

## DEPARTMENTAL REFERENCE COMMUNICATION

*Tuesday, January 08, 2019*

*To: The Department or Commission Listed Below*

*From: Janice M. Winfrey, Detroit City Clerk*

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The following petition is herewith referred to you for report and recommendation to the City Council.

In accordance with that body's directive, kindly return the same with your report in duplicate within four (4) weeks.

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HISTORIC DESIGNATION ADVISORY BOARD    PLANNING AND DEVELOPMENT  
DEPARTMENT  
DPW - CITY ENGINEERING DIVISION    CITY COUNCIL

- 644**    *Michigan War of 1812 Bicentennial Commission, request City Council to authorize the replacement of a Historic Marker describing a War of 1812 Burial Ground near the Westin Book-Cadillac.*

28 B

[2]

War of 1812 State of Michigan Historical Marker

Petition to the Detroit City Council

September 21, 2018

On behalf of the National Society of the Daughters of 1812-Michigan Society, the Michigan War of 1812 Bicentennial Commission the Michigan Historical Commission and LaVanway Sign Com., Inc., I am asking the Detroit City Council to authorize the replacement of a describing a War of 1812 burial ground near the Westin Book-Cadillac with a new marker providing a more detailed description of Detroit in the War of 1812.

The old weather-worn 1963 "War of 1812 Dead" , contains the same text on both sides. The new 2018 marker, entitled "The War of 1812 in Detroit" on one side and "War of 1812 Grave Site" on the other side. This new text has been approved by all organizations participating in the project.

The old 1963 marker is located at the southwest corner of Michigan Ave. and Washington Blvd., will be removed and destroyed, as required by the State of Michigan, the owner of the marker. The new marker will then be installed in the Washington Blvd. median, the north side off Michigan Ave. This site, about 100' Northeast of the 1963 marker provides an attractive setting across from the Westin Book-Cadillac and 20' north of a statue of Alexander Macomb, a hero of the War of 1812.

The sponsoring organizations have contracted with LaVanway Sign Company, Inc., 22124 Telegraph Rd, Southfield, MI 48033. The weather-worn 1963 needs to be replaced with a new marker that tells a more comprehensive story of Detroit's role in the War of 1812.

The organizations, with approval from the Detroit City Council, plan to dedicate the new marker on Sunday, October 14, 2018, at 1:30 p.m. Organizations participating in the dedication ceremony include:

Metropolitan Detroit Council NLUS Sea Cadet Color Guard.

- Metropolitan Detroit Council, League of the United States
- Historic Designation Advisory Board, City of Detroit
- Michigan Society United States Daughters of 1812
- Michigan Historical Commission
- Michigan War of 1812 Bicentennial Commission

Please contact me if you have any questions or wish additional information.

Sincerely

Dr. James A. mcConnell, Secretary

Michigan War of 1812 Bicentennial Commission  
17761 Bell Creek Lane, Livonia MI 48152  
734-525-2962 or [jam1776@sbcglobal.net](mailto:jam1776@sbcglobal.net)



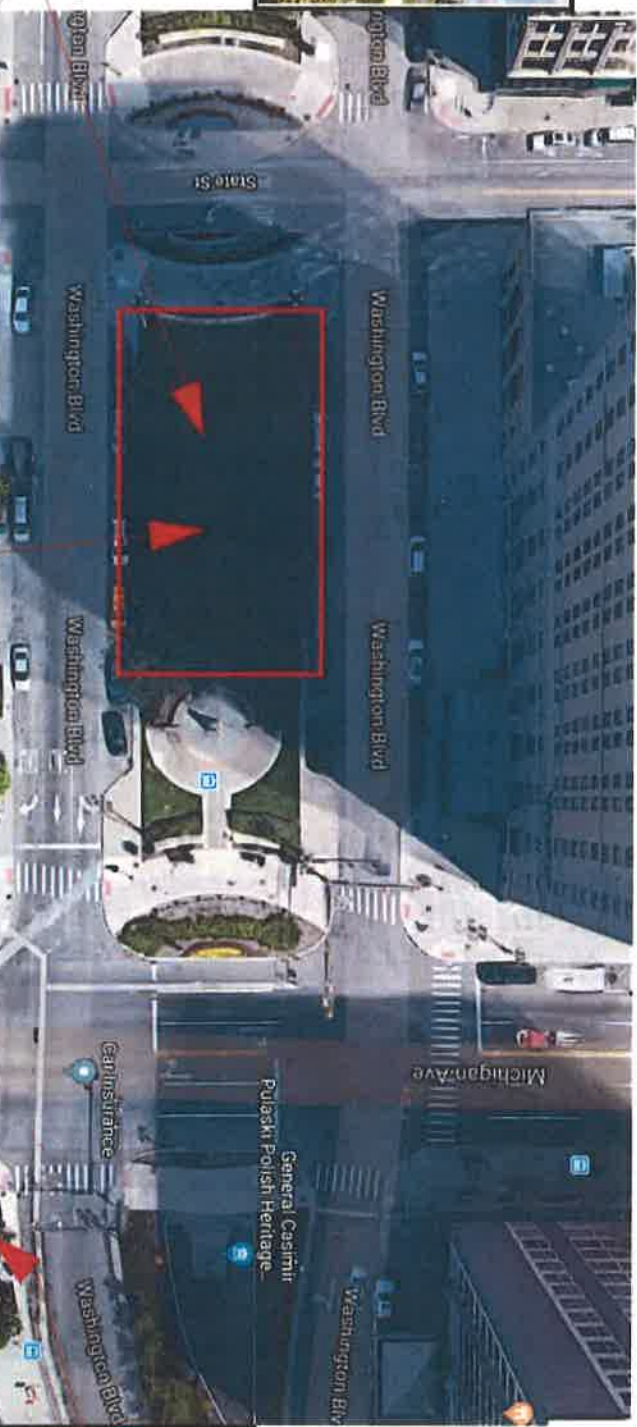
**ZACH ORMSBY**  
Policy Analyst

District 6  
Detroit City Council

City of Detroit  
Coleman A. Young Municipal Center  
2 Woodward Avenue, Suite 1340  
Detroit, Michigan 48226

Relocation of War of 1812 Dead Monument sign  
 Corner of Washington Blvd & Michigan Ave.  
 LaVarney Sign Co., Inc.  
 248-356-1600  
 Mike Kean

Proposed Sign  
 New Replacement Style  
 Sample Purposes  
 Only - To Show New  
 Size - 5' v x 3' h



Proposed new  
 location



Can the historic marker  
 be relocated to somewhere  
 inside this area?

Existing  
 location



Existing  
 Sign Is  
 4' v x 2' h



WESTIN

WAR OF 1812 DEAD

Hardship struck soon after American troops regained Detroit on Sept. 29, 1813, during the war of 1812. Soldiers' quarters were lacking, and food supplies became desperately short. Then a disease resembling cholera broke out among the soldiers. By Dec. 1, 1813, nearly 1,500 officers and men were sick. Medical supplies were almost gone. Conditions worsened. When coffins became unobtainable, many soldiers were buried in a common grave at this site. Some 700 may have died before the epidemic ran its course.

Historic Marker 18-13  
Established by the State of Michigan  
1988



Large two-sided marker  
Different Text Each Side  
2" caption  
1 ½" text  
Wayne Co.  
Detroit  
Replacement New Text  
Side One

## THE WAR OF 1812 IN DETROIT

On June 18, 1812, the United States Congress declared war on Great Britain. William Hull, Michigan's first territorial governor, was selected to lead the U.S. army at Detroit. He invaded Canada on July 12, but soon lost battles south of Detroit and withdrew. On August 16, 1812, the British attacked Fort Detroit. Hull surrendered. Britain governed the city under martial law until Oliver Hazard Perry gained control of the upper Great Lakes in September 1813. American forces returned to Detroit and launched a successful invasion of Canada. The citizens of Detroit lived in an uneasy peace until they learned, on February 20, 1815, of the December 24, 1814, signing of the Treaty of Ghent. On March 29 they celebrated the war's end with a "Grand Pacification Ball."

Michigan Historical Commission ~ Michigan Historical Center  
Registered Local Site No. S242

This Marker is the Property of the State of Michigan, 2018

Large two-sided marker  
Different Text Each Side  
2" caption  
1 ½" text  
Wayne County  
Detroit  
Replacement  
New Text  
Side Two

## WAR OF 1812 GRAVE SITE

In reaction to Oliver Hazard Perry's Lake Erie victory, the British withdrew from Detroit on September 26, 1813, setting fire to the buildings within the fort and the Citadel. Three days later, United States troops returned to a city that lacked housing and food supplies. A disease, probably cholera, broke out among the soldiers. By December 1, 1813, an estimated 1,300 of them were ill. The medical supplies were soon depleted; conditions worsened. When coffins became unobtainable, many soldiers were buried in a common grave at this site. Some 700 may have died before the epidemic finally ran its course. This grave site was identified in 1987 during an archaeological survey for the People Mover that found four burials associated with the War of 1812.

Michigan Historical Commission ~ Michigan Historical Center  
Registered Local Site No. S242

This Marker is the Property of the State of Michigan, 2018

2019-01-08

**644**

**644** *Petition of Michigan War of 1812  
Bicentennial Commission, request  
City Council to authorize the  
replacement of a Historic Marker  
describing a War of 1812 Burial  
Ground near the Westin Book-*

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**REFERRED TO THE FOLLOWING DEPARTMENT(S)**

HISTORIC DESIGNATION ADVISORY BOARD PLANNING  
AND DEVELOPMENT DEPARTMENT  
DPW - CITY ENGINEERING DIVISION CITY COUNCIL





CITY OF DETROIT  
DEPARTMENT OF PUBLIC WORKS  
CITY ENGINEERING DIVISION

COLEMAN A. YOUNG MUNICIPAL CENTER  
2 WOODWARD AVE. SUITE 601  
DETROIT, MICHIGAN 48226  
PHONE: (313) 224-3949 • TTY:711  
FAX: (313) 224-3471  
WWW.DETROITMI.GOV

May 16, 2019

Honorable City Council:

**RE: Petition No. 644 – Michigan War of 1812 Bicentennial Commission, request City Council to authorize the replacement of a Historic Marker describing a War of 1812 Burial Ground near the Westin Book Cadillac.**

Petition No. 644 – Michigan War of 1812 Bicentennial Commission, request for an encroachment with a Historic Marker on the median of Washington Boulevard, 195 feet wide, 134 feet North of Michigan Avenue, 100 feet wide (21 feet north of the base of the Macomb Monument).

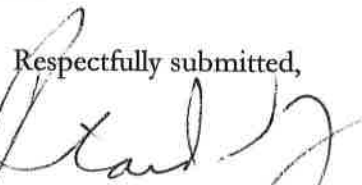
The petition was referred to the City Engineering Division – DPW for investigation and report. This is our report.

The request was approved by the Solid Waste Division – DPW, and City Engineering Division – DPW, and Traffic Engineering Division – DPW (TED).

Detroit Water and Sewerage Department (DWSD) reports being involved, but they have no objection provided the DWSD encroachment provisions are followed. The DWSD provisions have been made a part of the resolution.

All other involved City Departments, including the Public Lighting Authority and Public Lighting Department; also privately owned utility companies have reported no objections to the encroachment. Provisions protecting all utility installations are part of the attached resolution.

I am recommending adoption of the attached resolution.

Respectfully submitted,  


Richard Doherty, P.E., City Engineer  
City Engineering Division – DPW

JK/

Cc: Ron Brundidge, Director, DPW  
Mayor's Office – City Council Liaison

COUNCIL MEMBER \_\_\_\_\_

**RESOLVED**, that the Department of Public Works, City Engineering Division is hereby authorized and directed to issue permits to Michigan War of 1812 Bicentennial Commission or their assigns to install and maintain an encroachment with a Historic marker on the median of Washington Boulevard, 195 feet wide, 134 feet North of Michigan Avenue, 100 feet wide (21 feet north of the base of the Macomb Monument), and being land in the City of Detroit, Wayne County, Michigan: median of Washington Boulevard, 195 feet wide, lying between 131 feet and 137 feet northerly of the northerly line of Michigan Avenue, and lying between 96 feet and 99 feet westerly of the westerly line of Lot 1 "Plan of Section numbered Eight in the territory of Michigan confirmed unanimously by the Governor and Judges in the 27<sup>th</sup> day of April 1807 and ordered to be a record and to be signed by the Governor and attested to by the Secretary of the Board" as recorded in Liber 34, Page 543 of Deeds, Wayne County Records. The sign dimensions are within a box which is 6 feet long north-south, 3 feet wide east-west, with two posts 36 inches below grade, and 7 feet 5 inches in height above grade.

PROVIDED, that if there is any cost for the removing and/or rerouting of any utility facilities, it shall be done at the expense of the petitioner and/or property owner; and be it further

PROVIDED, that by approval of this petition the Detroit Water and Sewerage Department (DWSD) does not waive any of its rights to its facilities located in the right-of-way, and at all times, DWSD, its agents or employees, shall have the right to enter upon the right-of-way to maintain, repair, alter, service, inspect, or install its facilities. All costs incident to the damaging, dismantling, demolishing, removal and replacement of structures or other improvements herein permitted and incurred in gaining access to DWSD's facilities for maintenance, repairing, alteration, servicing or inspection caused by the encroachment shall be borne by the petitioner. All costs associated with gaining access to DWSD's facilities, which could normally be expected had the petitioner not encroached into the right-of-way, shall be borne by DWSD; and be it further

PROVIDED, that all construction performed under this petition shall not be commenced until after (5) days written notice to DWSD. Seventy-two (72) hours' notice shall also be provided in accordance with P.A. 53 1974, as amended, utilizing the MISS DIG one call system; and be it further

PROVIDED, that construction under this petition is subject to inspection and approval by DWSD forces. The cost of such inspection shall, at the discretion of DWSD, be borne by the petitioner; and be it further

PROVIDED, that if DWSD facilities located within the right-of-way shall break or be damaged as the result of any action on the part of the petitioner, then in such event the petitioner agrees to be liable for all costs incident to the repair, replacement or relocation of such broken or damaged DWSD facilities; and be it further

PROVIDED, that the petitioner shall hold DWSD harmless for any damages to the encroaching device constructed or installed under this petition which may be caused by the failure of DWSD's facilities; and be it further

PROVIDED, Michigan War of 1812 Bicentennial Commission or their assigns shall apply to the Buildings and Safety Engineering Department for a building permit prior to any construction. Also, if it becomes necessary to open cut public streets, bore, jack, occupy or barricade city rights-of-way for

maintenance of encroachments such work shall be according to detail permit application drawings submitted to the City Engineering Division – DPW prior to any public right-of-way construction; and further

PROVIDED, that the necessary permits shall be obtained from the City Engineering Division – DPW and the Buildings and Safety Engineering Department. The encroachments shall be constructed and maintained under their rules and regulations; and further

PROVIDED, that all cost for the construction, maintenance, permits and use of the encroachments shall be borne by Michigan War of 1812 Bicentennial Commission or their assigns, and further

PROVIDED, that all costs incurred by privately owned utility companies and/or city departments to alter, adjust, and/or relocate their existing utility facilities located in close proximity to the encroachments shall be borne by Michigan War of 1812 Bicentennial Commission or their assigns. Should damages to utilities occur Michigan War of 1812 Bicentennial Commission or their assigns shall be liable for all incidental repair costs and waives all claims for damages to the encroaching installations; and further

PROVIDED, that no other rights in the public streets, alleys or other public place shall be considered waived by this permission which is granted expressly on the condition that said encroachments shall be removed at any time when so directed by the City Council, and the public property affected shall be restored to a condition satisfactory to the City Engineering Division – DPW; and further

PROVIDED, that Michigan War of 1812 Bicentennial Commission or their assigns shall file with the Department of Public Works – City Engineering Division an indemnity agreement in form approved by the Law Department. The agreement shall save and protect the City of Detroit from any and all claims, damages or expenses that may arise by reason of the issuance of the permits and the faithful or unfaithful performance of Michigan War of 1812 Bicentennial Commission or their assigns of the terms thereof. Further, Michigan War of 1812 Bicentennial Commission or their assigns shall agree to pay all claims, damages or expenses that may arise out of the use, repair and maintenance of the proposed encroachments; and further

PROVIDED, this resolution or part thereof is revocable at the will, whim or caprice of the City Council, and Michigan War of 1812 Bicentennial Commission acquires no implied or other privileges hereunder not expressly stated herein; and further

PROVIDED, that the encroachment permits shall not be assigned or transferred without the written approval of the City Council; and be it further

PROVIDE, that the permits for the old Historical Marker at the southwest corner Michigan Avenue and Washington Boulevard are hereby revoked, and the petitioner shall make the necessary arrangements to remove the old Historical Marker and restore the property to a condition satisfactory to the Department of Public Works – City engineering Division, and further

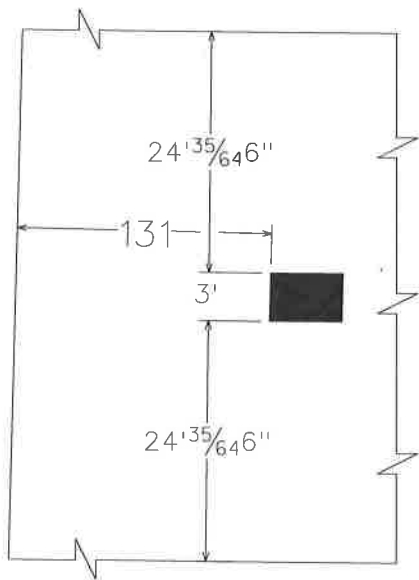
PROVIDED, that the City Clerk shall within 30 days record a certified copy of this resolution with the Wayne County Register of Deeds.

PETITION NO. 644  
 MICHIGAN WAR OF 1812 BICENTENNIAL COMMISSION  
 17761 BELL CREEK LANE,  
 LIVONIA MI 48152  
 DR. JAMES A. MCCONNELL  
 PHONE NO. (734) 525-2962



WASHINGTON BLVD.

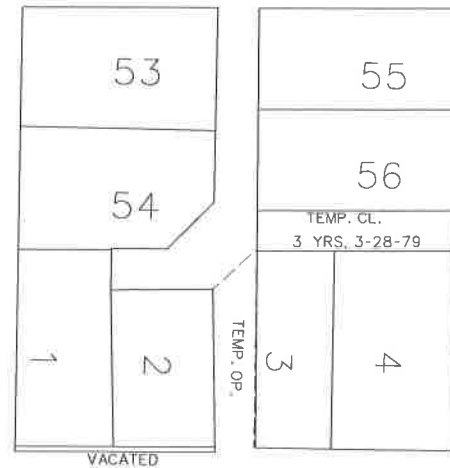
MICHIGAN AVE. 100 FT. WD.



WASHINGTON BLVD.

PARK PLACE 60 FT. WD.

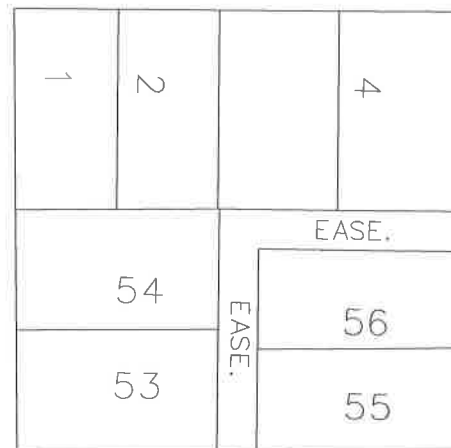
MICHIGAN AVE. 100 FT. WD.



WASHINGTON BLVD.

STATE ST. 60 FT. WD.

WASHINGTON BLVD.



SHELBY ST. 60 FT. WD.

- REQUEST ENCROACHMENT

(FOR OFFICE USE ONLY)

CARTO 28 B

B					
A					
DESCRIPTION	DRWN	CHKD	APPD	DATE	
REVISIONS					
DRAWN BY	SA	CHECKED	KSM		
DATE	02-04-19	APPROVED			

REQUEST ENCROACHMENT  
 INTO WASHINGTON BLVD.

CITY OF DETROIT CITY ENGINEERING DIVISION SURVEY BUREAU	
JOB NO.	01-01
DRWG. NO.	X 644