affects on the City's current and future budgets.

Whereas, Based upon the extensive testing, interviews and supporting docu-

mentation, Detroit hereby requests a waiver or an exemption from the vendor selection made by the County Clerk (ES&S, M-100).

Whereas, The City of Detroit City Council has chosen to submit a grant application for an upgraded, HAVA 2002 compliant, optical scan voting system by July 27, 2005 from Sequoia Voting Systems to be implemented in 2006, based upon the facts stated within this resolution and the accompanying supporting documentation.

Whereas, The Sequoia voting machines would provide voters with a seamless transition to the latest voting technology, while maintaining a consistent level of voter confidence.

Whereas, The OPTTECH-INSIGHT technology has been proven to be user-friendly and reliable.

Now, Therefore, Be It Resolved, That the City Clerk of the City of Detroit is authorized to seek a waiver from the State that ensures that HAVA funds are available to the City of Detroit in order to name Sequoia Voting Systems as its vendor of choice.

Adopted as follows:

Yeas — Council Members K. Cockrel, Jr., S. Cockrel, Collins, McPhail, Tinsley-Talabi, Watson, and President Mahaffey — 7.

Nays — None.

*WAIVER OF RECONSIDERATION (No. 3), per Motions before Adjournment.

Department of Public Works City Engineering Division

July 7, 2005

Honorable City Council:

Re: Petition No. 924 — American Axle & Manufacturing, requesting vacating alleys in the area of Clay, Riopelle, Euclid and I-75.

Petition No. 924 request for the conversion of a portion of the north-south and east-west, public alley(s) 16.00 feet wide, in the block bounded by the Chrysler Freeway Service Drive, Riopelle Avenue, 46 feet wide, Clay Avenue, 66 feet wide, and East Euclid Avenue, 60 feet wide, and a north-south and east-west public alley, 18.00 & 16.00 feet wide, in the block bounded by Riopelle Avenue, 46 feet wide, Hartwick Avenue, 40 feet wide, Clay Avenue, 66 feet wide, and East Euclid Avenue, 60 feet wide, into private easement(s) for public utilities.

The request was approved by the Traffic Engineering Division—DPW. The petition was referred to the City Engineering Division-DPW for investigation (utility review) and report. This is our report.

All City departments and privately owned utility companies have reported no objections to the conversion of public rights-of-way into a private easement(s)

for public utilities. Provisions protecting utility installations are part of the resolution.

I am recommending adoption of the attached resolution.

Respectfully submitted,

WILLIAM TALLEY

Head Engineer

City Engineering Division—DPW

By Council Member Tinsley-Talabi:

Resolved, All that part of the north-south and east-west, public alley(s) 16.00 feet wide, in the block bounded by the Chrysler Freeway Service Drive, Riopelle Avenue, 46 feet wide, Clay Avenue, 66 feet wide, and East Euclid Avenue, 60 feet wide. Said north-south alley described as lying westerly of and abutting the west line of Lots 82-121, both inclusive, and lying easterly of and abutting the east line of Lots 122-161, both inclusive, said east-west alley described as lying northerly of and abutting the north line of Lots 76-78, both inclusive, and the east 7.00 feet of Lot 79, and lying southerly of and abutting the south line of Lot 80 of "Guilloz and Whitaker's Subdivision of Lot Number 12, 1/4 Section 58, and part of 1/4 Section 43, 10,000 Acre Tract", Hamtramck Twp. (now Detroit), Wayne County, Michigan, as recorded in Liber 8, Page 31 Plats, Wayne County Records;

Also, All of the remaining north-south and east-west public alley(s), 18.00, 16.00 & 20.00 feet wide, in the block bounded by Riopelle Avenue, 46 feet wide, Hartwick Avenue, 40 feet wide, Clay Avenue, 66 feet wide, and East Euclid Avenue, 60 feet wide; Said north-south public alley, 18.00 feet wide, described as, lying westerly of and abutting the west line of Lot 1 and a vacated public alley of "Julius Stroh, Bernhard Stroh, Jr. and Edward E. Hartwick's Milwaukee Junction Manufacturer's Subdivision of part of Lot 9 and Lots 10 and 11, Quarter Section 58, Ten Thousand Acre Tract", City of Detroit, Wayne County, Michigan, as recorded in Liber 31, Page 74 Plats, Wayne County Records, and lying easterly of and abutting the east line of the south 58.00 feet of Lot 74 and Lot 75 of "Guilloz and Whitaker's Subdivision of Lot Number 12, 1/4 Section 58, and part of 1/4 Section 43, 10,000 Acre Tract", Hamtramck Twp. (now Detroit), Wayne County, Michigan, as recorded in Liber 8, Page 31 Plats, Wayne County Records; Said north-south public alley, 16.00 feet wide, as opened (deeded by Court March 16, 1916) first east of and parallel to Riopelle Avenue, 46 feet wide, and lying between the north line of the south 20 feet extended easterly of Lot 66 and the north line extended easterly of Lot 74 of "Guilloz and Whitaker's Subdivision of Lot Number 12, 1/4 Section 58, and part of 1/4 Section 43, 10,000 Acre Tract", Hamtramck Twp. (now Detroit), Wayne County, Michigan, as

recorded in Liber 8, Page 31 Plats, Wayne County Records;

Also, all of the east-west public alley, 20 feet wide, as opened (deeded by Court October 10, 1939) described as the south 20 feet of Lot 66 of said "Guilloz and Whitaker's Subdivision of Lot Number 12, 1/4 Section 58, and part of 1/4 Section 43, 10,000 Acre Tract", Hamtramck Twp. (now Detroit), Wayne County, Michigan, as recorded in Liber 8, Page 31 Plats, Wayne County Records;

Be and the same is hereby vacated as public alleys and is hereby converted into private easements for public utilities and the full width of the alleys, which easements 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 street and by their heirs, executors, administrators and assigns, forever to wit:

First, said owners hereby grant to and for the use of the public easements or rights-of-way over said vacated public 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 alley in the City of Detroit, with the right to ingress and egress at any time to and over said easements for the purpose above set forth,

Second, Said utility easements or rights-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 easements or rights-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 easements with any necessary equipment to perform the above mentioned task, 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, shall be built or placed upon said easements, 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 alleys shall request the removal and/or relocation of any existing poles or other utilities in said easements, 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;

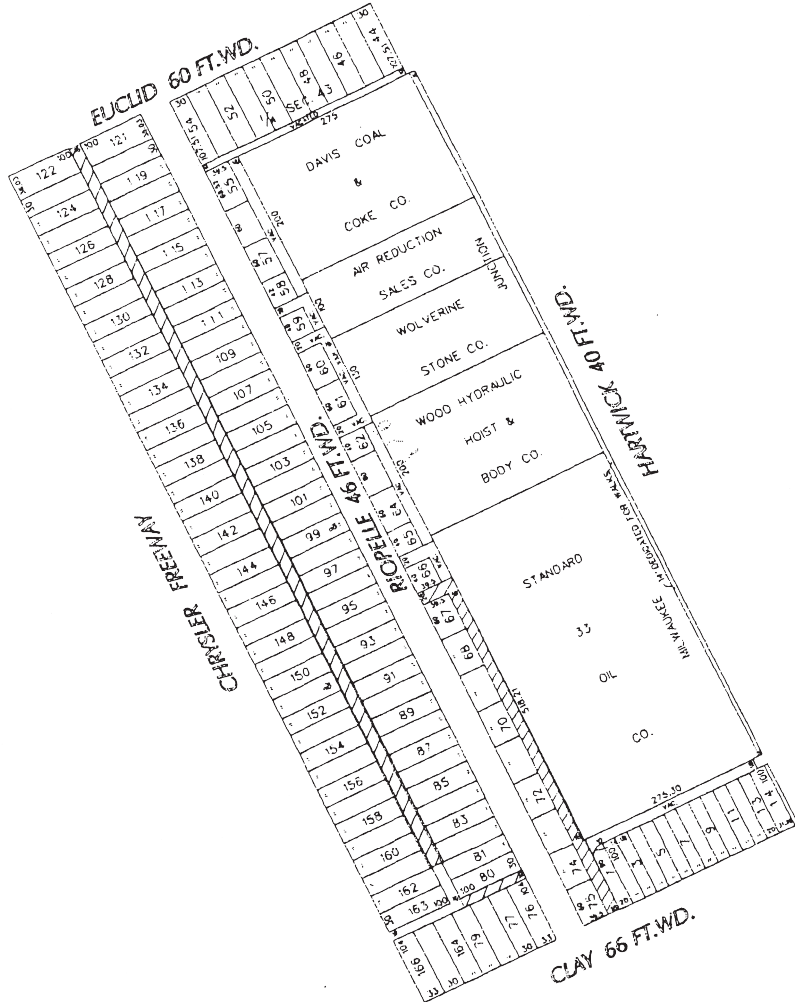
Sixth, The remaining private property owners shall have the right to cross or use the driveways and yards of the adjoining

properties owned by American Axle & Manufacturing for ingress and egress at any time for the purpose of accessing their property, with the understanding that they shall use due care in such crossing or use, and that any property damaged by them, shall be restored to a satisfactory condition; and further

Provided, That if it becomes necessary to remove the paved returns at the entrances (into E. Euclid, Riopelle, and Clay), such 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 heir 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;

PETITION NO. 924
 AMERICAN AXLE & MANUFACTURING
 1840 HOLBROOK
 DET., MI 48212
 C/O RICK RAYMOND
 PHONE NO. 313.974.2333



REQUESTED CONVERSION TO EASEMENT

GUILLOZ WHITAKER'S SUB'DN
 LOT 12 1/2 SEC. 58 PART OF 1/4 SEC. 43
 CARTO. 41-C

(FOR OFFICE USE ONLY)

B								CITY OF DETROIT	
A								CITY ENGINEERING DEPARTMENT	
DESCRIPTION	DRAWN	LINES	APPRO	DATE	REQUESTED CONVERSION TO EASEMENT ALL OF THE REMAINING OPEN PUBLIC ALLEYS IN THE BLOCK BOUNDED BY CLAY, EUCLID, HARTWICK AND CHRYSLER FREEWAY.				
REVISIONS					SURVEY BUREAU				
DRAWN BY	N.R.P.				CHECKED	JOB NO. 01-01			
DATE	2.4.00				APPROVED	DRWG. NO. X924.DCN			
					J. FOSTER				

Adopted as follows:
 Yeas — Council Members K. Cockrel, Jr., S. Cockrel, Collins, McPhail, Tinsley-Talabi, Watson, and President Mahaffey — 7.
 Nays — None.
 *WAIVER OF RECONSIDERATION (No. 4) per motions before adjournment.

Recreation Department
 June 24, 2005
 Honorable City Council:

Re: Authorization to accept funds from the Youth Sports & Recreation Commission for "Dad" Butler Playfield Renovations.

The Detroit Recreation Department is hereby requesting the authorization of your Honorable Body to accept and expend \$195,814.64 from the Youth Sports & Recreation Commission. The grant will be used to install a barrier-free, universally accessible children's play