

3/24/20

Resolutions



**RESOLUTION URGING A 90-DAY EXTENSION  
OF STATE AND CITY INCOME TAX PAYMENTS**

**PRESENTED BY: CITY COUNCIL PRESIDENT BRENDA JONES**

**WHEREAS,** As a result of the Coronavirus 19 (COVID-19) health crisis, the President of the United States, under the Robert T. Stafford Disaster Relief and Emergency Assistance Act, has declared that residents and businesses are allowed a 90-day extension to pay their federal taxes without calculation of interest, penalty or addition to tax, for failure to pay during the extended 90-day period; and

**WHEREAS,** Residents of the State of Michigan and City of Detroit are subject to the same health crisis caused by COVID-19 and the emergent imposition that payment of taxes due on April 15, 2020 required by residents and businesses within the State of Michigan and City of Detroit; and

**WHEREAS,** The COVID-19 health crisis has resulted in reduction in business activities, shutdowns, closures, and layoffs of employees that has placed extreme financial burdens on residents of the State of Michigan and City of Detroit; and

**WHEREAS,** The required payment of taxes due the State and City of Detroit on April 15, 2020, would take finances from residents and businesses that are necessary and desperately needed to maintain the health and safety of impacted families instead of preserving finances to pay the cost of food, water and shelter; and

**WHEREAS,** Governor Gretchen Whitmer has declared a state of emergency across the state of Michigan and having invoked the Emergency Management Act, MCL 30.401 et seq., has been granted the broad powers and duties to issue “executive orders, proclamations, and directives having the force and effect of law”, in addition to being granted the authority under the Emergency Powers of the Governor Act, MCL 10.31(1), which provides that after declaring a state of emergency, “the governor may promulgate reasonable orders, rules, and regulations as he or she considers necessary to protect life and property or to bring the emergency situation within the affected area under control”; and

**WHEREAS,** COVID-19 presents a continuing emergency to life and property which would be exacerbated if residents and businesses within the State and the City of Detroit are required to adhere to the statutory requirements to pay the balance of taxes due on April 15, 2020; and

**WHEREAS,** The Detroit City Council believes that Governor Gretchen Whitmer may have the power to provide a 90-day extension to residents and businesses of the State and the City of Detroit to pay the balance of the taxes due the State and the City by and through the powers vested the Governor under MCL 30.401-421 and MCL 10.31(1); and **BE IT THEREFORE**

**RESOLVED**, That the Detroit City Council urges Governor Whitmer to exercise her emergency powers in a manner that grants residents and businesses within the State and city of Detroit a 90-day extension to pay balance of the taxes due, without calculation of interest, penalty or addition to tax, for failure to pay during the extended 90-day period; and **BE IT FINALLY**

**RESOLVED**, That a copy of this resolution be submitted to Governor Gretchen Whitmer and Mayor Michael Duggan.

David Whitaker, Esq.  
Director  
Irvin Corley, Jr.  
Executive Policy Manager  
Marcell R. Todd, Jr.  
Senior City Planner  
Janese Chapman  
Deputy Director


John Alexander  
LaKisha Barclift, Esq.  
M. Rory Bolger, Ph.D., AICP  
Elizabeth Cabot, Esq.  
Tasha Cowen  
Richard Drumb  
George Etheridge  
Deborah Goldstein

# City of Detroit CITY COUNCIL

LEGISLATIVE POLICY DIVISION  
208 Coleman A. Young Municipal Center  
Detroit, Michigan 48226  
Phone: (313) 224-4946 Fax: (313) 224-4336

Christopher Gulock, AICP  
Derrick Headd  
Marcel Hurt, Esq.  
Kimani Jeffrey  
Anne Marie Langan  
Jamie Murphy  
Carolyn Nelson  
Kim Newby  
Analine Powers, Ph.D.  
Jennifer Reinhardt  
Sabrina Shockley  
Thomas Stephens, Esq.  
David Teeter  
Theresa Thomas  
Kathryn Lynch Underwood  
Ashley A. Wilson

**TO:** Detroit City Council

**FROM:** David Whitaker, Director  
Legislative Policy Division 

**DATE:** March 20, 2020

**RE:** **90 Day Extension of State Tax Payments**

The Legislative Policy Division (LPD) received a request from Council President Brenda Jones to provide a report regarding the feasibility of amending the Detroit Income Tax Ordinance to allow for a 90-day extension for Detroit businesses to pay their City of Detroit (City) taxes due to the impact of the COVID-19 crises. In addition, we have been asked to provide a resolution urging Governor Whitmer to issue an executive order to allow for a 90-day extension on State income taxes due to the COVID-19 health crisis.

LPD looked to the Detroit City Code to answer the first portion of the Council President's request. The Detroit City Code, Section 44-2-15 *Returns procedure*, provides in pertinent part:

- (a) Filing of return required. Every corporation doing business in the City, and every other person having income taxable under this article in any year, shall make and file with the City an annual return for that year on a form furnished or approved by the City, on or before the last day of the fourth month for the same calendar year, fiscal year or other accounting period, as has been accepted by the Internal Revenue Service for federal income tax purposes for the taxpayer.

The City Code requires that every corporation or person having income taxable under the Code shall make and file an annual return for that year on or before April 30<sup>th</sup>. In addition to filing the return the Subsection (c)(1) provides in pertinent part:

A balance of the tax that is due the City at the time of filing an annual return shall be paid with the return, unless the balance is less than \$1.00, in which case payment is not required.

This subsection requires the filer to pay the balance of the tax due at the time of filing the annual return. The City's authority to levy the income tax is derived from the City Income Tax Act of 1964. The City Income Tax Act enables the City to enact an ordinance that provides for the excising of income taxes and the manner in which the annual return for taxes are to be filed. As set forth under MCL 141.641 *Annual return; joint return*, which provides in pertinent part:

- (1) Every corporation doing business in the city and every other person having income taxable under this ordinance ... For tax years after the 1996 tax year and for which a city has entered into an agreement pursuant to section 9 of chapter 1, the annual return required by this subsection shall be filed with the city or the department as provided by the agreement on or before the fifteenth day of the fourth month for the same calendar year, fiscal year, or other accounting period that has been accepted by the internal revenue service for federal income tax purposes for the taxpayer.

The Act provides that the City is authorized to enact an ordinance for the excise and collection of income taxes and if the City has entered into an agreement with the State under Section 9 of Chapter 1 of the Act<sup>1</sup> the annual return must be filed by a corporation or person subject to the tax] on or before April 15<sup>th</sup> with the City. The City Code reflects and is subject to the requirements set forth under State law. It is therefore not feasible for the City to amend the City Income Tax Ordinance without a change in State law that would provide for such amendment.

With regard to the second part of the Council President's request, LPD has attached a proposed resolution for this Honorable Body's consideration.

If we can be of further assistance, please feel free to call upon us.

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<sup>1</sup> MCL 141.509(1) provides: "For the 1996 tax year and each year after 1996, a city that imposes a city income tax pursuant to this act may enter into an agreement with the department of treasury under which the department of treasury shall administer, enforce, and collect the city income tax on behalf of the city." It is LPD's understanding that the City is currently under agreement with the State to collect its income taxes pursuant to the Act.

*Referrals*  
*3/24/20*

**BUDGET,  
FINANCE, AND  
AUDIT STANDING  
COMMITTEE**



2

**OFFICE OF CHIEF FINANCIAL OFFICER  
OFFICE OF BUDGET**

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## MEMORANDUM

**TO:** Brenda Jones, President  
Detroit City Council

**FROM:** Tanya Stoudemire *Tanya Stoudemire*  
Deputy CFO/Budget Director

**DATE:** March 22, 2020

**RE:** City Council Request to Have a COVID-19 Update

City Council has requested to have a COVID-19 update during the Tuesday, March 24, 2020, Formal Session. Below are responses to their questions and a report that indicates the initial funding sources.

### City Council Preliminary Questions and Responses:

**1. Where did the money come from?**

On March 17, 2020, City Council approved Appropriation #20785 for COVID-19 expenditures. This appropriation was funded by reprogramming unspent prior years' fund balances. These initial funding sources include \$13,000,000 from the blight remediation fund and \$12,158,740 from the cash capital fund for a total COVID-19 appropriation of \$25,158,740.

**2. What department?**

The blight remediation funding is from the General Services (GSD) and Housing & Revitalization (HRD) departments. The cash capital funding was originally programmed in various departments. See response to Question #3 for the specific departments.

**3. How was the money originally intended to be used?**

The funds were originally intended for blight remediation, demolition, and cash capital investments.



To: Detroit City Council  
From: Tanya Stoudemire, Deputy CFO/Budget Director

Page 2 of 3  
March 22, 2020

**Blight Remediation (Fund 1003):**

\$10,000,000 from HRD's residential demolition funding

\$1,000,000 from HRD's commercial demolition funding

\$2,000,000 from GSD's board up program budget

*Total: \$13,000,000*

**Cash Capital (Fund 4533):**

\$2,460,015.12 - DoIT - Enterprise Asset Management system

\$1,100,000 - DoIT - Network/Server improvements

\$877,102 - DoIT - Citywide PC replacement

\$4,000,000 - GSD - General Fund vehicle replacement

\$300,000 - GSD - Belle Isle water line repair

\$1,515,472.39 - DPD - Police IT (now covered by UTGO bonds)

\$5,000 - HR - new computer purchases

\$26,777.05 - Law - new computer purchases

\$10,000 - Mayor - new computer purchases

\$5,642.57 - HRD - new computer purchases

\$2,168.60 - DAH - court management system (initial expense already paid, remainder)

\$3,822.26 - Inspector General – technology purchases (initial expense already paid, remainder)

\$1,852,740.01 - Airport - expenses moved to another funding source (QOL/Exit Financing

*Total: \$12,158,724*

The originally intended uses for these funds were not related to public health and safety, so any ongoing capital investments in those areas are continuing as planned.

**4. Impact on the budget?**

This funding will have no impact on the operating budget of any City department. In an effort to institute cash conservation measures the CFO has currently suspended spending on most demolition and capital projects funded by general fund balances.





To: Detroit City Council  
From: Tanya Stoudemire, Deputy CFO/Budget Director

Page 3 of 3  
March 22, 2020

## COVID-19 Response Appropriation Report

### COVID-19 Response Appropriation Report

as of 3/19/2020

	Fund	Approp	Total Transferred	Actual Expenditures
Transferred From	4533	20507	(12,158,724)	
Transferred To	4533	<b>20785</b>	12,158,724	0
Transferred From	1003	20253	(13,000,000)	
Transferred To	1003	<b>20785</b>	13,000,000	0
Total Transfers		<b>20785</b>	25,158,724	0

Please let me know if you have any additional questions and concerns.

cc: Michael E. Duggan, Mayor  
David P. Massaron, CFO  
Boysie Jackson, Deputy CFO/Contracting & Procurement

Michael E. Duggan, Mayor

*Referrals*  
*3/24/20*

**INTERNAL  
OPERATIONS  
STANDING  
COMMITTEE**



3

**LAW DEPARTMENT**

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March 12, 2020

**HONORABLE CITY COUNCIL**

**RE: TRAVIS D. HAILEY v STEPHEN KUE and CHRISTOPHER BUSH**  
**CASE NO: 18-12651**  
**FILE NO: L18-00700 CB**

We have reviewed the above-captioned lawsuit, the facts and particulars of which are set forth in a confidential memorandum that is being separately hand-delivered to each member of Your Honorable Body. From this review, it is our considered opinion that a settlement in the amount of **Seventeen Thousand Dollars and <sup>NO</sup>/Cents (\$17,000.00)** is in the best interest of the City of Detroit.

We, therefore, request authorization to settle this matter in the amount of **Seventeen Thousand Dollars and <sup>NO</sup>/Cents (\$17,000.00)** and that Your Honorable Body direct the Finance Director to issue a draft in that amount payable to **TRAVIS D. HAILEY**, to be delivered upon receipt of properly executed Releases and Stipulation and Order of Dismissal entered in Lawsuit No.18-12651, approved by the Law Department.

Respectfully submitted,  
Calvert Bailey  
Assistant Corporation Counsel

**APPROVED: MAR 16 2020**  
LAWRENCE GARCIA  
Corporation Counsel

BY: /s/ *Krystal A. Crittendon*  
**Krystal A. Crittendon**  
Supervising Assistant Corporation Counsel  
Attachments

CITY CLERK 2020 MAR 20 AM 10:10

R E S O L U T I O N

BY COUNCIL MEMBER \_\_\_\_\_:

**RESOLVED**, that settlement of the above matter be and is hereby authorized in the amount of **Seventeen Thousand Dollars and <sup>NO</sup>/Cents (\$17,000.00)**; and be it further

**RESOLVED**, that the Finance Director be and is hereby authorized and directed to draw a warrant upon the proper account in favor of **TRAVIS D. HAILEY**, in the amount of **Seventeen Thousand Dollars and <sup>NO</sup>/Cents (\$17,000.00)** in full payment for any and all claims which **TRAVIS D. HAILEY** may have against the City of Detroit and any other City of Detroit employees by reason of alleged injuries sustained on or about, and otherwise set forth in Case No.18-12651, that said amount be paid upon receipt of properly executed Releases, Stipulation and Order of Dismissal entered in Lawsuit No. 18-12651and, where deemed necessary by the Law Department a properly executed Medicare/CMS Final Demand Letter.

**APPROVED:**  
LAWRENCE GARCIA  
Corporation Counsel

BY: /s/Signature  
**Krystal A. Crittendon**  
Supervising Assistant Corporation Counsel

Approved by City Council: \_\_\_\_\_

Approved by the Mayor: \_\_\_\_\_



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**LAW DEPARTMENT**

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March 10, 2020

**HONORABLE CITY COUNCIL**

RE: Kim Patricia Moseley v City of Detroit, et al.  
Case No: 19-002708-NI  
File No: L19-00115 MBC

We have reviewed the above-captioned lawsuit, the facts and particulars of which are set forth in a confidential memorandum that is being separately hand-delivered to each member of Your Honorable Body. From this review, it is our considered opinion that a settlement in the amount of **Four Thousand Dollars and <sup>NO</sup>/Cents (\$4,000.00)** is in the best interest of the City of Detroit.

We, therefore, request authorization to settle this matter in the amount of **Four Thousand Dollars and <sup>NO</sup>/Cents (\$4,000.00)** and that Your Honorable Body direct the Finance Director to issue a draft in that amount payable to **KIM PATRICIA MOSELEY** and her attorney, **THE LOBB LAW FIRM**, to be delivered upon receipt of properly executed Releases and a Stipulated Order of Dismissal entered in Lawsuit No.19-002708-NI, approved by the Law Department.

Respectfully submitted,

*/s/ Mary Beth Cobbs*  
Assistant Corporation Counsel

**APPROVED: MAR 16 2020**  
LAWRENCE GARCIA  
Corporation Counsel

BY: */s/ James D. Nosedá*  
**James D. Nosedá**  
Supervising Assistant Corporation Counsel

Attachments

CITY CLERK 2020 MAR 20 09:10:10

R E S O L U T I O N

BY COUNCIL MEMBER \_\_\_\_\_:

RESOLVED, that settlement of the above matter be and is hereby authorized in the amount of **Four Thousand Dollars and <sup>NO</sup>/Cents (\$4,000.00)**; and be it further

RESOLVED, that the Finance Director be and is hereby authorized and directed to draw a warrant upon the proper account in favor of **KIM PATRICIA MOSELEY** and her attorney, **THE LOBB LAW FIRM** in the amount of **Four Thousand Dollars and <sup>NO</sup>/Cents (\$4,000.00)** in full payment for any and all claims which Kim Patricia Moseley may have against the City of Detroit and any other City of Detroit employees by reason of alleged injuries sustained on or about, February 27, 2018 and otherwise set forth in Case No.19-002708-NI, that said amount be paid upon receipt of properly executed Releases, Stipulation and Order of Dismissal entered in Lawsuit No. 19-002708-NI and, where deemed necessary by the Law Department a properly executed Medicare/CMS Final Demand Letter.

**APPROVED:**  
LAWRENCE GARCIA  
Corporation Counsel

BY: /s/ James D. Nosedá  
**James D. Nosedá**  
Supervising Assistant Corporation Counsel

Approved by City Council: \_\_\_\_\_

Approved by the Mayor: \_\_\_\_\_



LAW DEPARTMENT



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March 4, 2020

HONORABLE CITY COUNCIL

RE: Wilkerson, Kortez v DDOT and Eric Demetrius Durelle Gamble  
Case No: 18-007720-NI  
File No: L18-00607 TO

We have reviewed the above-captioned lawsuit, the facts and particulars of which are set forth in a confidential memorandum that is being separately hand-delivered to each member of Your Honorable Body. From this review, it is our considered opinion that a settlement in the amount of **Thirty-Five Thousand Dollars and <sup>NO</sup>/Cents (\$35,000.00)** is in the best interest of the City of Detroit.

We, therefore, request authorization to settle this matter in the amount of **Thirty-Five Thousand Dollars and <sup>NO</sup>/Cents (\$35,000.00)** and that Your Honorable Body direct the Finance Director to issue a draft in that amount payable to Kortez Davon Wilkerson and **HIS** attorney, Michigan Auto Law, to be delivered upon receipt of properly executed Releases and Stipulation and Order of Dismissal entered in Lawsuit No.18-007720-NI, approved by the Law Department.

Respectfully submitted,

*Theresa B. Ouellette*

Theresa Ouellette  
Assistant Corporation Counsel

APPROVED: **MAR 16 2020**  
LAWRENCE GARCIA  
Corporation Counsel

BY: */s/ Yvonne R. Bradley*  
Yvonne R. Bradley  
Supervising Assistant Corporation Counsel

Attachments

CITY CLERK 2020 MAR 20 09:45:11

R E S O L U T I O N

BY COUNCIL MEMBER \_\_\_\_\_:

**RESOLVED**, that settlement of the above matter be and is hereby authorized in the amount of **Thirty-Five Thousand Dollars and <sup>NO</sup>/Cents (\$35,000.00)**; and be it further

**RESOLVED**, that the Finance Director be and is hereby authorized and directed to draw a warrant upon the proper account in favor of Kortez Davon Wilkerson and **HIS** attorney, Michigan Auto Law, in the amount of **Thirty-Five Thousand Dollars and <sup>NO</sup>/Cents (\$35,000.00)** in full payment for any and all claims which Kortez Davon Wilkerson may have against the City of Detroit and any other City of Detroit employees by reason of alleged injuries sustained on or about, and otherwise set forth in Case No.18-007720-NI, that said amount be paid upon receipt of properly executed Releases, Stipulation and Order of Dismissal entered in Lawsuit No. 18-007720-NI and, where deemed necessary by the Law Department a properly executed Medicare/CMS Final Demand Letter.

**APPROVED:**  
LAWRENCE GARCIA  
Corporation Counsel

BY: */s/Yvonne R. Bradley*  
**Yvonne R. Bradley**  
Supervising Assistant Corporation Counsel

Approved by City Council: \_\_\_\_\_

Approved by the Mayor: \_\_\_\_\_





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LAW DEPARTMENT

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March 10, 2020

HONORABLE CITY COUNCIL

RE: Northland Radiology (Robert Allen) v COD 16-015617-NF  
Case No: 16-015617-NF  
File No: L17-00029(TO)

We have reviewed the above-captioned lawsuit, the facts and particulars of which are set forth in a confidential memorandum that is being separately hand-delivered to each member of Your Honorable Body. From this review, it is our considered opinion that a settlement in the amount of **Eleven Thousand Five Hundred Dollars and <sup>NO</sup>/Cents (\$11,500.00)** is in the best interest of the City of Detroit.

We, therefore, request authorization to settle this matter in the amount of **Eleven Thousand Five Hundred Dollars and <sup>NO</sup>/Cents (\$11,500.00)** and that Your Honorable Body direct the Finance Director to issue a draft in that amount payable to Northland Radiology, Inc. and its attorney, Haas & Goldstein, P.C., to be delivered upon receipt of properly executed Releases and Stipulation and Order of Dismissal entered in Lawsuit No. 16-015617-NF, approved by the Law Department.

Respectfully submitted,

*/s/ Theresa B. Ouellette*

Theresa Ouellette  
Assistant Corporation Counsel

APPROVED: MAR 16 2020  
LAWRENCE GARCIA  
Corporation Counsel

BY: */s/ Yvonne R. Bradley*  
Yvonne R. Bradley  
Supervising Assistant Corporation Counsel

Attachments

CITY CLERK 2020 MAR 20 AM 10:14

R E S O L U T I O N

BY COUNCIL MEMBER \_\_\_\_\_:

**RESOLVED**, that settlement of the above matter be and is hereby authorized in the amount of **Eleven Thousand Five Hundred Dollars and <sup>NO</sup>/Cents (\$11,500.00)**; and be it further

**RESOLVED**, that the Finance Director be and is hereby authorized and directed to draw a warrant upon the proper account in favor of Northland Radiology, Inc. and its attorney, Haas & Goldstein, P.C., in the amount of **Eleven Thousand Five Hundred Dollars and <sup>NO</sup>/Cents (\$11,500.00)** in full payment for any and all claims which Northland Radiology, Inc. may have against the City of Detroit and any other City of Detroit employees by reason of alleged injuries sustained on or about December 22, 2014, and otherwise set forth in Case No.16-015617-NF, that said amount be paid upon receipt of properly executed Releases, Stipulation and Order of Dismissal entered in Lawsuit No.16-015617-NF and, where deemed necessary by the Law Department a properly executed Medicare/CMS Final Demand Letter.

**APPROVED:**  
LAWRENCE GARCIA  
Corporation Counsel

BY: */s/ Yvonne R. Bradley*  
**Yvonne R. Bradley**  
Supervising Assistant Corporation Counsel

Approved by City Council: \_\_\_\_\_

Approved by the Mayor: \_\_\_\_\_



**LAW DEPARTMENT**

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1

March 16, 2020

**HONORABLE CITY COUNCIL**

RE: Aim High Transportation, LLC (Brandon Flournoy) v City of Detroit  
Case No: 36<sup>th</sup> District Court, Case No. 19-170109-GC  
File No: L19-00244/TI

We have reviewed the above-captioned lawsuit, the facts and particulars of which are set forth in a confidential memorandum that is being separately hand-delivered to each member of Your Honorable Body. From this review, it is our considered opinion that a settlement in the amount of **Eight Thousand Dollars and <sup>NO</sup>/Cents (\$8,000.00)** is in the best interest of the City of Detroit.

We, therefore, request authorization to settle this matter in the amount of **EIGHT THOUSAND DOLLARS AND <sup>NO</sup>/CENTS (\$8,000.00)** and that Your Honorable Body direct the Finance Director to issue a draft in that amount payable to **AIM HIGH TRANSPORTATION, LLC** and **ITS** attorney, **KHURANA LAW FIRM, P.C.** to be delivered upon receipt of properly executed Releases and Stipulation and Order of Dismissal entered in Lawsuit No. 19-170109-GC, approved by the Law Department.

Respectfully submitted,

*/s/ Ticara D. Hendley*

Ticara D. Hendley  
Assistant Corporation Counsel

**APPROVED: MAR 19 2020**  
LAWRENCE GARCIA  
Corporation Counsel

BY: */s/ Yvonne R. Bradley*  
**Yvonne R. Bradley**  
Supervising Assistant Corporation Counsel

Attachments

CITY CLERK 2020 MAR 20 AM 10:12

R E S O L U T I O N

BY COUNCIL MEMBER \_\_\_\_\_:

**RESOLVED**, that settlement of the above matter be and is hereby authorized in the amount of **Eight Thousand Dollars and <sup>NO</sup>/Cents (\$8,000.00)**; and be it further

**RESOLVED**, that the Finance Director be and is hereby authorized and directed to draw a warrant upon the proper account in favor of **AIM HIGH TRANSPORTATION, LLC** and ITS attorney, **KHURANA LAW FIRM, P.C.**, in the amount of **EIGHT THOUSAND DOLLARS AND <sup>NO</sup>/CENTS (\$8,000.00)** in full payment for any and all claims which **Aim High Transportation, LLC** may have against the City of Detroit and any other City of Detroit employees by reason of alleged injuries sustained by **Bradon Flourmoy** on or about August 14, 2018, and otherwise set forth in Case No. 19-170109-GC, that said amount be paid upon receipt of properly executed Releases, Stipulation and Order of Dismissal entered in Lawsuit No. 19-170109-GC and, where deemed necessary by the Law Department a properly executed Medicare/CMS Final Demand Letter.

**APPROVED:**  
**LAWRENCE GARCIA**  
Corporation Counsel

BY: */s/ Yvonne R. Bradley*  
**Yvonne R. Bradley**  
Supervising Assistant Corporation Counsel

Approved by City Council: \_\_\_\_\_

Approved by the Mayor: \_\_\_\_\_



**LAW DEPARTMENT**

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February 13, 2020

**HONORABLE CITY COUNCIL**

RE: Greater Lakes Surgical Center, et al. and ISpine, PLLC (Kenyetta Carter) v. City of Detroit  
Case No: 18-009222-NF  
File No: L18-00529 (Greater Lakes Ambulatory Surgical Center, et al.) (RG)  
L18-00659 (ISpine, PLLC) (RG)

We have reviewed the above-captioned lawsuit, the facts and particulars of which are set forth in a confidential memorandum that is being separately hand-delivered to each member of Your Honorable Body. From this review, it is our considered opinion that a settlement in the amount of **Seventy-Six Thousand Four Hundred Dollars and <sup>NO</sup>/Cents (\$76,400.00)** is in the best interest of the City of Detroit.

We, therefore, request authorization to settle this matter in the amount of **Seventy-Six Thousand Four Hundred Dollars and <sup>NO</sup>/Cents (\$76,400.00)** and that Your Honorable Body direct the Finance Director to issue a draft for **Thirty-Eight Thousand Two Hundred Dollars and <sup>NO</sup>/Cents (\$38,200.00)** payable to Greater Lakes Surgical Center, Tox Testing, Paragon Diagnostics, and Meds Direct Pharmacy and their attorney, Puzio Law. We additionally request that Your Honorable Body direct the Finance Director to issue a draft for **Thirty-Eight Thousand Two Hundred Dollars and <sup>NO</sup>/Cents (\$38,200.00)** payable to ISpine, PLLC and their attorney, Grove and Assocaites, P.C. Both drafts are to be delivered upon receipt of properly executed Releases and Stipulation and Order of Dismissal entered in Lawsuit No. 18-009222-NF, approved by the Law Department. We additionally request

Respectfully submitted,

/s/ Raymond Garant

Raymond Garant

Assistant Corporation Counsel

**APPROVED: MAR 16 2020**

LAWRENCE T. GARCIA

Corporation Counsel

BY: /s/ *Krystal A. Crittendon*  
Krystal A. Crittendon  
Supervising Assistant Corporation Counsel

Attachments

R E S O L U T I O N

BY COUNCIL MEMBER \_\_\_\_\_:

RESOLVED, that settlement of the above matter be and is hereby authorized in the amount of **Seventy-Six Thousand Four Hundred Dollars and <sup>NO</sup>/Cents (\$76,400.00)**; and be it further

RESOLVED, that the Finance Director be and is hereby authorized and directed to draw a warrant upon the proper account in favor of Greater Lakes Surgical Center, Tox Testing, Paragon Diagnostics, and Meds Direct Pharmacy and their attorney, Puzio Law, in the amount of **Thirty-Eight Thousand Two Hundred Dollars and <sup>NO</sup>/Cents (\$38,200.00)** in full payment for any and all claims which Greater Lakes Surgical Center, Tox Testing, Paragon Diagnostics, and Meds Direct Pharmacy may have against the City of Detroit and any other City of Detroit employees by reason of alleged injuries sustained on or about April 5, 2017, and otherwise set forth in Case No. 18-009222-NF, that said amount be paid upon receipt of properly executed Releases, Stipulation and Order of Dismissal entered in Lawsuit No. 18-009222-NF and, where deemed necessary by the Law Department a properly executed Medicare/CMS Final Demand Letter.

RESOLVED, that the Finance Director be and is hereby authorized and directed to draw a warrant upon the proper account in favor of ISpine, PLLC and their attorney, Grove and Associates, P.C., in the amount of **Thirty-Eight Thousand Two Hundred Dollars and <sup>NO</sup>/Cents (\$38,200.00)** in full payment for any and all claims which ISpine, PLLC may have against the City of Detroit and any other City of Detroit employees by reason of alleged injuries sustained on or about April 5, 2017, and otherwise set forth in Case No. 18-009222-NF, that said amount be paid upon receipt of properly executed Releases, Stipulation and Order of Dismissal entered in Lawsuit No. 18-009222-NF and, where deemed necessary by the Law Department a properly executed Medicare/CMS Final Demand Letter.

**APPROVED:**  
LAWRENCE GARCIA  
Corporation Counsel

BY: /s/ *Krystal A. Crittendon*  
**Krystal A. Crittendon**  
Supervising Assistant Corporation Counsel

Approved by City Council: \_\_\_\_\_

Approved by the Mayor: \_\_\_\_\_



9

**LAW DEPARTMENT**

Coleman A. Young Municipal Center  
2 Woodward Avenue, Suite 500  
Detroit, Michigan 48226-3437

Phone 313-224-4550  
Fax 313-224-5505  
www.detroitmi.gov

March 17, 2020

**HONORABLE CITY COUNCIL**

RE:           **TERRY PARNELL v BILLINGSLEA, PATTERSON and MACK**  
                  **CASE NO. 17-12560**  
                  **FILE NO. L17-00540 (PMC)**  
**TERRY PARNELL v CITY OF DETROIT, KUE, PETTIGREW and MARROQUIN**  
                  **CASE NO. 18-11469**  
                  **FILE NO. L18-00210 (PMC)**

We have reviewed the above-captioned lawsuits, the facts and particulars of which are set forth in a confidential memorandum that is being separately hand-delivered to each member of Your Honorable Body. From this review, it is our considered opinion that a settlement in the amount of **Three Hundred Seventy-Five Thousand Dollars and NO/Cents (\$375,000.00)** is in the best interest of the City of Detroit.

We, therefore, request authorization to settle this matter in the amount of **Three Hundred Seventy-Five Thousand Dollars and NO/Cents (\$375,000.00)** and that Your Honorable Body direct the Finance Director to issue a draft in that amount payable to Terry Parnell and his attorneys, Robinson and Associates, P.C., and Thomas E. Kuhn, P.C., to be delivered upon receipt of properly executed Releases and Stipulation and Order of Dismissal entered in CASE NO. 17-12560, CASE NO. 18-11469 approved by the Law Department.

Respectfully submitted,  
*Patrick M. Cunningham*  
Senior Assistant Corporation Counsel

**APPROVED: MAR 17 2020**  
LAWRENCE GARCIA  
Corporation Counsel

BY: /s/ *Jerry L. Ashford*  
Chief of Litigation

Attachments

CITY CLERK 2020 MAR 20 8:40:11



R E S O L U T I O N

**BY COUNCIL MEMBER** \_\_\_\_\_ :

**RESOLVED**, that settlement of the above matter be and is hereby authorized in the amount of **Three Hundred Seventy-Five Thousand Dollars and <sup>NO</sup>/Cents (\$375,000.00)**; and be it further

**RESOLVED**, that the Finance Director be and is hereby authorized and directed to draw a warrant upon the proper account in favor of Terry Parnell and his attorney, Robinson and Associates, P.C., and Thomas E. Kuhn, P.C., in the amount of **Three Hundred Seventy-Five Thousand Dollars and <sup>NO</sup>/Cents (\$375,000.00)** in full payment for any and all claims which Terry Parnell may have against the City of Detroit and any other City of Detroit employees by reason of alleged injuries sustained on or about October 14, 2016 or January 14, 2017, or as otherwise set forth in CASE NO. 17-12560, or CASE NO. 18-11469, that said amount be paid upon receipt of properly executed Releases, Stipulation and Order of Dismissal entered in CASE NO. 17-12560, and CASE NO. 18-11469 and, where deemed necessary by the Law Department a properly executed Medicare/CMS Final Demand Letter.

**APPROVED:**  
LAWRENCE GARCIA  
Corporation Counsel

BY: */s/ Jerry L. Ashford*  
**Jerry L. Ashford**  
Chief of Litigation

Approved by City Council: \_\_\_\_\_

Approved by the Mayor: \_\_\_\_\_



LAW DEPARTMENT

10

Coleman A. Young Municipal Center  
2 Woodward Avenue, Suite 500  
Detroit, Michigan 48226-3437

Phone 313-224-4550  
Fax 313-224-5505  
www.detroitmi.gov

March 17, 2020

**HONORABLE CITY COUNCIL**

RE: Dykes, Nicole v Stacey Fuller, COD, and Billy Abbott  
Case No: 19-007429-NI  
File No: L19-00326CBO

On February 10, 2020 a case evaluation panel evaluated the above-captioned lawsuit and **Fifteen Thousand Dollars and NO/Cents (15,000.00)** in favor of the plaintiff. The parties have until March 31, 2020, to either accept or reject the case evaluation. Failure to file a written acceptance or rejection within this period constitutes a rejection.

Based upon our review of the facts and particulars of this lawsuit, which are set forth in a confidential memorandum that is being separately hand-delivered to each member of Your Honorable Body, it is our considered opinion that a settlement in the amount of **Fifteen Thousand Dollars and NO/Cents (15,000.00)** is in the best interest of the City of Detroit.

We, therefore, request Your Honorable Body to authorize acceptance of the case evaluation award; and, in the event Plaintiff accepts the award, to deem such acceptance as a settlement and to direct the Finance Director to issue a draft in that amount payable to Nicole Dykes and their attorney, , Bernstein & Bernstein,, to be delivered upon receipt of properly executed Releases, Stipulation and Order of Dismissal entered in Lawsuit No.19-007429-NI and, where deemed necessary by the Law Department a properly executed Medicare/CMS Final Demand Letter.

Respectfully submitted,

*/s/ Crystal Olmstead*  
Crystal Olmstead  
Senior Assistant Corporation Counsel

**APPROVED: MAR 18 2020**  
LAWRENCE GARCIA  
Corporation Counsel

BY: */s/James D. Nosedá*  
**James D. Nosedá**  
Supervising Assistant Corporation Counsel

Attachments

CITY CLERK 2020 MAR 20 AM 10:10

R E S O L U T I O N

BY COUNCIL MEMBER \_\_\_\_\_ :

**RESOLVED**, that settlement of the above matter be and is hereby authorized in the amount of **Fifteen Thousand Dollars and <sup>NO</sup>/Cents (15,000.00)**; and be it further

**RESOLVED**, that in the event Plaintiff accepts the case evaluation, that such acceptance is deemed a settlement, and that the Finance Director be and is hereby authorized and directed to draw a warrant upon the proper account in favor of Nicole Dykes and **their** attorney, Bernstein & Bernstein, in the amount of **Fifteen Thousand Dollars and <sup>NO</sup>/Cents (15,000.00)** in full payment for any and all claims which Nicole Dykes may have against the City of Detroit and any other City of Detroit employees by reason of alleged injuries sustained on or about September 6, 2017, and otherwise set forth in Case No.19-007429-NI, that said amount be paid upon receipt of properly executed Releases, Stipulation and Order of Dismissal entered in Lawsuit No.19-007429-NI and, where deemed necessary by the Law Department a properly executed Medicare/CMS Final Demand Letter.

**APPROVED:**  
LAWRENCE GARCIA  
Corporation Counsel

BY: /s/James D. Noseda  
**James D. Noseda**  
Supervising Assistant Corporation Counsel

Approved by City Council: \_\_\_\_\_

Approved by the Mayor: \_\_\_\_\_



11

**LAW DEPARTMENT**

Coleman A. Young Municipal Center  
2 Woodward Avenue, Suite 500  
Detroit, Michigan 48226-3437

Phone 313•224•4550  
Fax 313•224•5505  
www.detroitmi.gov

March 11, 2020

**HONORABLE CITY COUNCIL**

RE: Johnson, Peggy v City of Detroit  
Case No: 19-008311-NF  
File No: L19-00565SVD

On March 9, 2020 a case evaluation panel evaluated the above-captioned lawsuit and awarded **Three Thousand Five Hundred Dollars and <sup>NO</sup>/Cents (\$3,500.00)** in favor of the plaintiff. The parties have until April 6, 2020, to either accept or reject the case evaluation. Failure to file a written acceptance or rejection within this period constitutes a rejection.

Based upon our review of the facts and particulars of this lawsuit, which are set forth in a confidential memorandum that is being separately hand-delivered to each member of Your Honorable Body, it is our considered opinion that a settlement in the amount of **Three Thousand Five Hundred Dollars and <sup>NO</sup>/Cents (\$3,500.00)** is in the best interest of the City of Detroit.

We, therefore, request Your Honorable Body to authorize acceptance of the case evaluation award; and, in the event Plaintiff accepts the award, to deem such acceptance as a settlement and to direct the Finance Director to issue a draft in that amount payable to Peggy Johnson and her attorney, Thomas H Randolph III, Randolph Law Group, PC, to be delivered upon receipt of properly executed Releases, Stipulation and Order of Dismissal entered in Lawsuit No.19-008311-NF and, where deemed necessary by the Law Department a properly executed Medicare/CMS Final Demand Letter.

Respectfully submitted,

*Sarah V. Domin*

Sarah V. Domin  
Assistant Corporation Counsel

**APPROVED: MAR 16 2020**

LAWRENCE GARCIA  
Corporation Counsel

BY: /s/*Krystal A. Crittendon*  
**Krystal A. Crittendon**  
Supervising Assistant Corporation Counsel

Attachments

CITY CLERK 2020 MAR 20 AM 10:11

R E S O L U T I O N

BY COUNCIL MEMBER \_\_\_\_\_:

**RESOLVED**, that settlement of the above matter be and is hereby authorized in the amount of **Three Thousand Five Hundred Dollars and <sup>NO</sup>/Cents (\$3,500.00)**; and be it further

**RESOLVED**, that in the event Plaintiff accepts the case evaluation, that such acceptance is deemed a settlement, and that the Finance Director be and is hereby authorized and directed to draw a warrant upon the proper account in favor of Peggy Johnson and her attorney, Thomas H Randolph III, **Randolph Law Group, PC**, in the amount of **Three Thousand Five Hundred Dollars and <sup>NO</sup>/Cents (\$3,500.00)** in full payment for any and all claims which Peggy Johnson may have against the City of Detroit and any other City of Detroit employees by reason of alleged injuries sustained on or about 08/18/2018, and otherwise set forth in Case No.19-008311-NF, that said amount be paid upon receipt of properly executed Releases, Stipulation and Order of Dismissal entered in Lawsuit No.19-008311-NF and, where deemed necessary by the Law Department a properly executed Medicare/CMS Final Demand Letter.

**APPROVED:**  
LAWRENCE GARCIA  
Corporation Counsel

BY: */s/Krystal A. Crittendon*  
**Krystal A. Crittendon**  
Supervising Assistant Corporation Counsel

Approved by City Council: \_\_\_\_\_

Approved by the Mayor: \_\_\_\_\_



LAW DEPARTMENT

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Coleman A. Young Municipal Center  
2 Woodward Avenue, Suite 500  
Detroit, Michigan 48226-3437

Phone 313-224-4550  
Fax 313-224-5505  
www.detroitmi.gov

March 17, 2020

**HONORABLE CITY COUNCIL**

RE: Wigfall, Dwayne v COD 15-015620-NO  
Case No: 15-015620-NO  
File No: L15-00892CBO

On March 10, 2020 a case evaluation panel evaluated the above-captioned lawsuit and awarded **One Hundred and Twenty-Five Thousand Dollars and <sup>NO</sup>/Cents (\$125,000.00)** in favor of the plaintiff. The parties have until March 31, 2020, to either accept or reject the case evaluation. Failure to file a written acceptance or rejection within this period constitutes a rejection.

Based upon our review of the facts and particulars of this lawsuit, which are set forth in a confidential memorandum that is being separately hand-delivered to each member of Your Honorable Body, it is our considered opinion that a settlement in the amount of **One Hundred and Twenty-Five Thousand Dollars and <sup>NO</sup>/Cents (125,000.00)** is in the best interest of the City of Detroit.

We, therefore, request Your Honorable Body to authorize acceptance of the case evaluation award; and, in the event Plaintiff accepts the award, to deem such acceptance as a settlement and to direct the Finance Director to issue a draft in that amount payable to Dwayne Wigfall and their attorney, Mike Morse Law Firm, to be delivered upon receipt of properly executed Releases, Stipulation and Order of Dismissal entered in Lawsuit No.15-015620-NO and, where deemed necessary by the Law Department a properly executed Medicare/CMS Final Demand Letter.

Respectfully submitted,

/s/ Crystal B. Olmstead  
Crystal Olmstead  
Senior Assistant Corporation Counsel

**MAR 18 2020**

**APPROVED:**  
LAWRENCE GARCIA  
Corporation Counsel

BY: /s/ *James D. Nosedá*  
**James D. Nosedá**  
Supervising Assistant Corporation Counsel

CITY CLERK 2020 MAR 20 AM 10:41

R E S O L U T I O N

BY COUNCIL MEMBER \_\_\_\_\_:

**RESOLVED**, that settlement of the above matter be and is hereby authorized in the amount of **One Hundred and Twenty-Five Thousand Dollars and <sup>NO</sup>/Cents (\$125,000.00)**; and be it further **RESOLVED**, that in the event Plaintiff accepts the case evaluation, that such acceptance is deemed a settlement, and that the Finance Director be and is hereby authorized and directed to draw a warrant upon the proper account in favor of Dwayne Wigfall and **his** attorney, Mike Morse Law Firm, in the amount **One Hundred and Twenty-Five Thousand Dollars and <sup>NO</sup>/Cents (\$125,000.00)** in full payment for any and all claims which Dwayne Wigfall may have against the City of Detroit and any other City of Detroit employees by reason of alleged injuries sustained on or about June 9, 2014, and otherwise set forth in Case No.15-015620-NO, that said amount be paid upon receipt of properly executed Releases, Stipulation and Order of Dismissal entered in Lawsuit No.15-015620-NO and, where deemed necessary by the Law Department a properly executed Medicare/CMS Final Demand Letter.

**APPROVED:**  
LAWRENCE GARCIA  
Corporation Counsel

BY: */s/James D. Nosed*  
**James D. Nosed**  
Supervising Assistant Corporation Counsel

Approved by City Council: \_\_\_\_\_

Approved by the Mayor: \_\_\_\_\_

*Referrals*  
*3/24/20*

**PLANNING AND  
ECONOMIC  
DEVELOPMENT  
STANDING  
COMMITTEE**





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Coleman A. Young Municipal Center  
2 Woodward Avenue, Suite 1126  
Detroit, Michigan 48226

Phone 313•224•3400  
Fax 313•224•4128  
www.detroitmi.gov

3/19/2020

2020 CommunityWINS Judging Panel  
c/o USCM US Conference of Mayors  
1620 Eye Street  
Washington DC 20006

Re: Letter Supporting IBA Detroit Community Development Corporation's 2020 CommunityWINS Application

To Whom it May Concern,

I am writing on behalf of the City of Detroit to express my support for IBA Detroit Community Development Corporation's application to the 2020 CommunityWINS Grant Application. If awarded, this funding will support the completion of Mission Main Street improvement projects that are vital to the growth and development of the Avenue of Fashion, one of Detroit's key commercial corridors with one of the largest concentrations of black-owned retailers and businesses in the country.

IBA Detroit Community Development Corporation is dedicated to creating opportunities for economic growth through the expansion of small business development, the creation of workforce development programs and creative community programming in arts, culture and entertainment. In direct response to identified community needs, the IBA Detroit Community Development Corporation will convert a vacant bank building into co-working and community space, establish a business incubator for fashion and design manufacturing, and expand arts and cultural programming through park renovations.

This proposal leverages existing investments that the City and its partners have made towards the revitalization of the Avenue of Fashion and District 2. The Avenue of Fashion has undergone an 18 million dollar renovation and redevelopment to create, support and promote a more walkable and livable community offering premier retail and entertainment options.

In these unprecedented times, it is critical to continue support for organizations like IBA Detroit Community Development Corporation to provide new and expanded opportunities for existing businesses and residents, as well as future investment. Thank you for your consideration of this proposal.

Sincerely,

Michael E. Duggan  
Mayor, City of Detroit

*Repeals*  
*3/24/20*

**PUBLIC HEALTH  
AND SAFETY  
STANDING  
COMMITTEE**



CITY OF DETROIT  
DEPARTMENT OF PUBLIC WORKS  
CITY ENGINEERING DIVISION

14

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

March 18th, 2020

Honorable City Council:

**RE: Petition No.1173 – Trinidad Sanchez request to vacate and convert to easement the public alley between Dayton Avenue and Smart Avenue, bounded by Trenton Avenue and Lonyo Avenue.**

Petition No. 1173 – Trinidad Sanchez request to vacate and convert to easement the public alley between Dayton Avenue (50 ft. wide) and Smart Avenue (50 ft. wide), bounded by Trenton Avenue (50 ft. wide) and Lonyo Avenue (76 ft. wide).

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

The request is being made to improve the safety of adjacent property owners and to eliminate an unimproved alley from the City's right-of-way network.

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

Detroit Water and Sewerage Department (DWSD) has no objection to the vacation and conversion to utility easement provided certain provisions are met. The DWSD provisions are a part of the attached resolution.

All other involved City Departments, and privately owned utility companies have reported no objections to the vacation and conversion to utility easement of the alley. Provisions protecting 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

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

**RESOLVED**, the public alley between Dayton Avenue (50 ft. wide) and Smart Avenue (50 ft. wide), bounded by Trenton Avenue (50 ft. wide) and Lonyo Avenue (76 ft. wide), further described as land in the City of Detroit, Wayne County, Michigan being: All of the north-south alley (20 ft. wide) lying easterly of and adjoining lots 1218, and lying westerly of and adjoining lots 1211 through 1213 and the northern 7.45 feet of lot 1214 of "Smart Farm Subdivision" as recorded in Liber 34 Page 32-3 of Plats, Wayne County Records.

Be and the same is hereby vacated as public right-of-way and converted into a private easement for public utilities of the full width of the right-of-way, 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 right-of-way 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, 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 right-of-way in the City of Detroit, with the right to ingress and egress at any time 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 task, with the understanding that 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 fences or gates), 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 alleys 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

PROVIDED, that property owners maintain for DTE Energy, full access to their facilities at all times (i.e. gated access with DTE locks at all ends of the easement) and that free and easy access to the DTE facilities is reserved for DTE equipment, including the use of backhoes, bull dozers, cranes or pipe trucks, and other heavy construction equipment, as necessary for the alteration or repair of DTE facilities, and further

PROVIDED, that an easement, the full width of the existing right-of-way, is reserved for the Detroit Water and Sewage Department for the purpose of installing, maintaining, repairing, removing, or replacing any sewers, water mains, fire hydrants and appurtenances, with the right of ingress and egress at any time to, and over said easement for the purpose above set forth; and be it further

PROVIDED, that free and easy access to the sewers, water mains, fire hydrants and appurtenances within the easement is required for the Detroit Water and Sewerage Department equipment including the use of backhoes, bull dozers, cranes or pipe trucks, and other heavy construction equipment, as necessary for the alteration or repair of the sewer or water main facilities; and be it further

PROVIDED, that the Detroit Water and Sewerage Department retains the right to install suitable permanent main location guide post over its water mains at reasonable intervals and at points deflection; and be it further

PROVIDED, that said owners of the adjoining property, for themselves, their heirs and assigns, agree that no building or structure of any nature whatsoever, including porches, patios, balconies, etc., shall be built upon said easement without prior written approval and agreement with the Detroit Water and Sewerage Department; and be it further

PROVIDED, that if any time in the future, the owners of any lots abutting on said vacated alley shall request the removal and/or relocation of the aforementioned utilities in said easement, such owners shall pay all costs incident to such removal and/or relocation. It is further provided that if sewers, water mains, and/or appurtenances in said easement shall break or be damaged as a result of any action on the part of the owner, or assigns, then in such event, the owner or assigns shall be liable for the costs incident to the repair of such broken or damaged sewers and water mains, and shall also be liable for all claims for damages resulting from his action and be it further

PROVIDED, that if it becomes necessary to remove the paved alley returns at the entrances such removal and construction of the new curb and sidewalk shall be done under city permit and inspection according to City Engineering Division – DPW specification 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.

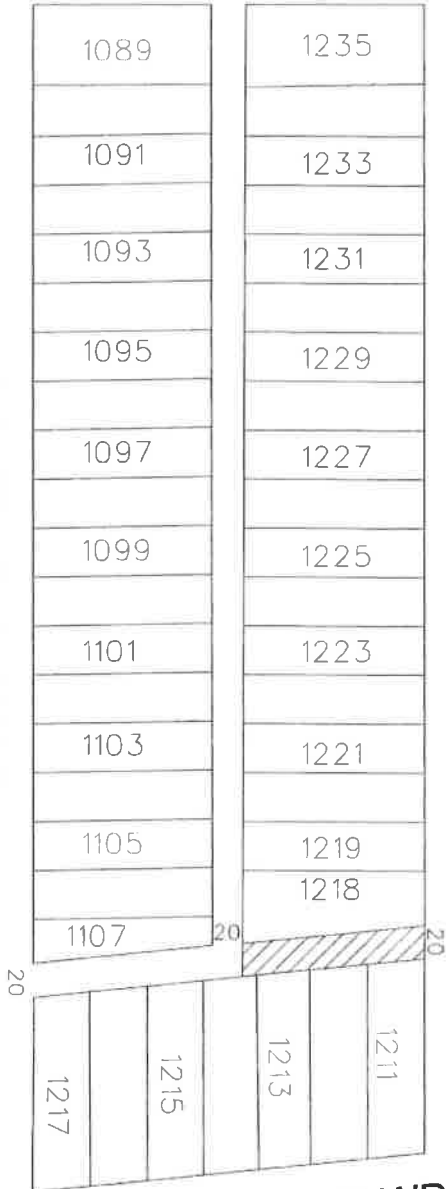
PETITION NO. 1173  
 TRINIDAD SANCHEZ  
 6139 LONYO ST.  
 DETROIT, MICHIGAN 48210  
 PHONE NO. (313) 455-6960



TRENTON AVE. 50 FT.WD.

SMART AVE. 50 FT.WD.

DAYTON AVE. 50 FT.WD.



LONYO AVE. 76 FT.WD.



- CONVERSION TO EASEMENT

(FOR OFFICE USE ONLY)

CARTO 5 B

B					
A					
DESCRIPTION	DRWN	CHKD	APPD	DATE	
REVISIONS					
DRAWN BY	SA	CHECKED	KSM		
DATE	01-30-20	APPROVED			

CONVERSION TO EASEMENT  
 THE NORTH/SOUTH PUBLIC ALLEY, 20 FT. WD.  
 IN THE BLOCK BOUND BY  
 SMART AVE., TRENTON AVE.,  
 DAYTON AVE. AND LONYO AVE.

CITY OF DETROIT  
 CITY ENGINEERING DIVISION  
 SURVEY BUREAU

JOB NO. 01-01  
 DRWG. NO. X 1173



CITY OF DETROIT  
DEPARTMENT OF PUBLIC WORKS  
CITY ENGINEERING DIVISION

15

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

March 18th, 2020

Honorable City Council:

**RE: Petition No.586 – Trinity Detroit Management, LLC request to vacate and convert to easement the public alley between Hern Avenue and Olga Avenue, bounded by Malcolm Avenue, Gunston Avenue, and Connor Avenue.**

Petition No. 586 – Trinity Detroit Management, LLC request to vacate and convert to easement the public alley between Hern Avenue (60 ft. wide) and Olga Avenue (80 ft. wide), bounded by Malcolm Avenue (60 ft. wide), Connor Avenue (86 ft. wide), and Gunston Avenue (60 ft. wide).

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

The request is being made to improve the safety of adjacent property owners and to eliminate an unimproved alley from the City's right-of-way network.

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

Detroit Water and Sewerage Department (DWSD) has no objection to the vacation and conversion to utility easement provided certain provisions are met. The DWSD provisions are a part of the attached resolution.

All other involved City Departments, and privately owned utility companies have reported no objections to the vacation and conversion to utility easement of the alley. Provisions protecting 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

CITY CLERK 2020 MAR 20 PM 12:37

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

**RESOLVED**, the public alley between Hern Avenue (60 ft. wide) and Olga Avenue (80 ft. wide), bounded by Malcolm Avenue (60 ft. wide), Connor Avenue (86 ft. wide), and Gunston Avenue (60 ft. wide), further described as land in the City of Detroit, Wayne County, Michigan being: All of the north-south alley (18 ft. wide) lying easterly of and adjoining lots 572 through 595, and lying westerly of and adjoining lots 654 through 673 of "Warren Park No.2 Subdivision" as recorded in Liber 37 Page 52 of Plats, Wayne County Records.

Be and the same is hereby vacated as public right-of-way and converted into a private easement for public utilities of the full width of the right-of-way, 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 right-of-way 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, 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 right-of-way in the City of Detroit, with the right to ingress and egress at any time 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 task, with the understanding that 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 fences or gates), 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 alleys 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

PROVIDED, that property owners maintain for DTE Energy, full access to their facilities at all times (i.e. gated access with DTE locks at all ends of the easement) and that free and easy access to the DTE facilities is reserved for DTE equipment, including the use of backhoes, bull dozers, cranes or pipe trucks, and other heavy construction equipment, as necessary for the alteration or repair of DTE facilities, and further

PROVIDED, that an easement, the full width of the existing right-of-way, is reserved for the Detroit Water and Sewerage Department for the purpose of installing, maintaining, repairing, removing, or replacing any sewers, water mains, fire hydrants and appurtenances, with the right of ingress and egress at any time to, and over said easement for the purpose above set forth; and be it further

PROVIDED, that free and easy access to the sewers, water mains, fire hydrants and appurtenances within the easement is required for the Detroit Water and Sewerage Department equipment including the use of backhoes, bull dozers, cranes or pipe trucks, and other heavy construction equipment, as necessary for the alteration or repair of the sewer or water main facilities; and be it further

PROVIDED, that the Detroit Water and Sewerage Department retains the right to install suitable permanent main location guide post over its water mains at reasonable intervals and at points deflection; and be it further

PROVIDED, that said owners of the adjoining property, for themselves, their heirs and assigns, agree that no building or structure of any nature whatsoever, including porches, patios, balconies, etc., shall be built upon said easement without prior written approval and agreement with the Detroit Water and Sewerage Department; and be it further

PROVIDED, that if any time in the future, the owners of any lots abutting on said vacated alley shall request the removal and/or relocation of the aforementioned utilities in said easement, such owners shall pay all costs incident to such removal and/or relocation. It is further provided that if sewers, water mains, and/or appurtenances in said easement shall break or be damaged as a result of any action on the part of the owner, or assigns, then in such event, the owner or assigns shall be liable for the costs incident to the repair of such broken or damaged sewers and water mains, and shall also be liable for all claims for damages resulting from his action and be it further

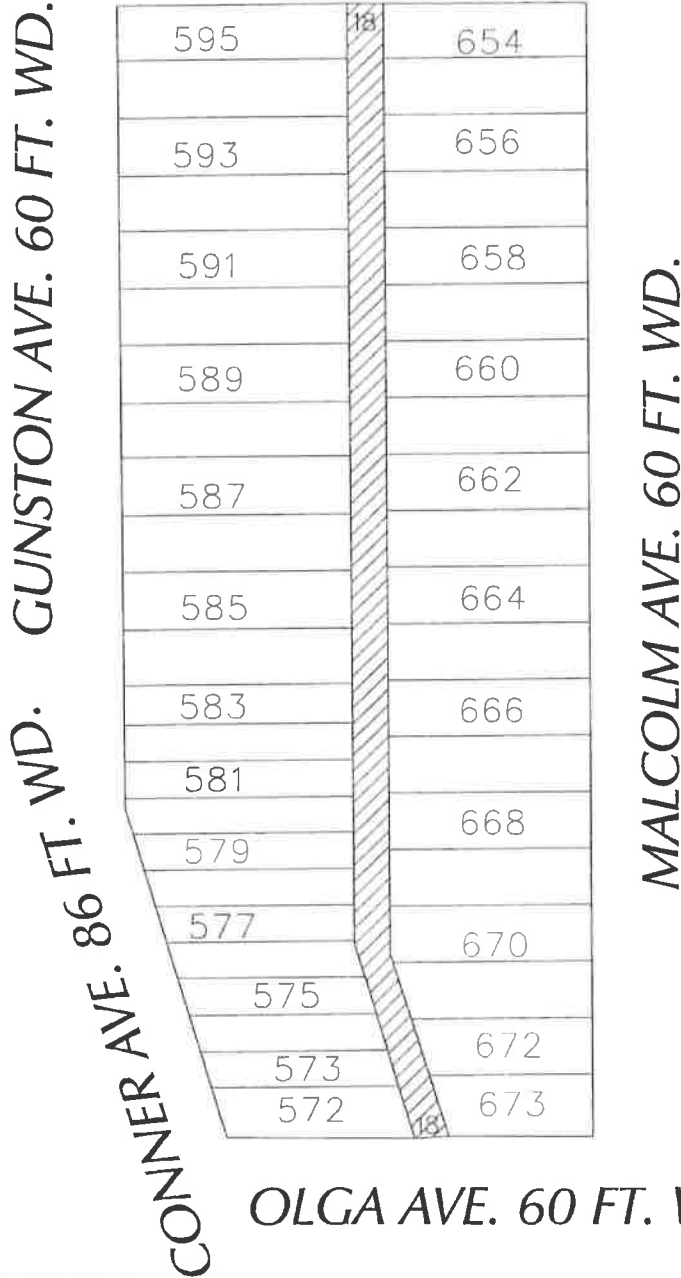
PROVIDED, that if it becomes necessary to remove the paved alley returns at the entrances such removal and construction of the new curb and sidewalk shall be done under city permit and inspection according to City Engineering Division – DPW specification with all costs borne by the abutting owner(s), 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.

PETITION NO. 586  
 TRINITY DETROIT MANAGEMENT, LLC.  
 5830 CONNER  
 DETROIT, MICHIGAN 48231  
 KWAKU B. ATARA  
 PHONE NO. (313) 310-2219



HERN AVE. 60 FT. WD.



- CONVERSION TO EASEMENT

(FOR OFFICE USE ONLY)

CARTO 57 F

B					CONVERSION TO EASEMENT THE NORTH/SOUTH PUBLIC ALLEY, 18 FT. WD. IN THE BLOCK BOUND BY HERN AVE., MALCOLM AVE., OLGA AVE., CONNER AVE. AND GUNSTON AVE.	CITY OF DETROIT CITY ENGINEERING DIVISION SURVEY BUREAU
	A					
DESCRIPTION		DRWN	CHKD	APPD	DATE	JOB NO. 01-01 DRWG. NO. X 586
DRAWN BY SA		CHECKED KSM		APPROVED		
DATE 12-10-18						



CITY OF DETROIT  
DEPARTMENT OF PUBLIC WORKS  
CITY ENGINEERING DIVISION

16

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

March 18th, 2020

Honorable City Council:

**RE: Petition No.1100 – The El-Beth-El Del Min’s request to vacate and convert to easement the public alley between Frederick Avenue and Theodore Avenue, bounded by Helen Avenue and East Grand Blvd.**

Petition No. 1100 – The El-Beth-El Del Min’s request to vacate and convert to easement the public alley between Frederick Avenue (60 ft. wide) and Theodore Avenue (50 ft. wide), bounded by Helen Avenue (60 ft. wide) and East Grand Blvd Avenue (150 ft. wide).

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

The request is being made to improve the safety of adjacent property owners and to eliminate an unimproved alley from the City’s right-of-way network.

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

Detroit Water and Sewerage Department (DWSD) has no objection to the vacation and conversion to utility easement provided certain provisions are met. The DWSD provisions are a part of the attached resolution.

All other involved City Departments, and privately owned utility companies have reported no objections to the vacation and conversion to utility easement of the alley. Provisions protecting 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

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

**RESOLVED**, the public alley between Frederick Avenue (60 ft. wide) and Theodore Avenue (50 ft. wide), bounded by Helen Avenue (60 ft. wide) and East Grand Blvd Avenue (150 ft. wide), further described as land in the City of Detroit, Wayne County, Michigan being: All of the north-south alley (15 ft. wide) lying easterly of and adjoining lots 1 through 8, and lying westerly of and adjoining lots 9 and 16; all of the east-west alley (20 ft. wide) lying southerly of and adjoining lots 9 through 12 and lying northerly of and adjoining lots 13 through 16 all within "Brewers Subdivision" as recorded in Liber 11 Page 71 of Plats, Wayne County Records; also all of the north-south alley (10 ft. wide) lying westerly and adjoining lots 13 through 15, the south 56 ft. of lot 16, lots 19-25, and the north 28.3 feet of lot 18 of "Assessors Plat of Part of PC 678" as recorded in Liber 66 Page 51 of Plats, Wayne County Records.

Be and the same is hereby vacated as public right-of-way and converted into a private easement for public utilities of the full width of the right-of-way, 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 right-of-way 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, 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 right-of-way in the City of Detroit, with the right to ingress and egress at any time 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 task, with the understanding that 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 fences or gates), 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 alleys 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

Sixth, a 'hammerhead' design in the north-south alley (10 ft. wide) at the east end (dead-end) of Farnsworth Street (60 ft. wide) remain right-of-way to allow vehicles adequate space to turn around. Said hammerhead design will be the full width of the Farnsworth Street right-of-way and extend into the north-south alley, at the end of Farnsworth Street) by 10 ft. for the full width of the alley.

PROVIDED, that property owners maintain for DTE Energy, full access to their facilities at all times (i.e. gated access with DTE locks at all ends of the easement) and that free and easy access to the DTE facilities is reserved for DTE equipment, including the use of backhoes, bull dozers, cranes or pipe trucks, and other heavy construction equipment, as necessary for the alteration or repair of DTE facilities, and further

PROVIDED, that an easement, the full width of the existing right-of-way, is reserved for the Detroit Water and Sewage Department for the purpose of installing, maintaining, repairing, removing, or replacing any sewers, water mains, fire hydrants and appurtenances, with the right of ingress and egress at any time to, and over said easement for the purpose above set forth; and be it further

PROVIDED, that free and easy access to the sewers, water mains, fire hydrants and appurtenances within the easement is required for the Detroit Water and Sewerage Department equipment including the use of backhoes, bull dozers, cranes or pipe trucks, and other heavy construction equipment, as necessary for the alteration or repair of the sewer or water main facilities; and be it further

PROVIDED, that the Detroit Water and Sewerage Department retains the right to install suitable permanent main location guide post over its water mains at reasonable intervals and at points deflection; and be it further

PROVIDED, that said owners of the adjoining property, for themselves, their heirs and assigns, agree that no building or structure of any nature whatsoever, including porches, patios, balconies, etc., shall be built upon said easement without prior written approval and agreement with the Detroit Water and Sewerage Department; and be it further

PROVIDED, that if any time in the future, the owners of any lots abutting on said vacated alley shall request the removal and/or relocation of the aforementioned utilities in said easement, such owners shall pay all costs incidental to such removal and/or relocation. It is further provided that if sewers, water mains, and/or appurtenances in said easement shall break or be damaged as a result

of any action on the part of the owner, or assigns, then in such event, the owner or assigns shall be liable for the costs incident to the repair of such broken or damaged sewers and water mains, and shall also be liable for all claims for damages resulting from his action and be it further

PROVIDED, that if it becomes necessary to remove the paved alley returns at the entrances such removal and construction of the new curb and sidewalk shall be done under city permit and inspection according to City Engineering Division – DPW specification with all costs borne by the abutting owner(s), their heirs or assigns; and further

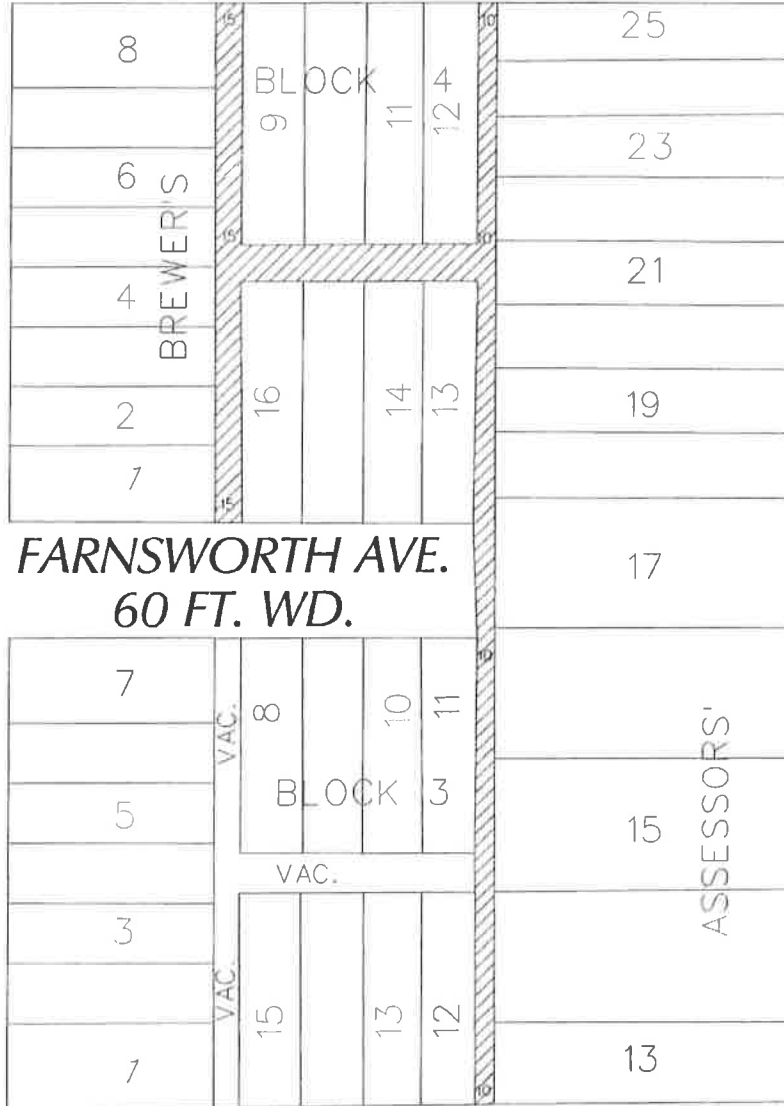
PROVIDED, That the City Clerk shall within 30 days record a certified copy of this resolution with the Wayne County Register of Deeds.

PETITION NO. 1100  
 THE EL-BETH-EL DEL MIN,  
 7040 RARNSWORTH AVE  
 DETROIT, MICHIGAN 48211  
 PHONE NO. (313) 897-6543



FREDERICK AVE. 60 FT. WD.

HELEN AVE. 60 FT. WD.



GRAND BOULEVARD E. 150 FT. WD.

FARNSWORTH AVE.  
 60 FT. WD.

THEODORE AVE. 50 FT. WD.



- CONVERSION TO EASEMENT

(FOR OFFICE USE ONLY)

CARTO 48 C

B				
A				
DESCRIPTION		DRWN	CHKD	APPD DATE
REVISIONS				
DRAWN BY	SA	CHECKED	KSM	
DATE	10-03-19	APPROVED		

CONVERSION TO EASEMENT  
 PUBLIC ALLEYS, IN THE AREA BOUND BY  
 HELEN AVE., FREDERICK AVE.,  
 E. GRAND BOULEVARD  
 AND THEODORE AVE.

CITY OF DETROIT	
CITY ENGINEERING DIVISION	
SURVEY BUREAU	
JOB NO.	01-01
DRWG. NO.	X 1100



CITY OF DETROIT  
DEPARTMENT OF PUBLIC WORKS  
CITY ENGINEERING DIVISION

17

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

March 18th, 2020

Honorable City Council:

**RE: Petition No.1073 – Matthew Morin’s request to vacate and convert to easement the public alley between Hendricks Avenue and Hunt Street, bounded by Dubois Street and Chene Street.**

Petition No. 1073 – Matthew Morin’s request to vacate and convert to easement the public alley between Hendricks Avenue (50 ft. wide) and Hunt Street (50 ft. wide), bounded by Dubois Street (50 ft. wide) and Chene Street (60 ft. wide).

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

The request is being made to improve the safety of adjacent property owners and to eliminate an unimproved alley from the City’s right-of-way network.

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

Detroit Water and Sewerage Department (DWSD) has no objection to the vacation and conversion to utility easement provided certain provisions are met. The DWSD provisions are a part of the attached resolution.

All other involved City Departments, and privately owned utility companies have reported no objections to the vacation and conversion to utility easement of the alley. Provisions protecting 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



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

**RESOLVED**, the public alley between Hendricks Avenue (50 ft. wide) and Hunt Street (50 ft. wide), bounded by Dubois Street (50 ft. wide) and Chene Street (60 ft. wide); further described as land in the City of Detroit, Wayne County, Michigan being: All of the east-west alley (20 ft. wide) lying northerly of and adjoining lots 1 through 8, and lying southerly of and adjoining lots 17 through 24; all of the north-south alley (various widths) lying easterly of and adjoining lot 8 and lying westerly of and adjoining lots 9 through 13 all within "Subdivision of Part of James Campau Farms" as recorded in Liber 2 Page 17 of Plats, Wayne County Records; also all of the east-west alley (20 ft. wide) lying northerly of and adjoining lots 1 through 4, and lying southerly of lots 5 through 8 of "Block 36 of Plat of Part of PC 91" as recorded in Liber 1 Page 283 of Plats, Wayne County Records.

Be and the same is hereby vacated as public right-of-way and converted into a private easement for public utilities of the full width of the right-of-way, 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 right-of-way 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, 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 right-of-way in the City of Detroit, with the right to ingress and egress at any time 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 task, with the understanding that 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 fences or gates), 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 alleys 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

PROVIDED, that property owners maintain for DTE Energy, full access to their facilities at all times (i.e. gated access with DTE locks at all ends of the easement) and that free and easy access to the DTE facilities is reserved for DTE equipment, including the use of backhoes, bull dozers, cranes or pipe trucks, and other heavy construction equipment, as necessary for the alteration or repair of DTE facilities, and further

PROVIDED, that an easement, the full width of the existing right-of-way, is reserved for the Detroit Water and Sewerage Department for the purpose of installing, maintaining, repairing, removing, or replacing any sewers, water mains, fire hydrants and appurtenances, with the right of ingress and egress at any time to, and over said easement for the purpose above set forth; and be it further

PROVIDED, that free and easy access to the sewers, water mains, fire hydrants and appurtenances within the easement is required for the Detroit Water and Sewerage Department equipment including the use of backhoes, bull dozers, cranes or pipe trucks, and other heavy construction equipment, as necessary for the alteration or repair of the sewer or water main facilities; and be it further

PROVIDED, that the Detroit Water and Sewerage Department retains the right to install suitable permanent main location guide post over its water mains at reasonable intervals and at points deflection; and be it further

PROVIDED, that said owners of the adjoining property, for themselves, their heirs and assigns, agree that no building or structure of any nature whatsoever, including porches, patios, balconies, etc., shall be built upon said easement without prior written approval and agreement with the Detroit Water and Sewerage Department; and be it further

PROVIDED, that if any time in the future, the owners of any lots abutting on said vacated alley shall request the removal and/or relocation of the aforementioned utilities in said easement, such owners shall pay all costs incident to such removal and/or relocation. It is further provided that if sewers, water mains, and/or appurtenances in said easement shall break or be damaged as a result of any action on the part of the owner, or assigns, then in such event, the owner or assigns shall be liable for the costs incident to the repair of such broken or damaged sewers and water mains, and shall also be liable for all claims for damages resulting from his action and be it further

PROVIDED, that if it becomes necessary to remove the paved alley returns at the entrances such removal and construction of the new curb and sidewalk shall be done under city permit and

inspection according to City Engineering Division – DPW specification 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.

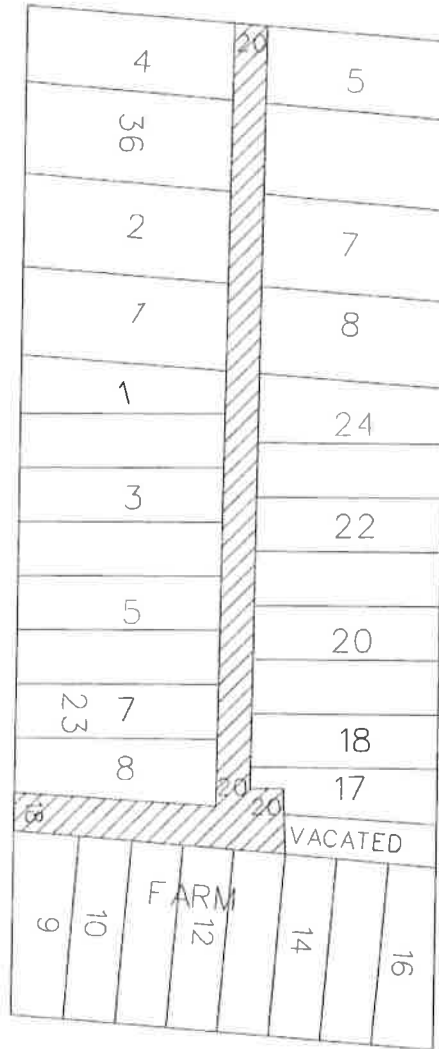
PETITION NO. 1073  
 MATTHEW MORIN  
 2200 HUNT ST.  
 DETROIT, MICHIGAN 48207  
 PHONE NO. (313) 595-5997



DUBOIS ST. 50 FT. WD.

HENDRICKS AVE. 50 FT. WD.

HUNT ST. 50 FT. WD.



CHENE ST. 60 FT. WD.



- CONVERSION TO EASEMENT

(FOR OFFICE USE ONLY)

CARTO 39 E

B					
A					
DESCRIPTION		DRWN	CHKD	APPD	DATE
REVISIONS					
DRAWN BY SA		CHECKED KSM			
DATE 09-24-19		APPROVED			

CONVERSION TO EASEMENT  
 THE SOUTH/NORTH PUBLIC ALLEY, 18 FT. WD.  
 AND EAST/WEST PUBLIC ALLEY, 20 FT. WD.  
 IN THE BLOCK BOUND BY  
 HENDRICKS AVE., DUBOIS ST.,  
 HUNT ST. AND CHENE ST.

CITY OF DETROIT CITY ENGINEERING DIVISION SURVEY BUREAU	
JOB NO.	01-01
DRWG. NO.	X 1073



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

March 18th, 2020

Honorable City Council:

**RE: Petition No.638 – Alvin Nabil Alosachi request to vacate and convert to easement the public alley between Salem Avenue and Winston Avenue, bounded by McNichols Road and Santa Maria Avenue.**

Petition No. 638 – Alvin Nabil Alosachi request to vacate and convert to easement the public alley between Salem Avenue (60 ft. wide) and Winston Avenue (80 ft. wide), bounded by McNichols Road (66 ft. wide) and Santa Maria Avenue (60 ft. wide).

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

The request is being made to improve the safety of adjacent property owners and to eliminate an unimproved alley from the City's right-of-way network.

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

Detroit Water and Sewerage Department (DWSD) has no objection to the vacation and conversion to utility easement provided certain provisions are met. The DWSD provisions are a part of the attached resolution.

All other involved City Departments, and privately owned utility companies have reported no objections to the vacation and conversion to utility easement of the alley. Provisions protecting 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

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

**RESOLVED**, Alvin Nabil Alosachi request to vacate and convert to easement the public alley between Salem Avenue (60 ft. wide) and Winston Avenue (80 ft. wide), bounded by McNichols Road (66 ft. wide) and Santa Maria Avenue (60 ft. wide), further described as land in the City of Detroit, Wayne County, Michigan being: All of the east-west alley (18 ft. wide) lying northerly of and adjoining lots 20 through 36, and lying southerly of and adjoining lots 139 and 140 of "Mortensons Grand River Subdivision" as recorded in Liber 39 Page 1 of Plats, Wayne County Records.

Be and the same is hereby vacated as public right-of-way and converted into a private easement for public utilities of the full width of the right-of-way, 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 right-of-way 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, 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 right-of-way in the City of Detroit, with the right to ingress and egress at any time 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 task, with the understanding that 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 fences or gates), 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 alleys 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

PROVIDED, that property owners maintain for DTE Energy, full access to their facilities at all times (i.e. gated access with DTE locks at all ends of the easement) and that free and easy access to the DTE facilities is reserved for DTE equipment, including the use of backhoes, bull dozers, cranes or pipe trucks, and other heavy construction equipment, as necessary for the alteration or repair of DTE facilities, and further

PROVIDED, that an easement, the full width of the existing right-of-way, is reserved for the Detroit Water and Sewerage Department for the purpose of installing, maintaining, repairing, removing, or replacing any sewers, water mains, fire hydrants and appurtenances, with the right of ingress and egress at any time to, and over said easement for the purpose above set forth; and be it further

PROVIDED, that free and easy access to the sewers, water mains, fire hydrants and appurtenances within the easement is required for the Detroit Water and Sewerage Department equipment including the use of backhoes, bull dozers, cranes or pipe trucks, and other heavy construction equipment, as necessary for the alteration or repair of the sewer or water main facilities; and be it further

PROVIDED, that the Detroit Water and Sewerage Department retains the right to install suitable permanent main location guide post over its water mains at reasonable intervals and at points deflection; and be it further

PROVIDED, that said owners of the adjoining property, for themselves, their heirs and assigns, agree that no building or structure of any nature whatsoever, including porches, patios, balconies, etc., shall be built upon said easement without prior written approval and agreement with the Detroit Water and Sewerage Department; and be it further

PROVIDED, that if any time in the future, the owners of any lots abutting on said vacated alley shall request the removal and/or relocation of the aforementioned utilities in said easement, such owners shall pay all costs incident to such removal and/or relocation. It is further provided that if sewers, water mains, and/or appurtenances in said easement shall break or be damaged as a result of any action on the part of the owner, or assigns, then in such event, the owner or assigns shall be liable for the costs incident to the repair of such broken or damaged sewers and water mains, and shall also be liable for all claims for damages resulting from his action and be it further

PROVIDED, that if it becomes necessary to remove the paved alley returns at the entrances such removal and construction of the new curb and sidewalk shall be done under city permit and inspection according to City Engineering Division – DPW specification 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.

PETITION NO. 638  
 ALVIN NABIL ALOSACHI  
 26813 PLYMOUTH ROAD  
 REDFORD TOWNSHIP, MICHIGAN 48239  
 PHONE NO. (248) 249 - 3696



**SANTA MARIA AVE. 60 FT. WD.**

**SALEM AVE. 60 FT. WD.**

**WINSTON AVE. 80 FT. WD.**

50	126	172	172	153	50
"					"
"	128			151	"
"					"
"	130			149	"
"					"
"	132			147	"
"					"
"	134			145	"
"					"
"	136			143	"
"					"
50	138			141	50
41	139	172	172	140	41
18					
3.6	3.4	3.2	3.0	2.8	2.6
2.2	2.0	2.2	2.0	2.2	2.0
18					

**MCNICHOLS ROAD 66 FT. WD.**



- CONVERSION TO EASEMENT

(FOR OFFICE USE ONLY)

CARTO 122 D

<b>B</b>					<b>CONVERSION TO EASEMENT THE EAST/WEST PUBLIC ALLEY, 18 FT. WD. IN THE BLOCK BOUND BY SALEM AVE., SANTA MARIA AVE., WINSTON AVE. AND MCNICHOLS ROAD</b>	<b>CITY OF DETROIT CITY ENGINEERING DIVISION SURVEY BUREAU</b>
	<b>A</b>	DESCRIPTION	DRWN	CHKD		
<b>REVISIONS</b>						
DRAWN BY SA		CHECKED KSM				
DATE 03-05-19		APPROVED		JOB NO. 01-01		
				DRWG. NO. X 638		





CITY OF DETROIT  
DEPARTMENT OF PUBLIC WORKS  
CITY ENGINEERING DIVISION

19

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

March 18th, 2020

Honorable City Council:

**RE: Petition No. 1444, Giffels Webster, request to vacate and convert to utility easement a segment Park Avenue, between vacated Henry Street and the Fisher Freeway Service Drive.**

Petition No. 1444, Giffels Webster, on behalf of Olympia Development of Michigan, LLC request to vacate and convert to easement: Park Avenue, 60 feet wide, between vacated Henry Street, 50 feet wide, and the Fisher Freeway Service Drive.

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

The request is being made as a part of the Little Caesar Arena development area and will allow for a pedestrian friendly area including the parking facilities to be used in conjunction with the new arena.

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

The Detroit Water and Sewerage Department (DWSD) reports no objection if the petitioner agrees to the DWSD provisions for easements. The DWSD provisions are a part of the resolution.

The Public Lighting Department (PLD) reports involvement and the petitioner will need to allow 24 hour truck access to the area or relocate the PLD conduit in the area. The petitioners engineering firm, Giffels-Webster, has already made arrangements to relocate the conduit. Provisions protecting the PLD facilities are a part of the resolution.

DTE Energy – Gas Division reports involvement, but no objection provided that an easement is established or the petitioner pays for the cost of abandoning, removing and/or relocating their gas lines. Provisions for DTE Energy are a part of the attached resolution.

DTE Energy – Electric Division reports that below grade facilities exist that will require an easement to allow access for maintenance to said facilities.

The Planning and Development Department (P&DD) reports no involvement with the proposed vacation to utility easement.



CITY OF DETROIT  
DEPARTMENT OF PUBLIC WORKS  
CITY ENGINEERING DIVISION

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2 WOODWARD AVE. SUITE 601  
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PHONE: (313) 224-3949 • TTY: 711  
FAX: (313) 224-3471  
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All other city departments including the Public Lighting Authority and the Great Lakes Water Authority, also all other utilities report no involvement or no objections to the proposed vacations with conversion to easements.

I am recommending adoption of the attached resolution.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Richard Doherty".

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

JMK/

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

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

**RESOLVED**, that all of Park Avenue, 60 feet wide, between Henry Street, 50 feet wide, and the Fisher Freeway Service Drive, further described as: land in the City of Detroit, Wayne County, Michigan being: Park Avenue, 60 feet wide, lying easterly and abutting lots 42 through 46; and westerly of lots 47 and 69, also the east-west alley from the south-west corner lot lot 47 to the north-west corner of lot 60, all within "Duffields Subdivision" as recorded in Liber 49 Page 573 of Plats, Wayne County Records.

Be and the same are hereby vacated as a public rights-of-way and converted into easements for public utilities the full width of the street, 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 streets and by their heirs, executors, administrators and assigns, forever to wit:

First, said owners hereby grant to and for the use of the public easement or right-of-way over said vacated public rights-of-way herein above described for the purposes of maintaining, installing, repairing, removing, or replacing underground public utilities such as water mains, sewers, gas lines or mains, telephone, electric light conduits or things usually placed or installed in a public street at, or below the surface grade 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 rights-of-way 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, 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 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 sub-surface 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 rights-of-way 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

Sixth, Said owners hereby grant to and for the use of the public a perpetual access easement over the vacated segment of Park Avenue herein above described for the purpose of providing access to the public and abutting property owners as a public thoroughfare and for emergency use such as service vehicles with the right to ingress and egress at any time to and over said easement for the purpose above set forth; and

Seventh, Said owners are permitted to raise bollards to prevent vehicular access along said vacated segment of Park Avenue herein described during scheduled events for the arena in coordination with the City of Detroit Police Department. Said bollards are required to be lowered to allow public access during times of non-scheduled events.

PROVIDED, that an easement, the full width of the existing right-of-way, is reserved for the Detroit Water and Sewerage Department for the purpose of installing, maintaining, repairing, removing, or replacing any sewers, water mains, fire hydrants and appurtenances, with the right of ingress and egress at any time to, and over said easement for the purpose above set forth; and be it further

PROVIDED, that free and easy access to the sewers, water mains, fire hydrants and appurtenances within the easement is required for Detroit Water and Sewerage Department equipment, including the use of backhoes, bull dozers, cranes or pipe trucks, and other heavy construction equipment, as necessary for the alteration or repair of the sewer or water main facilities; and be it further

PROVIDED, that the Detroit Water and Sewerage Department retains the right to install suitable permanent main location guide post over its water mains at reasonable intervals and at points deflection; and be it further

PROVIDED, that said owners of the adjoining property, for themselves, their heirs and assigns, agree that no building or structure of any nature whatsoever, including porches, patios, balconies, etc., shall be built upon or over said easement, or that no grade changes or storage of materials shall be made within said easement without prior written approval and agreement with the Detroit Water and Sewerage Department; and be it further

PROVIDED, that if any time in the future, the owners of any lots abutting on said vacated right-of-way shall request the removal and/or relocation of the aforementioned utilities in said easement, such owners shall pay all costs incident to such removal and/or relocation. It is further provided that if sewers, water mains, and/or appurtenances in said easement shall break or be damaged as a result of any action on the part of the owner, or assigns, then in such event, the owner or assigns shall be liable for all costs incident to the repair of such broken or damaged sewers and water mains, and shall also be liable for all claims for damages resulting from his action; and be it further

PROVIDED, that the petitioner provides an easement for DTE Energy Gas Division or contact Michael Fedele at (313) 389-7211 (Supervisor) or Laura Forrester at (313) 389-7261 for the

estimated cost of their services in abandoning/removing and/or relocating/rerouting, including the survey, design and drawing of the gas utilities, and further

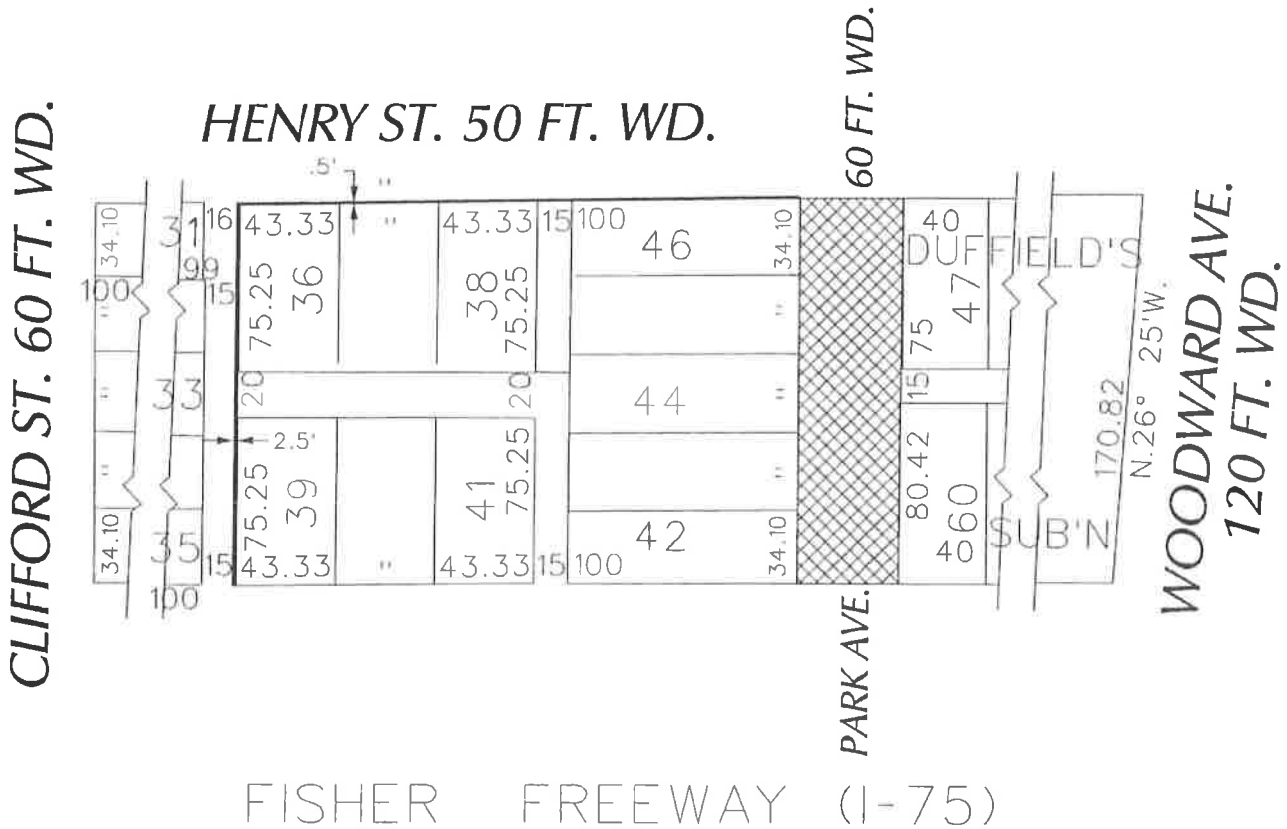
PROVIDED, that the petitioner shall allow the Public Lighting Department 24 hour truck access to their conduit within the easement areas, or make the necessary arrangements for relocation of the conduits at the petitioner's expense, and further

PROVIDED, that the petitioner or their assigns shall obtain approval from the Historic District Committee for any work to be done within the Historic District, and further

PROVIDED, that any work in the public right-of-way such as 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. 1444  
 GIFFELS WEBSTER  
 28 W. ADAMS, SUITE 1200  
 DETROIT, MICHIGAN 48226  
 C/O BRIAN ELLISON  
 PHONE NO. 313 397-5863



- REQUEST ENCROACHMENT
- OUTRIGHT VACATION

(FOR OFFICE USE ONLY)

CARTO 29 E

B						REQUEST ENCROACHMENT (Sub-Surface) A PORTION OF THE NORTH/SOUTH PUBLIC ALLEY 15 FT. WD. A PORTION OF THE HENRY ST. 50 FT. WD. OUTRIGHT VACATION PARK AVE., 60 FT. WD. IN THE AREA BOUND BY CLIFFORD AND HENRY ST., WOODWARD AVE. AND FISHER FWY. SERVICE DR.	<b>CITY OF DETROIT</b> CITY ENGINEERING DEPARTMENT SURVEY BUREAU																				
A	<table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="width: 15%;">DESCRIPTION</th> <th style="width: 10%;">DRWN</th> <th style="width: 10%;">CHKD</th> <th style="width: 10%;">APPD</th> <th style="width: 10%;">DATE</th> </tr> </thead> <tbody> <tr> <td colspan="5" style="text-align: center;">REVISIONS</td> </tr> <tr> <td>DRAWN BY</td> <td>WLW</td> <td>CHECKED</td> <td></td> <td></td> </tr> <tr> <td>DATE</td> <td>03-28-17</td> <td>APPROVED</td> <td></td> <td></td> </tr> </tbody> </table>						DESCRIPTION	DRWN	CHKD	APPD	DATE	REVISIONS					DRAWN BY	WLW	CHECKED			DATE	03-28-17	APPROVED			JOB NO. 01-01 DRWG. NO. X 1444
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DATE	03-28-17	APPROVED																									

20

March 18, 2020

HONORABLE CITY COUNCIL:

Re: Proposed Adult Use Marijuana  
Ordinance

Currently, Detroit City Council staff members are drafting an ordinance to regulate adult use marijuana. The current municipal opt out expires on March 31, 2020 unless extended. Under the circumstances, public comment is extremely important to avoid the appearance that the new ordinance will be written by the marijuana industry, for the marijuana industry, and to the injury of the residents of our city.

**ZONING:**

We request that the City of Detroit amend its Detroit Zoning Ordinance to allow adult use marijuana provisioning centers; marijuana micro businesses; designated consumption establishments; and temporary marijuana events on the same basis as the current medical marijuana dispensary centers with two major changes.

First, we request overlay zoning to stop the over concentration marijuana facilities along Eight Mile Road and Woodward Avenue. Currently, the Major Corridor Overlay Zoning section of the Detroit Zoning Ordinance prohibits sexually oriented business along Eight Mile Road from Five Points Avenue to Kelly Road and again along Woodward Avenue from Eight Mile Road to McNichols Road. We request that the Major Corridor Overlay section be amended to also prohibit adult use marijuana provisioning centers; marijuana micro businesses; designated consumption establishments; and temporary marijuana events. This proposal will not affect medical marijuana dispensaries along Eight Mile Road or Woodward Avenue.

Second, we request an amendment of the current Main Street Overlay Zoning on Livernois Avenue to extend the zone from its current end point at St. Martin Avenue to a new end point at Eight Mile Road. We believe that the businesses along the Avenue of Fashion have been harmed by the recent construction on Livernois. The businesses need this zoning change to deflect the potential harm that an influx of marijuana facilities may have on the business atmosphere.

**LICENSES:**

We request that the City of Detroit pass an ordinance that will establish a solid limit on the number of adult use marijuana facilities. We recommend that the different types of facilities be permitted on a delayed basis to provide fairness to all, including

Detroit based businesses. We recommend a limit of four adult use facilities per city council district as follows:

November 2020, allow 28 marijuana micro business and 28 designated consumption establishments.

November 2021, allow 28 adult use marijuana provisioning centers.

November 2022, allow an additional 28 marijuana micro businesses and an additional 28 consumption establishments.

November 2023, allow an additional 28 adult use marijuana provisioning centers.

We suggest that the City of Detroit require all marijuana facilities to obtain a Buildings, Safety Engineering and Environmental Department (BSEED) business license. We understand the value of proper enforcement of business licenses requirements within the city. If the Detroit Police Department (DPD) or BSEED discovers that a particular provisioning center is consistently violating the law, the DPD or BSEED can request an administrative order demanding that the center show good cause why its business license should not be revoked or suspended. We understand that even the possibility of a temporary or permanent business closure will prompt the business to follow all state and local laws and regulations.

We suggest that the Detroit Police Department establish a specially trained police unit to properly monitor the proposed marijuana facilities.

#### **SELECTION:**

Section 8 of the Michigan Regulation and Taxation of Marihuana Act (MRTMA) requires the Marijuana Regulatory Agency (MRA) to promulgate rules including “a plan to promote and encourage participation in the marihuana industry by people from communities that have been disproportionately impacted by marihuana prohibitions and enforcement and **to positively impact those communities.** MCL 444.27958

We further request that the adult use marijuana facilities be selected, in part, by the community benefit that each center will donate to a non-profit organization located within that particular city council district. For example, the residents of a particular district may decide that the homeless issue should be addressed through a non-profit organization. The provisioning centers applying for a business license in that district would commit to donate a fixed amount every month to the non-profit organization to address the issue. Failure to make the schedule payment may result in a suspension or revocation of the business license.

We recommend that Detroit City Council hold four public hearings each calendar year to hear complaints and receive views of the public concerning the administration of the program.



## POINTS:

We recommend a point system be used during the selection process. The points may include:

- Current Detroit residency is worth **5 points**.
- Returning military veteran is worth **10 points**.
- Returning citizen from a marijuana related incarceration is worth **5 points**.
- Ten to twenty five years of residency in Detroit is worth **10 to 25 points**.
- Ten to twenty five years of residency in a State of Michigan designated social equity city or township, including Detroit, is worth **10 to 25 points**.
- Proper zoning by right without the need for a zoning variance is worth **10 points**.
- Community benefit donation to the designated non-profit organization to address the designated community issue is worth **10 points per each one thousand dollars committed monthly**.

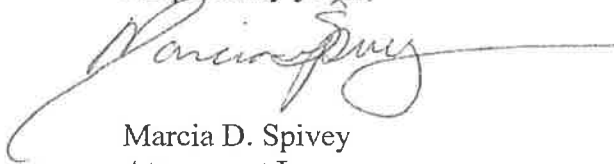
## PAST CRIMINALIZATION:

An important issue regarding the legalization of recreational use of marijuana is correcting the past criminalization of its possession and use. Detroit had ordinances that provided for fines and imprisonment for the possession of marijuana. These ordinance convictions for simple possession negatively affected employability. We suggest provisions for the expungement of convictions for the unlawful possession and use of marijuana on both the local and state level.

## CONCLUSION:

We request that City Council support these measures as it reviews its options concerning adult use facilities. We know the Detroit Planning Commission and the Detroit City Council can work with others to craft a fair and responsible adult marijuana ordinance.

Respectfully yours,



Marcia D. Spivey  
Attorney at Law



Peter Rhoades  
Attorney at Law

cc: Mayor Duggan