

# City of Detroit

## CITY COUNCIL

Brenda Jones  
*President*

Mary Sheffield  
*President Pro Tem*



Janeé Ayers  
Scott Benson  
Raquel Castañeda-López  
Gabe Leland  
Roy McCalister, Jr.  
André L. Spivey  
James Tate

Janice M. Winfrey  
*City Clerk*

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### REGULAR SESSION AGENDA

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TUESDAY, JANUARY 12, 2021

### ***THIS MEETING WILL BE A VIRTUAL CITY COUNCIL MEETING***

*To attend by phone only, call one of these numbers: +1 929 436 2866, +1 312 626 6799, +1 669 900 6833, +1 253 215 8782, +1 301 715 8592, or +1 346 248 7799 Use Meeting ID: 330332554*

*With advance notice of seven calendar days, the City of Detroit will provide interpreter services at public meetings, including American Sign Language, language translation and reasonable ADA accommodations. Please contact the Civil Rights, Inclusion and Opportunity Department at (313) 224-4950, through the TTY number 711, or email [crio@detroitmi.gov](mailto:crio@detroitmi.gov) to schedule these services.*

### **APPROVAL OF JOURNAL OF LAST SESSION**

### **RECONSIDERATIONS:**

### **UNFINISHED BUSINESS**

### **PRESIDENT'S REPORT ON STANDING COMMITTEE REFERRALS AND OTHER MATTERS**

**INTERNAL OPERATIONS STANDING COMMITTEE**

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

**LAW DEPARTMENT**

1. Submitting reso. autho. Approving Memorandum of Agreement between the City of Detroit and the Detroit Building Authority regarding Indemnification. **(In May 2019, the City of Detroit (the "City") proposed, and the Detroit Building Authority (the "DBA") agreed, to enter into the above-captioned Memorandum of Agreement (the "MOA"). As of the effective date of this MOA, all contracts between the City and the DBA will no longer include separate indemnity provisions, and instead the terms of the MOA will govern indemnification between the City, the DBA, and related parties providing services to either entity.)**
2. Submitting reso. autho. **Settlement** in lawsuit of D'Marco Craft and Michaele Jackson v COD, et al.; Case No. 2:17-cv-12752; File No.: L17-00608 (GBP) in the amount of \$155,000.00 in full payment for any and all claims which D'Marco Craft and Michaele Jackson may have against the City of Detroit and any other City of Detroit employees by reason of Constitutional Violations alleged to have occurred on or about May 31, 2017.
3. Submitting reso. autho. **Settlement** in lawsuit of Ieshia Crossly, as Personal Representative of the Estate of DARWIN SMITH, Deceased v. COD; Case No. 18-014471-NF; File No. L18-00713 TO in the amount of \$30,000.00 in full payment for any and all claims which Ieshia Crossly, as Personal Representative of the Estate of DARWIN SMITH, Deceased may have against the City of Detroit and any other City of Detroit employees by reason of alleged injuries sustained.
4. Submitting reso. autho. **Settlement** in lawsuit of LaClair v. City of Detroit and DLBA; Case No. 20-001145-CB; File No. L20-00092 whereby the City of Detroit shall receive, upon satisfaction of the settlement conditions, payment from the Plaintiff in the amount of \$40,000.00. In the event the settlement

conditions are not satisfied, the law department shall continue to pursue the pending appeal.

5. Submitting reso. autho. **Settlement** in lawsuit of Larry Haislip v. COD and John Doe; Case No. 19-011245-NI; File No. L19-00591, Alfred Ashu (P82536) in the amount of \$30,000.00 in full payment for any and all claims which Larry Haislip may have against the City of Detroit and any other City of Detroit employees by reason of alleged injuries sustained on or about December 2, 2018.
6. Submitting reso. autho. **Settlement** in lawsuit of Lucia and Maribel DelCid v. COD, et al.; Case No. 19-003531-NI (Wayne County); File No. L19-00280 in the amount of \$32,500.00 in full payment for any and all claims which Lucia and Maribel DelCid may have against the City of Detroit and any other City of Detroit employees by reason of Motor Vehicle Accident having occurred on July 16, 2016.
7. Submitting reso. autho. **Settlement** in lawsuit of MI Head & Spine Institute and VHS of MI (Darwin Smith) v COD; Case No. 19-005498-NF; File No. L19-00231(TO) in the amount of \$ 238,000.00 in full payment for any and all claims which MI Head & Spine Institute and VHS of MI (Darwin Smith) may have against the City of Detroit and any other City of Detroit employees by reason of alleged injuries sustained on or about November 8, 2017.
8. Submitting reso. autho. **Settlement** in lawsuit of Robert Griggs v. COD, et al.; Case No. 19-009831-NI; File No. L19-0526 (GBP) in the amount of \$46,500.00 in full payment for any and all claims which Robert Griggs may have against the City of Detroit and any other City of Detroit employees by reason of alleged injuries sustained.
9. Submitting reso. autho. **Settlement** in lawsuit of Water Staples, et al. v. COD consolidated with Synergy Spine and Orthopedic Surgery Center, LLC (Walter Staples) v. COD; Case No. 18-014049-NF consolidated with 18-007212-NI; File No. L18-00669 and L18-00421 in the amount of \$112,500.00 in full payment for any and all claims which Water Staples, et al. 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.18-014049-NF, that said amount be paid upon receipt of properly executed Releases, Stipulation and Order of Dismissal entered in Lawsuit No. 18-014049-NF and 18-007212-NI and, where deemed necessary by the Law Department a properly executed Medicare/CMS Final Demand Letter.

10. Submitting reso. autho. **Settlement** in lawsuit of True Scan (Byron Haynes) v. COD; Case No. 20-141943; File No. L20-0000046 (CLR) in the amount of \$7,500.00 in full payment for any and all claims which True Scan (Byron Haynes) may have against the City of Detroit and any other City of Detroit employees by reason of alleged injuries sustained on or about June 26, 2019.
11. Submitting reso. autho. **Settlement** in lawsuit of Wyoming Chiropractic Health Clinic, P.C. v. COD; Case No. 20-001896-NF; File No. L20-00118; EG in the amount of \$15,000.00 in full payment for any and all claims which Wyoming Chiropractic Health Clinic, P.C. may have against the City of Detroit and any other City of Detroit employees by reason of alleged injuries sustained by Bonita Long on or about February 1, 2019.

#### **LEGISLATIVE POLICY DIVISION**

12. Submitting reso. autho. Submission of Privileged and Confidential, Attorney-Client Communication - DPD Contract Review.

#### **PLANNING AND ECONOMIC DEVELOPMENT STANDING COMMITTEE**

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

#### **HISTORIC DESIGNATION ADVISORY BOARD**

13. Submitting report and Proposed Ordinance to amend Chapter 21, Article II, of the 2019 Detroit City Code by adding Section 21-2-248 to establish the Eastern

Market Historic District, and to define the elements of design for the district.  
**(Petition #248) (FOR INTRODUCTION AND SETTING OF A PUBLIC HEARING?)**

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

**DEPARTMENT OF PUBLIC WORKS/CITY ENGINEERING DIVISION**

14. Submitting reso. autho. Petition of Godfrey Detroit PropCo, LLC (#1342) request for various encroachments and to outright vacate part of the public alley and existing utility easements located between Michigan Avenue, 8<sup>th</sup> Street, Leverette Street, Trumbull Street and Church Street. **(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.)**

**MISCELLANEOUS**

15. **Council Member Raquel Castañeda-López** submitting memorandum relative to Lead Pipe Replacement Program.
16. **Council Member Raquel Castañeda-López** submitting memorandum requesting the Law and Public Works Department to provide more information about the permits that the Detroit Intermodal Freight Terminal currently holds.
17. **Council Member Raquel Castañeda-López** submitting memorandum requesting the Legislative Policy Division to provide a report on Detroit Intermodal Freight Terminal.
18. **Council Member Roy McCalister Jr.** submitting memorandum relative to continuing the Detroit City Council Task Force on Mental Health.

**VOTING ACTION MATTERS**

**OTHER MATTERS**

**COMMUNICATIONS FROM MAYOR AND OTHER  
GOVERNMENTAL OFFICIALS AND AGENCIES**

**PUBLIC COMMENT**

**STANDING COMMITTEE REPORTS**

**BUDGET, FINANCE AND AUDIT STANDING COMMITTEE**

**OFFICE OF THE CITY CLERK/CITY PLANNING COMMISSION**

19. **Ayers**, reso. autho. Neighborhood Enterprise Zone Certificate Applications for the new construction of 72 multi-family residential rental units and 20 for sale condominium units located at 5300 Beaubien, 511 Frederick, 525 Frederick, 541 Frederick, 555 Frederick, 561 Frederick and 5301 St. Antoine in the Art Center Neighborhood Enterprise Zone area. **(RECOMMEND APPROVAL)**
20. **Ayers**, reso. autho. Neighborhood Enterprise Zone Certificate Application for the rehabilitation of a multi-family 148-unit residential apartment building located at 150 Bagley Avenue in the Bagley-Clifford Neighborhood Enterprise Zone area. **(RECOMMEND APPROVAL)**
21. **Ayers**, reso. autho. Neighborhood Enterprise Zone Certificate Applications for four (4) rehabilitated single-family homes located at 94 Mt. Vernon, 8034 John R., 8038 John R., and 8042 John R. in the Marwood Development Neighborhood Enterprise Zone area. **(RECOMMEND APPROVAL)**
22. **Ayers**, reso. autho. Neighborhood Enterprise Zone Certificate Applications for the new construction of fourteen (14) condominium townhome units located at 2031 11th Street in the Corktown Neighborhood Enterprise Zone area. **(RECOMMEND APPROVAL)**

## **INTERNAL OPERATIONS STANDING COMMITTEE**

### **LAW DEPARTMENT**

23. **McCalister**, reso. autho. **Settlement** in lawsuit of Stallworth, Larry v. COD, Haniah Jones, Jimmie Freeny, Deena Myers; Case No. 18-013802-NI; File No. L18-00672-PH in the amount of \$14,000.00 in full payment for any and all claims which Larry Stallworth may have against the City of Detroit and any other City of Detroit employees by reason of alleged injuries sustained.
24. **McCalister**, reso. autho. **Settlement** in lawsuit of Silver Pine Imaging, LLC (James Smith) v City of Detroit; Case No: 19-180376-GC; File No: L19-00543(PH) in the amount of \$6,500.00 in full payment for any and all claims which Silver Pine Imaging, LLC, may have against the City of Detroit and any other City of Detroit employees by reason of alleged injuries sustained on or about October 6, 2017.
25. **McCalister**, reso. autho. **Settlement** in lawsuit of Ruby McCord v City of Detroit Department of Transportation; Case No: 19-009895-NF; File No: L19-00528 in the amount of \$40,000.00 in full payment for any and all claims which Ruby McCord may have against the City of Detroit and any other City of Detroit employees by reason of alleged injuries sustained on or about, July 31, 2015.
26. **McCalister**, reso. autho. **Settlement** in lawsuit of Morris, Bernard v. COD dba DDOT, Steven Smith, Edward Cochran; Case No.: 19-004199-NI; File No.: L19-00219-PH in the amount of \$30,000.00 in full payment for any and all claims which Bernard Morris may have against the City of Detroit and any other City of Detroit employees by reason of alleged injuries sustained.
27. **McCalister**, reso. autho. **Settlement** in lawsuit of Dearborn Pain Specialists, PLC (Jesse Walton) v City of Detroit - DDOT; Case No. 20-011328-NF; File No. L20-00860 (CLR) in the amount of \$49,000.00 in full payment for any and all claims which Dearborn Pain Specialists, PLC (Jesse Walton) may have against the City of Detroit and any other City of Detroit employees by reason of alleged injuries sustained on or about 11/13/2018.

28. **McCalister**, reso. autho. **Settlement** in lawsuit of Harold Spencer, Jr. and Shanay Peterson v City of Detroit; Case No. 20-10234; File No. L20-00062 (MMM) in the amount of \$245,000.00 in full payment for any and all claims which Harold Spencer, Jr. and Shanay Peterson may have against the City of Detroit and any other City of Detroit employees by reason of alleged injuries sustained on or about 1/12/2017 through the present.

## **NEIGHBORHOOD AND COMMUNITY SERVICES STANDING COMMITTEE**

### **GENERAL SERVICES DEPARTMENT**

29. **Sheffield**, reso. autho. To accept and allocate millage funding from Wayne County Parks Division for 2018-19 fiscal year in the amount of \$294,496.00. **(Detroit General Services Department is requesting authorization of your Honorable Body to accept and allocate millage funding from the Wayne County Parks Division in the amount of \$294,496.00 to be utilized in various park improvements projects.)**

## **NEW BUSINESS**

## **CONSENT AGENDA**

## **MEMBER REPORTS**

## **ADOPTION WITHOUT COMMITTEE REFERENCE**

## **COMMUNICATIONS FROM THE CLERK**

30. Report on approval of proceedings by the Mayor.

## **TESTIMONIAL RESOLUTIONS AND SPECIAL PRIVILEGE**