

City of Flint, Michigan

*Third Floor, City Hall
1101 S. Saginaw Street
Flint, Michigan 48502
www.cityofflint.com*



Meeting Agenda - Final

Monday, June 26, 2017

5:30 PM

Council Chambers

CITY COUNCIL

*Kerry L. Nelson, President, Ward 3
Vicki VanBuren, Vice President, Ward 8*

Eric Mays, Ward 1

Kate Fields, Ward 4

Herbert J. Winfrey, Ward 6

Jacqueline Poplar, Ward 2

Wantwaz D. Davis, Ward 5

Monica Galloway, Ward 7

Scott Kincaid, Ward 9

Inez M. Brown, City Clerk

CALL TO ORDER**ROLL CALL****PLEDGE OF ALLEGIANCE****PRESENTATION OF COMMITTEE/COUNCIL MINUTES**

None

PUBLIC HEARINGS

None

PUBLIC COMMENT

Per the amended Rules Governing Meetings of the Council (as adopted by the City Council on Monday, April 27, 2015), members of the public may address the Council for three (3) minutes on ANY ITEM PERTAINING TO THIS AGENDA.

PETITIONS AND UNOFFICIAL COMMUNICATIONS**COMMUNICATIONS FROM CITY OFFICIALS****ADDITIONAL COMMUNICATION****APPOINTMENTS****APPOINTMENTS (May Be Referred from Special Affairs)**

170266 Appointment/Hurley Board of Hospital Managers/Nancy J. Hanflik

Resolution approving the appointment of Nancy J. Hanflik (1301 Woodlawn Park Drive, Flint, MI, 48503) to the Hurley Board of Hospital Managers for a five-year term commencing May 1, 2016, and expiring April 30, 2021, as requested by Mayor Karen W. Weaver. [NOTE: By way of background, Ms. Hanflik is replacing Isaiah Oliver whose term on the Board expired April 30, 2016.] [Administration Submission No. CA4112017.1]

170267 Appointment/Hurley Board of Hospital Managers/Harriet Scott

Resolution approving the appointment of Harriet Scott (1401 Woodslea Drive, Flint, MI, 48507) to the Hurley Board of Hospital Managers for the remainder of a five-year term commencing May 1, 2017, and expiring April 30, 2018, as requested by Mayor Karen W. Weaver. [NOTE: By way of background, Ms. Scott is replacing Delrico Loyd, who resigned from the Board and whose term would have expired on April 30, 2018.] [Administration Submission No.

CA4122017.1]

LICENSES**RESOLUTIONS (POSTPONED)**

Resolution No. 170287 was POSTPONED from the June 12, 2017 City Council meeting to today's City Council agenda.

170287 Approval/Letter of Agreement/City of Flint/Great Lakes Water Authority (GLWA)/Extension of Water Service Contract

Resolution resolving that the Flint City Council approves the Letter of Agreement for Extension of Water Service Contract by the Great Lakes Water Authority (GLWA) dated May 31, 2017. [NOTE: The City of Flint requests a three-month extension with the GLWA until September 30, 2017. The GLWA is agreeable to the city's request for an extension, which will require a replenishing of the prepayment fund to cover the extended contract term. Because the extension is for a limited period, GLWA has based the prepayment amounts on an average for the GLWA whole class by 4.7 percent. The projected FY2018 fixed monthly charge will be \$693,200.00, which represents a monthly increase of \$31,100.00, and a commodity charge of \$9.35/Mcf, which represents an increase of \$.42/Mcf, for a projected total of \$3,605,500.00 for the three-month period.]

RESOLUTIONS**170329** Three-Year/Annual Supply/McNaughton-McKay/Allen Bradley/Modules Components

Resolution authorizing the Department of Purchases & Supplies, upon City Council's approval, to issue annual purchase orders for the next three years to McNaughton-McKay Electric for Allen Bradley modules components, as requested by Utilities/Water Plant/Water Pollution Control, in an amount NOT-TO-EXCEED \$126,000.00 per year, pending adoption of the FY2018, FY2019 and FY20 budgets [Sewer Fund Acct. No. 590-550.202-775.000 = \$40,500.00; Acct. No. 590-550.202-930.000 = \$35,500.00; and Acct. No. 590-550.100-814.600 = \$10,000.00; and Water Fund Acct. No. 591-545.201-726.000 = \$40,000].

170330 Three-Year Contracts/Hydrodynamics/Large-Scale Pump Repairs

Resolution authorizing the proper city officials, upon City Council's approval, to enter into three-year contracts with Hydrodynamics for large-scale pump repairs, as requested by Utilities/Water Plant/Water Pollution Control, in an amount NOT-TO-EXCEED \$65,000.00 annually, pending adoption of the FY2018, FY2019 and FY2020 budgets [Sewer Fund Acct. No. 590-550.200-775-000 = \$9,000.00, Acct. No. 590-550.200-930.000 = \$10,000.00 and Acct. No. 590-550.202-930.000 = \$21,000.00 and Water Fund Acct. No. 591-545.201-930.000 = \$25,000.00].

- 170331** Three-Year Contracts/Annual Supply/Platinum Mechanical, Inc./Welding, Pipefitting & Machining Services
- Resolution authorizing the proper city officials, upon City Council's approval, to enter into three-year contracts with Platinum Mechanical, Inc. for welding, machining and pipefitting services, as requested by Utilities/Water Plant/Water Pollution Control, in an amount NOT-TO-EXCEED \$52,500.00 annually, pending adoption of the FY2018, FY2019 and FY2020 budgets [Sewer Fund Acct. No. 590-550.200-775-000 = \$4,000.00, Acct. No. 590-550.202-775.000 = \$3,000.00 and Acct. No. 590-550.202-930.000 = \$40,500.00, and Water Fund Acct. No. 591-545.201-930.000 = \$5,000.00].
- 170332** Three-Year Pricing Agreement/Bearing Distributors, Inc./Mechanical/Machine Repair Parts
- Resolution resolving that the Department of Purchases and Supplies, upon City Council's approval, is hereby authorized to issue annual purchase orders for the next three years to Bearing Distributors, Inc., for various mechanical/machine repair parts, as requested by Utilities/Water Plant/Water Pollution Control, in an amount NOT-TO-EXCEED \$74,500.00 annually, pending adoption of the FY2018, FY2019 and FY2020 budgets [Water Fund Acct. No. 591-545.201-726.000 = \$2,000.00 and Sewer Fund Acct. No. 590-550.202-775.000 = \$72,500.00].
- 170333** Multi-Year/Contract/Newkirk Electric Associates/Electrical Support Services
- Resolution resolving that the proper city officials, upon City Council's approval, are hereby authorized to enter into a three-year contract with Newkirk Electric Associates for electrical support services, as requested by Utilities/Water Plant/Water Pollution Control, in an amount NOT-TO-EXCEED \$46,000.00 annually, pending adoption of the FY2018, FY2019 and FY2020 budgets [Sewer Fund Acct. No. 590-550.200-930.000 = \$7,000.00, Acct. No. 590-550.202-930.000 = \$30,000.00 and Acct. No. 590-550.200-775.000 = \$1,500.00 and Water Fund Acct. No. 591-545.201-930.000 = \$7,500.00].
- 170334** Three-Year Contracts/William E. Walter/HVAC Systems Repair/Preventative Maintenance Services
- Resolution resolving that the proper city officials are hereby authorized to enter into contracts for the next three years with William E. Walter for HVAC systems repair and preventative maintenance services, as requested by Water Service Center/Water Treatment Plant/Maintenance, in an amount NOT-TO-EXCEED \$179,000.00 annually, pending adoption of the FY2018, FY2019 and FY2020 budgets [Sewer Fund Acct. No. 590-550.200-775.000 = \$5,000.00; Acct. No. 590-550.200-930.000 = \$12,500.00; Acct. No. 590-550.202-775.000 = \$20,000.00; and Acct. No. 590-550.202-930.000 = \$12,500.00; and Water Fund Acct. No. 591-545.201-726.000 = \$29,000.00; and General Fund Acct. No. 101-753.200-930.000 = \$100,000.00].

- 170335** Annual Supply/Etna Supply/Water Main & Service Connector Parts
- Resolution resolving that the Department of Purchases & Supplies is (authorized) to issue a purchase order to Etna Supply for (the annual supply of) water main and service parts, as requested by the Water Service Center, in an amount NOT-TO-EXCEED \$170,000.00 [Water Fund Acct. No. 591-540.202-726.000].
- 170336** Three-Year Contract/Otis Elevator Co./Elevator Repair & Preventative Maintenance
- Resolution authorizing the proper city officials, upon City Council's approval, to enter into a three-year contract with Otis Elevator Co. for elevator repair and preventative maintenance, as requested by various departments, in an amount NOT-TO-EXCEED \$28,946.00 annually (\$28,380.00 in FY2018, \$28,664.00 in FY2019 and \$28,946.00 in FY2020), pending adoption of each respective budget , for a cumulative total of \$85,990.00 [General Fund Acct. No. 101-753.200-801.000 = \$23,100.00, Sewer Fund Acct. No. 590-550.202-930.000 = \$4,200.00 and Water Fund Acct. No. 591-545.201-801.000 = \$1,080.00.]
- 170337** FY2018/Shannon Chemical Corp./Phosphoric Acid
- Resolution resolving that the Department of Purchases and Supplies, upon City Council approval, is authorized to issue a purchase order to Shannon Chemical Corp. for (the annual supply of) Phosphoric Acid 75 percent NSF grade, as requested by the Water Plant, in an amount NOT-TO-EXCEED \$85,000.00. [Water Fund Acct. No. 591-545.200-740.000.]
- 170338** FY2018/Annual Supply/PVS Nolwood Chemicals, Inc./Sodium Hydroxide
- Resolution authorizing the Department of Purchases & Supplies to issue a purchase order to PVS Nolwood Chemicals, Inc. for (the annual supply of) 25 percent NSF Grade Sodium Hydroxide, as requested by the Water Plant, in an amount NOT-TO-EXCEED \$160,000.00 [Water Fund Acct. No. 591-545.200-740.500].
- 170339** FY2018/Annual Supply/PVS Nolwood Chemicals, Inc./Chlorine/Sodium Hypochlorite
- Resolution authorizing the Department of Purchases & Supplies, upon City Council's approval, to issue a purchase order to PVS Nolwood Chemicals, Inc. for (the annual supply of) Chlorine/Sodium Hypochlorite, as requested by the Water Plant, in an amount NOT-TO-EXCEED \$80,000.00 [Water Fund Acct. No. 591-545.200-740.500].
- 170340** CO#2/Multi-Year/Contract/Boyd's Lawn & Landscaping/Mowing & Trimming/Smith Village/Other Properties
- Resolution resolving that the Department of Purchasing & Supplies, upon

approval of the City Council, is hereby authorized to issue a purchase order (change order #2) for FY2017, in an amount NOT-TO-EXCEED \$1,500.00, and a new contract for FY2018 with Boyd's Lawn & Landscaping, for mowing Smith Village and other properties, in an amount NOT-TO-EXCEED \$6,175.00 (\$4,675.00 pending adoption of the FY2018 budget), as requested by Planning & Development [General Fund Acct. No. 101-371.209-801.000 = \$1,500.00 and HUD Grant Acct. No. 274-748.102-805.327 = \$4,675.00].

170341 Dover & Co./Overhead Garage Door Repair Services

Resolution authorizing the Department of Purchases & Supplies, upon City Council's approval, to issue purchase orders for FY2017, in an amount NOT-TO-EXCEED \$34,281.57, and contracts for FY2018, in an amount NOT-TO-EXCEED \$88,000.00, to Dover & Co. for overhead garage door repair services and replacements, as requested by various departments [For FY2017 -- General Fund Acct. No. 101-753.200-801.000 = \$28,693.76; and Oak Business Center Fund Acct. No. 583-735.204-801.000 = \$5,587.81; and for FY2018 -- General Fund Acct. No. 101-753.200-801.000 = \$50,000.00; Oak Business Center Fund Acct. No. 583-735.204-930.000 = \$30,000.00; Sewer Fund Acct. No. 590-540.202-930.000 = \$5,000.00; and Water Fund Acct. No. 591-545.201-930.000 = \$3,000.00].

170343 Contract/Ace-Saginaw Paving Co./Asphalt Paving Materials

Resolution resolving that the proper city officials, upon City Council's approval, are authorized to process the necessary contract and purchase order to Ace-Saginaw Paving Co. for asphalt paving materials, as requested by various departments, in an amount NOT-TO-EXCEED \$383,686.00 [Major Street Fund Acct. No. 202-449.201-782.000 = \$48,418.00; Acct. No. 202-449.203-782.000 = \$9,735.00; and Acct. No. 202-449.211-782.000 = \$5,500.00; Local Street Fund Acct. No. 203-449.201-782.000 = \$233,000.00; Acct. No. 203-449.203-782.000 = \$7,700.00; and Acct. No. 203-449.211-782.000 = \$14,333.00; Sewer Fund Acct. No. 590-540.208-782.000 = \$30,000.00; and Water Fund Acct. No. 591-540.202-782.000 = \$35,000.00.]

170344 Two-Year Contract/ERG Environmental Services/Household Hazardous Waste Collection Services

Resolution authorizing the proper city officials, upon City Council's approval, to enter into a contract with ERG Environmental Services for household hazardous waste collection services for a two-year period, as requested by the Water Service Center, in an annual amount NOT-TO-EXCEED \$85,000.00 [Sewer Fund Acct. No. 590-540.100-801.000].

170345 FY2017/Annual Supply/EJ USA/Fire Hydrants, Manhole Covers & Catch Basin Grates

Resolution authorizing the Department of Purchases & Supplies to issue a purchase order to EJ USA for (the annual supply of) fire hydrants, manhole

covers and catch basin grates, as requested by the Water Service Center, in an amount NOT-TO-EXCEED \$170,000.00 [Water Fund Acct. No. 591-540.202-726.000 = \$100,000.00 and Sewer Fund Acct. No. 590-540.208-726.000 = \$70,000.00].

170346 MDOT Contract/Michigan Department of Transportation [MDOT]/Fenton Road Reconstruction (Hemphill Road to I-69)

Resolution resolving that the appropriate city officials are authorized to do all things necessary to enter into MDOT Contract No. 16-5466, (Job No. 121488A, including a local contribution of \$455,235.00, plus potential overruns in the amount of \$10,000.00, for a total of \$465,235.00 expenditure appropriations in Major Street Fund Acct. No. 202-441.702-801.000 to fund said contract, AND, resolving that Mayor Karen W. Weaver is the duly authorized city official authorized to sign MDOT Contract No. 16-5466, on behalf of the City of Flint. [NOTE: The contract is to be executed for the purpose of fixing the rights and obligations of the parties in agreeing to the reconstruction of Fenton Road (Hemphill Road to I-69), including hot asphalt, milling and resurfacing work such as pavement removal, drainage improvement, pavement repairs, impact attenuator, concrete curbs and gutters, concrete sidewalks and ramps, and guardrail upgrade work.]

170347 Development Agreement/City of Flint/The Lear Corp./902 East Hamilton Avenue

Resolution resolving that the Mayor, Karen W. Weaver, recommends the Development Agreement should be entered into, AND, resolving that the Flint City Council approves the Development Agreement between the City of Flint and The Lear Corp. [NOTE: The Lear Corp. intends to purchase property located at 902 East Hamilton Avenue, in the City of Flint, from Racer Properties, LLC, and develop the property to contribute to the economy of Flint, and to promote the city's economic goals and objectives. The Development Agreement will insure development of the property, guarantee proper usage and appropriate development and improvement of each building on the property, protect the owners and occupants of adjacent property against improper uses, guard against the erection of improper or unsuitable structures, ensure timely development of the property, and thwart other potentially improper uses.] [NOTE: Development Agreement is attached.]

170350 Settlement/City of Flint/AFSCME Council 25/AFSCME Local 1600

Resolution resolving that settlement in the Grievance No. A-08-16 between the City of Flint, AFSCME Council 25 and AFSCME Local 1600, in satisfaction of any and all claims arising out of said matter is approved. [NOTE: Pursuant to the Settlement Agreement between the City of Flint and its Agents, Employees and AFSCME Council 25 and AFSCME Local 1600, attached hereto and made a part hereof, Tim LeClair, Kathy Weiler, Ilda Bugbee and Teresa Trujillo will be credited with 12 hours of PTO (paid time off) to their PTO bank, and the Senior Appraisers shall be provided with Safety Boots in accordance with the agreement.] [NOTE: Settlement Agreement is not

attached.]

- 170351** Budget Amendment/State of Michigan/Reimbursement of Legal Fees
- Resolution resolving that the appropriate city officials are authorized to do all things necessary to amend the 2016-2017 adopted budget to include revenue and appropriations in the amount of \$337,804.04 in the following accounts: State Grants-Charges of Services Rendered Acct. No. 677-266.200-539.100, and Suits & Settlements Acct. No. 677-266.200-801.500. [NOTE: The State of Michigan has agreed to reimburse the City of Flint for certain legal expenditures.]
- 170352** Grant Approval/Budget Amendment/Transportation Investment Generating Economic Recovery (TIGER) Grant/U.S. Federal Highway Administration
- Resolution resolving that the appropriate city officials are authorized to do all things necessary to amend the 2016-2017 adopted budget for this grant between the Federal Highway Administration and the City of Flint in the amount of \$20,000,000.00 for the reconstruction and repairs of city streets during the replacement of the watermain along Atherton Road and Dupont Street, and to use \$5,000,000.00 from the 202 Major Street Fund balance over the subsequent fiscal years for the match amount, comply with the associated grant agreement, and budget any unspent grant funds in any/all subsequent fiscal years in which the funds continue to remain available by the granting agency, as requested by Transportation. [NOTE: In addition to watermain replacement, the grant will fund new curbs/gutters, handicap-accessible sidewalks, LED lighting, trees, new roadway, bike lanes and other necessary upgrades.]
- 170353** Grant Approval/Budget Amendment/State of Michigan/Grant Dollars/Additional Treasury Services
- Resolution resolving that the appropriate city officials are authorized to do all things necessary to amend the 2016-2017 adopted budget to include revenue and appropriations for State of Michigan Grant funds for treasury services to be provided through June 30, 2017, in the amount of \$11,500.00 in the General Fund under City of Flint Grant Code No. SSOM17-TREAS, and to comply with the associated grant terms and conditions. [NOTE: The City of Flint is in the process of calculating complicated charges and credits related to the Water Crisis and to and to reimbursements to the city for residents. The State of Michigan has proposed to partially fund the position of Interim Treasurer and the Finance Department needs to amend the budget to include these funds.]

RESOLUTIONS (May Be Referred from Special Affairs)

- 170348** Professional Services Agreement (PSA)/City of Flint/Joel Bye/Right-of-Way Enforcement Officer

Resolution resolving that the proper city officials are authorized to enter into a

Professional Services Agreement (PSA) with Joel Bye to serve as Right-of-Way Enforcement Officer under the terms and conditions stated. [NOTE: Mr. Bye shall perform assignments related to enforcing and monitoring activities conducted in the right-of-way. His salary will be \$18.861 per hour, paid in biweekly installments from Major Street Acct. No. 202-449.201-702.000 and Local Street Acct. No. 203-449.201-702.000, and he will receive benefits at the rate of 10.49 percent of salary, which is budgeted in Major Street Acct. No. 202-449.201-719.100 and Local Street Acct. No. 203-449.201-719.100.]

170349 Professional Services Agreement (PSA)/City of Flint/William Shuler/Right-of-Way Enforcement Officer

Resolution resolving that the proper city officials are authorized to enter into a Professional Services Agreement (PSA) with William Shuler to serve as Right-of-Way Enforcement Officer under the terms and conditions stated. [NOTE: Mr. Shuler shall perform assignments related to enforcing and monitoring activities conducted in the public right-of-way. His salary will be \$18.861 per hour, paid in biweekly installments from Major Street Acct. No. 202-449.201-702.000 and Local Street Acct. No. 203-449.201-702.000, and he will receive benefits at the rate of 10.49 percent of salary, which is budgeted in Major Street Acct. No. 202-449.201-719.100 and Local Street Acct. No. 203-449.201-719.100.]

170355 Decertification of 1.59 Miles of Residential Streets

Resolution resolving that the city decertify the following streets, which calculates to 1.59 miles of residential streets, or 38,378 feet: Holbrook Avenue west of Belleview Avenue (for a total decertification of 394 feet); Premier Street south of Sherman Avenue (492 feet); Osceola Avenue west of Premier Street (87 feet); Mott Avenue west of Premier Street (309 feet); Berger Drive from Defreest Street to Lake Forest Drive (377 feet); Caniff Street from Fleming Road to Berger Drive (746 feet); Winthrop Boulevard from Baltimore Boulevard to Flint Park Boulevard (730 feet); Flint Park Boulevard from Winthrop Avenue to Glenn Avenue (235 feet); Harriet Street from North Street to Saginaw Street (802 feet); Riverside Drive from Lymon Street to Lewis Street (1,044 feet); Michigan Avenue south from Massachusetts Avenue (372 feet); Industrial Avenue from Fifth Avenue and Fourth Avenue (390 feet); Fourth Avenue from Industrial Avenue to James P Cole Boulevard (306 feet); Ann Arbor Street from Second Street to First Street (395 feet); First Street east of Ann Arbor Street (104 feet); 15th Street east of Saginaw Street (265 feet); Groveland Street west of West Boulevard Drive (216 feet); and West Boulevard Drive south of Groveland Street (1,114 feet), as requested by Transportation. [NOTE: The Michigan Department of Transportation (MDOT) is requiring the city to formally decertify these streets.]

170356 Invitation to Participate/State of Michigan [SOM]/JAMS Mediation No. 1345000045 (William Scott Kincaid, et al v. Douglas Bingaman, et al - Circuit Court Case No. 12-98490-CZ)

Resolution resolving that the City of Flint, through the Flint City Council,

formally invites the State of Michigan to participate - by sharing all costs equally and negotiation in good faith - in the JAMS Mediation with Reference No. 1345000045, currently scheduled for Thursday, July 20, 2017, and Friday, Jul 21, 2017, at the JAMS office located at 150 W. Jefferson Avenue, Suite 850, Detroit, Michigan, 48226. [NOTE: The lawsuit of William Scott Kincaid, et al v. Douglas Bingaman, et al, under Genesee County Circuit Court Case No. 12-98490-CZ, is now pending in the Michigan Court of Appeals. The Court of Appeals issued an Order placing said civil lawsuit into the Mediation Program on May 23, 2017.]

LIQUOR LICENSES

ORDINANCES - First Reading

ORDINANCES - Second Reading

None

PUBLIC SPEAKERS

Per the amended Rules Governing Meetings of the Council (as adopted by the City Council on Monday, April 27, 2015), members of the public may address the Council for three (3) minutes IN GENERAL.

ADDITIONAL COUNCIL DISCUSSION

ADJOURNMENT