



City of Flint, Michigan

Meeting Minutes 2 - Draft

CITY COUNCIL

230382

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

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
Jerrl Winfrey-Carter, Ward 5
Dennis Pfeiffer, Ward 8
Eva L. Worthing, Ward 9

Davina Donahue, City Clerk

Monday, February 27, 2023

7:35 PM

Council Chambers

ROLL CALL

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

ROLL CALL

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

Absent: Councilperson: Councilperson Mays

RESOLUTIONS

230037 Repeal of Public Act 436 of 2012/The Local Financial Stability and Choice Act

Resolution resolving that the City of Flint fully supports House Bill 4065 and the repeal of Public Act 436, and urges the Michigan Legislature to enact H.B. 4065 and repeal the Local Financial Stability and Choice Act 436 of 2012.

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

Aye: 8 - Councilperson Lewis, Councilperson Murphy, Councilperson Priestley, Councilperson Winfrey-Carter, Councilperson Burns, Vice President Herkenroder, Councilperson Pfeiffer and Councilperson Worthing

Absent: 1 - Councilperson Mays

PETITIONS AND UNOFFICIAL COMMUNICATIONS

230056 DRAFT Genesee County Solid Waste Management Plan (SWMP) Amendment/Public Hearing/Open Houses/Genesee County Metropolitan Planning Commission

Communication received February 27, 2023, re: A DRAFT copy of Genesee

County's Solid Waste Management Plan (SWMP) Amendment, as required by the Michigan Department of Environment, Great Lakes, and Energy (EGLE) to ensure that the county can properly dispose of waste for the next ten years. A Public Hearing will be held on April 5, 2023, at 1:00 p.m. in the Genesee County Administration Building, Rm. 222, 1101 Beach Street, Flint, for the purpose of obtaining comments on the plan. Three Open Houses will also be held to gather public input: April 18th @ 11:00 a.m./Flint Farmers' Market, 300 E. First Street, Flint; April 19th @ 9:00 a.m./Loose Senior Center, 707 N. Bridge Street, Linden; and April 20th @ 4:00 p.m./Montrose Township Hall, 11444 Seymour Rd, Montrose. [NOTE: A copy of the DRAFT Genesee County's Solid Waste Management Plan (SWMP) Amendment is available in the Flint City Clerk's Office, Flint City Hall, 2nd Floor, 1101 S. Saginaw Street, Flint.]

This Matter was Placed on File on the Consent Agenda.

COMMUNICATIONS (from Mayor and Other City Officials)

230057 City of Flint/Administrative Hearings Bureau/Rules of Procedure

A copy of the City of Flint's Administrative Hearings Bureau Rules of Procedure, as made effective February 20, 2023.

This Matter was Placed on File on the Consent Agenda.

RESOLUTIONS (POSTPONED)

220530.2 Adoption/Proposed Amendments/Rules Governing Meetings of the Council

Resolution resolving that the Flint City Council adopts the Rules Governing Meetings of the Flint City Council [As Amended], to be effective upon being made publicly available at the City Clerk's office and/or on the City's website.

SEPARATED FROM MASTER RESOLUTION

230026 Solicitation of Proposals/Golf Course Leases

Resolution resolving that, in order to ensure that the City of Flint receives fair compensation for the lease of the Swartz Creek and Kearsley Lake Golf Courses, the Flint City Council requests that the City Administration publicly solicit proposals for the lease and operation of the Swartz Creek and Kearsley Lake Golf Courses and present the best proposal to the City Council for its approval.

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

230027 Partial Settlement/Matt Baker, et al v City of Flint, et al/Genesee County Circuit Court Case No. 19-113438

Resolution resolving that the Flint City Council approves settlement in the matter of Matt Baker, et al v City of Flint, et al, Genesee County Circuit Court Case No. 19-113438, as to plaintiff Michael Ross, in the amount of \$39,000.00,

in satisfaction of any and all claims against the City and its officers arising out of said matter, with payment to be drawn from appropriated funds in Litigation and Suits Line Item 677-266.200-812.010. [NOTE: An Executive Session was held in this matter on December 7, 2022.]

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

230029 Agreement/City of Flint/Genesee County Prosecutor's Office/Witness Protection Services Program

Resolution resolving that the appropriate City Officials are authorized to do all things necessary to enter into an agreement with the Genesee County Prosecutor's Office [to be used towards a witness protection services program], in an amount NOT-TO-EXCEED \$100,000.00, over a three-year grant period, June 1, 2022 to May 31, 2023.

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

230033 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 Service for Police Department Towing and Storage services, for a total NOT-TO-EXCEED \$285,000.00, for FY2023.

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

230040.1 Amended Resolution/Forms/City Council's "Request for ARPA Funds - City Council Initial Form"

An amended resolution resolving that the Council staff shall cease accepting any Council Forms effective immediately; AND, the Council staff shall forward copies of any Council Forms received to the City of Flint's Public Health Office; AND, that the City Council requests that the Public Health Office, based on the Council Forms received, refer submitters of those forms to the appropriate community resources for assistance. [NOTE: Resolution amended to have Council staff cease accepting the City Council's "Request for ARPA Funds - City Council Initial Form" - as opposed to re-titling the form to "City of Flint Resource Identification Referral Form".] [NOTE: In early 2022, the Flint City Council - by verbal motion - approved the use of the RAF-CCIF document to receive requests for ARPA funds from city residents.]

SEPARATED FROM MASTER RESOLUTION

230043 Approval/Collective Bargaining Agreement (CBA)/City of Flint/Flint Police Officers' Association (FPOA)

Resolution resolving that the Flint City Council ratifies the Tentative Agreement between the City of Flint and the Flint Police Officers' Association.

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

RESOLUTIONS (May Be Referred from Special Affairs)

230047 FY23 Change Order/JB's Tree and Yard Service/Master Planning Tree Removal Project

Resolution resolving that the Division of Purchases and Supplies is authorized to issue a Purchase Order for FY2023 to JB's Tree Services LLC, in an amount NOT-TO-EXCEED \$4,484.00, for a Master Planning Tree Removal Project, and an overall FY23 vendor amount NOT-TO-EXCEED \$89,484.00.

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

230048 ODP Business Solutions/New Council Chamber Chairs

Resolution resolving that the Division of Purchases and Supplies is authorized to issue a Purchase Order for FY2023 to ODP Business Solutions (Office Depot), in an amount NOT-TO-EXCEED \$48,077.33, for chairs for the Council Chamber upgrade project, for an overall FY23 grand total NOT-TO-EXCEED \$165,924.33, AND, resolving that the Purchasing Division has the discretion to spend an additional amount of no more than 5% of the annual requested spend amount of Office Depot for unanticipated requests that may be submitted during FY2023.

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

230049 Polydyne Inc./Liquid Cationic Polymer

Resolution resolving that the Division of Purchases and Supplies is authorized to issue an additional Purchase Order for FY2023 to Polydyne, Inc., in an amount NOT-TO-EXCEED \$120,000.00, for the supply of Liquid Cationic Polymer for the Water Pollution Control Facility, for an overall FY23 grand total amount NOT-TO-EXCEED \$270,000.00.

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

230050 Owner Entity and Loan Holder/HOME Investment Partnership Funds Award/800 E Court Street Village Limited Dividend Housing Association Limited Partnership

Resolution resolving that the appropriate City Officials recognize 800 E Court Street Village Limited Dividend Housing Association Limited Partnership as the owner entity and loan holder for the 800 E Court Street modernization project and are authorized to enter into the required HOME agreements with 800 E Court Street Village Limited Dividend Housing Association Limited [Partnership].

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

230051 Trio Paint/General Contractor Services

Resolution resolving that the Division of Purchases and Supplies is authorized to issue additional Purchase Orders for FY2023 to Trio Paint, in an amount NOT-TO-EXCEED \$625,000.00, for various large Facilities Maintenance projects, in an overall grand total amount NOT-TO-EXCEED \$725,000.00 for FY2023.

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

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

Absent: 2 - Councilperson Mays and Councilperson Lewis

SEPARATED FROM MASTER RESOLUTION

220530.2 Adoption/Proposed Amendments/Rules Governing Meetings of the Council

Resolution resolving that the Flint City Council adopts the Rules Governing Meetings of the Flint City Council [As Amended], to be effective upon being made publicly available at the City Clerk's office and/or on the City's website.

Amended to remove Rule No. 5.6

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

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

Absent: 2 - Councilperson Mays and Councilperson Lewis

Amended to remove Rule 6.10

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

Aye: 8 - Councilperson Lewis, Councilperson Murphy, Councilperson Priestley, Councilperson Winfrey-Carter, Councilperson Burns, Vice President Herkenroder, Councilperson Pfeiffer and Councilperson Worthing

Absent: 1 - Councilperson Mays

220530.3 Amended Resolution/Adoption/Proposed Amendments/Rules Governing

Meetings of the Council

An amended resolution resolving that the Flint City Council adopts the Rules Governing Meetings of the Flint City Council [As Amended], to be effective upon being made publicly available at the City Clerk's office and/or on the City's website.

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

Aye: 6 - Councilperson Lewis, Councilperson Murphy, Councilperson Priestley, Vice President Herkenroder, Councilperson Pfeiffer and Councilperson Worthing

No: 1 - Councilperson Winfrey-Carter

Abstain: 1 - Councilperson Burns

Absent: 1 - Councilperson Mays

230040.1 **Amended Resolution/Forms/City Council's "Request for ARPA Funds - City Council Initial Form"**

An amended resolution resolving that the Council staff shall cease accepting any Council Forms effective immediately; AND, the Council staff shall forward copies of any Council Forms received to the City of Flint's Public Health Office; AND, that the City Council requests that the Public Health Office, based on the Council Forms received, refer submitters of those forms to the appropriate community resources for assistance. [NOTE: Resolution amended to have Council staff cease accepting the City Council's "Request for ARPA Funds - City Council Initial Form" - as opposed to re-titling the form to "City of Flint Resource Identification Referral Form".] [NOTE: In early 2022, the Flint City Council - by verbal motion - approved the use of the RAF-CCIF document to receive requests for ARPA funds from city residents.]

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

Aye: 7 - Councilperson Lewis, Councilperson Murphy, Councilperson Priestley, Councilperson Burns, Vice President Herkenroder, Councilperson Pfeiffer and Councilperson Worthing

No: 1 - Councilperson Winfrey-Carter

Absent: 1 - Councilperson Mays

230040.2 **2nd Amendment/Resolution/Forms/City Council's "Request for ARPA Funds - City Council Initial Form"**

A second amendment to a resolution resolving that the Council staff shall cease accepting any Council Forms effective immediately; AND, the Council staff shall forward copies of any Council Forms received to the City of Flint's Public Health Office; AND, that the City Council requests that the Public Health Office, based on the Council Forms received, refer submitters of those forms to the appropriate community resources for assistance. [NOTE: Resolution amended

to have Council staff cease accepting the City Council's "Request for ARPA Funds - City Council Initial Form" - as opposed to re-titling the form to "City of Flint Resource Identification Referral Form".] [NOTE: In early 2022, the Flint City Council - by verbal motion - approved the use of the RAF-CCIF document to receive requests for ARPA funds from city residents.] [NOTE: Resolution amended to remove the last two "Resolved" paragraphs.]

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

Aye: 7 - Councilperson Lewis, Councilperson Murphy, Councilperson Priestley, Councilperson Burns, Vice President Herkenroder, Councilperson Pfeiffer and Councilperson Worthing

No: 1 - Councilperson Winfrey-Carter

Absent: 1 - Councilperson Mays

INTRODUCTION AND FIRST READING OF ORDINANCES (May Be Referred from S.A.)

230052 Amendment/Ordinance/Chapter 35 (Personnel)/Section 35-112.04
(Adoption-Job Description & Qualifications)/City Administrator

An ordinance to amend the Flint City Code of Ordinances by amending Chapter 35 (Personnel); Section 35-112.04 (Adoption - Job Description and Qualifications), City Administrator.

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

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

No: 3 - Councilperson Priestley, Councilperson Winfrey-Carter and Councilperson Burns

Absent: 1 - Councilperson Mays

ADJOURNMENT

Councilperson Pfeiffer, seconded by Councilperson Priestley, made a motion to adjourn this meeting at 10:22 p.m. The motion passed by a vote of 7:1 (Murphy) (Absent: Mays).