

City of Flint, Michigan

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



Meeting Agenda - Final

Monday, December 11, 2017

5:30 PM

**AMENDED
(to add Invocation speaker)
Council Chambers**

CITY COUNCIL

*Herbert J. Winfrey, President, Ward 6
Monica Galloway, Vice President, Ward 7*

Eric Mays, Ward 1

Santino Guerra, Ward 3

Jerri Winfrey-Carter, Ward 5

Maurice Davis, Ward 2

Kate Fields, Ward 4

Allan Griggs, Ward 8

Eva Worthing, Ward 9

Inez M. Brown, City Clerk

Agenda amended to add Prayer or Blessing invitee.

CALL TO ORDER

ROLL CALL

PLEDGE OF ALLEGIANCE

PRAYER OR BLESSING

Rev. Derrick Avery Aldridge, 2nd Chance Church

READING OF DISORDERLY PERSONS 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 CHANGES AND/OR ADDITIONS TO AGENDA

Council shall vote to adopt any amended agenda.

PRESENTATION OF MINUTES

PUBLIC HEARINGS

PUBLIC SPEAKING

Per the amended Rules Governing Meetings of the Council (as adopted by the City Council on Monday, June 12, 2017), three (3) minutes per speaker. Only one speaking opportunity per speaker. Numbered slips will be provided prior to the start of the meeting to those wishing to speak during this agenda item. No additional speakers or slips will be accepted after the meeting begins. Speakers may not allocate or "donate" their allotted time to another person. Council members may not speak during Public Speaking, nor may they make response comments to speakers. Council members may use their five (5) minutes for Final Comments to address any issues that have been addressed by Public Speakers.

PETITIONS AND UNOFFICIAL COMMUNICATIONS

OFFICIAL COMMUNICATIONS (from Mayor and other City Officials)

ADDITIONAL COMMUNICATIONS

APPOINTMENTS

170567 Appointment/Zoning Board of Appeals/Matthew Telliga (Ward 8)

Resolution resolving that Matthew Telliga (3330 Westwood Parkway, Flint, MI 48503 -- Ward 8) is appointed to the Zoning Board of Appeals for a three-year term, expiring August 31, 2020. [By way of background, Louis A. Griggs resigned from the Zoning Board of Appeals after being elected to the Flint City Council. His term expired August 31, 2017, however, he continued to serve.]

LICENSES**RESOLUTIONS**

Per the amended Rules Governing Meetings of the Council (as adopted by the City Council on Monday, June 12, 2017), a Council member who desires to speak in debate must obtain the floor by being recognized by the presiding Chair. In the debate, each member has the right to speak twice (for a maximum of five [5] minutes) on the same question on the same day, but cannot make a second speech on the same question so long as any member who has not spoken on that question desires the floor. A member who has spoken twice on a particular question on the same day has exhausted his/her right to debate that question for that day. A timer will be utilized. No "banking" of time or division of time for future use is allowed. Council members may request to ask questions of Administrative staff, etc. during debate on any agenda item. Guest speaker time allowed shall be determined by the presiding Chair and is not considered to be a part of the limited debate time allocated to Council members.

170586 Kennedy Industries/Lift Station Pumps

Resolution resolving that the Department of Purchases & Supplies, upon City Council's approval, is hereby authorized to issue a purchase order to Kennedy Industries for lift station pumps, as requested by Utilities/Water Pollution Control, in an amount NOT-TO-EXCEED \$197,715.00 [Sewer Fund Acct. No. 590-550.300-977.000].

170587 Three-Year/Contract/William E. Walter/HVAC Support Services

Resolution resolving that the proper city officials are hereby authorized to enter into a three-year contract with William E. Walter for HVAC support services, as requested by the Water Service Center, in an annual amount NOT-TO-EXCEED \$15,000.00, pending adoption of the FY2019 and FY2020 budgets, for a total aggregate amount of \$224,000.00 [Sewer Fund Acct. No. 590-540.100-801.000 = \$7,500.00 and Water Fund Acct. No. 591-540.100-801.000 = \$7,500.00].

170589 Settlement/Pre-Suit Litigation/Kathy Konesy

Resolution resolving that the Acting City Administrator hereby authorizes settlement for the pre-suit litigation of Kathy Konesy, in the amount of \$12,000.00, in satisfaction of any and all claims arising out of said matter, with payment drawn from appropriated funds in Litigation and Suits Line Item No. 677-266.200-956.300.

170591 Budget Amendments/FY2017-FY2018/General Fund/Drug Forfeiture Fund/Public Safety Fund/Police Fund

Resolution resolving that the appropriate city officials are authorized to do all things necessary to amend the FY2017-2018 adopted budget to support the Flint Police Officers' Association (FPOA) collective bargaining agreement for the FY2017-2018 fiscal year; the wages and fringes will come from: General Fund (\$76,588.76) and Drug Forfeiture Fund (\$1,309.92), and Fund Balances in the Public Safety Fund (\$17,062.59) and Police Fund (\$10,388.75). [NOTE: The Flint City Council approved a collective bargaining agreement with the FPOA on November 27, 2017. The adopted budget did not include the additional expenses that will be incurred as a result of the new agreement.]

RESOLUTIONS (May Be Referred from Special Affairs)

170588 Objection/Transfer of Tax Reverted Property/City of Flint/Treasurer of Genesee County

Resolution authorizing the City of Flint to exercise its option under Public Act 123 of 1999 to object to the transfer of property foreclosed upon by the Treasurer of Genesee County, but not sold.

170590 Sale of Six (6) City-Owned Parcels/Metro Community Development/Metawanenee Hills Phase 2

Resolution resolving that the appropriate city officials are hereby authorized to do all things necessary to approve an option with Metro Community Development for \$1,500.00 total (which would be deposited into Revenue Acct. No. 101-371.209-673.100) for six parcels, contingent on a Low-Income Housing Tax Credit award for Phase 2 of the Metawanenee Hills Housing Project and an accompanying deed restriction the parcels necessitating that the property is used solely for residential housing, as requested by Planning & Development. [NOTE: The properties are on Garland Street (1), West Wood Street (2) and M.L. King Avenue (3).]

170592 Budget Adjustment/Transfer/F&V Operations/Laboratory Services/Water Fund

Resolution resolving that the appropriate city officials are authorized to do all things necessary to amend the FY2017-FY2018 adopted budget to transfer the budgeted amount of \$163,132.00 from Water Fund Wages & Salaries Acct. No. 591-545.200-5702.000, \$19,118.00 from Water Fund Direct Fringes Acct. No. 591-545.200-719.100 and \$5,000.00 from Water Fund Overtime Acct. No. 591-545.200-709.000 to Water Fund Professional Services Acct. No. 591-536.100-801.000 for the month to month contract with F&V Operations. [NOTE: On August 24, 2017, the Flint City Council approved Resolution No. 170455 for F&V Operations to provide the Water Plant with one month of laboratory services as a result of the resignation of two laboratory staffers. Although the city has interviewed and made an offer of employment, the city has been unable to secure permanent staff to fill the laboratory staff services.

As a result, the city needs to continue the agreement for F&V Operations to provide laboratory services on a month-to-month basis and will need a budget adjustment in order to continue.]

- 170596** Settlement/Smith v. City of Flint/Genesee County Circuit Court Case No. 13-100532-CZ

Resolution resolving that the Acting City Administrator authorizes settlement, in the amount of \$72,500.00, in satisfaction of any and all claims arising out of the litigation matter of Smith v. City of Flint, Genesee County Circuit Court Case No. 13-100532-CZ, with payment drawn from appropriated funds in Litigation and Suits Line Item No. 677-266.200-956.300. [Administration Submission No. CA5662017]

- 170597** Settlement/City of Flint v. Rooter1, Inc./Genesee County District Court Case No. C17G3934

Resolution resolving that the Acting City Administrator authorizes settlement, in the amount of \$19,014.82, in satisfaction of any and all claims arising out of the litigation matter of City of Flint v. Rooter1, Inc., Genesee County District Court Case No. C17G3934, with the appropriate City Officials authorized to do all things necessary to amend the 2017-2018 adopted budget to recognize revenue in Acct. No. 101-253.204-439.000. [Administration Submission No. CA5702017]

- 170598** First Addendum/License to Transmit Water/Genesee County Drain Commissioner

Resolution resolving that the Mayor is authorized to do all things necessary to enter into the First Addendum to [the] License to Transmit Water with the Genesee County Drain Commissioner. [NOTE: The City of Flint and the Genesee County Drain Commissioner (GCDC) entered into a License to Transmit Water dated October 15, 2015 (effective October 14, 2015). The city selected the Great Lakes Water Authority (GLWA) as its primary source of potable water, and the City, the GLWA, the GCDC, the Karegnondi Water Authority (KWA), and the State of Michigan (SOM) collectively negotiated various agreements related to the terms for the City using the GLWA as its permanent water supplier (the "Water Deal"). As part of the Water Deal, the GCDC is quit claiming a 72" pipeline and associated appurtenances to the City that includes a meter pit at Baxter Road and Potter Road, and such 72" pipeline continues westerly approximately eleven miles to the west of the KWA connection at the intersection of Center Road and Pierson Road ("Pipeline"). The Water Deal is effective December 1, 2017, however, the deed to the Pipeline will not be released from escrow until closing of the refinancing of the KWA's \$74,370,000.00 Water Supply System (Karegnondi Water Authority Pipeline Bonds) Series 2016 (the "KWA Bonds"), which is anticipated to be completed prior to May 2018. The City will be the only entity using the Pipeline after the Water Deal closes and the GCDC has its own water treatment facility and 42" pipeline that are transmitting water to its customers. It is critical that the City install various equipment and that the City can control

the pressure of the Pipeline in the meter pit. If the pressure is not controlled properly, a malfunction of the Pipeline could occur. The City and the GCDC are willing to modify the language of the License by executing this Addendum to the License.]

LIQUOR LICENSES

INTRODUCTION AND FIRST READING OF ORDINANCES

- 170593** Amendment/Ordinance/Chapter 18 (Taxation; Funds; Purchasing)/Article I (In General)/Section 18-4.1 (Service Charge in Lieu of Taxes for Housing Facilities for Certain Persons)

An ordinance to amend the Code of the City of Flint by amending Chapter 18, Taxation; Funds; Purchasing; Article I, In General; Section 18-4.1, Service Charge in Lieu of Taxes for Housing Facilities for Certain Persons. [NOTE: Amendment changes the annual service charge for Communities First Inc. from four percent to six percent.]

- 170594** Amendment/Ordinance/Chapter 18 (Taxation; Funds; Purchasing)/Article I (In General)/Section 18-4.7 (Same - Duration)

An ordinance to amend Chapter 18 (Taxation; Funds; Purchasing), Article I (In General), Section 18-4.7 (Same - Duration), of the Code of the City of Flint concerning registration and compliance of PILOT recipients.

- 170595.1** Amendment/Ordinance/Chapter 18 (Taxation; Funds; Purchasing)/Article I (In General)/Section 18-4.1 (Service Charge in Lieu of Taxes for Housing Facilities for Certain Persons)

An amended ordinance to amend the Code of the City of Flint by amending Chapter 18, Taxation; Funds; Purchasing; Article I, In General; Section 18-4.1, Service Charge in Lieu of Taxes for Housing Facilities for Certain Persons. [NOTE: The PILOT is for Eagle Ridge Limited Dividend Housing Association, LLC, which will pay four percent of annual rents in lieu of taxes.] [Amendment further describes transfer of the payment to one successor.]

SECOND READING AND ENACTMENT OF ORDINANCES

None

FINAL COUNCIL COMMENTS

ADJOURNMENT