

City of Flint, Michigan

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



Meeting Agenda - Final

Monday, August 8, 2016

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**

160354 Summary Minutes/Flint City Council/Regular Meeting/July 25, 2016

Summary Minutes of the Flint City Council regular meeting held Monday, July 25, 2016, at 6:16 p.m., in the City Council Chambers, 3rd Floor, City Hall.

160355 Summary Minutes/Flint City Council/Special Meeting/August 1, 2016

Summary Minutes of the Flint City Council special meeting held Monday, August 1, 2016, at 5:40 p.m., in the City Council Chambers, 3rd Floor, City Hall.

PUBLIC HEARINGS

160314.2 Public Hearing/Ordinance No. 160314

A Public Hearing for Ordinance No. 160314, an ordinance to amend Chapter 46 (Utilities), Article V (Wastewater Disposal Regulations), Division 2 (Use of the Publicly Owned Treatment Works), of the Code of the City of Flint by amending Section 46-146 (Discharge Prohibitions and Limits), specifically Tables 46-146(c) and (d)(2).

160340.2 Public Hearing/Ordinance No. 160340

A Public Hearing for Ordinance No. 160340, an ordinance to amend Chapter 2 (Administration), Article VI (City Wide Advisory Committee), of the Code of the City of Flint by amending Sections 2-26 through 2-26.4.

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

160356 Proof of Service and Petition/Michigan Tax Tribunal/South Flint Plaza, LLC v. City of Flint/MTT Docket No. 16-001856

Communication dated June 14, 2016, re: Proof of Service and Petition filed with the Michigan Tax Tribunal by South Flint Plaza, LLC regarding Parcel No.

41-30-302-002.

- 160357** Proof of Service and Petition/Michigan Tax Tribunal/EJA Flint Fee, LLC v. City of Flint/MTT Docket No. 16-002457
- Communication dated June 17, 2016, re: Proof of Service and Petition filed with the Michigan Tax Tribunal by EJA Flint Fee, LLC regarding Parcel No. 41-29-228-033.
- 160358** Proof of Service and Petition/Michigan Tax Tribunal/MIC Limited v. City of Flint/MTT Docket No. 16-002396
- Communication dated June 14, 2016, re: Proof of Service and Petition filed with the Michigan Tax Tribunal by MIC Limited regarding Parcel No. 41-20-226-042.
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- 160359** Proof of Service and Petition/Michigan Tax Tribunal/2341 Dort Hwy, LLC v. City of Flint/MTT Docket No. 16-002430
- Communication dated June 14, 2016, re: Proof of Service and Petition filed with the Michigan Tax Tribunal by 2341 Dort Hwy, LLC regarding Parcels No. 41-21-101-024 and 41-21-101-035.
- 160360** Proof of Service and Petition/Michigan Tax Tribunal/MIC, Ltd. v. City of Flint/MTT Docket No. 16-002410
- Communication dated June 24, 2016, re: Proof of Service and Petition filed with the Michigan Tax Tribunal by MIC, Ltd. regarding Parcel No. 41-21-101-020.
- 160361** Financial Report/Karegnondi Water Authority (KWA)
- Communication received June 24, 2016, re: The Karegnondi Water Authority (KWA) May 2016 Financial Report.
- 160362** Human Trafficking Notification Act/State of Michigan/Department of Licensing and Regulatory Affairs
- Communication received June 24, 2016, re: Display of the Human Trafficking Notification Act, Act 62 of 2016, which was passed into law and took effect July 4, 2016.
- 160363** Notice of Public Hearing/Michigan Public Service Commission [MPSC]
- Notice of Public Hearing received June 30, 2016, re: Michigan Public Service Commission notice of hearing for the electric and natural gas customers of Consumers Energy Company, Case No. U-18025, to be held July 12, 2016, at 10:00 a.m., MPSC, Lansing.
- 160364** Petition/Michigan Tax Tribunal/Rite Aid of Michigan, Inc. #4588-02 v. City of Flint/MTT Docket No. 16-002703

Communication received July 7, 2016, re: Petition filed with the Michigan Tax Tribunal by Rite Aid of Michigan, Inc. #4588-02 regarding Parcel No. 40-23-101-035.

- 160365** Petition/Michigan Tax Tribunal/Rite Aid of Michigan, Inc. #4438-03 v. City of Flint/MTT Docket No. 16-002697

Communication received July 7, 2016, re: Petition filed with the Michigan Tax Tribunal by Rite Aid of Michigan, Inc. #4438-03 regarding Parcel No. 41-19-359-024.

- 160366** Petition/Michigan Tax Tribunal/Happy Can, LLC v. City of Flint/MTT Docket No. 16-000958

Communication received July 12, 2016, re: Petition filed with the Michigan Tax Tribunal by Happy Can, LLC regarding Parcel No. 41-09-426-051.

- 160367** Proof of Service and Petition/Michigan Tax Tribunal/JMBB Properties, LLC v. City of Flint/MTT Docket No. 16-002999

Communication received July 15, 2016, re: Proof of Service and Petition filed with the Michigan Tax Tribunal by JMBB Properties, LLC regarding Parcel No. 41-04-302-017.

- 160368** Ninth Annual Video Report/Michigan Bell Telephone Company dba AT&T Michigan

Communication received July 19, 2016, re: The Ninth Annual Video Report to the Michigan Public Service Commission (MPSC) by Michigan Bell Telephone Company dba AT&T Michigan.

- 160369** Net News Summer 2016/The Disability Network

Communication received July 18, 2016, re: The Summer 2016 issue of Net News, the quarterly newsletter of The Disability Network.

- 160370** Financial Report/Karegnondi Water Authority (KWA)

Communication received July 21, 2016, re: The Karegnondi Water Authority (KWA) June 2016 Financial Report.

- 160371** Motion for Leave to File First Amended Petition/Michigan Tax Tribunal/Happy Can, LLC v. City of Flint/MTT Docket No. 16-000958

Communication received July 26, 2016, re: Motion for Leave to File First Amended Petition filed with the Michigan Tax Tribunal by Happy Can, LLC regarding Parcel No. 41-09-426-051.

- 160372** Notification of Billing Changes/Comcast

Communication received July 26, 2016, re: A change in the billing vendors Comcast uses, beginning August 29, 2016.

COMMUNICATIONS FROM CITY OFFICIALS

160373 Traffic Engineering/Closure Permits

Sidewalk, Lane and Street Closures (8) dated July 2016, re: (1) Kearsley Park and Barton Streets (bridge repairs-July 18th); (2) Dupont Street (street repairs-July 18th); (3) Second Street (Capitol Theatre Kickoff-July 21st); (4) Stocker Avenue (Stocker Avenue Summer Block Party-July 23rd); (5) Kearsley, Crapo, Court, and Harrison Streets (Ophelia Bonner Scholarship Fund Road Race-July 25th); (6) University Avenue (water tap-July 25th); (7) East Witherbee Street (water tap-July 26th); and (8) EB Fifth Avenue and NB M.L. King - street closures, and WB Fifth Avenue and SB M.L. King - lane closures (fire hydrant repair-July 23rd).

ADDITIONAL COMMUNICATION

APPOINTMENTS

160312 Reappointment/Flint District Library Board of Trustees/James Richardson (Ward 7)

Resolution resolving that the Flint City Council approves the reappointment of James Richardson (2020 East Second Street, Flint, MI 48503) to serve an additional three-year term on the Flint District Library Board of Trustees, commencing October 1, 2016, and expiring September 30, 2019. [Note: Mr. Richardson's term will expire September 30, 2016.]

LICENSES

RESOLUTIONS

160341 Acceptance/In-Kind Donation of Office Furniture

Resolution resolving that the Flint City Council hereby authorizes the acceptance of an in-kind donation of office furniture, consisting of one oak conference table, 10 chairs and an L-shaped two-file cherry/black overhang desk valued at approximately \$3,500.00, to the City of Flint by Fifth Third Bank of Southfield.

160342 Kennedy Industries/Submersible Lift Station Pumps & Variable Frequency Drives

Resolution authorizing the Department of Purchases & Supplies to issue a purchase order to Kennedy Industries for submersible lift station pumps and variable frequency drives, as requested by Water Pollution Control, in an amount NOT-TO-EXCEED \$83,315.00 [Sewer Fund Acct. No.

590-550.300-977.000].

160343 FY2017/Annual Supply/Brenntag Great Lakes/Sodium Hydroxide

Resolution authorizing the Department of Purchases & Supplies to issue a purchase order to Brenntag Great Lakes for the annual supply of 25 percent NSF Certified Sodium Hydroxide, as requested by Utilities/Water Plant, in an amount NOT-TO-EXCEED \$200,000.00 [Water Fund Acct. No. 591-545.200-740.000].

RESOLUTIONS (May Be Referred from Special Affairs)

160242 Issuance of Appearance Tickets/Chief Legal Officer List

Resolution resolving that the Flint City Council approves and authorizes the List of Persons Authorized by the Chief Legal Officer to Issue Appearance Tickets, as amended June 22, 2016.

160344 Contract/Arcadis of Michigan, LLC/Municipal Water Distribution System Optimization Engineering Services

Resolution resolving that the proper city officials are hereby authorized to issue a contract to Arcadis of Michigan, LLC for municipal water distribution system optimization engineering services, in an amount NOT-TO-EXCEED \$816,987.38, as requested by the Flint Water Advisory Task Force Committee [Water Fund Acct. No. 591-545.300-801.000].

160374 Project Agreement/Flint Public Art Project/Free City Festival

Resolution resolving that, effective immediately upon adoption of this resolution, the City of Flint and the Flint Public Art Project - for the purpose of holding the Free City Festival - shall be authorized to enter into the Free City Project Agreement, in accordance with the mutual covenants set forth therein. [NOTE: The 2016 Festival, currently scheduled for August 19 and 20, 2016, will engage the public in active participation in the arts.] [Administration Submission No. CA2682016]

160375 Amendment/2016-2017 Adopted Budget/General Fund

Resolution resolving that the appropriate City Officials are authorized to do all things necessary to amend the 2016-17 Budget of the City of Flint to reflect the changes included on an attached list of budget adjustments to the City's General Fund (101), in the amount of \$318,228.00. [Administration Submission No. CA2672016]

160376 Submission of the 2016-17 Annual Action Plan of the Consolidated Plan/U.S. Department of Housing and Urban Development (HUD)/Approval of Proposed Uses and Funding Recommendations/CDBG, HOME, and ESG Funds for the 2016-17 Program Year

Resolution resolving that City Officials approve the funding amounts and projects for agencies listed for the City of Flint's FY2016-17 Community Development Block Grant (CDBG) program in the amount of \$3,615,454.00, FY2016-17 HOME Investment Partnerships program in the amount of \$691,589.00, and FY2016-17 Emergency Solutions Grant program in the amount of \$325,669.99, and include any program income which might become available as a result of receipt of these funds, AND, resolving that funds in an estimated amount of up to \$20,000.00 in CDBG program income received from loan repayments shall be made available for use as part of the FY2016-17 CDBG program and the budget amended as received, AND, resolving that funds in an estimated amount of up to \$10,000.00 in HOME program income received from loan repayments shall be made available for use as part of the FY2016-17 HOME Investment Partnerships program and the budget amended as received, AND, resolving that all subrecipient agencies shall conform to the standards and bidding procedures maintained by the City of Flint and such bid processes shall be approved as to form by the Chief Legal Officer of the City of Flint. Subrecipients may not obligate any funds, incur any costs, nor implement any physical activities until the Division of Community and Economic Development has completed the Environmental Review Record and/or received a release of funds from the U.S. Department of HUD and has issued a written notice to proceed to the subrecipient, AND, resolving that, following notification that HUD has approved the 2016-17 Annual Action Plan through execution of a Grant Agreement with the City of Flint, the appropriate City Officials are authorized to do all things necessary to enter into sub-grantee agreements with the various agencies listed above, AND, resolving that upon receipt of the official award document from HUD-CDBG funds, the estimated revenues shall be increased to recognize receipt of such funds and an appropriation in the amount of \$3,615,454.00 shall be made to the Division of Community and Economic Development to fund the FY 2016-17 Community Development Block Grant program, AND, resolving that upon receipt of the official award document from HUD-HOME funds, the estimated revenues shall be increased to recognize receipt of such funds and an appropriation in the amount of \$691,589.00 shall be made to the Division of Community and Economic Development to fund the FY 2016-17 HOME Investment Partnerships program, AND, resolving that upon receipt of the official award document from HUD-ESG funds, the estimated revenues shall be increased to recognize receipt of such funds and an appropriation in the amount of \$325,669.00 shall be made to the Division of Community and Economic Development to fund the FY 2016-17 Emergency Solutions Grant program, AND, resolving that the appropriate officials are hereby authorized to do all things necessary to set up the appropriate accounts in the 274 Fund, AND, resolving that the appropriate city officials are hereby authorized to do all things necessary to move remaining unspent and available CDBG, HOME and ESG funds to fiscal year 2017, AND, resolving that the appropriate City Officials are hereby authorized to transfer the authority to oversee the agency implementation of the City's Emergency Solutions Grant (ESG) program to Metro Community Development and the ability to request ESG reimbursement in an amount not to exceed \$301,245.00 on behalf of the agencies identified and according to the terms of the agreement.

LIQUOR LICENSES

ORDINANCES - First Reading**ORDINANCES - Second Reading**

160314 Amendment/Ordinance/Chapter 46 (Utilities)/Article V (Wastewater Disposal Regulations)/Division 2 (Use of the Publicly Owned Treatment Works)

An ordinance to amend Chapter 46 (Utilities), Article V (Wastewater Disposal Regulations), Division 2 (Use of the Publicly Owned Treatment Works), of the Code of the City of Flint by amending Section 46-146 (Discharge Prohibitions and Limits), specifically Tables 46-146(c) and (d)(2).

160340 Amendment/Ordinance/Chapter 2 (Administration)/Article VI (City Wide Advisory Committee)

An ordinance to amend Chapter 2 (Administration), Article VI (City Wide Advisory Committee), of the Code of the City of Flint by amending Sections 2-26 through 2-26.4.

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**