



City of Flint, Michigan

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

Meeting Agenda – AMENDED/UPDATED

Monday, September 23, 2024

5:30 PM

City Council Chambers

AGENDA UPDATED to Correct the Description @ Reso No. 240404-T

CITY COUNCIL

Ladel Lewis, President, Ward 2

Candice Mushatt, Vice President, Ward 7

Leon El-Alamin, Ward 1
Judy Priestley, Ward 4
Tonya Burns, Ward 6

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

Jonathan Jarrett, Ward 9

Davina Donahue, City Clerk

CALL TO ORDER

ROLL CALL

PLEDGE OF ALLEGIANCE

PRAYER OR BLESSING

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 will be removed from the meetings.

REQUEST FOR AGENDA CHANGES/ADDITIONS

PUBLIC HEARINGS

240192.6 Public Hearing/Ordinance 240192.1

A Public Hearing for Ordinance No. 240192.1, an amended ordinance to amend Chapter 46 (Utilities), Article II (Water Supply and Sewage Disposal System), by the addition of Division 5 (Replacement of Lead Service Lines). [NOTE: This ordinance shall become effective 30 days after enactment] [NOTE: Ordinance amended to address concerns raised by EGLE regarding potential conflicts with Mich. Admin Code.]

240342.6 Public Hearing/Ordinance 240342

A Public Hearing for Ordinance No. 240342, ordinance to amend the Flint City Code of Ordinances by amending Chapter 31, General Offenses, Article I, In General, by amending Section 31.16.2, Fireworks. [NOTE: This ordinance shall become effective 30 days after enactment]

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.

RECONSIDERATIONS

240144 Administrative Consent Order/City of Flint/State of Michigan/Department of Environment, Great Lakes and Energy [EGLE]/Drinking Water and Environmental Health Division

Resolution resolving that the City Council approves authorizing the City of Flint to take all actions necessary to enter into DWEHD Order No. ACO-399-03-2024 ("Administrative Consent Order between the City of Flint and EGLE"). [NOTE: The State of Michigan, Department of Environment, Great Lakes, and Energy ("EGLE"), Drinking Water and Environmental Health Division ("DWEHD") has made allegations that the City of Flint is in violation of the Michigan Safe Drinking Water Act, 1976 PA 399, as amended (Act 399), and the administrative rules promulgated thereunder, being 2009 ACS R 325.10101, *et seq.*, Title XIV of the Public Health Service Act: Safety of Public Water Systems (Safe Drinking Water Act), Title 42 of the United States Code (USC), Section 300f, *et seq.* (collectively, the "SDWA"). The City of Flint and EGLE have tentatively agreed to resolve the violations alleged by EGLE through entry of an Administrative Consent Order.]

240227 Reallocation of ARPA Funds/Grants for Youth Job Training/Faith Foundation Resources

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 Faith Foundation Resources in the amount of \$200,000. 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.

240191 Amendment/Ordinance/Chapter 31 (General Offenses), Article I (In General), of the Code of the City of Flint by amending Section 31-10 (Disorderly Conduct, Assault and Battery, And Disorderly Persons)

An ordinance to amend Chapter 31 (General Offenses), Article I (In General), of the Code of the City of Flint by amending Section 31-10 (Disorderly Conduct, Assault and Battery, And Disorderly Persons). [NOTE: This ordinance shall become effective 30 days after enactment.]

[NOTE: A PUBLIC HEARING FOR ORDINANCE NO. 240191 WAS HELD ON MONDAY, JUNE 10, 2024.]

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 (May Be Reconsidered)

240144 Administrative Consent Order/City of Flint/State of Michigan/Department of Environment, Great Lakes and Energy [EGLE]/Drinking Water and Environmental Health Division

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Act: Safety of Public Water Systems (Safe Drinking Water Act), Title 42 of the United States Code (USC), Section 300f, *et seq.* (collectively, the “SDWA”). The City of Flint and EGLE have tentatively agreed to resolve the violations alleged by EGLE through entry of an Administrative Consent Order.]

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SECOND READING AND ENACTMENT OF ORDINANCES (May Be Reconsidered)

240191 Amendment/Ordinance/Chapter 31 (General Offenses), Article I (In General), of the Code of the City of Flint by amending Section 31-10 (Disorderly Conduct, Assault and Battery, And Disorderly Persons)

An ordinance to amend Chapter 31 (General Offenses), Article I (In General), of the Code of the City of Flint by amending Section 31-10 (Disorderly Conduct, Assault and Battery, And Disorderly Persons). [NOTE: This ordinance shall become effective 30 days after enactment.]

RESOLUTIONS

240235 Scheduling of a Public Hearing/Removal for Cause/Ethics and Accountability Board/Member Billie Danzler

Resolution resolving that that the Law Department is requested to retain outside counsel to act as the Manager for this public hearing, who will present the case for removal to the City Council, AND, resolving that Ms. Danzler may, at her own expense, be represented by legal counsel at this public hearing, AND, resolving that the City Clerk shall, in conjunction with the Manager and Ms. Danzler or her legal counsel, schedule a public hearing regarding the removal of Billie Danzler of the Ethics and Accountability Board, to be held at a special meeting of the City Council, and shall provide notice of the same to Ms. Danzler and the public as required by the Flint City Charter. [NOTE: Section 1-603(A) of the Flint City Charter states that “the City Council shall declare the forfeiture of the office of any elective officer or appointee and may remove for cause any person appointed to an office for a fixed term. In every case there shall be a public hearing before the City Council with public notice published in the manner set forth in this Charter. “Section 1-603(B) of the Flint City Charter states that “[t]he position of an elective City of Flint officer or an appointee shall be forfeited if he or she : 1. Lacks at any time any qualifications required by law or this Charter; or 2. Violates any provisions of this Charter; or 3. Is convicted of a felony while holding the office or appointment. “Section 1-602(C)(1) of the Flint City Charter prohibits public servants from “willfully or grossly neglect the discharge of his or her duties.” Ms. Danzler’s multiple violation of the City’s disorderly conduct ordinance constitutes a willful or grossly negligent discharge of her duties as member of the Ethics and Accountability Board and a public servant and is grounds for removal for cause.]

240324 Reallocation of ARPA Funds/Sarvis Park Neighborhood Association (SPNA)/Alternative Uses of Vacant Lots/Neighborhood Engagement Hub (NEH) as Fiduciary

Resolution resolving that the appropriate City officials are authorized to do all things necessary to provide funding to Neighborhood Engagement Hub [NEH] (Sarvis Park Neighborhood Association) and appropriate funding in the current and future fiscal years in the amount of \$25,000, as described above, for as long as the funds are available. Prior to any disbursement of funds, the City of Flint's ARPA

administration, compliance, and implementation firm shall review and ensure compliance with the latest US Department of Treasury rules. [NOTE: This resolution will replace the previously passed Resolution No. 240143.]

240325.1 Amended Resolution/Opioid Settlement Funds/Flint Odyssey House, Inc./Mental Health Referrals and Services Support/Respond to the Impacts of the Pandemic

Amended resolution resolving that the appropriate City officials are authorized to do all things necessary to allocate Opioid Settlement Funds for funding to Flint Odyssey House, Inc. in an amount not to exceed \$36,000.00. [NOTE: This resolution will replace the previously passed resolution No. 230414]. [NOTE: This resolution was amended by the City Council to change the funding source from ARPA Funds to Opioid Settlement Funds.]

240402-T Reallocation of ARPA Funds/First Responder Mental Health Reimbursement Program

Resolution resolving that the appropriate City Officials are authorized to do all things necessary, including executing any agreements, to appropriate funding from the funding source account #101-287.000-963.000 to First Responder Mental Health Reimbursement Program, in the amount of \$200,000. 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.

240410-T Contract/Complete Towing Service/Police Department Towing and Storage Services

Resolution resolving that the proper City Officials are authorized to enter into a contract with Complete Towing for the Police Department for towing and storage services, in a two-year amount NOT-TO-EXCEED \$860,000.00 (\$430,000 for FY25 and \$430,000 pending adoption of the FY26 budget). Adoption of this resolution authorizing the two-

year contract will override/nullify Resolution No. 240289 recently adopted by the City Council on July 22, 2024.

240420-T MDOT Authorized Signatures/State Trunkline

Resolution resolving that the City of Flint authorizes Mayor Sheldon Neeley and City Administrator Clyde Edwards as authorized signatures to the MDOT Contract Number State Trunkline. [NOTE: The City of Flint and Michigan Department of Transportation (MDOT) agree to enter into a contract for the State Trunkline. MDOT requires names of officials authorized to sign the contract agreement.]

240421-T Funding Incentive/Workforce Innovation and Opportunity ACT (WIOA)/Genesee Shiawassee Thumb Michigan Works

Resolution resolving, that the appropriate City Officials are hereby authorized to do all things necessary to accept the funding incentive from GST Michigan Works provided under the WIOA to purchase turnout gear for 13 newly hired Firefighter Trainees and to appropriate the incentive funding award for revenue and expenditures for the FY25 budget year in the amount of \$32,500.00 and to record the funding incentive award under the REVENUE-REIMBURSEMENT account, AND, further resolving that the Division of Purchases and Supplies is hereby authorized to issue Purchase Orders to Fire Department approved vendors for the purchase of turnout gear equipment, in the amount not-to-exceed \$32,500.00 for FY25 (07/01/24-06/30/25).

240422-T Tetra Tech of Michigan, PC/WPC Asset Management Plan Update

Resolution resolving that the proper City Officials are authorized to do all things necessary to issue a Purchase Order to Tetra Tech of Michigan, PC, 1136 Oak Valley Drive, Suite 100, Ann Arbor, MI 48108 for Water Pollution Control Asset Management Plan Update Services, in the not-to-exceed FY 2025 amount of \$175,000.00.

240423-T Firefighter Turnout Gear Grant Award/State of Michigan Department of Labor and Economic Opportunity (LEO)

Resolution resolving that the appropriate City Officials are hereby authorized to do all things necessary to accept the Firefighter Turnout Gear grant award from the State of Michigan Department of Labor and Economic Opportunity (LEO) to purchase an additional set of turnout gear to include coat, pants and boots for all Flint Fire Department fire suppression personnel and to appropriate award funding for revenue and expenditures for the FY25 budget year in the amount of \$255,135.00 for FY25 (07/01/24-06/30/25), AND, further resolving that the Division of Purchases and Supplies is hereby authorized to issue Purchase Orders to Fire Department approved vendors for the purchase of this turnout gear, in an amount not-to-exceed \$255,135.00 for FY25 (07/01/24-06/30/25).

240427-T Reallocation of ARPA Funds/Grants for Community Engagement and Beautification and External Minor Home Repairs/1st Ward Priorities/Neighborhood Engagement Hub as Fiduciary

Resolution resolving that the appropriate City Officials are hereby authorized to do all things necessary, including executing any necessary agreements, to appropriate funding to The Neighborhood Engagement Hub in the amount of \$30,000 to act as fiduciary for 1st Ward Priorities. Before the funds are spent, the City of Flint's ARPA administration, compliance, and implementation firm shall review and ensure compliance with the latest US Department of Treasury final rules.

240428-T ARPA Funding/Blight Elimination Department/4th Ward Lawnmowing/4th Ward Priorities

Resolution resolving that the appropriate City Officials are hereby authorized to do all things necessary, including executing any necessary agreements, to appropriate funding to Asbury Community Development Center in the amount of \$30,000, to act as fiduciary for the South Flint Soup Kitchen, in accordance with 8th Ward Priorities. Before the funds are spent, the City of Flint's ARPA administration, compliance, and implementation firm shall review and ensure compliance with the latest US Department of Treasury final rules.

240429-T ARPA Funding/Asbury Community Development Center as Fiduciary/South Flint Soup Kitchen/8th Ward Priorities

Resolution resolving that the appropriate City Officials are hereby authorized to do all things necessary, including executing any necessary agreements, to appropriate funding to Asbury Community Development Center in the amount of \$30,000, to act as fiduciary for the South Flint Soup Kitchen, in accordance with 8th Ward Priorities. Before the funds are spent, the City of Flint's ARPA administration, compliance, and implementation firm shall review and ensure compliance with the latest US Department of Treasury final rules.

RESOLUTIONS (May Be Referred from Special Affairs)

240404-T Reallocation of ARPA Funds/North Flint Food Co-Op

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 North Flint Food Market Cooperative in the amount of \$300,000. 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.

240432-T Reallocation of ARPA Funds/Community Engagement/External Minor Home Repairs/Hasselbring Center/1st Ward Priorities/Neighborhood Engagement HUB as Fiduciary

Resolution resolving that the appropriate City officials are hereby authorized to do all things necessary, including executing any necessary agreements, to appropriate funding to The Neighborhood Engagement Hub in the amount of \$30,000.00 to act as fiduciary for 1st Ward Priorities. Before the funds are spent, the City of Flint's ARPA administration, compliance, and implementation firm shall review and ensure compliance with the latest US Department of Treasury final rules. [NOTE: This resolution will replace previously passed Reso No. 240343.1] [NOTE: \$10,000.00 is to be used for the completion of five

porches for five 1st Ward residents; \$11,000.00 is to be used for cutting the grass twice a month (or up to three times a month if necessary due to rain) for up to fifty (50) 1st Ward lots, from the contract approval date until September 2024, and again in 2025 from May until the end of September; \$3,000.00 is to go to The Neighborhood Engagement Hub; \$6,000.00 is to be used to pay the first twelve months (at \$500.00 per month) of the lease payments due under the 2024 Lease Agreement between the City of Flint and the Hasselbring Senior Center.]

240433-T Grant Acceptance/Michigan Department of Environment, Great Lakes, and Energy/Water Pollution Control

Resolution resolving that the appropriate City Officials are authorized to do all things necessary to accept and appropriate grant funding, and abide by the terms and conditions of the grant award agreement from the State of Michigan Department of Environment, Great Lakes and Energy, in the total award amount of \$40,000.00; AND, further resolving that the City Administrator, Chief Financial Officer, and WPC/DPW Manager be authorized as signatories and representatives for all activities associated with the grant listed above.

240434-T Resolution resolving that the appropriate City officials are authorized to do all things necessary to allocate Opioid Settlement Funds for funding to Flint Odyssey House, Inc. in an amount not to exceed \$36,000.00 to be used for Mental Health Referrals and Services Support.

240435-T Grant Acceptance/Voters Not Politicians Education Fund/Flint City Clerk's Office/Communications and Public Relations

Resolution resolving that that the appropriate City Officials authorize to do all things necessary to accept and appropriate grant award funding from the Count MI Vote Education Fund, dba Voters Not Politicians Education Fund to the Flint City Clerk's Office to support communications and public relations efforts for the November 5, 2024 General Election, and to abide by the terms and conditions of the grant award agreement, in the total award amount of \$14,000.00, AND, resolving that the City Clerk be authorized as signatory and representative for all activities associated with the grant award.

240436-T Grant Acceptance/Institute for Responsive Government/Flint City Clerk's Office/Nonpartisan Work Planning and Operationalizing Election Administration

Resolution resolving that the appropriate City Officials authorize to do all things necessary to accept and appropriate grant award funding from the Institute for Responsive Government to the Flint City Clerk's Office to support election administration, and to abide by the terms and conditions of the grant award agreement, in the total award amount of \$60,000.00, AND, resolving that the City Clerk be authorized as signatory and representative for all activities associated with the grant award.

SECOND READING AND ENACTMENT OF ORDINANCES

240192.1 Amended Ordinance/Amendment/Ordinance/Chapter 46 (Utilities)/Article II (Water Supply and Sewage Disposal System)/Division 5 (Replacement Lead Service Lines)

An amended ordinance to amend Chapter 46 (Utilities), Article II (Water Supply and Sewage Disposal System), by the addition of Division 5 (Replacement of Lead Service Lines). [NOTE: This ordinance shall become effective 30 days after enactment] [NOTE: Ordinance amended to address concerns raised by EGLE regarding potential conflicts with Mich. Admin Code.]

240342 Amendment/Chapter 31 (General Offenses)/Section 31-16.2 (Fireworks)

Ordinance to Amend the Flint City Code of Ordinances by amending Chapter 31, General Offenses, Article I, In General, by amending Section 31.16.2, Fireworks. [NOTE: This ordinance shall become effective 30 days after enactment]

FINAL COUNCIL COMMENTS

Final Council Comments shall be limited to two (2) minutes.

ADJOURNMENT