

City of Flint, Michigan

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



Meeting Minutes

Monday, November 28, 2022

9:28 PM

*

Council Chambers

CITY COUNCIL

*Allie Herkenroder, President, Ward 7
Ladel Lewis, Vice President, Ward 2*

*Eric Mays, Ward 1
Judy Priestley, Ward 4
Tonya Burns, Ward 6*

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

Eva L. Worthing, Ward 9

Davina Donahue, Interim City Clerk

CALL TO ORDER

Council President Allie Herkenroder called this meeting to order at 9:28 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 Tonya Burns led the Pledge of Allegiance.

PRAYER OR BLESSING

Councilperson Ladel Lewis gave the blessing.

REQUESTS FOR CHANGES AND/OR ADDITIONS TO AGENDA

Councilperson Murphy asked for a two-minute discussion on Public Act 436 (the Emergency Manager act) before Presentation of Minutes. The vote was 8-0 (Abstention: Mays). Councilperson Mays asked for a Discussion Item on the Interim Fire Chief during Discussion Items. The vote was 9-0.

DISCUSSION ITEMS

220506 Discussion Item/Public Act 436

A Discussion Item as requested by Councilperson Murphy to discuss Public Act 436 (the Emergency Manager act) for two minutes.

DROPPED

PRESENTATION OF MINUTES

220503 Summary Minutes/Flint City Council/Regular Meeting/November 14, 2022

Summary Minutes of the Flint City Council regular meeting held Monday, November 14, 2022, at 7:38 p.m., in City Council Chambers, 3rd Floor, City Hall.

The motion was to place all three sets of minutes -- Nos. 220503, 220483 and 220502 -- on file in one motion.

A motion was made by Councilperson Priestley, seconded by Councilperson Murphy, that this matter be Placed on File. The motion carried by the following vote:

Aye: 9 - Councilperson Mays, Councilperson Lewis, Councilperson Murphy, Councilperson Priestley, Councilperson Winfrey-Carter, Councilperson Burns, Vice President Herkenroder, Councilperson Pfeiffer and Councilperson Worthing

220483 Summary Minutes/Flint City Council/Regular Meeting/April 11, 2022

Summary Minutes of the Flint City Council regular meeting held Monday, April 11, 2022, at 7:42 p.m., in City Council Chambers, 3rd Floor, City Hall.

A motion was made by Councilperson Priestley, seconded by Councilperson Murphy, that this matter be Placed on File. The motion carried by the following vote:

Aye: 9 - Councilperson Mays, Councilperson Lewis, Councilperson Murphy, Councilperson Priestley, Councilperson Winfrey-Carter, Councilperson Burns, Vice President Herkenroder, Councilperson Pfeiffer and Councilperson Worthing

220502 Summary Minutes/Flint City Council/Regular Meeting/March 28, 2022

Summary Minutes of the Flint City Council regular meeting held Monday, March 28, 2022, at 5:28 p.m., in City Council Chambers, 3rd Floor, City Hall.

A motion was made by Councilperson Priestley, seconded by Councilperson Murphy, that this matter be Placed on File. The motion carried by the following vote:

Aye: 9 - Councilperson Mays, Councilperson Lewis, Councilperson Murphy, Councilperson Priestley, Vice President Herkenroder, Councilperson Winfrey-Carter, Councilperson Burns, Councilperson Pfeiffer and Councilperson Worthing

SPECIAL ORDERS

220504 Special Order/Veterans & Military Families Month

A Special Order as requested by Councilperson Lewis to honor Veterans and Military Families during the month of November.

Presented

RESOLUTIONS

220497 Recognition/November/Veterans and Military Families Month

Resolution resolving that the Mayor and City Council hereby recognizes November 2022 as Veterans and Military Families Month in the City of Flint to pay tribute to veterans, reservists and their families for their sacrifices to this country.

Adopted

Substituted

The resolution was amended to replace November 2022 with the month of November.

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

Aye: 9 - Councilperson Mays, Councilperson Lewis, Councilperson Murphy, Councilperson Priestley, Vice President Herkenroder, Councilperson Pfeiffer, Councilperson Winfrey-Carter, Councilperson Burns and Councilperson Worthing

220497.1 Amendment/Recognition/November/Veterans and Military Families Month

Amended resolution resolving that the Mayor and City Council hereby recognizes the month of November as Veterans and Military Families Month in the City of Flint to pay tribute to veterans, reservists and their families for their sacrifices to this country.

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

Aye: 9 - Councilperson Mays, Councilperson Lewis, Councilperson Murphy, Councilperson Priestley, Vice President Herkenroder, Councilperson Pfeiffer, Councilperson Winfrey-Carter, Councilperson Burns and Councilperson Worthing

PUBLIC SPEAKING

Public Speaking was held.

COMMUNICATIONS (from Mayor and other City Officials)

220499 Communication/Assessor/Board of Review

Communication dated November 18, 2022, from City Assessor Stacey Kaake to City Council, re: the December 2022 Board of Review will be meeting at 1 p.m. Tuesday, December 13, 2022, in the McKenzie Room, 2nd Floor, City Hall.

This Matter was Placed on File on the Consent Agenda.

220500 Weekly Traffic Control Update

Email received November 14 and 21, 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.

220501 Traffic Engineering/Closure Permits

Sidewalk, Lane and Street Closure permits (4) dated November 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.

APPEAL

Councilperson Mays, with support from Councilperson Winfrey-Carter, appealed the decision of the Chair that he was out of order and should be removed from the meeting. The vote was 5-2 (No: Winfrey-Carter, Burns). (Absent: Murphy). (Abstention: Mays)

ROLL CALL

Councilperson Murphy left the meeting around 10:25 p.m. Councilpersons Mays, Winfrey-Carter and Burns left the meeting around 10:45 p.m.

Present: Councilperson: Councilperson Lewis, Councilperson Priestley, Herkenroder, Councilperson Pfeiffer and Councilperson Worthing

Absent: Councilperson: Councilperson Mays, Councilperson Murphy, Councilperson Winfrey-Carter and Councilperson Burns

APPOINTMENTS (May be Referred from Special Affairs)

220487 Appointment/Building Code Board of Appeals/Kurt Neiswender

Resolution resolving that the Flint City Council approves the appointment of Kurt Neiswender (Architect, 1017 Kensington Avenue, Flint, Michigan, 48503) to serve on the Building Code Board of Appeals for a one-year term, commencing upon resolution approval and expiring December 1, 2023, as recommended by Mayor Sheldon A. Neeley.

This appointment was seconded by Councilperson Murphy, but he left before the vote so his second doesn't show up in the minutes.

A motion was made by Councilperson Priestley that this matter be Approved. The motion carried by the following vote:

Aye: 5 - Councilperson Lewis, Councilperson Priestley, Vice President Herkenroder, Councilperson Pfeiffer and Councilperson Worthing

Absent: 4 - Councilperson Mays, Councilperson Murphy, Councilperson Winfrey-Carter and Councilperson Burns

220498 Appointment/Zoning Board of Appeals/Ari McCaskill (Ward 7)

Resolution resolving that the Flint City Council approves the appointment of Ari McCaskill (1806 Kent Street, Flint, MI 48503 - Ward 7) to the Zoning Board of Appeals for a term that begins immediately upon adoption of this resolution, and ends on September 1, 2025. [By way of background, Mr. McCaskill is replacing Johnnetta S.C. Ricks, whose term on the Zoning Board of Appeals expired September 1, 2020.]

A motion was made by Councilperson Priestley, seconded by Councilperson Worthing, that this matter be POSTPONED for December 12, 2022. The motion carried by the following vote:

Aye: 5 - Councilperson Lewis, Councilperson Priestley, Vice President Herkenroder, Councilperson Pfeiffer and Councilperson Worthing

Absent: 4 - Councilperson Mays, Councilperson Murphy, Councilperson Winfrey-Carter and Councilperson Burns

RESOLUTIONS - (May be Referred from Special Affairs)

220488 Contract/Ace-Saginaw Paving Co./Paving & Milling/Welch Boulevard, Dupont Street & Fleming Road

Resolution resolving that the appropriate city officials, upon City Council's approval, are hereby authorized to enter into a contract with Ace-Saginaw Paving Co. for the paving of Welch Boulevard, Fleming Road and Dupont Street, in an amount NOT-TO-EXCEED \$971,190.00, as requested by DPW [Major Street Asphalt Fund Acct. No. 202-449.201-782.000.]

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

220489 Contract/Lighthouse Group/General Liability & Terrorism Coverage

Resolution resolving that the appropriate city officials, upon City Council's approval, are authorized to enter into a contract with the Lighthouse Group to provide the City with its general liability and terrorism coverage, through the Old Republic Union Insurance Co., at a premium NOT-TO-EXCEED \$560,957.50 for a 12-month period beginning November 23, 2022, through November 23, 2023, as requested by Finance [Self-Insurance Fund Acct. No. 677-267.651-955.000.]

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

220490 CO#2/Great Lakes Tree Experts/Urban Forestry Services

Resolution resolving that the appropriate city officials, upon City Council's approval, are hereby authorized enter into a contract Change Order [No. 2] with Great Lakes Tree Experts for Urban Forestry Services, as requested by Streets, in an amount NOT-TO-EXCEED \$23,000.00, for an overall contract amount NOT-TO-EXCEED \$127,700.00 [Local Streets Tree Maintenance Fund Acct. No. 203-449.215-801.000 = \$11,500.00 and Major Streets Tree Maintenance Fund Acct. No. 202-449.215-801.000 = \$11,500.00.]

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

220491 CO#1/Contract/J&M Tree Service/Urban Forestry Services

Resolution resolving that the appropriate city officials, upon City Council's approval, can hereby enter into a contract Change Order [No. 1] with J&M Tree Service to provide tree trimming and removals on the City Hall campus, as requested by DPW, in an amount NOT-TO-EXCEED \$35,260.00, and an overall total NOT-TO-EXCEED \$130,260.00 [General Fund Professional Services Fund Acct. No. 101-230.200-801.000.]

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

220492 CO#2/Contract/J&M Tree Service/Urban Forestry Services

Resolution resolving that the appropriate city officials, upon City Council's approval, are hereby authorized to enter into a contract Change Order [No. 2] with J&M Tree Service to provide Urban Forestry Services, as requested by Streets, in an amount NOT-TO-EXCEED \$23,000.00, and an overall total NOT-TO-EXCEED \$118,000.00 [Major Streets Tree Maintenance Fund Acct. No. 202-449.215-801.000 and Local Streets Tree Maintenance Fund Acct. No. 203-449.215-801.000.]

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

220493 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 a 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].

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

220495 Approval/Group F Medical Marihuana Grow Facility/Adult Use License/ORP, LLC/2905 Davison Road

Resolution resolving that pursuant to Flint City Ordinance No. 50-183(E)(5), the appropriate city officials are hereby authorized to do all things necessary to issue a license to applicant Jacob Best of ORP, LLC, located at 2905 Davison Road, Parcel No. 41-04-352-019.

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

220496 Budget Amendment/Transfer of Funds/Grant Agreement/Genesee Auto Interface Network (G.A.I.N.)/Automobile Theft Enforcement Program

Resolution resolving that the appropriate city officials, upon City Council's approval, are hereby authorized to do all things necessary to enter into the Genesee Auto Interface Network (G.A.I.N.) Grant Agreement No. 02-23, in the amount of \$166,618.00, to be used to fund one sergeant to be assigned to the G.A.I.N. unit, AND, resolving that the appropriate city officials are authorized to do all things necessary to accept the State of Michigan Auto Theft Prevention Authority (GAIN) grant, amend the FY2023 budget, appropriate funding for future fiscal years, for as long as funds are available from the funder, and abide by the terms and conditions of the grant agreement, in the amount of \$166,618.00, to Grant Code SATPA-GAIN23, through September 30, 2023.

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

Passed The Consent Agenda

A motion was made by Councilperson Worthing, 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: 5 - Councilperson Lewis, Councilperson Priestley, Vice President Herkenroder, Councilperson Pfeiffer and Councilperson Worthing

Absent: 4 - Councilperson Mays, Councilperson Murphy, Councilperson Winfrey-Carter and Councilperson Burns

220505 Provide Funding/Office of Public Health/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 amend the FY2023 budget to provide funding to operate the Office of Public Health, for as long as funds are available from the funder. Funds will be paid from the American Rescue Plan Act (ARPA) Fund (287). Before funds are spent, the city's ARPA administration, compliance and implementation firm shall review and ensure compliance with the latest U.S. Department of Treasury final rules.

SEPARATED FROM MASTER RESOLUTION

SEPARATED FROM MASTER RESOLUTION

220505 Provide Funding/Office of Public Health/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 amend the FY2023 budget to provide funding to operate the Office of Public Health, for as long as funds are available from the funder. Funds will be paid from the American Rescue Plan Act (ARPA) Fund (287). Before funds are spent, the city's ARPA administration, compliance and implementation firm shall review and ensure compliance with the latest U.S. Department of Treasury final rules.

A motion was made by Councilperson Worthing, seconded by Councilperson Priestley, that this matter be POSTPONED for December 12, 2022. The motion carried by the following vote:

Aye: 4 - Councilperson Lewis, Councilperson Priestley, Vice President Herkenroder and Councilperson Worthing

No: 1 - Councilperson Pfeiffer

Absent: 4 - Councilperson Mays, Councilperson Murphy, Councilperson Winfrey-Carter and Councilperson Burns

A motion was made by Councilperson Pfeiffer, seconded by Councilperson Priestley, that this matter be REFERRED TO COMMITTEE to the FINANCE COMMITTEE, due back on December 7, 2022. The motion carried by the following vote:

Aye: 5 - Councilperson Lewis, Councilperson Priestley, Vice President Herkenroder, Councilperson Pfeiffer and Councilperson Worthing

Absent: 4 - Councilperson Mays, Councilperson Murphy, Councilperson Winfrey-Carter and Councilperson Burns

ADJOURNMENT

Council President Allie Herkenroder adjourned this meeting adjourned at 10:54 p.m., after a motion by Councilperson Priestley and support from Councilperson Lewis. The vote was 5-0 (Absent: Mays, Murphy, Winfrey-Carter, Burns).

Respectfully transcribed & submitted,

Janell Johnson, Administrative Secretary to City Council