

REVISED

DETROIT CITY COUNCIL

FORMAL SESSION

FEBRUARY 5, 2019

10:00 A.M.

NEW BUSINESS

ERMA L. HENDERSON AUDITORIUM

MARATHON PETROLEUM ODOR UPDATE

UNFINISHED BUSINESS

1. **Ayers**, an ordinance to amend Chapter 26 of the 1984 Detroit City Code, *Housing*, by adding Article V, *Fair Chance Access to Rental Housing*, consisting of Sections 26-5-1 through 26-5-20, and to provide for the maintenance and protection of the health, safety and general welfare of the public and to provide citizens with criminal records a fair opportunity to secure housing by regulating the use of criminal background checks as part of the tenant screening process, thereby facilitating reintegration into society and reducing the likelihood those citizens will reoffend; to establish that the City undertaking is limited to promotion of the general welfare; to set forth definitions and applicability of the article; to regulate the use and inquiry of criminal convictions by housing providers; to establish standards for adverse action; to set forth exceptions to this housing decisions; to require individualized assessments in certain circumstances; to set forth notice and posting requirements for housing providers; to establish guidelines for maintenance of records by housing providers; to protect the exercise of rights and protect the exercise of rights and prohibit retaliation; to require community outreach; to set forth confidentiality provisions; to establish implementation and enforcement provisions, including penalties for violations; and to establish administrative rules and annual reporting requirements, laid on the table January 15, 2019. **(SIX (6) VOTES REQUIRED AND SHALL BE GIVEN IMMEDIATE EFFECT AND SHALL BECOME EFFECTIVE IMMEDIATELY UPON PUBLICATION) ROLL CALL (PULLED FROM THE FORMAL SESSION AGENDA ON 2-1-19 AND DIRECTED TO BE POSTPONED UNTIL 2-5-19)**

MAYOR'S OFFICE

2. **Benson**, reso. autho. Petition of Cupidø Charity (#653), request to hold "Cupidø Undie Run-Detroit" on February 9, 2019 from 12:00 PM to 4:00 PM beginning at the Filmore, with various temporary street closures. **(The Mayor's Office and all other**

**concerned City Departments Recommend Approval of this Petition.)
(REPORTED OUT OF THE PUBLIC HEALTH AND SAFETY STANDING
COMMITTEE ON 2-4-19)**

OFFICE OF CONTRACTING AND PROCUREMENT

3. **Benson, reso. autho. Contract No. 6000395 - 100% City Funding ó AMEND 3 ó To Provide Oils and Lubricants for DDOT. ó Contractor: Wolverine Oil & Supply Co. Inc. ó 10455 Ford Rd., Dearborn, MI 481126 ó Contract Period: Upon City Council Approval through June 30, 2019 ó Contract Increase: \$0.00 ó Total Contract Amount: \$330,000.00. (This Amendment is For Time Extension Only. Original Contract Expires, January 31, 2019) DEPARTMENT OF TRANSPORTATION (REPORTED OUT OF THE PUBLIC HEALTH AND SAFETY STANDING COMMITTEE ON 2-4-19)**

OFFICE OF THE CHIEF FINANCIAL OFFICER/ DEVELOPMENT AND GRANTS

4. **Benson, reso. autho. Request to Accept and Appropriate the FY 2019 Comprehensive Agreement, Opioid Academic Detailing Program. (The Michigan Department of Health and Human Services (MDHHS) has awarded the City of Detroit Health Department with a new project under the FY 2019 Comprehensive Agreement, Opioid Academic Detailing Program for a total of \$40,000.00. There is no match requirement. The total project cost is \$40,000.00. The grant period is October 1, 2018 through September 30, 2019.) (REPORTED OUT OF THE PUBLIC HEALTH AND SAFETY STANDING COMMITTEE ON 2-4-19)**
5. **Benson, reso. autho. Revision to the request to accept and appropriate the FY 2018 Health Education and Community Benefit Grant. (The Detroit Medical Center (DMC) has awarded the City of Detroit Health Department with the FY 2018 Health Education and Community Benefit Grant for a total of \$55,450.00. Previously submitted to the City Council and approved November 11, 2018 with no match requirement. This cover letter and resolution serves as a revision and includes the required match in the amount of \$16,000.00: \$10,000.00 cash and an additional \$6,000.00 in-kind. The total project cost is \$101,450.00, with \$30,000.00 not coming directly to the City of Detroit. The grant period is August 22, 2018 through August 21, 2019.) (REPORTED OUT OF THE PUBLIC HEALTH AND SAFETY STANDING COMMITTEE ON 2-4-19)**

PLANNING AND DEVELOPMENT DEPARTMENT

6. **Tate, reso. autho. Declaration of Surplus and Transfer of Jurisdiction Lodge Playfield (a/k/a 8901 Van Dyke). (The Detroit Parks and Recreation Department has indicated to the Planning and Development Department (P&DD) that the above captioned property, 8901 Van Dyke, is no longer appropriate to their needs. The Recreation Department has requested that P&DD assume jurisdictional control over the property, so that it may be marketed for sale and development.) (PULLED FROM FORMAL SESSION ON FEBRUARY 1, 2019 AND DIRECTED TO POSTPONE UNTIL FEBRUARY 5, 2019)**

PUBLIC LIGHTING DEPARTMENT

7. **Benson**, reso. autho. Petition of Grand Valley State University (#579), request to hang approximately six banners along Madison and John R. **(The Public Lighting Department has inspected requested poles and find them to be structurally sound and is recommending approval for Grand Valley Status University to hang their banners on approved pole locations from January 8, 2019 to July 8, 2019.) (REPORTED OUT OF THE PUBLIC HEALTH AND SAFETY STANDING COMMITTEE ON 2-4-19)**

RESOLUTIONS

8. **Leland**, reso. autho. Supporting the City of Detroit Granting Unpaid Federal Employees an Extension on their City Payments.
9. **Sheffield joined by Castaneda-Lopez**, reso. autho. Encouraging and Ongoing Cooperative Relationship between the United States and Cuba.

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:

OFFICE OF CONTRACTING AND PROCUREMENT

10. Submitting reso. autho. Approving Professional Services Contracts with Depositories and Authorizing the Chief Financial Officer and Treasurer to Negotiate and Execute Subsequent Specific Banking Services Contracts.

CITY CLERK'S OFFICE/CITY PLANNING COMMISSION

11. Submitting reso. autho. Neighborhood Enterprise Zone Certificate Applications for one (1) newly constructed 128-unit apartment building located at 32 Monroe Avenue and 725 Bates Street in the Rosko Development Co., LLC Neighborhood Enterprise Zone area. **(RECOMMEND APPROVAL)**
12. Submitting reso. autho. Neighborhood Enterprise Zone Certificate Applications for two (2) newly constructed condominium units located at 411 and 423 East Ferry Avenue in the East Ferry Neighborhood Enterprise Zone area. **(RECOMMEND APPROVAL)**

MISCELLANEOUS

13. **Council President Brenda Jones** submitting memorandum relative to Historic District Education and Outreach.

INTERNAL OPERATIONS STANDING COMMITTEE

THE FOLLOWING ITEM(S) ARE TO BE REFERRED TO THE INTERNAL

OPERATIONS STANDING COMMITTEE:

LAW DEPARTMENT

14. Submitting reso. autho. **Legal Representation & Indemnification** in lawsuit of Anthony and Elaine McCallum v. City of Detroit, et al., Wayne County Circuit Court Case No. 14-009697-NO for Sgt. Stephen Geelhood.
15. Submitting reso. autho. **Acceptance of Case Evaluation Award** in lawsuit of Margaret England v City of Detroit, Case No. 18-001804-NF; File No. L18-00122 (SVD) in the amount of \$5,700.00 in full payment for any and all claims which Margaret England may have against the City of Detroit or any other City of Detroit employees by reason of injuries sustained in a motor vehicle accident while Plaintiff was a passenger on a City of Detroit bus on or about March 06, 2017.
16. Submitting reso. autho. **Acceptance of Case Evaluation Award** in lawsuit of Feyistian Idowu, et al. v City of Detroit, Case No. 17-014461-NF; File No. L17-00697 (PMC) in the amount of \$67,000.00, paid to multiple parties, in full payment for any and all claims which the parties may have against the City of Detroit by reason of alleged injuries sustained by Feyistian Idowu on or about December 16, 2016.
17. Submitting reso. autho. **Settlement** in lawsuit of Ronald E. Alexander v City of Detroit, Case No. 18-001169-PD; File No. L18-00154 (PH) in the amount of \$20,000.00 in full payment for any and all claims which Ronald E. Alexander may have against the City of Detroit or any other City of Detroit employees by reason of the alleged conversion of property sustained on or about March 29, 2017.
18. Submitting reso. autho. **Settlement** in lawsuit of Dwayne McCaskell v City of Detroit, Case No. 17-015216-NI; File No. L17-00762 (MBC) in the amount of \$30,000.00 in full payment for any and all claims which Dwayne McCaskill may have against the City of Detroit and any other City of Detroit employees by reason of alleged injuries or property damage sustained by Dwayne McCaskill on or about October 16, 2016.
19. Submitting reso. autho. **Settlement** in lawsuit of Clifford Crawford v City of Detroit, Case No. 18-000697-NF; File No. L18-00071 (RG) in the amount of \$9,000.00 in full payment for any and all claims which Clifford Crawford may have against the City of Detroit and any other City of Detroit employees by reason of a claim for No-Fault Benefits for alleged injuries while a passenger on a Detroit City bus sustained on or about October 07, 2015.
20. Submitting reso. autho. **Settlement** in lawsuit of William McKenzie v City of Detroit Department of Transportation, File No. 10533 (CM) in the amount of \$15,000.00 in full payment for any and all claims which they may have against the City of Detroit by reason of any injuries or occupational diseases and their resultant disabilities incurred or sustained as the result of his past employment with the City of Detroit.

21. Submitting reso. autho. **Settlement** in lawsuit of Eva Turner v City of Detroit Department of Transportation, File No. 14957 (CM) in the amount of \$24,900.00 in full payment for any and all claims which they may have against the City of Detroit by reason of any injuries or occupational diseases and their resultant disabilities incurred or sustained as the result of her past employment with the City of Detroit.
22. Submitting reso. autho. **Settlement** in lawsuit of Donta Leflore v City of Detroit, Case No. 17-012815 NO; File No. L17-00613 (CB) in the amount of \$62,500.00 in full payment for any and all claims which Donta Leflore may have against the City of Detroit by reason of alleged injuries sustained when Plaintiff tripped due to a raised sidewalk and suffered injuries on or about July 4, 2016.
23. Submitting reso. autho. **Settlement** in lawsuit of Bunkley v. City of Detroit et. al. Case No. 16-11593; File No. L16-00274 (MMM) in the amount of \$637,000.00 in full payment for any and all claims which Derrick Bunkley may have against the City of Detroit, Sgt. Marcellus Ball, Latunya Moses, Glenda Fisher, Christopher Moreau, Troy Wesley, Jade Tanguay, Sgt. Richard Lucas, Marshall Dennis, Calvin Washinbgton and any other City of Detroit employees by reason of alleged injuries sustained on or about May 4, 2014.

CITY PLANNING COMMISSION

24. Submitting report relative to Expiration of terms for City Planning Commission members (Submitting Request for Reappointments). **(Consistent with the November 1, 2018 Legislative Policy Division report on appointments to Boards and Commissions, the terms of appointment for three seats on the City Planning Commission will expire on February 14, 2018. They are Commissioners Angy Webb, Alton James, and Fredrick Russell. Each has indicated verbally and via the attached form the desire to be reappointed for another three year term of service on the Commission. We will provide updated resumes and attendance records for each under separate cover. There is also a vacant at large seat on the CPC, which was created by the resignation of former Commissioner Lesley Carr Farrow in June of 2018 and reported to Your Honorable Body last summer.)**

NEIGHBORHOOD AND COMMUNITY SERVICES STANDING COMMITTEE

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

MISCELLANEOUS

25. **Council President Brenda Jones** submitting memorandum relative to Bridging Neighborhoods Contractors.

PLANNING AND ECONOMIC DEVELOPMENT STANDING COMMITTEE

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

LAW DEPARTMENT

26. Submitting Proposed Ordinance to amend Chapter 4 of the 2018 Detroit City Code, *Advertising*, by renaming the chapter to Advertising and Signs and amending the chapter to consist of Article I, *Generally*, Article II, *Distribution of Handbills, Circulars, and Advertising Cards*, Article III, *Protection of Minors*, Article IV, *Regulation of Business and Advertising Signs*, to consist of Division 1, *Generally*, Division 2, *General Sign Standards*, Division 3, *Regulation of Business Signs*, Division 4, *Regulation of Advertising Signs Outside of the General Business District*, Division 5, *Regulation of Advertising Signs In the Central Business District*, Division 6, *Signs in Right-of-Way*, and Division 7, *Temporary Signs*, to provide for the regulation of business and advertising signs throughout the City of Detroit. **(FOR INTRODUCTION AND SETTING OF A PUBLIC HEARING?)**

HOUSING AND REVITALIZATION DEPARTMENT

27. Submitting reso. autho. Request for a Public Hearing to Establish an Obsolete Property Rehabilitation District on behalf of The Platform (#556), in the area of 22000-22020 Grand River, Detroit, Michigan, in accordance with Public Act 146 of 2000. **(The Housing and Revitalization Department has reviewed the application of The Platform and find that it satisfies the criteria set forth by P.A. 146 of 2000 and would be consistent with development and economic goals of the Master Plan.)**
28. Submitting reso. autho. Request for a Public Hearing to Establish an Obsolete Property Rehabilitation District on behalf of Howmanø Marina (#602), in the area of 14601 Riverside Blvd., Detroit, Michigan, in accordance with Public Act 146 of 2000. **(The Housing and Revitalization Department has reviewed the application of Howman's Marina, LLC and find that it satisfies the criteria set forth by P.A. 146 of 2000 and would be consistent with development and economic goals of the Master Plan.)**
29. Submitting reso. autho. Request for a Public Hearing to Establish a Commercial Redevelopment District for Tellevation II, LLC (**Petition #555**), in the area of 110 E. Ferry St., Detroit, Michigan, in accordance with Public Act 255 of 1978. **(The Housing and Revitalization Department has reviewed the application of Tellevation II, LLC to establish a Commercial Redevelopment District, and find that it satisfies the criteria set forth by P.A. 255 of 1978 and would be consistent with development and economic goals of the Master Plan.)**

MISCELLANEOUS

30. **Council Member Raquel Castaneda-Lopez** submitting memorandum relative to Clark Park Coalitionø Application for FY 2019-20 CDBG-NOF.
31. **Council President Brenda Jones** submitting memorandum relative to Ordinance Request for detailing the process for community engagement and notification for the declaration of surplus property by the Detroit Planning and Development Department.

32. **Council President Brenda Jones** submitting memorandum relative to Development Agreements.
33. **Council President Brenda Jones** submitting memorandum relative to Michigan Senate Bill 54 and House Bill 4100.
34. **Council Member Gabe Leland** submitting memorandum relative to Stalled Development Projects.

PUBLIC HEALTH AND SAFETY STANDING COMMITTEE

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

MAYOR'S OFFICE

35. Submitting Mayor's Office Coordinators Report relative to Petition of United Irish Societies (#625), request to hold 61st Annual St. Patrick's Parade along Michigan Ave. on March 10, 2019 from 1:00 PM to 4:00 PM with a closure of Michigan and set up and tear down completed on the event date, 3/10/19. **(The Mayor's Office and all other concerned City Departments RECOMMEND APPROVAL of this petition.)**

BUILDINGS, SAFETY ENGINEERING AND ENVIRONMENTAL DEPARTMENT

36. Submitting report relative to **DEFERRAL OF DEMOLITION ORDER** on property located at 19151 Avon. **(A special inspection on January 18, 2019 revealed the building is secured and appears to be sound and reparable. 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 5254 Stanton. **(A special inspection on January 18, 2019 revealed the building is secured and appears to be sound and reparable. Therefore, it is recommended that the demolition order be deferred for a period of six months subject to conditions.)**
38. Submitting report relative to **DEFERRAL OF DEMOLITION ORDER** on property located at 20510 Gilchrist. **(A special inspection on January 22, 2019 revealed the building is secured and appears to be sound and reparable. Therefore, it is recommended that the demolition order be deferred for a period of six months subject to conditions.)**
39. Submitting report relative to **DEFERRAL OF DEMOLITION ORDER** on property located at 4384 Three Mile Drive. **(A special inspection on January 23, 2019 revealed the building is secured and appears to be sound and reparable. Therefore, it is recommended that the demolition order be deferred for a period of six months subject to conditions.)**

40. Submitting report relative to **DEFERRAL OF DEMOLITION ORDER** on property located at 3987 Lawton. **(A special inspection on January 23, 2019 revealed the building is secured and appears to be sound and reparable. Therefore, it is recommended that the demolition order be deferred for a period of six months subject to conditions.)**
41. Submitting report relative to **DEFERRAL OF DEMOLITION ORDER** on property located at 16189 Parkside. **(A special inspection on January 23, 2019 revealed the building is secured and appears to be sound and reparable. Therefore, it is recommended that the demolition order be deferred for a period of six months subject to conditions.)**

MISCELLANEOUS

42. **Council President Brenda Jones** submitting memorandum relative to Opposition to Migrant Protection Protocols.
43. **Council President Brenda Jones** submitting memorandum relative to 20500 Goulburn.

TESTIMONIAL RESOLUTIONS AND SPECIAL PRIVILEGE

44. **Ayers**, Testimonial Resolution in Memoriam for Joy Renee-Ashley Brickerson.
45. **Sheffield**, Testimonial Resolution in Memoriam for Wallace Bolton, January 5, 1932 ó January 26, 2019.