City of Flint, Michigan

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



Meeting Agenda - AMENDED

Monday, July 22, 2024

4:30 PM

AGENDA AMENDED to Add Reso No. 240316

Council Chambers

SPECIAL AFFAIRS COMMITTEE

Candice Mushatt, Vice President, Ward 7

Leon El-Alamin, 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 Jonathan Jarrett, Ward 9

Davina Donahue, City Clerk

ROLL CALL

READING OF DISORDERLY PERSON CITY CODE SUBSECTION

Any person that persists in disrupting this meeting will be in violation of Flint City Code Section 31-10, Disorderly Conduct, Assault and Battery, and Disorderly Persons, and will be subject to arrest for a misdemeanor. Any person who prevents the peaceful and orderly conduct of any meeting will be given one warning. If they persist in disrupting the meeting, that individual will be subject to arrest. Violators shall be removed from meetings.

REQUEST FOR AGENDA CHANGES/ADDITIONS

PUBLIC COMMENT

Members of the public who wish to address the City Council or its committees must register before the meeting begins. A box will be placed at the entrance to the Council Chambers for collection of registrations. No additional speakers or slips will be accepted after the meeting begins.

Members of the public shall have no more than three (3) minutes per speaker during public comment, with only one speaking opportunity per speaker.

COUNCIL RESPONSE

Councilmembers may respond once to all public speakers only after all public speakers have spoken. An individual Councilmember's response shall be limited to two (2) minutes.

CONSENT AGENDA

Per the amended Rules Governing Meetings of the Flint City Council (as adopted by the City Council on Monday, April 22, 2024), the Chair may request the adoption of a "Consent Agenda". After a motion to adopt a Consent Agenda is made and seconded, the Chair shall ask for separations. Any agenda item on a Consent Agenda shall be separated at the request of any Councilmember. After any separations, there is no debate on approving the Consent Agenda - it shall be voted on or adopted without objection.

RESOLUTIONS

240316

Settlement/2024 National Settlement of In Re: National Prescription Opiate Litigation (MDL No. 2804)/Kroger Co.

Resolution resolving that the appropriate City officials are authorized to do all things necessary to approve, effectuate and/or enter into the 2024 settlement with Kroger Co., with respect to the National Prescription Opiate Litigation for the City of Flint. [NOTE: On or about February 18, 2019, the City joined the ranks of communities nationwide who filed lawsuits against manufacturers and distributors of prescription opioids, to recover resources spent responding to and addressing opioid addiction and abuse in their communities. These lawsuits, collectively, are commonly referred to as "In Re: National Prescription

Opiate Litigation (MDL No. 2804). City Administration and the Law Department recommend approving the City of Flint's participation in the 2024 settlement with Kroger Co. to ensure that the City receives its share of the settlement proceeds. [NOTE: An Executive Session was held in this matter on July 17, 2024.]

240232.1 Street Vacation/Dewey Street (Between N. Saginaw and North Streets)

Resolution resolving that Dewey Street between North Saginaw Street and North Street is hereby vacated and discontinued forever as a public street, alley, or public ground, and the same is hereby placed on the assessments rolls for the purpose of taxation., AND, further resolving that the City Clerk shall, within thirty (30) days of this action, record a certified copy of this resolution with the Register of Deeds for Genesee County and forward a certified copy to said resolution to the State Treasurer.

240294 Reallocation of ARPA Funds/Grants for Neighborhood Engagement and Youth Programs/7th Ward-Ward Account

Resolution resolving that the appropriate City Officials are authorized to do all things necessary, including executing any necessary agreements, to appropriate funding from the funding source account #101-287.000-963.000, to the Neighborhood Engagement Hub, in the amount of \$16,000.00 (Southside Neighborhood Coalition, Evergreen Block Watchers, College Cultural Neighborhood Association), and to Court Street Village Non-profits, in the amount of \$14,000.00 (Central Park Neighborhood Association, Fairfield Village Neighborhood Coalition), for a total amount of \$30,000 (Ward Account -7th Ward). Based on review and validation of the appropriate fund use by the City's compliance firm, implementation of these funds will be consistent and compliant with US Department of Treasury requirements and previously approved authorizations.

ADJOURNMENT

240316



RESOLUTION NO.:_	
PRESENTED:	7-22-2024
ADOPTED:	

RESOLUTION APPROVING THE 2024 NATIONAL SETTLEMENT OF IN RE: NATIONAL PRESCRIPTION OPIATE LITIGATION (MDL NO. 2804), AS TO KROGER CO.

Closed session concerning this matter was held on July 17, 2024;

On or about February 18, 2019, the City joined the ranks of communities nationwide who filed lawsuits against manufacturers and distributors of prescription opioids, to recover resources spent responding to and addressing opioid addiction and abuse in their communities. These lawsuits, collectively, are commonly referred to as "In Re: National Prescription Opiate Litigation (MDL No. 2804);"

Previously, nationwide settlements were reached to resolve all opioid litigation brought by states and local political subdivisions against a number of pharmaceutical distributors and manufacturers. Those settlements were approved by the Flint City Council.

In June, 2024, a further agreement was announced with Kroger Co.

City Administration and the Law Department recommend approving the City of Flint's participation in the 2024 settlement with Kroger Co. to ensure that the City receives its share of the settlement proceeds.

IT IS RESOLVED that the appropriate City officials are authorized to do all things necessary to approve, effectuate and/or enter into the 2024 settlement with Kroger Co. with respect to the National Prescription Opiate Litigation for the City of Flint.

FOR THE CITY OF FLINT:	FOR THE CITY COUNCIL:
<u>CLYDE D EDWARDS / A0267</u> CLYDE D EDWARDS / A0267 (Jul 22, 2024 09:18 EDT)	
Clyde Edwards, City Administrator	
APPROVED AS TO FORM:	
William Kim (Jul 19, 2024 19:04 EDT)	
William Y. Kim, City Attorney	



CITY OF FLINT STAFF REVIEW FORM

Revised July 2, 2024

TODAY'S DATE: 07/19/2023
BID/PROPOSAL# N/A
AGENDA ITEM TITLE: Resolution Approving the 2024 National Settlement of In Re: National Prescription Opiate Litigation (MDL No. 2804), as to Kroger Co.
PREPARED BY: Joseph N. Kuptz, Chief Deputy City Attorney
VENDOR NAME: N/A
Section I: BACKGROUND/SUMMARY OF PROPOSED ACTION:
Resolution approving the City of Flint's participation in the 2024 National Settlement of In Re: National
Prescription Opiate Litigation (MDL No. 2804), as to Kroger Co.
The Participation Agreement is available at https://nationalopiodsettlement.com/ .
Section II. PREVIOUS ALLOCATIONS (INCLUDE ALL ACCOUNTS USED FOR THIS PURPOSE)/ PROVIDE RESOLUTION OR CONTRACT INFORMATION THAT APPLIES
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RESOLUTION OR CONTRACT INFORMATION THAT APPLIES
RESOLUTION OR CONTRACT INFORMATION THAT APPLIES
RESOLUTION OR CONTRACT INFORMATION THAT APPLIES
RESOLUTION OR CONTRACT INFORMATION THAT APPLIES N/A Section III. POSSIBLE BENEFIT TO THE CITY OF FLINT (RESIDENTS AND/OR CITY OPERATIONS)



CITY OF FLINT STAFF REVIEW FORM

Revised July 2, 2024

Section IV: FINANCIAL IMPLICATIONS:

indetermina	fficient participation by political te amount of funds as its procee for allowable purposes.	•	•	
BUDGETED	EXPENDITURE? YES N	O 🔲 IF NO, PLEASE EXPLA	IN:	
Dept.	Name of Account	Account Number	Grant Code	Amount
		FY24 GRAND TO	TAL	
PRE-ENC	UMBERED? YES 🗌 🛚			
ACCOUN	TING APPROVAL:		Date:	
(No accoun	nting approval needed.			
	UR DEPARTMENT NEED will need to be executed)	A CONTRACT? YES] NO [(A participation
	LICABLE, IF MORE THAN ONE EAR: (This will depend on the	* *	E TOTAL AMO	UNT FOR EACH
BUDGET YE	EAR 1 No expenditures involv	ed		
BUDGET YE	EAR 2			
BUDGET YE	EAR 3			
OTHER IMP	PLICATIONS (i.e., collective ba	rgaining):		
STAFF RECO	OMMENDATION: (PLEASE SEL	ECT): APPROVED	NOT A	APPROVED
DEPARTME	ENT HEAD SIGNATURE: William	(im (Jul 19, 2024 19:04 EDT)		
		William Y. Kim, Cit	Attorney	





RESOLUTION	NO.:
PRESENTED:_	7-17-2024
ADOPTED:	

RESOLUTION RECOMMENDING THE VACATION OF DEWEY STREET BETWEEN NORTH SAGINAW STREET AND NORTH STREET

BY THE CITY ADMINISTRATOR:

City Administrator

WHEREAS, Due notice has been given to all persons interested as to the time and place of a hearing in respect to the proposed action of this body to vacate Dewey Street between North Saginaw Street and North Street for the purpose of the Berston Fieldhouse Redevelopment Project.

WHEREAS, Pursuant to the requirements of section 42-25 of the Flint City Code, a public hearing has been held so that members of the Flint Planning Commission could meet and hear objections to the proposed vacation and discontinuance of the above described street, alley or public ground.

IT IS RESOLVED, that Dewey Street between North Saginaw Street and North Street is hereby vacated and discontinued forever as a public street, alley, or public ground, and the same is hereby placed on the assessments rolls for the purpose of taxation.

FURTHER RESOLVED, that the City Clerk shall, within thirty (30) days of this action, record a certified copy of this resolution with the Register of Deeds for Genesee County and forward a certified copy of said resolution to the State Treasurer.

APPROVED AS TO FORM:	APPROVED AS TO FINANCE:		
William Kim (May 15, 2024 09:32 EDT)	Phillip Moore (May 15, 2024 08:56 EDT)		
William Kim	Phillip Moore		
City Attorney	Chief Financial Officer		
ADMINISTRATION:	CITY COUNCIL:		
<u>Clyde D. Edwards / AD195</u> Clyde D. Edwards / A0195 (May 15, 2024 10:58 EDT)			
Clyde Edwards			



RESOLUTION STAFF REVIEW FORM

TODAY'S DATE: May 13, 2024

AGENDA ITEM TITLE: RESOLUTION RECOMMENDING THE VACATION OF DEWEY STREET BETWEEEN NORTH SAGINAW STREET AND NORTH STREET

PREPARED BY: Emily Doerr, Business and Community Services Dept., 810.766.7426 x 3001

BACKGROUND/SUMMARY OF PROPOSED ACTION:

The City of Flint is vacating Dewey Street between N. Saginaw Street and North Street in support of the Berston redevelopment project. All affected properties are owned by the City of Flint. The Planning Commission (PC) made a Positive Recommendation for this street vacation at their 4/23/24 meeting – the petition from City Zoning Staff as well as the full PC packet are enclosed.

meeting –	the petition from City Zoi	ning Staff as Well as the full	PC packet are enclose	u
FINANCIAL	. IMPLICATIONS: N/A			
BUDGETE	EXPENDITURE? YES	NO 🛛 IF NO, PLEASE E	XPLAIN:	
Dept.	Name of Account	Account Number	Grant Code	Amount
		FY23/24 GRAN	ID TOTAL	s
PRE-ENC	CUMBERED? YES	□ NO ⊠ REQUISIT		
ACCOUN	TING APPROVAL: $\frac{2}{2}$	<u> </u>	Date: 0	5/14/2024
	OUR DEPARTMENT Notes as a indicate how many year.	EED A CONTRACT? Y	ES NO X	
	*	ONE (1) YEAR, PLEASE EST		NT FOR EACH
BUDGET Y	•	raise term of the bia propos	,	
BUDGET Y	EAR 2			
BUDGET Y	EAR 3			
OTHER IM	PLICATIONS (i.e., collecti	ve bargaining):		
STAFF REC	COMMENDATION: (PLEAS	SE SELECT): 🔀 APPROVI	ED NOT AP	PROVED
DEPARTM	ENT HEAD SIGNATURE:	Emity Doerr (May 1), 2024 12:02 EDT)		
			Business and Community	Services



FLINT PLANNING COMMISSION ROBERT WESLEY, CHAIRMAN

PC 24-04 Action Notification

April 24, 2024

To:

Emily Doerr Director Of Business and Community Services City of Flint 1101 S Saginaw St Flint, MI 48502

CC:

City of Flint – City Council 1101 Saginaw St, Room #310 Flint, MI 48502

RE: PC 24-04 E Dewey St Vacation Petition

Request

The City of Flint is seeking a recommendation from the City of Flint Planning Commission to the City of Flint City Council for approval to vacate E. Dewey St, between N. Saginaw St and North St.

Decision

At its meeting on April 23, 2024, the City of Flint Planning Commission made a Positive Recommendation to City Council regarding PC 24-04, the petition to vacate E Dewey St between N. Saginaw St and North St.

If you have any questions, please contact me directly at bacheff@cityofflint.com or (810) 382-9299.

Respectfully,

Brian Acheff Zoning Coordinator City of Flint - Planning & Zoning Division 1101 S. Saginaw St. Rm. S105



DEPARTMENT OF PLANNING AND DEVELOPMENT Planning & Zoning Division

Sheldon Neeley, Mayor

Board / Commission:	City of Flint Planning Commission
Meeting Date:	Tuesday, April 23, 2024
Location:	1101 S Saginaw St, Flint, MI 48502
File Number:	PC 24-04
Petition Type:	Street Vacation
Applicant:	City of Flint
Location:	E. Dewey St (N. Saginaw St to North St)
Parcel ID (PID)	N/A
Ward:	2
Current Zoning:	Public Right-of-Way
Future Zoning:	OS, Open Space

Case Overview:

PC 24-04 was originally scheduled to be heard at the February 27, 2024, Planning Commission Meeting, but was withdrawn and postponed to a future date as the subject petition originally sought approval to partially vacate and reconfigure E. Dewey St; the proposed partial vacation and reconfiguration of E Dewey St would have resulted in the City having to submit a second vacation petition as none of the necessary removal of the public utility infrastructure underneath the street would have able to occur, rendering the initial vacation petition ineffective.

To entirely vacate the subject segment of E. Dewey St and remove all public utilities underneath of it, all the properties south-adjacent to the subject segment of E. Dewey St need to be in ownership of Friends of Berston or the City of Flint, else public right-of-way (street) access and public utility services would still need be provided to 760 E. Dewey St; the property located 760 E. Dewey St has been acquired by Friends of Berston and the petition to entirely vacate the subject segment of E. Dewey St can proceed (see **Exhibit C**).

Property Background:

The segment of E. Dewey St subject to the pending vacation petition is a local one-way street that is located between N. Saginaw St and North St, south of the Berston Fieldhouse complex and is part of the Parkland and Parkland No. 2 Subdivisions, which were originally part of one of several Indigenous Reservations that bound the Flint River.



DEPARTMENT OF PLANNING AND DEVELOPMENT Planning & Zoning Division

Sheldon Neeley, Mayor

Planning Overview:

The City of Flint is seeking a positive recommendation from the Planning Commission to City Council for approval by resolution, to vacate E. Dewey St, between N. Saginaw St and North St (see **Exhibit A**).

The petition to vacate E. Dewey St is related to the expansion and redevelopment occurring at 3300 N Saginaw St and 3319 North St, the site of Berston Fieldhouse (see **Exhibit B**). The vacated street will be combined with the parcels that make up the block that is bound by E. Dewey St and W. Jamieson St, between N Saginaw St and North St (excluding the properties located at 3200 & 3208 N Saginaw St), and subsequently will be combined into a single parcel that contains Bertson Fieldhouse and its facilities (see **Exhibit B**).

At the intersection of E. Dewey St and N. Saginaw St, from said intersection to the western lot line of the former Lot 23 of Parkland Subdivision, will be utilized as means of vehicular ingress and egress to the proposed new parking facilities for the Berston Fieldhouse complex (see **Exhibit A**).

Public Utility Infrastructure

Currently there exists water, sanitary sewer, and storm sewer infrastructure along E. Dewey St that will be removed upon approval of the subject vacation petition (see **Exhibit D**); a utility easement will be retained from the intersection of E. Dewey St and N. Saginaw St eastward to approximately the western lot line of the former Lot 27 of Parkland Subdivision (see **Exhibit A**).

Private Utility Infrastructure

Several private utility services (gas, electric, telecommunications) exist along the subject section of E. Dewey St to be vacated (see **Exhibit D**). It has been confirmed with staff that the removal of some of these services has already occurred and that their removal and the removal of services still in place will have no impact on the surrounding area.

Department Reviews:

Department	Status	Comments
Zoning	Approved	None
Water Department	Approved	None
Sewer Department	Approved	None
Traffic Engineering	Approved	None



DEPARTMENT OF PLANNING AND DEVELOPMENT Planning & Zoning Division

Sheldon Neeley, Mayor

Staff Recommendation

The Plan Commission's duty on a street vacation is to make a recommendation to City Council for approval by resolution based on the merits of the application, planning principles, input from various City departments, utility companies, and transportation agencies.

Staff finds that the petition to vacate E. Dewey St, PC 24-04, <u>has satisfied</u> the applicable review criteria to make a positive recommendation for approval to City Council.

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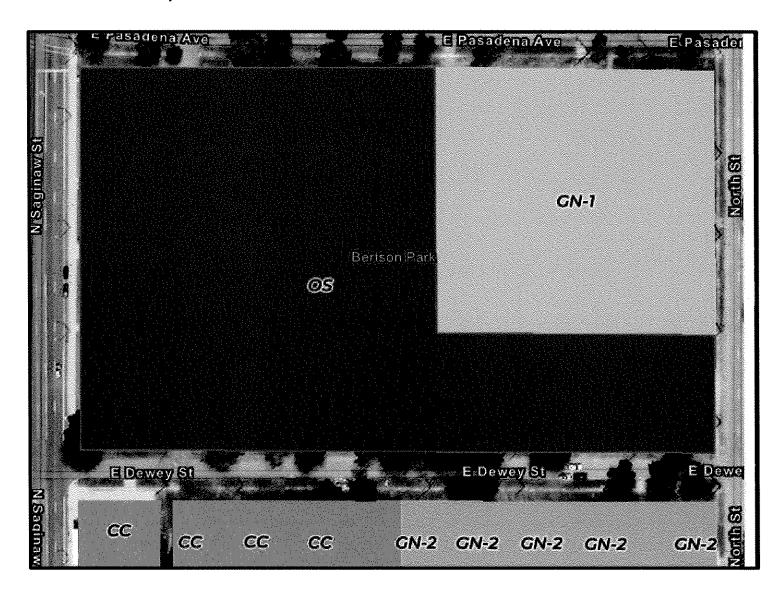


Mayor

DEPARTMENT OF PLANNING AND DEVELOPMENT Planning & Zoning Division

<u>Land Use/ Compatibility</u>: The property is currently City of Flint owned public right-of-way and is surrounded by the following zoning districts:

- OS Open Space
- GN-2, Green Neighborhood
- · CC, City Corridor



CITY OF FLINT 1101 SOUTH SAGINAW ST. ROOM S105 FLINT, MICHIGAN 48502 OFFICE: 810-766-7355 WEBSITE: www.cityofflint.com



DEPARTMENT OF PLANNING AND DEVELOPMENT Planning & Zoning Division

Sheldon Neeley, Mayor

Exhibits Attached to this Report:

Exhibit A - Area to be Vacated & Existing Conditions

Exhibit B - Berston Field House Expansion Site Plan

Exhibit C – 760 E Dewey St Property Transfer Affidavit

Exhibit D - E Dewey St Utility Demolition Plan

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CITY OF FLINT 1101 SOUTH SAGINAW ST. ROOM S105 FLINT, MICHIGAN 48502 OFFICE: 810-766-7355 WEBSITE: www.cityofflint.com

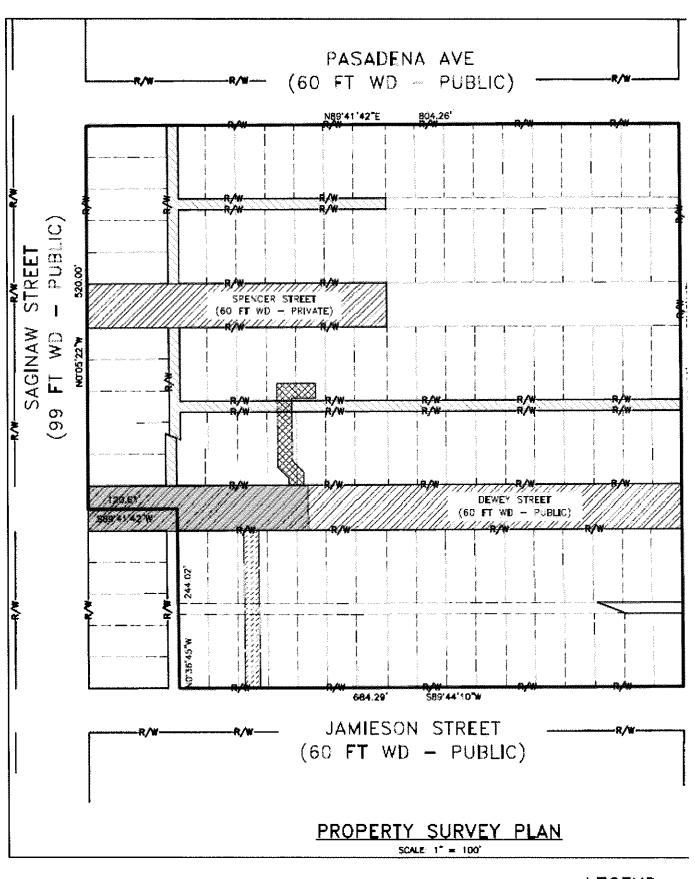
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CITY OF FLINT DEPARTMENT OF PLANNING AND DEVELOPMENT Planning & Zoning Division

Sheldon Neeley, Mayor

Zoning Coordinator





LEGEND

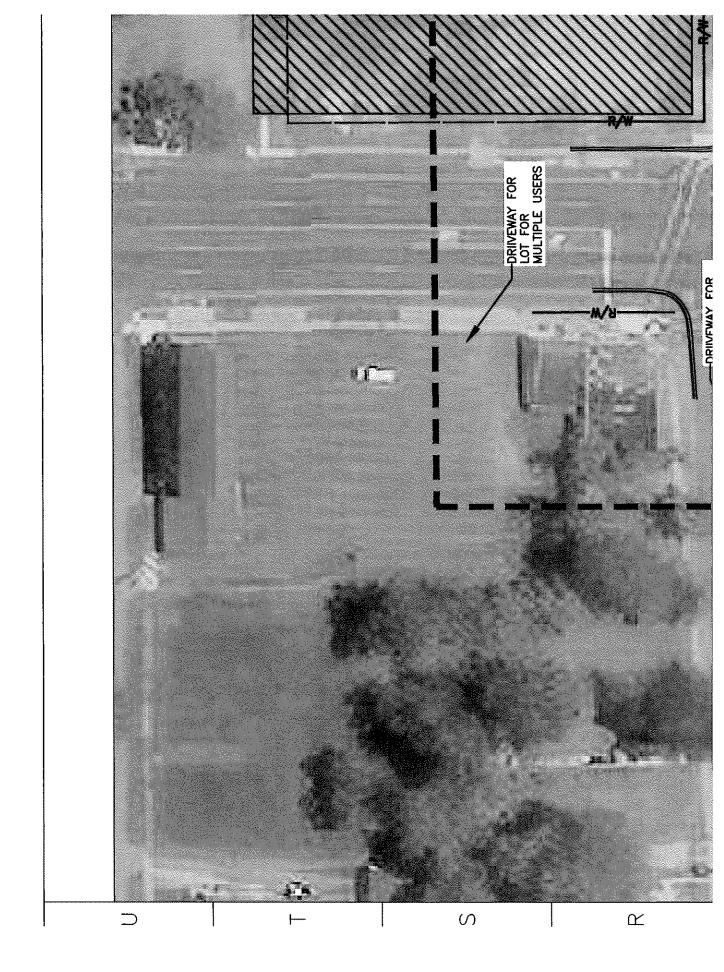




EXHIBIT C

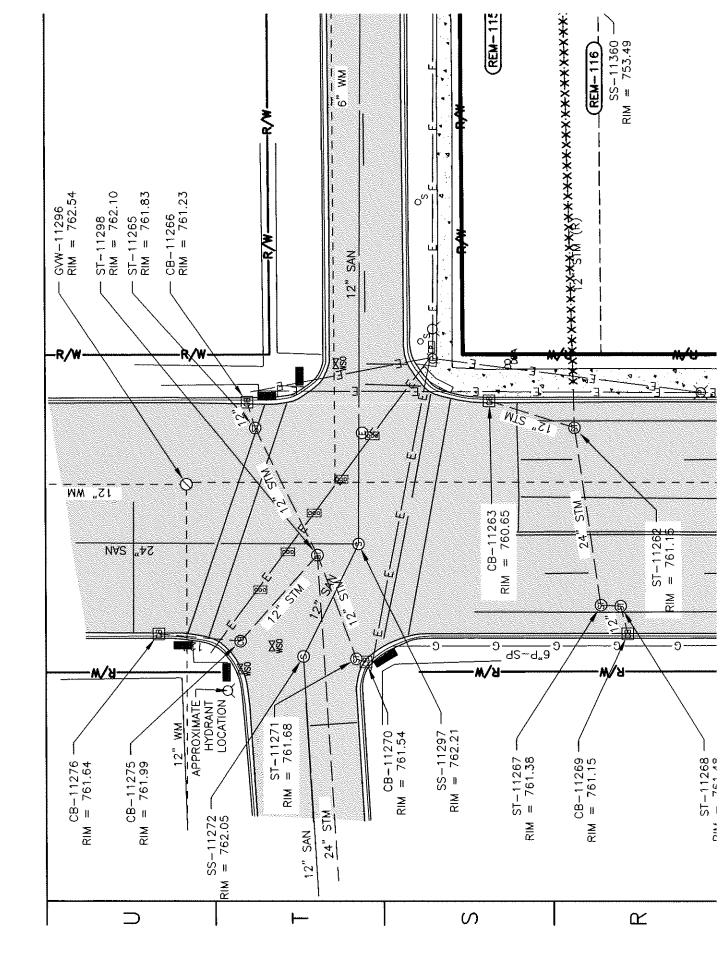
L-4260

Property Transfer Affidavit

This form is issued under authority of P.A. 415 of 1994. Filing is mandatory.

This form must be filed whenever real estate or some types of personal property are transferred (even if you are not recording a deed). The completed Affidavit must be filed by the new owner with the assessor for the city or township where the property is located within 45 days of the transfer. The information on this form is NOT CONFIDENTIAL.

			$\mathcal{A} = \mathcal{A} + \mathcal{A} + \mathcal{A} + \mathcal{A}$	
1. Street Address of Property	2. County		3. Date of Transfer (or land of	contract signed)
760 E. Dewey Street Genesee Location of Real Estate (Check appropriate field and enter name in the space below.)			March 25, 2024	
City Township	name in the space below.) Uillage	5. Purcha \$7,000	ise Price of Real Estate 0.00	
Flint	-		(Transferor) Name sola Fabunmi	
7. Property Identification Number (PIN). If you don't have a PIN, atta	ach legal description.		(Transferee) Name and Mailin	o Address
<u>PIN.</u> This number ranges from 10 to 25 digits. It usually includes hypher on the property tax bill and on the assessment notice.		rs. It is Friend 3300 N	s of Berston, a Michigan Non I. Saginaw St II 48505	g Address -Profit Corporation
41-06-102-020		9. Buyer's	(Transferee) Telephone Numb	per
Items 10-15 are optional. However, by completing ther	n you may avoid further	correspondence.		
 Type of Transfer. <u>Transfers</u> include, but are not limited to, deeds, list. 	, land contracts, transfers involv	ing trusts or wills, certai	n long-term leases and business into	erest. See Page 2 for
☐ Land Contract ☐ Lease	☐ Deed		Other (specify)	
11. Was property purchased from a financial institution?	12. Is the transfer between		13. Amount of Down Pay	/ment
Yes No	☐ Yes	□ No		
14. If you financed the purchase, did you pay market rate of int	terest?	15. Amount Finance	d (Borrowed)	
EXEMPTIONS				
Change in ownership solely to exclude or include a second transfer between certain family members *(see page Transfer of that portion of a property subject to a life Transfer between certain family members of that popy transferor ** (see page 2) Transfer to effect the foreclosure or forfeiture of real Transfer by redemption from a tax sale. Transfer into a trust where the settlor or the settlor's Transfer resulting from a court order unless the order transfer creating or ending a joint tenancy if at least Transfer to establish or release a security interest (contrained transfer of real estate through normal public trading transfer between entities under common control or a transfer resulting from transactions that qualify as a transfer of qualified agricultural property when the propert transfer of land with qualified conservation easemer	le 2). I lease or life estate (until ortion of a property after the property. I property. I property. I property. I spouse conveys property property and an original collateral). I of stock. I among members of an after the property remains qualified tree to the property remains qualified the property re	to the trust and is syment. owner of the propertificated group. agricultural propert typoperty and affida	mination of a life estate or life also the sole beneficiary of the erty (or his/her spouse). If the Internal Revenue Code, y and affidavit has been filed.	e trust.
LI Other, specify:				
	a had af much made of the			
certify that the information above is true and complete to the	ne pest of my knowledge.			
Signature J. Horton	1	The state of the s	Date March 25, 2024	
Name and title, if signer is other than the owner	Daytinge Phone Nun		E-mail Address	



240294

RESOLUTION NO.:

	PRESENTED:	7-22-2024
	ADOPTED:	
RESOLUTION APPROVING THE REALLO WITH GRANTS FOR NEIGHBORHOOD E		
BY THE COUNCIL:		
The Councilperson in the 7 th Ward recomm Account), previously obligated for revenue replacem	_	•
Neighborhood Engagement Hub - Amount Standardoned Coalition for summer youth neighborhood lot cleanup; \$7,000 for the Evergreen beautification; and \$2,000 to the College Cult engagement; and	hborhood(s) beautific Block Watchers for	cation initiative and vacant/ community engagement and
Court Street Village Non-profit - Amount \$1 Neighborhood Association for neighborhood engage the Fairfield Village Neighborhood Coalition for education.	ement, beautification,	and education; and \$7,000 to
Reallocated funds in the total amount of \$3 963.000.	0,000 will be moved	from account #101-287.000-
IT IS RESOLVED, that the appropriate City including executing any necessary agreements, to ap #101-287.000-963.000, to the Neighborhood Enga Evergreen Block Watchers, College Cultural Neighborhood to Court Street Village Non-profits (Cen Village Neighborhood Coalition), in the amount of Account).	propriate funding from gement Hub (Souths hborhood Association tral Park Neighbor	m the funding source Account side Neighborhood Coalition, n), in the amount of \$16,000, thood Association, Fairfield
Based on review and validation of the firm, implementation of these funds will be con Treasury requirements and previously approved authorized to the contract of the contract	nsistent and complia	-
APPROVED AS TO FORM:	APPROVED BY C	ITY COUNCIL:
William E. Kim, City Attorney	***************************************	