City of Flint, Michigan

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



Meeting Minutes - Draft

Monday, June 13, 2022

9:32 PM

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Council Chambers

CITY COUNCIL

Allie Herkenroder, Vice President, Ward 7

Eric Mays, Ward 1 Quincy Murphy, Ward 3 Jerri Winfrey-Carter, Ward 5 Dennis Pfeiffer, Ward 8 Ladel Lewis, Ward 2 Judy Priestley, Ward 4 Tonya Burns, Ward 6 Eva L. Worthing, Ward 9

Davina Donahue, Deputy Clerk

Inez M. Brown, City Clerk

CALL TO ORDER

City Council Vice President Allie Herkenroder called this meeting to order at 9:32 p.m.

ROLL CALL

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

PLEDGE OF ALLEGIANCE

Councilperson Quincy Murphy led the Pledge of Allegiance.

PRAYER OR BLESSING

Councilperson Ladel Lewis gave the blessing.

REQUESTS FOR CHANGES AND/OR ADDITIONS TO AGENDA

Councilperson Mays asked to have a Special Order on why he's being kept out of the President's Chair. The motion failed 1-6 (Lewis, Murphy, Priestley, Herkenroder, Pfeiffer, Worthing). (Absent: Winfrey-Carter, Burns).

PUBLIC HEARINGS

220166.6 Public Hearing/Ordinance No. 220166.1

A Public Hearing on Ordinance No. 220166.1, an ordinance to amend Chapter 30 (Nuisances) of the Code of the City of Flint by adding Section 30-40 (Reckless Driving). [NOTE Ordinance amended to remove the word "residential" so that ordinance applies to entire city.]

HEARING HELD

220192.6 Public Hearing/Ordinance No. 220192

A Public Hearing on Ordinance No. 220192, an ordinance to amend the Flint City Code of Ordinances by amending Chapter 18, (Taxation; Funds; Purchasing); Article IV, (Purchases), by amending Section 18-21.14, (Sale of City Personal Property).

HEARING HELD

ROLL CALL

Councilperson Murphy left the meeting at 10:17 p.m.

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

ORDINANCES

220192 Ordinance/Chapter 18 (Taxation; Funds; Purchasing)/Article IV (Purchases)/Amending Section 18-21.14 (Sale of City Personal Property)

An ordinance to amend the Flint City Code of Ordinances by amending Chapter 18, (Taxation; Funds; Purchasing); Article IV, (Purchases), by amending Section 18-21.14, (Sale of City Personal Property).

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

- Aye: 5 Councilperson Lewis, Councilperson Priestley, Councilperson Burns, Vice President Herkenroder and Councilperson Worthing
- No: 2 Councilperson Mays and Councilperson Pfeiffer
- Absent: 2 Councilperson Murphy and Councilperson Winfrey-Carter

PUBLIC SPEAKING

Public Speaking was held.

PETITIONS AND UNOFFICIAL COMMUNICATIONS

220231 Entire Tribunal Property Tax Petition/Michigan Tax Tribunal/310 West Oakley Street, LLC, Inc. v City of Flint/MOAHR Docket No. 22-001108

Communication received June 1, 2022, re: Proof of Service and Petition filed with the Michigan Tax Tribunal by 310 West Oakley Street, LLC, Inc regarding Parcel No. 41-19-253-030.

This Matter was Placed on File on the Consent Agenda.

20232 2022 Tax Rate Request/Michigan Department of Treasury/Flint Public Library

Form L-4029 dated June 2, 2022, re: Millage Request Report to the County Board of Commissioners for a 2022 Flint Public Library property tax levy.

This Matter was Placed on File on the Consent Agenda.

220233 2022 Tax Rate Request/Michigan Department of Treasury/City of Flint (DDA)

Form L-4029 dated April 20, 2022, re: Millage Request Report to the County Board of Commissioners for a City of Flint - Downtown Development Authority (DDA) 2022 property tax levy.

This Matter was Placed on File on the Consent Agenda.

COMMUNICATIONS (from Mayor and other City Officials)

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220234	Ramp Closures/I-69 and I-475 Reconstruction Projects
	Email received May 22, 2022, from Traffic Engineering and DPW, identifying lane closures and ramp closures for the I-69 and I-475 Reconstruction projects.
	This Matter was Placed on File on the Consent Agenda.
220235	Ramp Closures/Southbound I-475 Westbound I-69/Reconstruction Projects
	Email received June 8, 2022, from Traffic Engineering and DPW, identifying lane closures and ramp closures for the I-69 and I-475 Reconstruction projects.
	This Matter was Placed on File on the Consent Agenda.
220236	Traffic Engineering/Closure Permits
	Sidewalk, Lane and Street Closure permits (14) dated May and June 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

220190.1 Amended Resolution/Approval/2022-2023 Annual Action Plan of the Consolidated Plan/U.S. Department of Housing and Urban Development (HUD)

Amended resolution resolving that City Officials to approve the funding amounts and projects and authorize entering into contracts for the agencies as listed for the City of Flint's FY2022-2023 Community Development Block Grant (CDBG) Program, in the estimated amount of \$4,005,334.00, FY2022-2023 HOME Investment Partnerships Program, in the estimated amount of \$945,793.00, and FY2022-2023 Emergency Solutions Grant (ESG) Program, in the estimated amount of \$334,935.00, and include any program income which might become available as a result of receipt of these funds. [NOTE: Resolution amended because the amounts were proportionately increased based on increased allocations to each fund.]

SEPARATED FROM MASTER RESOLUTION

220215 CO#5/Contract/BS&A Software/Software Applications

Resolution authorizing the appropriate city officials to do all things necessary to enter into Change Order No. 5 to the contract with BS&A Software to provide software applications for the period of May 1, 2022, through May 1, 2023, in the amount of \$128,868.00, and a total contract amount of \$860,252.00, under the same terms and conditions [Information Services Computer Software Acct. No. 636-228.000-814.600.]

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

220216 Multi-Year Contract/Xerox Corp./Multifunctional Copier Devices

Resolution resolving that the proper city officials, upon City Council's approval, are hereby authorized to enter into a five (5)-year contract with Xerox Corp. for multifunctional devices and copying services, as requested by Information Technology, in an annual amount NOT-TO-EXCEED \$108,000.00, for a five-(5) year aggregate amount NOT-TO-EXCEED \$540,000.00.

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

220217 Contract/Mid Michigan Roofing, LLC/Roof Replacement/City Hall/South Building

Resolution resolving that the appropriate city officials, upon City Council's approval, are authorized to do all things necessary to enter into a contract with Mid Michigan Roofing, LLC for roof replacement at the South Building at City Hall, in an amount NOT-TO-EXCEED \$289,700.00 for labor, materials, services and equipment, as well as an additional \$23,750.00 for vapor barrier repair and unknown damages, for an overall contract total NOT-TO-EXCEED \$303,236.00, as requested by Facilities Maintenance [Public Improvement Fund Acct. No. 444-230.200-976.000.]

SEPARATED FROM MASTER RESOLUTION

220218 Multi-Year Contract/Lasercom LLC/Printing, Sorting and Mailing/Water Bills/Shut Off Notices/Property Tax/Postage

Resolution resolving that the appropriate city officials, upon City Council's approval, are hereby authorized to enter a [three-year] contract with Lasercom LLC for the printing, sorting and mailing of water bills, water shut-off notices and property tax bills, along with additional postage costs as needed, as requested by Customer Service, in an amount NOT-TO-EXCEED \$205,025.00 per year, pending adoption of each year's budget, for an aggregate total NOT-TO-EXCEED \$615,075.00 [General Fund Acct. No. 101-253.202-900.000 = \$10,110.00; Acct. No. 101-253.203-900.000 = \$78,500.00; Acct. No. 101-253.203-902.000 = \$78,500.00; Acct. No. 101-253.200-902.000 = \$78,500.00; Acct. No. 101-253.200-900.000 = \$10,0000 = \$10,000 = \$10,000 = \$1

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

220219 CO#1/Contract/William E. Walter, Inc./Industrial HVAC Services

Resolution resolving that the Division of Purchases and Supplies, upon City Council's approval, can issue Change Order No. 1 to the contract with William E. Walter, Inc. for Industrial HVAC services, as requested by Water Pollution Control, in an annual amount NOT-TO-EXCEED \$15,000.00 [Sewer Fund Repair/ Maintenance Acct. No. 590-550.202-930.000.]

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

220220 CO#1/Contract/J.R. Heineman & Sons, Inc./Northwest Pump Station Rehabilitation/Water Pollution Control

Resolution resolving that the proper city officials, upon City Council's approval, are authorized to do all things necessary to enter into Change Order No. 1 with J.R. Heineman & Sons, Inc. for the additional work, time and materials required to complete the WPC Northwest Pump Station Rehabilitation project, as requested by Water Pollution Control, in an amount NOT-TO-EXCEED \$253,593.37, and a revised contract amount NOT-TO-EXCEED \$2,130,853.37. [NOTE: This project is part of Phase 1 of the Publicly Owned Treatment Works, DPW-WPC Improvements SRF Project Plan.]

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

220221 Budget Amendment/Transfer of Funds/FY2022 Fourth Quarter Budget Amendment

Resolution resolving that the appropriate city officials, upon City Council's approval, are hereby authorized to incorporate the approved appropriation changes into the FY2022 operating budget of the City of Flint. [NOTE: Adjustments are needed for repairs at the McKinley Center.]

SEPARATED FROM MASTER RESOLUTION

220222 Public Hearing/Brownfield Plan/Carriage Town Neighborhood Project/ 412, 417 and 427 West Second Avenue

Resolution resolving that the Flint City Council will hold a public hearing for the [Brownfield Plan for the Carriage Town Neighborhood project, located at 412, 417 and 427 West Second Avenue] at 5:30 p.m. in the City Council Chambers, 3rd Floor, City Hall on the ______ day of ______, 2022, AND, resolving that the governing body shall provide notice of the hearing to the taxing jurisdictions that levy taxes subject to capture under this Act, and shall fully inform the taxing jurisdictions about the fiscal and economic implications of the proposed Brownfield Plan.

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

220223 CO#1/Contract/Genesee County Youth Corp./Emergency Solutions Grant (ESG)

Resolution resolving that the proper city officials, upon City Council's approval, are authorized to process any necessary budget adjustments and to enter into Change Order No. 1 to Contract 21-090 with Genesee County Youth Corp., in the amount of \$132,000.00, for a new total contract amount of \$413,373.00, as requested by Community and Economic Development.

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

220224 CO#2/Contract/My Brother's Keeper of Genesee County Youth Corp./Emergency Solutions Grant (ESG)

Resolution resolving that the proper city officials, upon City Council's approval, are authorized to process any necessary budget adjustments and to enter into Change Order No. 2 to Contract 21-091 with My Brother's Keeper of Genesee County Youth Corp., in the amount of \$86,097.00, for a new total contract amount of \$303,307.00, as requested by Community and Economic Development.

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

220229 Halt Eviction/House of Esther/Flint Freedom School Collaborative/60 Days

Resolution resolving that the Flint City Council hereby asks the Administration to do all things necessary to halt the eviction of the House of Esther and the Flint Freedom School Collaborative for 60 days from the date of the Council vote, May 18, 2022.

SEPARATED FROM MASTER RESOLUTION

RESOLUTIONS (May be Referred from Special Affairs)

220199.1 Amendment/Budget Amendment/Transfer of Funds/U.S. Department of Treasury/American Rescue Plan Act/Coronavirus Local Fiscal Recovery Fund

Amended resolution resolving that the appropriate city officials, upon City Council's approval, are hereby authorized to do all things necessary to appropriate grant funding and abide by terms and conditions of the grant from the U.S. Department of Treasury for addressing the Public Health and Economic Impacts of the COVID-19 Public Health Emergency under Grant Code FUSDT-CSLFRF, in the amount of \$94,726,664.00, and to make available in subsequent fiscal years any remaining funds that are still available from the grantor, AND, resolving that every award, allocation, and/or expenditure of ARPA funds, arising after the adoption of this resolution, shall require the approval and authorization of the City Council, AND, resolving that this resolution supersedes any other allocation or disbursement of ARPA funds, arising after the adoption of this resolution, by any means and under any claimed authority without specific approval and authorization by the City Council. [NOTE: Resolution was amended to take out the words "and the Mayor" in the sentence "City Council and the Mayor."]

SEPARATED FROM MASTER RESOLUTION

220207 Settlement/Deirte Gilbert Tree Claim

Resolution resolving that the appropriate city officials are authorized to do all

things necessary to pay Deirte Gilbert the sum of \$4,000.00, with payment drawn from appropriated funds in Suits & Settlement Acct. No. 677-266.200-662.500. [NOTE: A tree located in the right-of-way fell in front of Ms. Gilbert's residence and damaged her property.]

SEPARATED FROM MASTER RESOLUTION

220227 Settlement/Chrishinda Phifer v Cynthia Earegood et al/Genesee County Circuit Court Case No. 19-112998

Resolution resolving that the Flint City Council approves settlement in the matter of Chrishinda Phifer v Cynthia Earegood et al, Case No. 19-112998, in the amount of \$315,000.00, in satisfaction of any and all claims against the city and its employee arising out of said matter, with payment to be drawn from appropriated funds in Litigation & Suits & Acct. No. 677-266.200-956.300. [NOTE: An Executive Session was held in this matter on June 8, 2022.]

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

220230 CO#2/Contract No. 21-088/Shelter of Flint/Homeless Assistance/Homelessness Prevention/Emergency Solutions Grant (ESG) Program

Resolution resolving that the appropriate city officials are authorized to do all things necessary to enter into Change Order No. 2 to Contract No. 21-088 with Shelter of Flint to increase the contract by \$2,461.00, for a revised contract amount of \$543,290.00, with funds available in Uncommitted Accounts, as requested by Community and Economic Development. [NOTE: The City of Flint was awarded Coronavirus Aid, Relief and Economic Security (CARES) money in the amount of \$2,441,943.00 for the Emergency Solutions Grant (ESG). Shelter of Flint was awarded \$355,926.00 for shelter operations and essential services. The agency has indicated a need for additional funding for wages and salaries and appliances association with operation of the facility.]

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

Passed The Consent Agenda

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

- Aye: 6 Councilperson Mays, Councilperson Priestley, Councilperson Burns, Vice President Herkenroder, Councilperson Pfeiffer and Councilperson Worthing
- Absent: 3 Councilperson Lewis, Councilperson Murphy and Councilperson Winfrey-Carter

ROLL CALL

Councilperson Herkenroder left the meeting around 11:05 p.m.

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

SEPARATED FROM MASTER RESOLUTION

Councilperson Mays, with support from Councilperson Priestley, made a motion to move all separations to the Tuesday, June 14, 2022, agenda. (A Special Meeting was called by Mayor Sheldon Neeley to present his American Rescue Plan Act (ARPA) to the Council).

220190.1 Amended Resolution/Approval/2022-2023 Annual Action Plan of the Consolidated Plan/U.S. Department of Housing and Urban Development (HUD)

Amended resolution resolving that City Officials to approve the funding amounts and projects and authorize entering into contracts for the agencies as listed for the City of Flint's FY2022-2023 Community Development Block Grant (CDBG) Program, in the estimated amount of \$4,005,334.00, FY2022-2023 HOME Investment Partnerships Program, in the estimated amount of \$945,793.00, and FY2022-2023 Emergency Solutions Grant (ESG) Program, in the estimated amount of \$334,935.00, and include any program income which might become available as a result of receipt of these funds. [NOTE: Resolution amended because the amounts were proportionately increased based on increased allocations to each fund.]

A motion was made by Councilperson Mays, seconded by Councilperson Priestley, that this matter be POSTPONED for June 14, 2022. The motion carried by the following vote:

- Aye: 5 Councilperson Mays, Councilperson Priestley, Councilperson Burns, Councilperson Pfeiffer and Councilperson Worthing
- Absent: 4 Councilperson Lewis, Councilperson Murphy, Councilperson Winfrey-Carter and Vice President Herkenroder
- 220217 Contract/Mid Michigan Roofing, LLC/Roof Replacement/City Hall/South Building

Resolution resolving that the appropriate city officials, upon City Council's approval, are authorized to do all things necessary to enter into a contract with Mid Michigan Roofing, LLC for roof replacement at the South Building at City Hall, in an amount NOT-TO-EXCEED \$289,700.00 for labor, materials, services and equipment, as well as an additional \$23,750.00 for vapor barrier repair and unknown damages, for an overall contract total NOT-TO-EXCEED \$303,236.00, as requested by Facilities Maintenance [Public Improvement Fund Acct. No. 444-230.200-976.000.]

A motion was made by Councilperson Mays, seconded by Councilperson Priestley, that this matter be POSTPONED for June 14, 2022. The motion carried by the following vote:

Aye: 5 - Councilperson Mays, Councilperson Priestley, Councilperson Burns, Councilperson Pfeiffer and Councilperson Worthing

ARPA funds, arising after the adoption of this resolution, by any means and under any claimed authority without specific approval and authorization by the City Council. [NOTE: Resolution was amended to take out the words "and the Mayor" in the sentence "City Council and the Mayor."]

A motion was made by Councilperson Mays, seconded by Councilperson Priestley, that this matter be POSTPONED for June 14, 2022. The motion carried by the following vote:

- Aye: 5 Councilperson Mays, Councilperson Priestley, Councilperson Burns, Councilperson Pfeiffer and Councilperson Worthing
- Absent: 4 Councilperson Lewis, Councilperson Murphy, Councilperson Winfrey-Carter and Vice President Herkenroder

220207 Settlement/Deirte Gilbert Tree Claim

Resolution resolving that the appropriate city officials are authorized to do all things necessary to pay Deirte Gilbert the sum of \$4,000.00, with payment drawn from appropriated funds in Suits & Settlement Acct. No. 677-266.200-662.500. [NOTE: A tree located in the right-of-way fell in front of Ms. Gilbert's residence and damaged her property.]

A motion was made by Councilperson Mays, seconded by Councilperson Priestley, that this matter be POSTPONED for June 14, 2022. The motion carried by the following vote:

- Aye: 5 Councilperson Mays, Councilperson Priestley, Councilperson Burns, Councilperson Pfeiffer and Councilperson Worthing
- Absent: 4 Councilperson Lewis, Councilperson Murphy, Councilperson Winfrey-Carter and Vice President Herkenroder

MOTION

Councilperson Mays, with support from Councilperson Worthing, made a motion to add Resolution No. 220228 (Resolution Declaring June LGBTQ+ Pride Month) to the 6-14-22 Special Meeting on ARPA. The vote was 6-0 (Absent: Murphy, Winfrey-Carter, Herkenroder).

RESOLUTIONS CONTINUED

220228 Recognition/June/LGBTQ+ Pride Month

Resolution resolving that the Mayor and City Council hereby recognize the month of June as LGBTQ+ Pride Month in the City of Flint in support of equal rights for all individuals without regard to sexual orientation of gender identity.

A motion was made by Councilperson Mays, seconded by Councilperson Worthing, that this matter be POSTPONED for June 14, 2022. The motion carried by the following vote:

Aye: 6 - Councilperson Mays, Councilperson Lewis, Councilperson Priestley, Councilperson Burns, Councilperson Pfeiffer and Councilperson Worthing Absent: 3 - Councilperson Murphy, Councilperson Winfrey-Carter and Vice President Herkenroder

INTRODUCTION AND FIRST READING OF ORDINANCES

220225 Amendment/Ordinance/Chapter 50 (Zoning)

An ordinance to amend the Flint City Code of Ordinances by amending Chapter 50 (Zoning) and by repealing said Ordinance, and adopting Chapter 50 (Zoning), Articles 1 through 18, which will be known as the Zoning Code of the City of Flint, Michigan. [NOTE: This 749-page document replaces the entire Chapter 50 of the Flint City Code of Ordinances (zoning).]

A motion was made by Councilperson Pfeiffer, seconded by Councilperson Priestley, that this matter be ACKNOWLEDGED FOR FIRST READING. The motion carried by the following vote:

- Aye: 5 Councilperson Lewis, Councilperson Priestley, Councilperson Burns, Councilperson Pfeiffer and Councilperson Worthing
- No: 1 Councilperson Mays
- Absent: 3 Councilperson Murphy, Councilperson Winfrey-Carter and Vice President Herkenroder

SECOND READING AND ENACTMENT OF ORDINANCES

220166.1 Amendment/Ordinance/Chapter 30 (Nuisances)/Addition of Section 30-40 (Reckless Driving)

An amended ordinance to amend Chapter 30 (Nuisances) of the Code of the City of Flint by adding Section 30-40 (Reckless Driving). [NOTE Ordinance amended to remove the word "residential" so that ordinance applies to entire city.]

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

- Aye: 5 Councilperson Lewis, Councilperson Priestley, Councilperson Burns, Councilperson Pfeiffer and Councilperson Worthing
- No: 1 Councilperson Mays
- Absent: 3 Councilperson Murphy, Councilperson Winfrey-Carter and Vice President Herkenroder

ADJOURNMENT

Finance Committee Chairperson Tonya Burns adjourned this meeting at 11:42 p.m. after a motion by Councilperson Pfeiffer and support from Councilperson Worthing. The vote was 5-0 (Absent: Mays, Murphy, Winfrey-Carter, Herkenroder).

Respectfully transcribed & submitted,

Janell Johnson, Administrative Secretary to City Council