

**Detroit River International Crossing Study
Local Advisory Council/Local Agency Group Meeting
Notes – REVISED as of August 25, 2010
July 28, 2010, 7:00 p.m.
Dearborn Doubletree Hotel**

Purpose: To review the progress of the Detroit River International Crossing Project and the Gateway Project.

Attendance: See attached.

Discussion:

Introduction/Agenda

Mohammed Alghurabi asked those in attendance to introduce themselves. He reviewed the meeting conduct procedures and agenda noting that there would be a presentation on the Gateway Project as well as a video entitled “Public Roads and Private Property.”

Public Comments

John Bendzick inquired about the comments made by Professor Robert Sedler with respect to the constitutionality of the proposed funding approach for the DRIC. Mohammed Alghurabi indicated that he had no comment on the issue. Hugh McNichol stated that there are two different laws that apply to international bridges: one in the United States known as the 1972 Bridge Act and another in Canada known as the International Bridge and Tunnel Act.

Notes of the LAC/LAG Meeting of June 30th

There were no comments on these notes.

Gateway Project Update

Victor Judnick provided the LAC with a comprehensive overview of the Gateway Project. He noted that the project is at the “punch list” stage and nearing completion for the elements that have been built to date. However, the landscaping will not be completed until the fall. He noted

that the northbound I-75 exit ramp to Dearborn Avenue has been closed. Its repair will likely not be completed until the latter part of the year.

With respect to lawsuits, Victor Judnick noted that all court-related matters dealing with the Gateway Project have been resolved to this point in MDOT's favor. Nonetheless, the Detroit International Bridge Company has appealed the latest state decision by the Michigan Supreme Court to the federal courts. In the meantime, three companies have sued MDOT to open the new ramps because they believe the lack of availability is affecting their businesses negatively. MDOT is requesting of the Michigan court that the case be dismissed.

There was then an extensive discussion of the ramp system and, particularly, those that remain closed. Questions and comments were then entertained.

Q. John Nagy then commented that the Fort Street/West Grand Boulevard intersection is dangerous. Signs are needed to advise the drivers where they should go, eliminating confusion that now seems to prevail.

R. Victor Judnic responded that a careful look at that intersection will be undertaken by MDOT.

Q. John Nagy asked about the traffic signal lighting.

R. Victor Judnic indicated that, once construction is completed, traffic signalization will be finalized.

Q. Charles Cini asked how the Detroit International Bridge Company can get away with building toll booths and a duty-free store when they have no permission.

R. Victor Judnic indicated that MDOT does not have any rights to affect what has been done on private property. Nonetheless, elements of the Gateway Project that have been improperly constructed are a matter of litigation.

Q. Charles Cini then asked how the DIBC can take city property.

R. Victor Judnic indicated that that, too, is a matter of litigation, and he would not comment further.

Q. Richard Rosen asked if MDOT has the right to go in and tear down items that have been inappropriately constructed.

R. Victor Judnic indicated that MDOT does not have that right at this time.

Q. Charles Cini asked if the DIBC were truly an instrumentality of the federal government.

R. Victor Judnic indicated that the federal courts have ruled that it is not.

Q. Charles Cini asked how long the litigation will last as he fears that it will hold up the DRIC.

R. Victor Judnic indicated that the Gateway Project litigation is separate and distinct from the DRIC. Nonetheless, there is litigation on the DRIC.

Q. Steve Walker asked when the building and other inappropriate construction would be torn down.

R. Victor Judnic indicated that he hopes that the final decisions on legal aspects would occur within the next six months.

Q. Norbert Motowski asked when bridge traffic will no longer be going down Fort Street to Springwells in order to access I-75.

R. Victor Judnic indicated that that is the function of the court's decision and actions taken subsequent to it.

C. Marc Hesse indicated that Dan Stamper of The Bridge Company had indicated that money would flow to the state through the toll credits on the Ambassador Bridge.

R. Mohammed Alghurabi indicated that, in order to obtain toll credits from the federal government, an audit of The Bridge Company's books is required. MDOT has asked more than once that the financial information be provided by The Bridge Company in order to move forward on this issue. The Bridge Company has not responded.

C. Marc Hesse then commented on the campaign contributions being made by Bridge Company owners and employees.

Q. John Bendzick asked about the legal counsel that MDOT has available to it.

R. Victor Judnic indicated that the Attorney General's office is focused on litigation with the DRIC.

A final comment was made that bilingual signs are needed at the Ambassador Bridge so non-English speakers do not become confused and wind up in Canada.

Southwest Community Benefits Coalition

Simone Sagovic announced that there will be a survey letter sent to the people in the area if their property is likely to be acquired. She noted that, about three years ago, MDOT conducted a survey, and the CBC wants to update it. So far, CBC, working with MDOT, has secured funding for 26 new houses in the Delray area for those to be relocated by the DRIC. The survey is intended to see how many people who could be relocated wish to stay in the area so that additional housing grants can be sought.

Simone Sagovic also noted that the CBC will conduct truck count at several locations. She asked for volunteers for August 17th and 18th. The objective is to update data for better truck routing.

Simone Sagovic commented that the CBC continues to press for pollution controls.

Real Estate Video Presentation – “Public Roads and Private Property”

The videotape was shown. Following that, Paul Sanders of MDOT provided answers to questions on how home values would be determined by MDOT for those to be relocated. He stressed the need that comparable housing must be sought for the relocatees. MDOT will look at the highest market value for any property that is acquired.

Other LAC/LAG Business

Mohammed Alghurabi indicated that action on the public-private partnership legislation for the DRIC is likely to pick up in August. Things have been quiet in the Senate throughout July 30th. Additionally, the community benefits bill, known as SB 1395, is expected to be acted on the Senate.

HB 6223 dealing with the “pop up tax” is pending in the Michigan House of Representatives. This item is a matter of significant concern to those to be relocated because of the economic burden that a replacement house with higher taxes may place on them, particularly those with a fixed income.

HB 6307, dealing with community benefits, was passed by the House of Representatives in June. A similar bill introduced in the Senate (SB 1395) has been assigned to the Senate Transportation Committee. No action has yet been taken.

Marc Hesse asked when the next legislative meeting in Lansing would take place. Mohammed Alghurabi indicated that nothing has been scheduled.

Additional Public Comments

John Nagy expressed concerns about comments on Delray and the routing of trucks along Jefferson as opposed to Fort; specifically, the comment that there is nothing along Jefferson or Dearborn Street. John Nagy reminded the LAC that he stated repeatedly over the years that a \$4,000 house in Delray means just as much to that owner as a \$100,000 house in another community. He indicated that the Delray Neighborhood House, a recreation center in Delray, attracts 200 children per day during the summer. They must walk to the center. So, by routing trucks through Delray, they are placed in harm’s way.

Next LAC/LAG Meeting

The next LAC/LAG meeting will be on August 25th at the Dearborn Doubletree Hotel. With that, the meeting was adjourned.