

# City of Flint, Michigan

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



## Meeting Minutes - Draft

Monday, October 10, 2022

7:04 PM

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Council Chambers

### CITY COUNCIL

*Dennis Pfeiffer, President, Ward 8  
Allie Herkenroder, Vice President, Ward 7*

*Eric Mays, Ward 1  
Quincy Murphy, Ward 3  
Jerri Winfrey-Carter, Ward 5*

*Ladel Lewis, Ward 2  
Judy Priestley, Ward 4  
Tonya Burns, Ward 6*

*Eva L. Worthing, Ward 9*

*Davina Donahue, Interim City Clerk*

## CALL TO ORDER

*Council President Dennis Pfeiffer called this meeting to order at 7:04 p.m.*

## ROLL CALL

**Present:** Councilperson: Councilperson Mays, Councilperson Lewis, Councilperson Murphy, Councilperson Priestley, Councilperson Winfrey-Carter, Councilperson Burns, Herkenroder, Councilperson Pfeiffer and Councilperson Worthing

## PLEDGE OF ALLEGIANCE

*Councilperson Judy Priestley led the Pledge of Allegiance.*

## PRAYER OR BLESSING

*Councilperson Ladel Lewis gave the blessing.*

## PRESENTATION OF MINUTES

**220444** Summary Minutes/Flint City Council/Regular Meeting/September 26, 2022

Summary Minutes of the Flint City Council regular meeting held Monday, September 26, 2022, at 8 p.m., in the City Council Chambers, 3rd Floor, City Hall.

*The motion was to "approve with any corrections."*

**A motion was made by Vice President Herkenroder, seconded by Councilperson Lewis, that this matter be Placed on File. The motion carried by the following vote:**

**Aye:** 8 - Councilperson Lewis, Councilperson Murphy, Councilperson Priestley, Councilperson Winfrey-Carter, Councilperson Burns, Vice President Herkenroder, Councilperson Pfeiffer and Councilperson Worthing

**Absent:** 1 - Councilperson Mays

## MOTION TO APPEAL

*Councilperson Mays, with support from Councilperson Winfrey-Carter, appealed the decision of the Chair that he (Mays) is not allowed to talk during a Public Hearing. The vote was 5-4 (No: Mays, Priestley, Winfrey-Carter, Burns).*

## PUBLIC HEARINGS

**220380.6** Ordinance No. 220380

A Public Hearing on Ordinance No. 220380, an ordinance to amend the Code of the City of Flint by amending Chapter 50 (Zoning), Section 50-80 (Marihuana Facilities).

**HEARING HELD**

## SECOND READING AND ENACTMENT OF ORDINANCES

**220380** Ordinance/Chapter 50 (Zoning)/Amending Section 50-80 (Marihuana Facilities)

An ordinance to amend the Code of the City of Flint by amending Chapter 50 (Zoning), Section 50-80 (Marihuana Facilities).

**A motion was made by Vice President Herkenroder, seconded by Councilperson Lewis, that this matter be PASSED. The motion carried by the following vote:**

**Aye:** 8 - Councilperson Lewis, Councilperson Murphy, Councilperson Priestley, Councilperson Winfrey-Carter, Councilperson Burns, Vice President Herkenroder, Councilperson Pfeiffer and Councilperson Worthing

**Absent:** 1 - Councilperson Mays

## PUBLIC SPEAKING

*Public speaking was held.*

## MOTION TO APPEAL

*During Council Response, Council President Pfeiffer gave Councilperson Worthing two warnings for speaking out of turn and then removed her from the meeting. Councilperson Murphy appealed the decision, with support from Councilperson Lewis. Councilperson Worthing left before the vote (8:30 p.m.), which was 5-1 (No: Murphy). (Abstention: Mays, Lewis). (Absent: Worthing).*

## ROLL CALL

**Present:** Councilperson: Councilperson Mays, Councilperson Lewis, Councilperson Murphy, Councilperson Priestley, Councilperson Winfrey-Carter, Councilperson Burns, Herkenroder and Councilperson Pfeiffer

**Absent:** Councilperson: Councilperson Worthing

## PETITIONS AND UNOFFICIAL COMMUNICATIONS

**220441** Entire Tribunal Property Tax Petition/Michigan Tax Tribunal/Law Offices of Fred Gordon, PC v City of Flint/MOHR Docket No. 22-002206

Communication dated September 9, 2022, re: Entire Tribunal Property Tax Petition and Proof of Service filed with the Michigan Tax Tribunal by the Law Offices of Fred Gordon, PC, regarding Parcel Nos. 41-20-326-001, 41-20-303-001 and 41-20-302-001.

**This Matter was Placed on File on the Consent Agenda.**

## COMMUNICATIONS (from Mayor and other City Officials)

**220442** Weekly Traffic Control Update

Email received September 25, 2022, from Traffic Engineering and DPW, identifying the latest lane closures and ramp closures for the I-69 and I-475

Reconstruction projects.

**This Matter was Placed on File on the Consent Agenda.**

**220443** Traffic Engineering/Closure Permits

Sidewalk, Lane and Street Closure permits (10) dated August, September and October 2022, for requested activities/events, with noted responsibility for the placement of the required traffic control devices, and/or personnel, for the protection of traffic and event participants.

**This Matter was Placed on File on the Consent Agenda.**

## RESOLUTIONS

**220425** Additional Funding/Clark Commons III, LDHA/Choice Neighborhoods Initiative/Blight/Housing/American Rescue Plan Act (ARPA) Funding

Resolution resolving that the appropriate city officials, upon City Council's approval, are authorized to do all things necessary to make funding available in the amount of \$2,000,000.00 for gap financing to Clark Commons III, LDHA, for the Clark Commons development underway as part of the City's Choice Neighborhoods Initiative. Before funds are distributed, the city's ARPA administration, compliance and implementation firm shall review and ensure compliance with the latest U.S. Department of Treasury final rules. Funds will be paid from the American Rescue Plan Act (ARPA) Fund (287).

**This Matter was ADOPTED BY THE MASTER RESOLUTION on the Consent Agenda.**

**220434** Agreement/City of Flint/Michigan Department of Natural Resources (DNR)/Amendment/Two Agreements/Establishment/Operation/State Park

Resolution resolving that the appropriate city officials, upon City Council's approval, to do all things necessary to enter into a lease agreement with the State of Michigan Department of Natural Resources (DNR), as well as enter into amendments of the two identified preexisting agreements as appropriate, for the sole purposes of establishing and operating a state park.

**SEPARATED FROM MASTER RESOLUTION**

**220435** Lease Agreement/City of Flint/Flint Housing Commission/MHT Housing, Inc./Floral Park PLT

Resolution resolving that the Flint City Council authorizes the appropriate city officials to enter into a Lease Agreement with the Flint Housing Commission and MHT Housing, Inc. on the conditions specified in the document.

**This Matter was ADOPTED BY THE MASTER RESOLUTION on the Consent Agenda.**

**220436** Street Conversion/Beach Street/Two-Way Traffic

Resolution resolving that the traffic lanes on Beach Street, from Ninth Street to Fifth Street, as well as Beach Street from Tenth Street to Twelfth Street, be converted to two-way traffic.

**This Matter was ADOPTED BY THE MASTER RESOLUTION on the Consent Agenda.**

**220437** Designation of Street Administrator/Michigan Department of Transportation (MDOT)/Rodney McGaha

Resolution resolving that the Flint City Council designates Rodney McGaha as Street Administrator for the City of Flint.

**This Matter was ADOPTED BY THE MASTER RESOLUTION on the Consent Agenda.**

**220438** Employment Agreement/Interim City Clerk/Davina Donahue

Resolution resolving that the appropriate city official is hereby authorized to enter into an Employment Agreement with Davina Donahue at the rate listed above, retroactive to the commencement of her employment as Interim City Clerk on October 1, 2022. [The annual salary is \$70,817.76, or \$34.047 an hour.]

**SEPARATED FROM MASTER RESOLUTION**

## **RESOLUTIONS (May be Referred from Special Affairs)**

**220426** Deere Credit Services, Inc./Two (2) Lease-End Buyouts/410L Backhoes

Resolution resolving that the Division of Purchases and Supplies, upon City Council's approval, is hereby authorized to do issue a Purchase Order to Deere Credit Services, Inc., for the lease-end buyout (purchase) of two (2) 410L backhoes, in an amount NOT-TO-EXCEED \$135,045.98, as requested by Fleet [Fleet/Central Garage Rentals Fund Acct. No. 661-229.000-977.000.]

**This Matter was ADOPTED BY THE MASTER RESOLUTION on the Consent Agenda.**

**220427** Contract/Wade Trim, Inc./Construction Engineering Services/Saginaw Street Bricks

Resolution resolving that the appropriate city officials, upon City Council's approval, are authorized to enter into a contract with Wade Trim, Inc. for construction engineering services for reconstruction of the Saginaw Street bricks, as requested by DPW, in an amount NOT-TO-EXCEED \$829,680.00 [Major Street Fund Acct. No. 202-450.202-801.000].

**This Matter was ADOPTED BY THE MASTER RESOLUTION on the Consent Agenda.**

**220428** CO#1/Great Lakes Tree Experts/Lakewood Drive Urban Forestry Project

Resolution resolving that the Division of Purchases & Supplies, upon City Council's approval, is hereby authorized to issue a [change order to the] Purchase Order to Great Lakes Tree Experts for the Lakewood Drive Urban Forestry project, as requested by Streets, in an amount NOT-TO-EXCEED \$9,700.00, for a total contract amount NOT-TO-EXCEED \$104,700.00 [Local Streets Tree Maintenance Fund Acct. No. 203-449.215-801.000].

**This Matter was ADOPTED BY THE MASTER RESOLUTION on the Consent Agenda.**

**220429** CO#1/Contract/L. D'Agostini & Sons, Inc./Secondary Water Source Pipeline

Resolution resolving that the Division of Purchases and Supplies, upon City Council's approval, is hereby authorized to issue Change Order No. 1 to L. D'Agostini & Sons, Inc., in an amount NOT-TO-EXCEED \$205,000.00, as requested by DPW [FEPA18WIIN-1 Fund Acct. No 496-536.801-802.068].

**SEPARATED FROM MASTER RESOLUTION**

**220430** CO#4/Contract/Extend Contract/Rowe Professional Services Co./Comprehensive Zoning Services

Resolution resolving that city officials, upon City Council's approval, are authorized to do all things necessary to enter into Change Order #4 to Contract 20-044 with Rowe Professional Services Co. until June 30, 2023, and to add \$80,000.00 to continue their provision of comprehensive zoning services, for a total contract amount of \$260,000.00, as requested by Planning & Development [Planning & Development Medical Marijuana Compliance Professional Services Acct. No. 101-703.000-801.000 = \$50,000.00 and Kellogg Economic and Community Development Grant Acct. No. 296-737.861-801.000 = \$30,000.00.]

**SEPARATED FROM MASTER RESOLUTION**

**220431** CO#1/Agreement/City of Flint/County of Genesee/Flint Holding Facility Operation

Resolution resolving that the appropriate city officials are to do all things necessary to issue Change Order No. 1 to Genesee County, in an amount NOT-TO-EXCEED \$200,000.00, for a total revised contract amount NOT-TO-EXCEED \$2,758,516.00 [General Fund Professional Services Acct. No. 101-302.205-801.000.]

**This Matter was ADOPTED BY THE MASTER RESOLUTION on the Consent Agenda.**

**220432** Budget Amendment/Transfer of Funds/Parks & Recreation

Resolution resolving that the appropriate city officials, upon City Council's approval, are authorized to do all things necessary to complete a budget amendment to move \$200,000.00 from OFAEC-2021 [296-737.310-963.000] to the Parks & Recreation Fund [208-931.101-699.000] and appropriate it in the Parks and Recreation operating budget.

**This Matter was ADOPTED BY THE MASTER RESOLUTION on the Consent Agenda.**

**220433** Budget Amendment/Transfer of Funds/Parks & Recreation/St. Johns Memorial Park Project

Resolution resolving that the appropriate city officials, upon City Council's approval, are authorized to do all things necessary to complete a budget amendment to transfer \$250,000.00 from the General Fund [101-966.000-995.000] to the Parks & Recreation Fund [208-931.101-699.000] and appropriate it in the Parks and Recreation fund.

**SEPARATED FROM MASTER RESOLUTION**

### **Passed The Consent Agenda**

**A motion was made by Councilperson Murphy, seconded by Councilperson Priestley, including all the preceding items marked as having been adopted on a Consent Agenda. The motion carried by the following vote:**

**Aye:** 8 - Councilperson Mays, Councilperson Lewis, Councilperson Murphy, Councilperson Priestley, Councilperson Winfrey-Carter, Councilperson Burns, Vice President Herkenroder and Councilperson Pfeiffer

**Absent:** 1 - Councilperson Worthing

### **SEPARATED FROM THE MASTER RESOLUTION**

**220434** Agreement/City of Flint/Michigan Department of Natural Resources (DNR)/Amendment/Two Agreements/Establishment/Operation/State Park

Resolution resolving that the appropriate city officials, upon City Council's approval, to do all things necessary to enter into a lease agreement with the State of Michigan Department of Natural Resources (DNR), as well as enter into amendments of the two identified preexisting agreements as appropriate, for the sole purposes of establishing and operating a state park.

**A motion was made by Councilperson Murphy, seconded by Vice President Herkenroder, that this matter be Amended. The motion carried by the following vote:**

**Aye:** 8 - Councilperson Mays, Councilperson Lewis, Councilperson Murphy, Councilperson Priestley, Councilperson Winfrey-Carter, Councilperson Burns, Vice President Herkenroder and Councilperson Pfeiffer

**Absent:** 1 - Councilperson Worthing

**220434.1** Amendment/Agreement/City of Flint/Michigan Department of Natural Resources (DNR)/Amendment/Two Agreements/Establishment/Operation/State Park

Amended resolution resolving that the appropriate city officials, upon City Council's approval, to do all things necessary to enter into a lease agreement with the State of Michigan Department of Natural Resources (DNR), as well as

enter into amendments of the two identified preexisting agreements as appropriate, for the sole purposes of establishing and operating a state park. [NOTE: Resolution amended to add at the end of the RESOLVED paragraph: Do all things necessary to leverage resources to support the extension of the trail to include the St. John Historical area from Hamilton Street to Dort Highway.

**A motion was made by Vice President Herkenroder, seconded by Councilperson Murphy, that this matter be Adopted. The motion carried by the following vote:**

**Aye:** 8 - Councilperson Mays, Councilperson Lewis, Councilperson Murphy, Councilperson Priestley, Councilperson Winfrey-Carter, Councilperson Burns, Vice President Herkenroder and Councilperson Pfeiffer

**Absent:** 1 - Councilperson Worthing

## ROLL CALL

*Councilperson Murphy left the meeting at 10:25 p.m.*

**Present:** Councilperson: Councilperson Mays, Councilperson Lewis, Councilperson Priestley, Councilperson Winfrey-Carter, Councilperson Burns, Herkenroder and Councilperson Pfeiffer

**Absent:** Councilperson: Councilperson Murphy and Councilperson Worthing

## RESOLUTIONS CONTINUED

**220433** Budget Amendment/Transfer of Funds/Parks & Recreation/St. Johns Memorial Park Project

Resolution resolving that the appropriate city officials, upon City Council's approval, are authorized to do all things necessary to complete a budget amendment to transfer \$250,000.00 from the General Fund [101-966.000-995.000] to the Parks & Recreation Fund [208-931.101-699.000] and appropriate it in the Parks and Recreation fund.

**A motion was made by Councilperson Mays, seconded by Councilperson Priestley, that this matter be Adopted. The motion carried by the following vote:**

**Aye:** 6 - Councilperson Lewis, Councilperson Priestley, Councilperson Winfrey-Carter, Councilperson Burns, Vice President Herkenroder and Councilperson Pfeiffer

**Absent:** 3 - Councilperson Mays, Councilperson Murphy and Councilperson Worthing

**220438** Employment Agreement/Interim City Clerk/Davina Donahue

Resolution resolving that the appropriate city official is hereby authorized to enter into an Employment Agreement with Davina Donahue at the rate listed above, retroactive to the commencement of her employment as Interim City Clerk on October 1, 2022. [The annual salary is \$70,817.76, or \$34.047 an hour.]

**A motion was made by Vice President Herkenroder, seconded by Councilperson Lewis, that this matter be Adopted. The motion carried by the following vote:**



**Aye:** 6 - Councilperson Lewis, Councilperson Priestley, Councilperson Winfrey-Carter, Councilperson Burns, Vice President Herkenroder and Councilperson Pfeiffer

**Absent:** 3 - Councilperson Mays, Councilperson Murphy and Councilperson Worthing

## ROLL CALL

*Councilperson Herkenroder left the meeting at 10:56 p.m.*

**Present:** Councilperson: Councilperson Mays, Councilperson Lewis, Councilperson Priestley, Councilperson Winfrey-Carter, Councilperson Burns and Councilperson Pfeiffer

**Absent:** Councilperson: Councilperson Murphy, Herkenroder and Councilperson Worthing

## RESOLUTIONS CONTINUED

**220429** CO#1/Contract/L. D'Agostini & Sons, Inc./Secondary Water Source Pipeline

Resolution resolving that the Division of Purchases and Supplies, upon City Council's approval, is hereby authorized to issue Change Order No. 1 to L. D'Agostini & Sons, Inc., in an amount NOT-TO-EXCEED \$205,000.00, as requested by DPW [FEPA18WIIN-1 Fund Acct. No 496-536.801-802.068].

**Adopted**

**Substituted**

**A motion was made by Councilperson Lewis, seconded by Councilperson Priestley, that this matter be REFERRED TO COMMITTEE to the FINANCE COMMITTEE, due back on October 19, 2022. The motion failed by the following vote:**

**Aye:** 3 - Councilperson Lewis, Councilperson Priestley and Councilperson Pfeiffer

**No:** 1 - Councilperson Burns

**Abstain:** 2 - Councilperson Mays and Councilperson Winfrey-Carter

**Absent:** 3 - Councilperson Murphy, Vice President Herkenroder and Councilperson Worthing

**A motion was made by Councilperson Priestley that this matter be Adopted. The motion failed by the following vote:**

**No:** 3 - Councilperson Winfrey-Carter, Councilperson Burns and Councilperson Pfeiffer

**Abstain:** 3 - Councilperson Mays, Councilperson Lewis and Councilperson Priestley

**Absent:** 3 - Councilperson Murphy, Vice President Herkenroder and Councilperson Worthing

**220430** CO#4/Contract/Extend Contract/Rowe Professional Services Co./Comprehensive Zoning Services

Resolution resolving that city officials, upon City Council's approval, are authorized to do all things necessary to enter into Change Order #4 to Contract 20-044 with Rowe Professional Services Co. until June 30, 2023, and to add \$80,000.00 to continue their provision of comprehensive zoning services, for a total contract amount of \$260,000.00, as requested by Planning & Development [Planning & Development Medical Marijuana Compliance Professional Services Acct. No. 101-703.000-801.000 = \$50,000.00 and Kellogg Economic and Community Development Grant Acct. No. 296-737.861-801.000 = \$30,000.00.]

*Councilperson Priestley, with support from Councilperson Lewis, made a motion to send Resolution No. 220430 back to Finance Committee. However, the Council lost its quorum (at 11:29 p.m.) before the vote was taken. It will be postponed to the next City Council meeting (10-24-22).*

**POSTPONED**

## **ADJOURNMENT**

*The meeting adjourned at 11:29 p.m. due to lack of a quorum.*

*Respectfully transcribed & submitted,*

*Janell Johnson, Administrative Secretary to City Council*