

DETROIT CITY COUNCIL

FORMAL SESSION

October 9, 2018

10:00 A.M.

NEW BUSINESS

RECONSIDERATIONS

1. **McCalister**, motion to reconsider the vote relative to Special District Review request by Gensler on behalf of the Church of Scientology for a proposed roof sign at 1 Griswold Street located within a PCA Public Center Adjacent District (Restricted Central Business District) zoning classification, which was adopted at the last session of Tuesday, October 2, 2018.
2. **McCalister**, reso. autho. Special District Review request by Gensler on behalf of the Church of Scientology for a proposed roof sign at 1 Griswold Street located within a PCA Public Center Adjacent District (Restricted Central Business District) zoning classification. **ROLL CALL**

MAYOR'S OFFICE

3. **Sheffield**, reso. autho. Petition of Downtown Detroit Partnership (#538), request to hold "Beacon Park Winter Events" at 1901 Grand River, hosting various events with various dates from October 12, 2018 thru December 16, 2018. **(The Mayor's Office and all other City departments RECOMMENDS APPROVAL of this petition.) (REPORTED OUT OF THE NEIGHBORHOOD AND COMMUNITY SERVICES STANDING COMMITTEE ON 10-4-18)**
4. **Sheffield**, reso. autho. Petition of Downtown Detroit Partnership (#530), request to hold "2018 Winter Magic Events" at various locations on various dates beginning November 5, 2018 and ending January 21, 2019 with set up beginning 11-1-18 and tear down complete 1-25-19. **(The Mayor's Office and all other City departments RECOMMENDS APPROVAL of this petition.) (REPORTED OUT OF THE NEIGHBORHOOD AND COMMUNITY SERVICES STANDING COMMITTEE ON 10-4-18)**
5. **Sheffield**, reso. autho. Petition of Still Standing (#537), request to hold "Slow Your Role on Violence" at New Center Park area on 10/20/18 at 10:00 AM to 1:00 PM. **(The Mayor's Office and all other City departments RECOMMENDS APPROVAL of this petition.) (REPORTED OUT OF THE NEIGHBORHOOD AND COMMUNITY SERVICES STANDING COMMITTEE ON 10-4-18)**

OFFICE OF CONTRACTING AND PROCUREMENT

6. **Benson**, reso. autho. **Contract No. 6001636** - 100% City Funding ó To Provide Promotional Exams for the Ranks of Sergeant, Detective, and Lieutenant. ó Contractor: Industrial Organizational Solutions ó Location: 1520 Kensington Rd, Suite 110, Oak Brook, IL 60523 ó Contract Period: Upon City Council Approval through August 31, 2019 ó Total Contract Amount: \$107,870.00. **POLICE (REPORTED OUT OF THE PUBLIC HEALTH AND SAFETY STANDING COMMITTEE ON 10-8-18)**

7. **Benson**, reso. autho. **Contract No. 6001642** - 100% City Funding ó To Provide the Citizens of the City of Detroit with Rental Ordinances for Residents and Landlords, by Printing and Mailing Services of Brochures for the Remaining 25 Zip Codes left in the Rental Enforcement Program. ó Contractor: Wolverine Solutions Group ó Location: 1601 Clay Avenue, Detroit, MI 48111 ó Contract Period: Upon City Council Approval through October 1, 2019 ó Total Contract Amount: \$60,494.82. **BUILDINGS, SAFETY ENGINEERING AND ENVIRONMENTAL DEPARTMENT (REPORTED OUT OF THE PUBLIC HEALTH AND SAFETY STANDING COMMITTEE ON 10-8-18)**

8. **Benson**, reso. autho. **Contract No. 6001654** - 100% City Funding ó To Provide The Detroit Police Department with Fiduciary Administrative Services. ó Contractor: Black Family Development ó Location: 2995 E. Grand Blvd, Detroit, MI 48202 ó Contract Period: Upon City Council Approval through October 1, 2021 ó Total Contract Amount: \$134,981.70. **POLICE (REPORTED OUT OF THE PUBLIC HEALTH AND SAFETY STANDING COMMITTEE ON 10-8-18)**

9. **Benson**, reso. autho. **Contract No. 6001648** - 75% State Funding, 25% Solid Waste Funding ó To Provide Recycling Outreach Services such as, but not limited to Community Events/ Recycling Workshops. ó Contractor: Green Living Science ó Location: 1331 Holden St., Detroit, MI 48202 ó Contract Period: Upon City Council Approval through September 24, 2020 ó Total Contract Amount: \$100,000.00. **DEPARTMENT OF PUBLIC WORKS(REPORTED OUT OF THE PUBLIC HEALTH AND SAFETY STANDING COMMITTEE ON 10-8-18)**

10. **Sheffield**, reso. autho. **Contract No. 2854624** - Revenue ó AMEND 7 ó Lease Agreement for Certain Parcels of Land along the Detroit Riverwalk (MacArthur Bridge). ó Contractor: Detroit Riverfront Conservancy Inc. ó Location: 600 Renaissance Center, Suite 1720, Detroit, MI 48243 ó Contract Period: Upon City Council Approval through May 30, 2035 ó Total Contract Amount: \$0.00. **RECREATION (REPORTED OUT OF THE NEIGHBORHOOD AND COMMUNITY SERVICES STANDING COMMITTEE ON 9-27-18)**

OFFICE OF THE CHIEF FINANCIAL OFFICER/GRANTS MANAGEMENT

11. **Sheffield**, reso. autho. Request to accept an increase in appropriation for the FY 2017 Historic Preservation Fund Certified Local Government Grant. **(The Michigan State Housing Development Authority – State Historic Preservation Office has**

awarded an increase in appropriation to the City of Detroit Historic Designation Advisory Board for the FY 2017 Historic Preservation Fund Certified Local Government Grant, in the amount of \$10,000.00. There is no longer a required cash match. This funding will increase appropriation 20415, previously approved in the amount \$25,100.00, by council on July 18, 2017, to a total of \$35,100.00.) (REPORTED OUT OF THE NEIGHBORHOOD AND COMMUNITY SERVICES STANDING COMMITTEE ON 10-4-18)

RECREATION DEPARTMENT/ADMINISTRATION OFFICE

12. **Sheffield**, reso. autho. To accept a donation of park equipment, a Garden Kiosk, to be installed at Romanowski Park. **(Detroit General Services Department requests authorization from your Honorable Body to accept a donation of park equipment from Sacred Roots Community Heritage Garden. The park equipment consists of a Garden Kiosk, to be installed at Romanowski Park.) (REPORTED OUT THE NEIGHBORHOOD AND COMMUNITY SERVICES STANDING COMMITTEE ON 10-4-18)**

RESOLUTIONS

13. **Sheffield**, reso. autho. The Detroit City Council Enunciating the Homeless Bill of Rights for Citizens of the City of Detroit.
14. **McCalister**, reso. autho. Scheduling a Closed Session of the Detroit City Council **Wednesday, October 24, 2018 at 2:30 pm.**, at the request of T. Joseph Seward of Seward Henderson PLLC regarding trial or settlement strategy in the following lawsuit: *Davontae Sanford v. City of Detroit*, U.S. District Court for the Eastern District of Michigan Case No. 17-cv-13062 as an open meeting would have detrimental financial effect on the litigating or settlement position of the public body. Attorneys from the Legislative Policy Division. **ROLL CALL**
15. **McCalister**, reso. autho. Scheduling a Closed Session of the Detroit City Council **Wednesday, October 24, 2018 at 3:00 pm.**, at the request of Lt. Michael Russell to consider the dismissal, suspension, or disciplining of, or to hear complaints or charges brought against, or to consider a periodic personnel evaluation of, a public officer, employee, staff member, or individual agent. Both the Law Department and Detroit Police Department have recommended approval of the request for representation and indemnification of Lt. Michael Russell in the matter of *Davontae Sanford v. City of Detroit*, U.S. District Court for the Eastern District of Michigan Case No. 17-cv-13062. The request for representation and indemnification will be discussed with Law Department attorneys, T. Joseph Seward of Seward Henderson PLLC, representatives from the Detroit Police Department, Lt. Russell and his counsel, representatives of the Detroit Police Lieutenants and Sergeants Association, as well as attorneys from the Legislative Policy Division. **ROLL CALL**
16. **McCalister**, reso. autho. Scheduling a Closed Session of the Detroit City Council **Wednesday, October 24, 2018 at 3:30 pm.**, at the request of DC James Tolbert to consider the dismissal, suspension, or disciplining of, or to hear complaints or charges brought against, or to consider a periodic personnel evaluation of, a public officer,

- employee, staff member, or individual agent. Both the Law Department and Detroit Police Department have recommended approval of the request for representation and indemnification of retired DC James Tolbert in the matter of *Davontae Sanford v. City of Detroit*, U.S. District Court for the Eastern District of Michigan Case No. 17-cv-13062. The request for representation and indemnification will be discussed with Law Department attorneys, T. Joseph Seward of Seward Henderson PLLC, representatives from the Detroit Police Department, Ret. DC James Tolbert and his counsel, representatives of the Detroit Police Lieutenants and Sergeants Association, as well as attorneys from the Legislative Policy Division. **ROLL CALL**
17. **McCalister**, reso. autho. Scheduling a Closed Session of the Detroit City Council **Wednesday, November 7, 2018 at 2:00 pm.**, at the request of Det. Jennifer Lee Adams to consider the dismissal, suspension, or disciplining of, or to hear complaints or charges brought against, or to consider a periodic personnel evaluation of, a public officer, employee, staff member, or individual agent. The Law Department's recommendation to deny indemnification of Det. Jennifer Lee Adams in the matter of *Keri-Yakei Morris v. City of Detroit*, Civil Action Number 17-013266-NO will be discussed with Law Department attorneys, representatives from the Detroit Police Department, Det. Jennifer Lee Adams and counsel, representatives from the Detroit Police Lieutenants and Sergeants Association, as well as attorneys from the Legislative Policy Division. **ROLL CALL**
18. **McCalister**, reso. autho. Scheduling a Closed Session of the Detroit City Council **Wednesday, November 8, 2018 at 2:00 pm.**, for the purposes of discussing a privileged and confidential memorandum titled *Wrongful Incarceration Litigation*, October 1, 2018. This memorandum is an attorney-client communication prepared by the Law Department and therefore is exempt from disclosure under Section 13(g) of the Freedom of Information Act, MCL 15.243(1)(g). Law Department attorneys, representatives from the Finance Department, as well as attorneys from the Legislative Policy Division **ROLL CALL**
19. **McCalister**, reso. autho. Scheduling a Closed Session of the Detroit City Council **Wednesday, November 9, 2018 at 12:00 pm.**, at the request of P.O. Hakeem Patterson to consider the dismissal, suspension, or disciplining of, or to hear complaints or charges brought against, or to consider a periodic personnel evaluation of, a public officer, employee, staff member, or individual agent. The representation and indemnification of P.O. Hakeem Patterson in the matter of *Michaelangelo Jackson et al. v City of Detroit et al.*, Wayne County Circuit Court Case No: 18-001339 NI, will be discussed with Law Department attorneys, representatives from the Detroit Police Department, P.O. Hakeem Patterson and James M. Moore, Esq. of the Law Office of Gregory, Moore, Jeakle & Brooks, P.C., on behalf of P.O. Patterson, the Detroit Police Officers Association as well as attorneys from the Legislative Policy Division. **ROLL CALL**
20. **McCalister**, reso. autho. Scheduling a Closed Session of the Detroit City Council **Wednesday, November 9, 2018 at 12:30 pm.**, at the request of P.O. Steven Fultz to consider the dismissal, suspension, or disciplining of, or to hear complaints or charges

brought against, or to consider a periodic personnel evaluation of, a public officer, employee, staff member, or individual agent. The representation and indemnification of P.O. Steven Fultz in the matter of *Michaelangelo Jackson et al. v City of Detroit et al.*, Wayne County Circuit Court Case No: 18-001339 NI, will be discussed with Law Department attorneys, representatives from the Detroit Police Department, P.O. Steven Fultz and James M. Moore, Esq. of the Law Office of Gregory, Moore, Jeakle & Brooks, P.C., on behalf of P.O. Fultz, the Detroit Police Officers Association as well as attorneys from the Legislative Policy Division. **ROLL CALL**

21. **McCalister**, reso. autho. Scheduling a Closed Session of the Detroit City Council **Wednesday, November 9, 2018 at 1:00 pm.**, at the request of P.O. Richard Billingslea to consider the dismissal, suspension, or disciplining of, or to hear complaints or charges brought against, or to consider a periodic personnel evaluation of, a public officer, employee, staff member, or individual agent. The representation and indemnification of P.O. Richard Billingslea in the matter of *Michaelangelo Jackson et al. v City of Detroit et al.*, Wayne County Circuit Court Case No: 18-001339 NI, will be discussed with Law Department attorneys, representatives from the Detroit Police Department, P.O. Richard Billingslea and James M. Moore, Esq. of the Law Office of Gregory, Moore, Jeakle & Brooks, P.C., on behalf of P.O. Richard Billingslea, the Detroit Police Officers Association as well as attorneys from the Legislative Policy Division. **ROLL CALL**

PRESIDENT'S REPORT ON STANDING COMMITTEE REFERRALS AND OTHER MATTERS:

BUDGET, FINANCE AND AUDIT STANDING COMMITTEE

THE FOLLOWING ITEM(S) ARE TO BE REFERRED TO THE BUDGET, FINANCE AND AUDIT STANDING COMMITTEE:

MISCELLANEOUS

22. **Council Member Scott Benson** submitting memorandum relative to Charles H. Wright Museum of African History (CHWMAAH). **(Relative to allocation of the \$3.5 Million in the FY 2019-20 budget.)**

INTERNAL OPERATIONS STANDING COMMITTEE

THE FOLLOWING ITEM(S) ARE TO BE REFERRED TO THE INTERNAL OPERATIONS STANDING COMMITTEE:

LAW DEPARTMENT

23. Submitting reso. autho. **Legal Representation and Indemnification** in lawsuit of Lavell Scott v City of Detroit; Civil Action Case No: 18-cv-10712 for P.O. Edward Jackson; Sgt. Kerry Petties; Sgt. Ransom Williams.
24. Submitting report relative to Tax Collection Initiative on Foreclosed Properties as authorized by resolution of the Detroit City Council. **(The Law Department has submitting a privileged and confidential memorandum regarding the above – referenced matter.)**

25. Submitting report relative to Pending Tow Litigation. **(The Law Department has submitting a privileged and confidential memorandum regarding the above – referenced matter.)**

LEGISLATIVE POLICY DIVISION

26. Submitting report relative to Proposed Chapter 11-30 of Recodified Detroit City Code. **(For your consideration, the Legislative Policy Division has provided a general overview of the type of amendments that have been made in the proposed chapters 11-30 of the Detroit City Code recodification project. The Home Rule City Act, 117.5b, authorizes the City to amend, rearrange and repeal provisions in the Code through a recodification process. The amendments are being made to update language to reflect changes in State law and to remove unnecessary and duplicative provisions. There are only a few instances where changes are being made because of a City agency’s request for a change of policy, in those instances the request is noted. Although allowed, it has been determined that further changes of policy would be best handled outside of this process.)**

NEIGHBORHOOD AND COMMUNITY SERVICES STANDING COMMITTEE

THE FOLLOWING ITEM(S) ARE TO BE REFERRED TO THE NEIGHBORHOOD AND COMMUNITY SERVICES STANDING COMMITTEE:

MAYOR’S OFFICE

27. Submitting Mayor’s Office Coordinators Report relative to Petition of Metropolitan Detroit Veterans Coalition (#517), request to hold “Armed Services Salute Featuring 13th Annual Detroit Veterans Day Parade & 4 Star 4 Mile Race & Vets Fest” at Cass Park, on 11/11/18 from 10:30 am to 4:30 pm, Set-up on 11/10/18 at 8 am & tear down on 11/11/18, with various street closure. **(The Mayor’s Office and all other City departments RECOMMENDS APPROVAL of this petition.)**

PLANNING AND ECONOMIC DEVELOPMENT STANDING COMMITTEE

THE FOLLOWING ITEM(S) ARE TO BE REFERRED TO THE PLANNING AND ECONOMIC DEVELOPMENT STANDING COMMITTEE:

CITY PLANNING COMMISSION

28. Submitting reso. autho. Request of Mona Rose-Gardner to amend Article XVII, District Map 4, of the 1984 Detroit City Code, Chapter 61, Zoning to modify the provisions of the existing PD-H (Planned Development District-Historic) zoning classification established by Ordinance 25-96 at the property commonly known as 2458 Brush Street and also 419 and 429 E. Fischer Fwy. to allow for a standard restaurant as defined in Sec. 61-16-41 of the Detroit Zoning Ordinance, including the sale and consumption of alcoholic beverages on the premises **(RECOMMEND APPROVAL W/CONDITIONS)**. **(The Proposed use is subject to a PD modification because it is currently not allowed on the subject parcel under the**

Brush Park Third Modified development plan which are the provisions that currently govern this site. The modification to allow for this use, would mend the current PD to allow for the requested land use on the subject properties.)

HOUSING AND REVITALIZATION DEPARTMENT

29. Submitting reso. autho. Request for a Public Hearing on behalf of Rock Economic Development Group (#522), to Approve a Request for a property Tax Exemption, in the area of 570 Clinton St., 525 Clinton St., 1326 St. Antoine St. 1441 St. Antoine St., and 1400 St. Antoine St., Detroit, Michigan in accordance with Michigan Compiled Laws 211. 7tt. **(The Housing and Revitalization Department has reviewed the application of Rock Economic Development Group and find that it satisfies the criteria set forth by MCL 211.7tt.)**

LEGISLATIVE POLICY DIVISION

30. Submitting report relative to Community Benefits Ordinance process analysis for the Ford Motor Company Michigan Central Station/Corktown Development Project. **(Ford Motor Company has submitted their commitments in regards to the Michigan Central Station CBO process, which are being incorporated into a development agreement between the developer and the administration. This report has been submitted in an effort to aid Your Honorable Body in your deliberations ahead of he Thursday, October 11, 2018 Planning and Economic Development Standing Committee, at which time, Your Honorable Body will be considering the request of Ford Motor Company in regards to the establishment of a PA 210 Tax Abatement District, PA 146 OPRA Tax Abatement District, NEZ Rehabilitation Tax Abatement District and Renaissance Zone Tax Abatement District respectively.)**
31. Submitting report relative to Real Property at 12412, 12418, 12420, 12430 and 12436 Van Dyke, Detroit, MI 48234 and if any Medical Marihuana uses under the MMFLA would be permissible. **(This report is in response to an inquiry made by Council Member Scott Benson at the Planning and Economic Development Standing Committee meeting of Thursday, October 4, 2018 in regarding to the above referenced properties, which are subject to a pending purchase agreement between the City of Detroit and Mr. Ryan Riddle.)**

PLANNING AND DEVELOPMENT DEPARTMENT

32. Submitting reso. autho. Exercise of Purchase Option Mistersky Tank Farm a/k/a (part of) 5425 W. Jefferson. **(On April 5, 2007, your Honorable Body approves the sale of the storage tank site adjacent to the Mistersky Power Plant, (part of) 5425 W. Jefferson, to Waterfront Terminal Holdings LLC, a Michigan Limited Liability Company, for the amount of \$1,900,000.00. The property contained approximately 9.2 acres and is zoned M4 (Intensive Industrial District).**
33. Submitting reso. autho. Community Benefits Provisions for Tier 1 Development Projects Corktown Area Projects ó Ford Motor Company. **(Ford Motor Company (“Ford”), a 115-year old global company company based in Dearborn, Michigan,**

is undertaking the redevelopment of the former Michigan Central Station building and former DPS Book Depository buildings, as well as construction of a new building at the site of the former Lincoln Brass Factory (collectively the “Project”) in the City of Detroit’s Corktown area generally bounded by 1-75 to the north, Neward to the south, Trumbell to the east and 20th Street to the west.)

MISCELLANEOUS

34. **Council Member Scott Benson** submitting memorandum relative to Legal Opinion on CBO (Community Benefits Ordinance) Ordinance Amendments.

PUBLIC HEALTH AND SAFETY STANDING COMMITTEE

THE FOLLOWING ITEM(S) ARE TO BE REFERRED TO THE PUBLIC HEALTH AND SAFETY STANDING COMMITTEE:

LAW DEPARTMENT

35. Submitting Proposed Ordinance to amend Chapter 24 of the 1984 Detroit City Code, *Health and Sanitation*, Article VI, *Rodent and Pest Control*, by amending Division 3, *Bed Bugs*, by adding Section 24-6-32, *Definitions*, to set forth definitions; Section 24-6-33, *Landlord Duties*, to establish the responsibilities of landlords; Section 24-6-34, *Occupants Duties*, to establish the responsibilities of occupants; Section 24-6-35, *Cost to control infestation*, to address the cost of controlling an infestation; Section 24-6-36, *Disposal of furnishing, bedding, clothing or other materials infested with bed bugs*, to establish protocols for the disposal of infested materials; Section 24-6-37, *Education*, to require informational materials be provided to occupants on the best practices to handle and prevent a bed bug infestation; and Section 24-6-38, *Violation*, to provide penalties for failure to comply with this ordinance. **(FOR INTRODUCTION AND SETTING OF A PUBLIC HEARING)**

BUILDINGS, SAFETY ENGINEERING AND ENVIRONMENTAL DEPARTMENT

36. Submitting report relative to **DEFERRAL OF DEMOLITION ORDER** on property located at 19920 Salem. **(A special inspection on October 3, 2018 revealed the building is secured and appears to be sound and repairable. Therefore, it is recommended that the demolition order be deferred for a period of six months subject to conditions.)**
37. Submitting report relative to **DEFERRAL OF DEMOLITION ORDER** on property located at 9911 Mark Twain. **(A special inspection on September 25, 2018 revealed the building is secured and appears to be sound and repairable. Therefore, it is recommended that the demolition order be deferred for a period of six months subject to conditions.)**

MISCELLANEOUS

38. **Council President Pro-Tem Mary Sheffield** submitting memorandum relative to Request for the Legislative Policy Division to Draft a Water Affordability Ordinance.
39. **Council Member Scott Benson** submitting memorandum relative to Status Updates on Safety Vests.

40. **Council Member Scott Benson** submitting memorandum relative Opinion of the recently signed into law by Gov. Snyder "Public Act 84 of 2018 " Local Government Labor Regulatory Limitation Act, Effective June 24, 2018 **SB 0353** (Proos) Labor."
41. **Council Member Raquel Castaneda-Lopez** submitting memorandum relative to Legislative Priorities List.
42. **Council Member Raquel Castaneda-Lopez** submitting memorandum relative to vacant property located at 5728 Lawndale Street.