

# City of Flint, Michigan

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



## Meeting Minutes

**Monday, March 28, 2022**

**5:28 PM**

\*

**Council Chambers**

## **CITY COUNCIL**

*Eric Mays, President, Ward 1  
Allie Herkenroder, Vice President, Ward 7*

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

*Quincy Murphy, Ward 3  
Jerri Winfrey-Carter, Ward 5  
Dennis Pfeiffer, Ward 8*

*Eva L. Worthing, Ward 9*

*Inez M. Brown, City Clerk*

*Davina Donahue, Deputy Clerk*

## CALL TO ORDER

*Council President Eric Mays called this meeting to order at 5:28 p.m.*

## ROLL CALL

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

**Absent:** Councilperson: Councilperson Lewis and Councilperson Pfeiffer

## PLEDGE OF ALLEGIANCE

*Councilperson Eva Worthing led the Pledge of Allegiance.*

## REQUESTS FOR CHANGES OR ADDITIONS TO AGENDA

*Councilperson Murphy, with support from Councilperson Mays, asked to discuss a letter from the Ethics and Accountability Board before Public Speaking/Council Response. The vote was 7-0 (Absent: Lewis, Pfeiffer). Councilperson Murphy, with support from Councilperson Winfrey-Carter, made a motion to for a discussion on declaring a Blight State of Emergency, also before Public Speaking/Council Response. The vote was 0-7 (No: Mays, Murphy, Priestley, Winfrey-Carter, Burns, Herkenroder, Worthing). (Absent: Lewis, Pfeiffer). Councilperson Herkenroder, with support from Councilperson Priestley, asked for a Special Order to present a Proclamation before Resolutions. The vote was 7-0 (Absent: Lewis, Pfeiffer).*

## SPECIAL ORDERS

220151 Special Order/Ethics & Accountability Board Letter

A Special Order as requested by Councilperson Murphy to discuss a letter to City Council from the Ethics and Accountability Board.

**Discussed**

## MOTION

*During debate on the Special Order for the Ethics and Accountability Board, Councilperson Herkenroder, with support from Councilperson Priestley, made a motion to limit the discussion to three more minutes. The vote was 4-1 (No: Mays). (Absent: Lewis, Burns, Pfeiffer, Worthing).*

## MOTION

*Councilperson Winfrey-Carter, with support from Councilperson Murphy, made a motion that the Ethics and Accountability Board send the City Council a new letter with the correct date, as well as other pertinent information that may be needed. The vote was 5-0 (Absent: Lewis, Burns, Pfeiffer, Worthing).*

## PUBLIC SPEAKING

*Public Speaking was held.*

**PETITIONS AND UNOFFICIAL COMMUNICATIONS**

**220131** Financial Report/Karegnondi Water Authority (KWA)

Communication received February 24, 2022, re: The Karegnondi Water Authority (KWA) January 2022 Financial Report is available.

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

**220132** Flyer/Genesee County Habitat for Humanity/Show Me the Money Day

Flyer received February 2022, re: The Genesee County Habitat for Humanity will hold a free, financial, community resource fair from 10 a.m. to 2 p.m. Saturday, February 26, 2022, at Berston Field House.

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

**220134** Press Release/Michigan Department of Environment, Great Lakes, and Energy [EGLE]/Public Comment/Draft EJ Mapping & Screening Tool

Press Release dated March 21, 2022, from Michigan Department of Environment, Great Lakes, and Energy [EGLE], re: EGLE is accepting public comment on the draft EJ Mapping & Screening Tool.

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

**COMMUNICATIONS (from Mayor and other City Officials)**

**220133** Ramp Closures/I-69 and I-475 Reconstruction Projects

Emails received March 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.**

**220135** Traffic Engineering/Closure Permits

Sidewalk, Lane and Street Closure permits (7) dated February and March 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.**

**SPECIAL ORDERS CONTINUED**

**220084** Special Order/Proclamation/Women's History Month

A Special Order as requested by Councilperson Herkenroder to discuss a Proclamation for Women's History Month.

Discussed

## MOTION

*Councilperson Mays made a motion to allow A.C. Dumas to come up to the microphone and talk about Women's History Month. The vote was 4-3 (No: Murphy, Priestley, Herkenroder). (Absent: Lewis, Pfeiffer).*

## RESOLUTIONS

**220136** Recognition/Women's History Month

Resolution resolving that the Mayor and City Council recognize March as Women's History Month by saluting all women for their significant successes which have benefited us all.

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

**Aye:** 6 - Councilperson Murphy, Councilperson Priestley, Councilperson Winfrey-Carter, Councilperson Burns, Vice President Herkenroder and Councilperson Worthing

**Abstain:** 1 - President Mays

**Absent:** 2 - Councilperson Lewis and Councilperson Pfeiffer

**220059** Recreation Agreement/City of Flint/Mott Park Recreation Association (MPRA)

Resolution resolving that the Flint City Council hereby authorizes entering into this 50-year lease agreement with Mott Park Recreation. [NOTE: MPRA has maintained the property described in this agreement since 2011, and is dedicated to expanding access to quality recreational facilities and programs to all citizens of the City of Flint. The parcels are described as: 40-11-351-098, 40-14-128-001, 40-14-128-002, 40-14-101-001, 40-14-101-002, 40-14-101-003 and 40-14-251-001.]

### SEPARATED FROM MASTER RESOLUTION

**220095** Amendment/Settlement Agreement/Concerned Pastors et al v Nick Khouri et al, File No. 16-10277

Resolution resolving that the Flint City Council approves and consents to amending the Settlement Agreement in Concerned Pastors, et al v Khouri, et al, as described. [NOTE: The parties have agreed to extend the deadline for completing the excavation and replacement of residential service lines to 2022, along with other related amendments to account for the current circumstances.]

### SEPARATED FROM MASTER RESOLUTION

**220105** Contract/Rowe Professional Services/Project Management Services/SLE-SLR and Restoration Projects

Resolution resolving that the appropriate City Officials are to enter into a contract with Rowe Professional Services for Project Management Services for the SLE/SLR and restoration projects for an overall amount not-to-exceed \$2,900,000.00.

**SEPARATED FROM MASTER RESOLUTION**

**220110** CO#1/Contract/Lang Construction/Chemical Systems Feed Building

Resolution resolving that the appropriate City Officials are authorized to issue a Change Order to Lang Construction for chemical feed system, in an amount NOT-TO-EXCEED \$330,107.21 for FY22, for the total aggregate Purchase Order amount NOT-TO-EXCEED \$4,416,064.21 for FY22.

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

**220114** Contract/Zito Construction Company/Miller Road Water Main Replacement

Resolution authorizing the appropriate City Officials to do all things necessary to enter into a contract with Zito Construction to replace the water main during the rehabilitation of Miller Road, between Hammerberg Road and Ballenger Highway, in an amount NOT-TO-EXCEED \$1,873,634.27, with the City of Flint's ARPA administration, compliance and implementation firm reviewing and ensuring compliance with the latest US Department of Treasury final rules, and funding coming from the American Rescue Plan Act (ARPA) Fund (287).

**SEPARATED FROM MASTER RESOLUTION**

**220118** Retention/Outside Legal Counsel/Flint City Council/Transfer of Tax-Reverted Properties

Resolution resolving that the City Council requests that outside legal counsel be retained to prosecute a lawsuit on behalf of the City, seeking recovery of 46 properties specified in the City Council's December 21, 2021 Resolution.

**SEPARATED FROM MASTER RESOLUTION**

**220120** Participation/Michigan State Housing Development Authority (MSHDA)/Michigan Homeowner Assistance Fund

Resolution resolving that the City Administrator is authorized to do all things necessary to effectuate the City of Flint's participation in the Michigan State Housing Development Authority's (MSHDA) Michigan Homeowner Assistance Fund (MIHAF) program, including but not limited to executing the necessary agreements with MSHDA.

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

**220121** CO#1/Contract/Lasercom LLC/Additional Postage Costs

Resolution resolving that the appropriate City Officials are authorized to do all

things necessary to enter into Change Order No. 1 to the contract with Lasercom LLC to provide additional postage for the mailing of City water and sewer bills for FY2022, in the amount of \$24,500.00, for an aggregate a FY2022 total amount of \$173,590.00 under the same terms and conditions.

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

**220122** Berger Chevrolet/Twenty (20) Chevrolet Tahoes/Police Pursuit Vehicles (PPV)

Resolution resolving that the proper City Officials are authorized to issue a purchase order to Berger Chevrolet for twenty (20) 2019 Chevrolet Tahoe Police Pursuit Vehicles (PPV) with full police upfitting, in an amount NOT-TO-EXCEED \$257,877.66 for FY2022.

**SEPARATED FROM MASTER RESOLUTION**

**220123** Dell Marketing L.P./Microsoft Licensing Renewal

Resolution resolving that the Division of Purchases and Supplies is authorized to issue a Purchase Order to Dell Marketing L.P. for a three (3) year Microsoft licensing renewal, in the amount of \$14,826.00 for the remainder of FY2022, \$74,128.60 for FY2023 pending budget adoption, \$88,954.60 for FY2024 pending budget adoption, and \$88,954.60 for FY2025 pending budget adoption, for a total aggregate amount NOT-TO-EXCEED \$266,863.80.

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

**220124** Contract/Greater Flint Health Coalition/Family Health Assessments/Lead Based Paint Hazard Control Program (LBPHC)

Resolution resolving that the appropriate City Officials are authorized to do all things necessary to enter into a contract with the Greater Flint Health Coalition, in an amount NOT-TO-EXCEED \$349,977.00, over the 42 month grant period.

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

**220125** CO#1/Contract/J.F. Cavanaugh Company/WPC Aeration System Improvements Project

Resolution resolving that the proper City Officials are authorized to do all things necessary to enter into Change Order No. 1 to the contract with J.F. Cavanaugh Company for the additional work, time and materials required to complete the WPC Aeration System Improvements project, in an amount NOT-TO-EXCEED \$1,700,000.00, for a revised contract amount NOT-TO-EXCEED \$19,909,831.00.

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

**220126** CO#1/Contract/McNaughton McKay Electric Co./Facilities Maintenance

Resolution resolving that the Division of Purchases and Supplies is authorized to complete Change Order No. 1 to the contract with McNaughton McKay Electric Co. for Facilities Maintenance, in the amount of \$12,000.00.

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

**220127** [Change Order]/Great Lakes Tree Experts/Additional Tree Services

Resolution authorizing the appropriate City Officials to do all things necessary to relocate funds to Great Lake Tree Experts to provide additional tree services for FY2022, in the amount of \$45,000.00, and a total contract amount NOT-TO-EXCEED \$140,000.00 for FY2022.

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

**220128** Adoption/Genesee County Hazard Mitigation Plan Update

Resolution resolving that the Genesee County Hazard Mitigation Plan Update is adopted at an official plan of Flint, Michigan.

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

**220129** [Change Order]/J & M Tree Service/Additional Tree Services

Resolution authorizing the appropriate City Officials to do all things necessary to relocate funds to J & M Tree Service to provide additional tree services for FY2022, in the amount of \$30,000.00, and a total contract amount NOT-TO-EXCEED \$125,000.00 for FY2022.

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

### **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:** 7 - President Mays, Councilperson Murphy, Councilperson Priestley, Councilperson Winfrey-Carter, Councilperson Burns, Vice President Herkenroder and Councilperson Worthing

**Absent:** 2 - Councilperson Lewis and Councilperson Pfeiffer

### **SEPARATED FROM MASTER RESOLUTION**

**220059** Recreation Agreement/City of Flint/Mott Park Recreation Association (MPRA)

Resolution resolving that the Flint City Council hereby authorizes entering into this 50-year lease agreement with Mott Park Recreation. [NOTE: MPRA has maintained the property described in this agreement since 2011, and is dedicated to expanding access to quality recreational facilities and programs to all citizens of the City of

Flint. The parcels are described as: 40-11-351-098, 40-14-128-001, 40-14-128-002, 40-14-101-001, 40-14-101-002, 40-14-101-003 and 40-14-251-001.]

**Adopted**

**Substituted**

**A motion was made by Councilperson Priestley, seconded by Councilperson Burns, that this matter be REFERRED TO COMMITTEE to the FINANCE COMMITTEE, due back on April 6, 2022. The motion carried by the following vote:**

**Aye:** 7 - President Mays, Councilperson Murphy, Councilperson Priestley, Councilperson Winfrey-Carter, Councilperson Burns, Vice President Herkenroder and Councilperson Worthing

**Absent:** 2 - Councilperson Lewis and Councilperson Pfeiffer

**220095**

Amendment/Settlement Agreement/Concerned Pastors et al v Nick Khouri et al, File No. 16-10277

Resolution resolving that the Flint City Council approves and consents to amending the Settlement Agreement in Concerned Pastors, et al v Khouri, et al, as described. [NOTE: The parties have agreed to extend the deadline for completing the excavation and replacement of residential service lines to 2022, along with other related amendments to account for the current circumstances.]

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

**Aye:** 7 - President Mays, Councilperson Murphy, Councilperson Priestley, Councilperson Winfrey-Carter, Councilperson Burns, Vice President Herkenroder and Councilperson Worthing

**Absent:** 2 - Councilperson Lewis and Councilperson Pfeiffer

## ROLL CALL

*Councilperson Worthing left at 10:23 p.m. and Councilperson Murphy left at 10:34 p.m.*

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

**Absent:** Councilperson: Councilperson Lewis, Councilperson Murphy, Councilperson Pfeiffer and Councilperson Worthing

**220105**

Contract/Rowe Professional Services/Project Management Services/SLE-SLR and Restoration Projects

Resolution resolving that the appropriate City Officials are to enter into a contract with Rowe Professional Services for Project Management Services for the SLE/SLR and restoration projects for an overall amount not-to-exceed \$2,900,000.00.

**Adopted**

**Substituted**



**A motion was made by Councilperson Winfrey-Carter, seconded by President Mays, that this matter be REFERRED TO COMMITTEE to the FINANCE COMMITTEE, due back on April 6, 2022. The motion failed by the following vote:**

**Aye:** 4 - Councilperson Priestley, Councilperson Winfrey-Carter, Councilperson Burns and Vice President Herkenroder

**Abstain:** 1 - President Mays

**Absent:** 4 - Councilperson Lewis, Councilperson Murphy, Councilperson Pfeiffer and Councilperson Worthing

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

**Aye:** 3 - Councilperson Priestley, Councilperson Burns and Vice President Herkenroder

**No:** 1 - President Mays

**Abstain:** 1 - Councilperson Winfrey-Carter

**Absent:** 4 - Councilperson Lewis, Councilperson Murphy, Councilperson Pfeiffer and Councilperson Worthing

**220114** Contract/Zito Construction Company/Miller Road Water Main Replacement

Resolution authorizing the appropriate City Officials to do all things necessary to enter into a contract with Zito Construction to replace the water main during the rehabilitation of Miller Road, between Hammerberg Road and Ballenger Highway, in an amount NOT-TO-EXCEED \$1,873,634.27, with the City of Flint's ARPA administration, compliance and implementation firm reviewing and ensuring compliance with the latest US Department of Treasury final rules, and funding coming from the American Rescue Plan Act (ARPA) Fund (287).

**Adopted**

**Substituted**

**A motion was made by Councilperson Priestley, seconded by Councilperson Winfrey-Carter, that this matter be REFERRED TO COMMITTEE to the FINANCE COMMITTEE, due back on April 6, 2022. The motion carried by the following vote:**

**Aye:** 5 - President Mays, Councilperson Priestley, Councilperson Winfrey-Carter, Councilperson Burns and Vice President Herkenroder

**Absent:** 4 - Councilperson Lewis, Councilperson Murphy, Councilperson Pfeiffer and Councilperson Worthing

**220118** Retention/Outside Legal Counsel/Flint City Council/Transfer of Tax-Reverted Properties

Resolution resolving that the City Council requests that outside legal counsel be retained to prosecute a lawsuit on behalf of the City, seeking recovery of 46 properties specified in the City Council's December 21, 2021, Resolution.

**A motion was made by Councilperson Winfrey-Carter, seconded by Councilperson Burns, that this matter be REFERRED TO COMMITTEE to the GOVERNMENTAL OPERATIONS COMMITTEE, due back on April 6, 2022. The motion failed by the following vote:**

**Aye:** 3 - President Mays, Councilperson Winfrey-Carter and Councilperson Burns

**No:** 2 - Councilperson Priestley and Vice President Herkenroder

**Absent:** 4 - Councilperson Lewis, Councilperson Murphy, Councilperson Pfeiffer and Councilperson Worthing

**220122** Berger Chevrolet/Twenty (20) Chevrolet Tahoes/Police Pursuit Vehicles (PPV)

Resolution resolving that the proper City Officials are authorized to issue a purchase order to Berger Chevrolet for twenty (20) 2019 Chevrolet Tahoe Police Pursuit Vehicles (PPV) with full police upfitting, in an amount NOT-TO-EXCEED \$257,877.66 for FY2022.

**REFERRED TO COMMITTEE to the FINANCE COMMITTEE**

**Substituted**

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

**Aye:** 5 - President Mays, Councilperson Priestley, Councilperson Winfrey-Carter, Councilperson Burns and Vice President Herkenroder

**Absent:** 4 - Councilperson Lewis, Councilperson Murphy, Councilperson Pfeiffer and Councilperson Worthing

**220118** Retention/Outside Legal Counsel/Flint City Council/Transfer of Tax-Reverted Properties

Resolution resolving that the City Council requests that outside legal counsel be retained to prosecute a lawsuit on behalf of the City, seeking recovery of 46 properties specified in the City Council's December 21, 2021, Resolution.

**A motion was made by Councilperson Burns, seconded by Councilperson Winfrey-Carter, that this matter be REFERRED TO COMMITTEE to the FINANCE COMMITTEE, due back on April 6, 2022. The motion failed by the following vote:**

**Aye:** 3 - President Mays, Councilperson Winfrey-Carter and Councilperson Burns

**No:** 2 - Councilperson Priestley and Vice President Herkenroder

**Absent:** 4 - Councilperson Lewis, Councilperson Murphy, Councilperson Pfeiffer and Councilperson Worthing

## **INTRODUCTION AND FIRST READING OF ORDINANCES**

**220112** Ordinance/Amendment/Chapter 12 (Business and Occupations Generally)/Article XV (Convenience Stores)

An ordinance to amend the Code of Ordinances for the City of Flint by amending Chapter 12 (Business and Occupations Generally), Article XV (Convenience

Stores), by amended Sections 12-91 through 12-93, and the addition of Section 12-94 (Hours of Operation).

**A motion was made by Councilperson Winfrey-Carter, seconded by Councilperson Priestley, that this matter be ACKNOWLEDGED FOR FIRST READING. The motion failed by the following vote:**

**No:** 5 - President Mays, Councilperson Priestley, Councilperson Winfrey-Carter, Councilperson Burns and Vice President Herkenroder

**Absent:** 4 - Councilperson Lewis, Councilperson Murphy, Councilperson Pfeiffer and Councilperson Worthing

## SECOND READING AND ADOPTION OF ORDINANCES

**220068** Amendment/Chapter 50/PC-21-419/Darren Dado/Rezoning/3801 West Boulevard Drive/From 'D-6' to 'E'/Ward 3

An ordinance to amend the Code of the City of Flint has been requested by Darren Dado (PC-21-419) to change the District boundaries or regulations established in Chapter 50 thereof, specifically allowing under 50-4 a zoning map amendment, as follows: 3801 West Boulevard Drive, Flint MI 48502, Parcel No. 41-18-154-038, legally described as GENERAL MOTORS PARK NUMBER ONE LOTS 630 THRU 635 INCL, LOTS 678 THRU 691 INCL PART OF LOTS 734 THRU 742 INCL ALL DESC AS FOLLS: BEG AT A PT THAT IS S 89 DEG 16 MIN 24 SEC W, 576.29 FT AND S 11 DEG 00 MIN 09 SEC W, 234.70 FT AND S 36 DEG 50 MIN 43 SEC E, 621.43 FT AND S 26 DEG 30 MIN 52 SEC E, 499.08 FT AND S 21 DEG 55 MIN 01 SEC E, 184.51 FT AND S 00 DEG 21 MIN 36 SEC E, 1356.17 FT AND N 89 DEG 11 MIN 28 SEC E, 544.08 FT AND S 01 DEG 39 MIN 43 SEC E, 327.92 FT AND S 12 DEG 48 MIN 41 SEC W, 160.0 FT AND S 4 DEG 11 MIN 30 SEC W, 412.91 FT FROM NW COR OF SEC 32, T8N, R7E; TH S 4 DEG 11 MIN 30 SEC W, 29.36 FT; TH S 01 DEG 46 MIN 02 SEC W, 80.12 FT; TH S 01 DEG 46 MIN 02 SEC W, 170.3 FT; TH S 01 DEG 39 MIN 59 SEC E, 500.03 FT; TH N 28 DEG 14 MIN 59 SEC E, 288.57 FT ALG THE WLY ROW LINE OF W BLVD DR; TH CONT ALG SD WLY LINE N 28 DEG 13 MIN 08 SEC E, 484.34 FT; TH N 28 DEG 13 MIN 08 SEC E, 125.93 FT; TH S 88 DEG 20 MIN 01 SEC W, 430.0 FT TO POB from "D-6" General and Highway-Commercial Service District and future zoned City Corridor to "E" Heavy Commercial-Limited Manufacturing District. THE PLANNING COMMISSION RECOMMENDS DENIAL.

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

**Aye:** 4 - President Mays, Councilperson Priestley, Councilperson Winfrey-Carter and Councilperson Burns

**No:** 1 - Vice President Herkenroder

**Absent:** 4 - Councilperson Lewis, Councilperson Murphy, Councilperson Pfeiffer and Councilperson Worthing

## ADJOURNMENT

*Council President Eric Mays adjourned this meeting at 12:32 a.m., due to lack of a*

*quorum, after a previous vote to adjourn failed 4-1 (No: Mays). (Absent: Lewis, Murphy, Pfeiffer, Worthing).*

*Respectfully transcribed & submitted,*

*Janell Johnson, Administrative Secretary to City Council*