

City of Flint, Michigan

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



Meeting Agenda - Final

Wednesday, November 3, 2021

5:00 PM

ELECTRONIC PUBLIC MEETING

GOVERNMENTAL OPERATIONS COMMITTEE

*Eva L. Worthing, Chairperson, Ward 9
Maurice D. Davis, Vice Chairperson, Ward 2*

*Eric Mays, Ward 1
Kate Fields, Ward 4
Herbert J. Winfrey, Ward 6*

*Santino J. Guerra, Ward 3
Jerri Winfrey-Carter, Ward 5
Monica Galloway, Ward 7*

Allan Griggs, Ward 8

Inez M. Brown, City Clerk

Davina Donahue, Deputy City Clerk

SPECIAL PUBLIC NOTICE -- ELECTRONIC PUBLIC MEETING

PUBLIC NOTICE FLINT CITY COUNCIL ELECTRONIC PUBLIC MEETING

On Friday, October 5, 2020, the Michigan Supreme Court (MSC) issued an order declaring that the Emergency Powers of Governor (EPG) Act as an unconstitutional delegation of legislative authority, which was the primary authority relied on by Governor Whitmer for her COVID-19 related executive orders. Subsequently, Governor Whitmer requested that the MSC clarify that their order does not go into effect until October 30, 2020. On Monday October 12, 2020, the Michigan Supreme Court rejected Governor Whitmer's request to delay the effect of its decision to strike down the EPG. On, Tuesday, October 13, 2020, Senate Bill 1108 passed, amending the Open Meetings Act to allow municipalities to hold electronic meetings. On Friday, October 16, 2020, Governor Whitmer signed into law Senate Bill 1108 amending the Open Meetings Act. Subsequently, on December 22, 2020, Public Act 267 of 1976 was amended through Senate Bill 1246 extending the electronic meetings with no reason through March 31, 2021. The act also allows that after March 31, 2021, electronic meetings may be held if a local state of emergency was declared. On March 23, 2020, the Flint City Council extended Mayor Neeley's declaration of emergency indefinitely due to the COVID-19 pandemic. Therefore, this meeting will be held electronically.

Pursuant to Act 267 of the Public Acts of 1976 Open Meetings Act as amended, notice is hereby given that the Flint City Council will conduct four (4) regularly scheduled committee meetings, to be held as follows:

Flint City Council Committee Meetings (Finance, Governmental Operations, Legislative and Grants) Wednesday, November 3, 2021, at 5 p.m.

1. The public and media may listen to the meeting online by live stream at <https://www.youtube.com/c/FlintCityCouncilMeetings> or through Start Meeting by dialing (617) 944-8177. (If unable to get through, please dial (206) 451-6011.)
2. In order to speak during the PUBLIC SPEAKING PERIOD of each meeting by telephone, participants will also call (617) 944-8177. (If unable to get through, please dial (206) 451-6011):
 - a. All callers will be queued and muted until the Public Speaking portion of each agenda;
 - b. Public speakers will be unmuted in order and asked if they wish to address the City Council ON ANY SUBJECT;
 - c. Public speakers should state and spell their name for the record and will be allowed two (2) minutes for public speaking during each meeting;
 - d. The speaker will be returned to mute after the 2 minutes have expired;
 - e. After the telephonic public speakers for each committee meeting are completed, emailed public comments will be read by the City Clerk. All emailed public comments will be timed for 2 minutes;
 - f. Per Rules Governing Meetings of the Council (Rule 7.1 VII), there will only be one speaking opportunity per speaker per meeting. Consequently, public participants who call in and speak during the public speaking period of the meetings WILL NOT have any written comments as submitted read by the City Clerk.
3. The public may send public comments by email to CouncilPublicComment@cityofflint.com no later than 10 minutes prior to the meeting start time of 5 p.m.
4. Persons with disabilities may participate in the meeting by the above-mentioned means or by emailing a request for an accommodation to CouncilPublicComment@cityofflint.com, with the subject line Request for Accommodation, or by contacting the City Clerk at (810) 766-7418 to request accommodation - including, but not limited to, interpreters.
If there are any questions concerning this notice, please direct them to City Council office at (810) 766-7418.

ROLL CALL

MEMBER REMOTE ANNOUNCEMENT

Pursuant to the newly revised Open Meetings Act, each Council member shall state that they are attending the meeting remotely and shall state where he or she is physically located (county or city and state).

MEMBER CONTACT INFORMATION

Eric Mays - (810) 922-4860; Maurice Davis - mdavis@cityofflint.com; Santino Guerra - sguerra@cityofflint.com; Kate Fields - kfields@cityofflint.com; Jerri Winfrey-Carter - jwinfrey-carter@cityofflint.com; Herbert Winfrey - (810) 691-7463; Monica Galloway - mgalloway@cityofflint.com; Allan Griggs - agriggs@cityofflint.com; Eva Worthing - eworthing@cityofflint.com.

PROCEDURES ON CONDUCTING ELECTRONIC MEETINGS

All boards and commissions must adhere to all laws established under the Michigan Compiled Laws and in accordance with the revisions to the Open Meetings Act adopted in Senate Bill 1246, as passed on December 17, 2020, and signed into law on December 22, 2020, and subsequent amendments that may be adopted.

READING OF DISORDERLY PERSONS CITY CODE SUBSECTION

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.

PUBLIC SPEAKING

Per the amended Rules Governing Meetings of the Council (as adopted by the City Council on Monday, June 12, 2017), two (2) minutes per speaker. Only one speaking opportunity per speaker.

COUNCIL RESPONSE

Per the amended Rules Governing Meetings of the Council (as adopted by the City Council on Monday, June 12, 2017), Councilpersons may respond to any public speaker, but only one response and only when all public speakers have been heard. Individual council response is limited to two minutes.

SPECIAL ORDERS

210411 Special Order/Flooding/Riverdale Road

A Special Order as requested by Councilperson Galloway regarding the persistent flooding on Riverdale Road.

210515 Special Order/Gun Violence/Police Chief Terence Green

A Special Order as requested by Councilperson Galloway to discuss gun violence with Police Chief Terence Green.

210550 Special Order/Blight Elimination Plan

A Special Order as requested by Councilperson Galloway, who would like to discuss a Blight Elimination Plan.

RESOLUTIONS

210491 Memorandum of Understanding (MOU)/City of Flint/Flint Children's Museum

Resolution resolving that the appropriate city officials, upon City Council's approval, are authorized to enter into a Memorandum of Understanding between the City of Flint and the Flint Children's Museum.

210546 Revocation/Obsolete Property Rehabilitation Act (OPRA)/Exemption Certificate No. 3-19-0035/Clear Capital, LLC

Resolution resolving that the appropriate city officials are hereby authorized to do all things necessary to revoke Obsolete Property Rehabilitation Act (OPRA) Exemption Certificate No. 3-19-0035 for Clear Capital, LLC, in the amount of \$500,090.00 in improvements, for property located at 2957 Carr Street, as requested by the Division of Community and Economic Development (DCED). [NOTE: Clear Capital, LLC has failed to proceed in good faith with the rehabilitation and operation of the facility at 2957 Carr Street.]

APPOINTMENTS

OUTSTANDING DISCUSSION ITEMS

210099 Discussion Item/Community Updates/City of Flint Web Site

A discussion item as requested by Councilperson Mays to discuss what constitutes a community update on the City of Flint's Web site. [Referral Action Date: 2/22/2021 @ City Council Electronic Public Meeting.]

210100 Discussion Item/Multi-Member Bodies

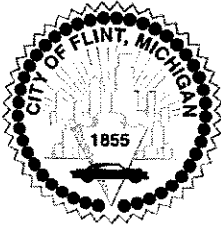
A discussion item as requested by Councilperson Mays to discuss multi-member bodies. [Referral Action Date: 2/22/2021 @ City Council Electronic Public Meeting.]

210114 Discussion Item/Eighteen (18) Properties in the City of Flint Pilot Program

A Discussion Item as requested by Councilperson Mays to review the 18 properties City Council retained from the Genesee County Land Bank, including a history of the finances for Jefferson School. [Referral Action Date: 2/17/2020 @ Electronic Governmental Operations Committee Meeting.]

- 210116 Discussion Item/Job Requirements/Salaries
- A Discussion Item as requested by Councilperson Galloway to talk about job requirements and salaries for appointees. [Referral Action Date: 2/22/2020 @ Electronic City Council Meeting.]
- 210118 Discussion Item/Snow Plowing Strategy
- A Discussion Item as requested by Councilperson Winfrey-Carter to talk about the city's snow plowing strategy with Transportation Director John Daly. [Referral Action Date: 2/22/2020 @ Electronic City Council Meeting.]
- 210205 Discussion Item/Names of Those Driving City-Owned Vehicles
- Referral by Councilperson Mays to ADMIN/FLEET, re: He would like the names of employees/appointees driving city-owned vehicles. [Referral Action Date: 4/14/2021 @ City Council Electronic Public Meeting.]
- 210208 Referral/Conversion to LED Lights
- Referral as requested by Councilperson Fields to ADMINISTRATION: re, She asks that the administration look into large-scale conversion to LED lights. [Referral Action Date: 4/22/2021 @ City Council Governmental Operations Committee Electronic Public Meeting.]
- 210210 Referral/Monthly Reports/Drinking Water Quality
- Referral by Councilperson Griggs to PUBLIC HEALTH ADVISOR, re: He would like for the city's Public Health Advisor to provide monthly drinking water quality reports. [Referral Action Date: 4/22/2021 @ City Council Grants Committee Electronic Public Meeting.]
- 210551 Discussion Item/Dead Trees
- A Discussion Item as requested by Councilperson Winfrey-Carter to talk about dead trees and the impacts on sidewalks. [Referral Action Date: 10/11/2021 @ City Council Special Affairs Committee Electronic Public Meeting.]

ADJOURNMENT



210491

RESOLUTION NO.: _____

PRESENTED: OCT - 6 2021

ADOPTED: _____

**RESOLUTION AUTHORIZING A MEMORANDUM OF UNDERSTANDING BETWEEN
THE CITY OF FLINT AND THE FLINT CHILDREN'S MUSEUM**

BY THE MAYOR:

WHEREAS, The City of Flint has title to certain real estate ID #41-07-180-004 and 41-07-180-003. The property address is 420E. Boulevard and commonly referred to as "The Old Farmers' Market." Uptown Redevelopment Corporation currently holds a lease on the property and has stated an intent to terminate that lease early in order to facilitate redevelopment of the property by the Flint Children's Museum (FCM).

WHEREAS, The Flint Children's Museum has requested the ability to purchase the listed property for the purpose of creating a new home for the Flint Children's Museum.

WHEREAS, A memorandum of understanding (MOU) has been placed before City Council in order to facilitate the exploration of the development of the property. The MOU allows the FCM to purchase on option for \$36,000 while it explores options to fundraise for the purpose of redeveloping the property.

WHEREAS, The MOU protects the interest of the City by retaining ownership of the property and not allowing mortgaging of same until transfer of ownership.

The MOU allows for the creation of a development agreement and transfer of ownership via quit claim deed.

IT IS RESOLVED, that the appropriate City Officials are authorized to enter the attached memorandum of understanding between the City of Flint and The Flint Children's Museum.

APPROVED AS TO FORM:

Angela Wheeler
Angela Wheeler, Chief Legal Officer

APPROVED AS TO FINANCE

Robert J. F. Widigan
Robert Widigan
Interim Chief Financial Officer

CITY COUNCIL:

Kate Fields, Council President

ADMINISTRATION:

Sheldon A. Neeley
Sheldon A. Neeley, Mayor

Memorandum of Understanding
Between
The Flint Children's Museum
And
The City of Flint
For Application To
The Former Site of the Flint Farmers' Market

This Memorandum of Understanding (MOU) establishes an agreement between the Flint Children's Museum, a Michigan non-profit corporation, with principal place of business at 1602 University Ave., Flint, MI 48504, and the City of Flint, the local governing body, with principal offices at 1101 S. Saginaw St., Flint, MI 48502.

Summary – The Flint Children's Museum and the City of Flint intend to enter into an agreement designed to convert the property located at 467 E. Boulevard, currently owned by the City of Flint and commonly known as "the Old Farmers' Market", into the new location for the Flint Children's Museum – an interactive museum that has been providing early learning experiences through hands-on play and exploration for children ages birth through eight for more than 41 years.

Together, the Parties enter this Memorandum of Understanding to help facilitate the renovation and transfer of ownership of this property from the City of Flint to the Flint Children's Museum for the ongoing operation of the Flint Children's Museum.

- A. **Purpose and Scope:** Together, the Flint Children's Museum and the City of Flint enter into this agreement to achieve the following results:
1. To renovate and convert the existing 14,000 square foot building into a unique, welcoming, and dramatically appealing children's museum serving children ages birth through eight and their families
 2. To develop the attached outdoor space and pavilion - converting it into a natural, outdoor learning space with exhibits, eating areas, and green space for children and families
 3. To pulverize, remove, and resurface the existing parking lot, and to install decorative fencing and lighting throughout
- B. **Budget:** Based on estimates from Gazall Lewis Architects and Lurvey Construction, the estimated cost of the renovation of the building and site development is:
- a. \$2.73M – 2.93M: Renovation of existing building
 - b. \$619,000 – 689,000: Site upgrades to accommodate outdoor learning space and parking lot

C. **Commitments:** The Flint Children's Museum and the City of Flint will each provide the following commitments to the partnership:

a. Flint Children's Museum Commitments:

- i. To campaign, promote, and raise the necessary funds for the project
- ii. To hire the necessary architect(s) and contractor(s) to successfully renovate the building and site
- iii. To apprise the City of progress on a regular basis - describing fundraising, design, permitting, construction, and commencement of operation
- iv. To maintain the location as a clean and safe project site upon transfer of ownership
- v. To relocate the Flint Children's Museum from its current location (1602 W. University Avenue) to this new location upon completion of the project
- vi. In the event that the FCM is unsuccessful in raising the funds and commencing construction by the date identified in the development agreement, the City of Flint will have the Right of First Refusal to purchase the property back for \$12,000 (1/3 the original option price).

b. City of Flint Commitments:

- i. To provide an option on the Property from the City of Flint to the Flint Children's Museum for the price of \$36,000
 1. The City of Flint, contingent upon City Council approval and early termination of the lease by Uptown, will provide FCM with the legal authority to enter and use the property including but not limited to environmental studies, non-destructive testing and construction of temporary structures.
 2. FCM will not be allowed to mortgage or otherwise use the property as collateral until the project is completed at which time the City of Flint will provide a quit claim deed for \$1.
 3. FCM can exercise the option to complete purchase of the property by
 - a. Entering into a development agreement with the city prior to the expiration of this MOU.
- ii. To provide expeditious processing of requests for planning/ zoning and building reviews
- iii. To support the Flint Children's Museum in applying for State and Federal funding to support the project where possible

c. Joint Commitments

- i. Both parties agree to promote and support the project publicly.
- ii. Both parties agree to work together to make the project successful.

D. Consent and Termination:

This MOU is at-will and may be modified or terminated by mutual consent of the Party's authorized officials. This MOU shall become effective upon signature of the authorized officials. This MOU shall expire on June 30, 2022.

E. Authorized Officials:

Flint Children's Museum Official: Kimberly Roddy, Executive Director

City of Flint Official: Sheldon A. Neeley, Mayor

Signatures:

Kimberly Roddy, Executive Director, Flint Children's Museum,

Date: _____

Sheldon A. Neeley, Mayor, City of Flint

Date: _____

Signature:

Email: cedwards@cityofflint.com



September 17, 2021

City of Flint
1101 S. Saginaw St.
Flint, MI 48502

GREGORY VIENER
Chair/Secretary

TIM HERMAN
President

JACK STOCK
Vice President

DEB CHERRY
Treasurer

City of Flint
1101 S. Saginaw St.

CHANCELLOR
DEBASISH DUTTA

GREG FIEDLER

LOYST FLETCHER

KIAIRA MAY

BOBBY MUKKAMALA M.D.

ISAIAH OLIVER

JOSEPH PICHLA

City of Flint
Attn: Mayor Sheldon Neeley and Flint City Council
1101 S. Saginaw St.
Flint, MI 48502

Re: Old Farmers' Market

Dear Mayor Neeley and Flint City Council,

Uptown Reinvestment Corporation (URC) currently leases the old Flint Farmers' Market from the City of Flint. That lease expires on June 30, 2029 but has an option in favor of URC allowing it to renew the lease, at its sole option, for an additional 20 years. It is URC's intention to renew that lease for the additional 20-year period. A copy of that lease is available as part of the City's records but if a copy is needed for review, one can be provided.

The Flint Children's Museum has expressed an interest in relocating to the site of the Old Farmers' Market and has made these intentions known to URC. As part of that move, the Flint Children's Museum would spend significant sums of money to renovate to Old Farmers' Market so that it could become the Flint Children's Museum.

In the event the City of Flint would sell the old Farmers' Market property to the Flint Children's Museum, URC would agree to relinquish its leasehold interest in the property PROVIDED there is a deed restriction placed on the property as part of the sale that would require the property to be used only as a Children's Museum or in a similar fashion by a non-profit organization for the benefit of the public AND that the property may never be used as a Farmers' Market.

Sincerely,

Tim Herman
President

503 S. SAGINAW STREET
SUITE 1500
FLINT, MI 48502

810.238.5555
810.238.7807

uptownreinvestment.org

Council members:

The following is the proposed Memorandum of Understanding between the City of Flint and the Flint Children's Museum (FCM) for the FCM to purchase the Old Farmer's Market (OFM) and make it the new home of the FCM.

The FCM currently has space at Kettering University, but has outgrown that space and Kettering has indicated a need to use that space so there is an urgency on the part of the FCM to move forward on acquiring new space.

Currently the OFM is under a long-term lease with Uptown Redevelopment. Uptown has indicated their willingness to break the lease in favor of this project for the FCM. That indication has only been in the form of an email and I have requested a formal agreement to memorialize.

Items to note:

- The property is approximately 4 acres
- The City assessor values the land at approximately \$166,000
- Single use/ and short story buildings are not the best fit for downtown construction
- Surface parking is not the ideal use for downtown settings
- The Children's museum would not pay taxes on the property
- There has been market inquiries made on the space
- Time permitting – I would advise the City to enter into a development agreement on the space that demanded certain design elements and offered the property at below market costs to entice that development



RESOLUTION NO.: _____

PRESENTED: NOV - 3 2021

ADOPTED: _____

**Resolution Revoking Obsolete Property Rehabilitation Act (OPRA)
Exemption Certificate No. 3-19-0035 for Clear Capital, LLC**

BY THE CITY ADMINISTRATOR:

WHEREAS, pursuant to P.A. 146 of 2000, as amended, after a duly noticed public hearing held on May 13, 2019, the Flint City Council by resolution No. 190124.1, established the 2957 Carr St. Obsolete Property Rehabilitation District; and

WHEREAS, the City of Flint subsequently approved the transfer of OPRA certificate number 3-19-0035 to Clear Capital, LLC for property located at 2957 Carr St in the amount of \$500,090; and

WHEREAS, Clear Capital, LLC has failed to proceed in good faith with the rehabilitation and operation of the facility; and

IT IS RESOLVED that the appropriate officials are hereby authorized to do all things necessary to revoke Obsolete Property Rehabilitation Act Exemption Certificate number 3-19-0035 for Clear Capital LLC in the amount of \$500,090 in improvements, for property located at 2957 Carr St.

APPROVED AS TO FORM:

Angela Wheeler
Angela Wheeler (Oct 26, 2021 16:37 EDT)

Angela Wheeler, Chief Legal Officer

ADMINISTRATION:

CLYDE D EDWARDS
CLYDE D EDWARDS (Oct 26, 2021 19:22 EDT)

Clyde Edwards, City Administrator

CITY COUNCIL:

Kate Fields, President

Signature:

Email: gdunlap@cityofflint.com



CITY OF FLINT

RESOLUTION STAFF REVIEW FORM

TODAY'S DATE: October 25, 2021

BID/PROPOSAL# N/A

AGENDA ITEM TITLE: Resolution Revoking Obsolete Property Rehabilitation Act (OPRA) Exemption Certificate No. 3-19-0035 for Clear Capital, LLC

PREPARED BY: Department of Planning and Development – Community and Economic Development Division – G.R. Dunlap

VENDOR NAME:

BACKGROUND/SUMMARY OF PROPOSED ACTION:

The purpose for which this resolution is being presented is to revoke OPRA Exemption Certificate No. 03-19-0035 currently held by Clear Capital, LLC.

On September 23, 2019, pursuant to Public Act 146 of 2000, the Flint City Council adopted resolution no. 190345.1 approving the application for an Obsolete Property Rehabilitation Exemption Certificate for the 2957 Carr St. apartments. The application was subsequently approved by the Michigan State Treasury and exemption certificate number 3-19-0035 issued for a twelve year period beginning December 31, 2019.

In August 2020, the exemption was transferred to the new owner, Clear Capital LLC, as authorized per Section 125.2793 of the public act. As a result of the owner's failure to act on the rehabilitation, the certificate is being revoked. The owner has sold the property.

FINANCIAL IMPLICATIONS: If the certificate is not revoked by the end of the year, the city will lose out on tax dollars that it could have otherwise had if the OPRA had not been in place. .

BUDGETED EXPENDITURE? YES NO **IF NO, PLEASE EXPLAIN:** N/A

PRE-ENCUMBERED? YES NO **REQUISITION NO:** N/A

WILL YOUR DEPARTMENT NEED A CONTRACT? YES NO
(If yes, please indicate how many years for the contract) YEARS

WHEN APPLICABLE, IF MORE THAN ONE (1) YEAR, PLEASE ESTIMATE TOTAL AMOUNT FOR EACH BUDGET YEAR: (This will depend on the term of the bid proposal) n/a



CITY OF FLINT

BUDGET YEAR 1

BUDGET YEAR 2

BUDGET YEAR 3

OTHER IMPLICATIONS (i.e., collective bargaining): N/A

STAFF RECOMMENDATION: (PLEASE SELECT): **APPROVED** **NOT APPROVED**

DEPARTMENT HEAD SIGNATURE:

Suzanne Wilcox

Suzanne Wilcox (Oct 26, 2021 13:25 EDT)

Suzanne Wilcox, Director