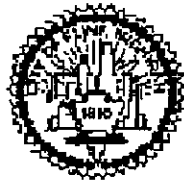


# **City of Flint, Michigan**

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



## **Meeting Agenda - Final**

**Wednesday, August 22, 2018**

**5:00 PM**

**Council Chambers**

### **GOVERNMENTAL OPERATIONS COMMITTEE**

*Santino J. Guerra, Chairperson, Ward 3*

*Eric Mays, Ward 1  
Kate Fields, Ward 4  
Herbert J. Winfrey, Ward 6  
Allan Griggs, Ward 8*

*Maurice D. Davis, Ward 2  
Jerri Winfrey-Carter, Ward 5  
Monica Galloway, Ward 7  
Eva L. Worthing, Ward 9*

*Inez M. Brown, City Clerk*

## ROLL CALL

## SPECIAL ORDER

180423 Special Order/Excavations/Treatment of Constituents

A Special Order as requested by Councilperson Fields to discuss excavations that are occurring when the city knows (has certification) that the pipes are copper, and to discuss treatment of constituents by pipe contractors.

## RESOLUTIONS

180398.1 Application Approval/Industrial Facilities Exemption Certificate (IFEC)/Spentech USA Project

Resolution resolving that the granting of an Industrial Facilities Exemption Certificate (IFEC) [for the Spentech USA Project] considered together with the aggregate amount of certificates previously granted, and currently in force under Act No. 198 of the Public Acts of 1974, shall not have the effect of substantially impeding the operation of the City of Flint or impairing the financial soundness of a taxing unit which levies ad valorem property taxes within the City, AND, that the application from Spentech USA for an IFEC, with respect to a new facility on the described parcel of real property situated within the James P. Cole Boulevard Industrial Development District be approved, AND, that the IFEC, when issued, shall be and remain in force for a period of four (4) years. [NOTE: A public hearing on the Spentech USA Project was held on Monday, August 27, 2018.]

## APPOINTMENTS

*None*

## DISCUSSION ITEMS

180407 Referral/Spentech USA

Referral by Councilperson Galloway to PLANNING and DEVELOPMENT, re: With regard to Spentech USA, she would like to know how long they were in business at their former address of 4221 James P. Cole Boulevard, Flint (now moving to 2851 James P. Cole Blvd.), as well as whether or not Spentech received any tax exemptions (OPRA, IFEC, etc.) while at the 4221 address. [Referral Action Date: 8/13/2018 @ Special Affairs Committee Meeting]

180408 Referral/Legal Opinion/Abstention Votes

Referral by Councilperson Fields to LEGAL, re: She asks for a legal opinion regarding abstention votes, including the valid reasons/criteria to abstain from

a vote, stating a reason for abstaining for the record, conflicts of interest, the proper way to state an abstention, etc. [Referral Action Date: 8/13/2018 @ Special Affairs Committee Meeting]

**180409** Referral/Legal Opinion/Discussions and Abstention Voting

Referral by Councilperson Fields to LEGAL, re: She asks for a legal opinion as to whether or not a member of a body who "shapes" and/or leads a discussion on an actionable item then has a right to abstain from voting on said item. Does abstaining somehow "protect" that individual if they don't vote on a particular issue? This discussion item got missed on agendas since 9-20-17 so I dropped it on 8-20-18. jj [Referral Action Date: 8/13/2018 @ Special Affairs Committee Meeting]

## **OLD, OUTSTANDING DISCUSSION ITEMS**

**160112** Discussion/Genesee County Land Bank/Immunity Agreement

Councilperson Eric Mays would like to discuss the Genesee County Land Bank's Immunity Agreement.

**160410** Status/Speech Dictation Software

Referral made by Councilperson Eric Mays to CITY ADMINISTRATOR/POLICE CHIEF: He would like to know the status of speech dictation software. Please provide in writing for all councilpersons.

**170024** Referral/Contract and Information/Natalie Pruett/Rebuild Flint the Right Way

Referral by Councilperson Fields to ADMIN, re: She requests a copy of the contract between the City and Natalie Pruett, as well a copy of the work produced for funding to this point for the Rebuild Flint the Right Way Project. [Referral Action Date: 1/09/2017 @ Special Affairs Committee Meeting.]

**170123** Referral/Personnel Policy on Nepotism and Cronyism

Referral by Councilperson Fields to LEGAL/HUMAN RESOURCES/ADMIN, re: During the February 27th Special Affairs Committee meeting, representatives from the Human Resources Department stated that, sometime during the last year, they submitted to Legal a personnel policy regarding nepotism and/or cronyism for its review. Ms. Fields asks that HR provide a copy of this draft document to the City Council for its perusal. [Referral Action Date: 2/27/2017 @ Special Affairs Committee Meeting.]

**170253** Referral/Organization Chart

Referral by Councilperson Fields to MAYOR/ADM, She would like a detailed organization chart for the city that lists titles and the name of the person who currently holds each position. [Referral Action Date: 5/3/2017 @ Governmental Operations Committee Meeting.]

- 170255 Referral/Road Construction Plan/PACER Report
- Referral by Councilperson Fields: She would like to know if there is a road reconstruction plan. If there is she would like a copy. She would also like the latest PACER report, broken down by ward. [Referral Action Date: 5/3/2017 @ Governmental Operations Committee Meeting.]
- 170402 Discussion Item/Michigan Civil Rights Commission (MCRC)/Resolution for Racial Equity
- A discussion item as requested by Councilperson Mays, re: He would like to discuss the recommendations/resolution mentioned during a July 10th MCRC presentation on racial equity. [Referral Action Date: 7/10/2017 @ City Council Meeting.]
- 170443 Discussion Item/Fund for High Water Bill Assistance
- Discussion Item proposed by Councilperson Mays: He would like to discuss setting aside \$200,000.00 to \$300,000.00 to help constituents with high water bills. [Referral Action Date: 8/9/2017 @ Governmental Operations Committee Meeting.]
- 170472 Referral/Report on New Water Meters
- Referral by Councilperson Fields to PURCHASING/WATER PLANT, re: She would like an update on the new water meters/transponders that have been installed within the city. Is there software available to utilize these new meters to their fullest capacity (e.g. more accurate usage/billing)? If so, how much will this software cost? [Referral Action Date: 8/28/2017 @ Special Affairs Committee Meeting.]
- 170498 Referral/State Law/Pawning of Municipal Equipment
- A referral for LAW as requested by Councilpersons Mays, re: He would like a copy of state law that talks about pawn shops not accepting governmental property. [Referral Action Date: 9/6/2017 @ Governmental Operations Committee Meeting.]
- 170530 Discussion Item/Transition Houses
- Discussion item proposed by Councilperson Mays, re: He would like to discuss prison transition houses and what can be done about them.
- 170583 Allocate Dollars/High Water Bills
- Referral from Councilperson Mays to FIN: He asks the Finance Director to set aside money for high water bills. [Referral Action Date: 11/21/17 @ Governmental Operations Committee Meeting.]

- 170599** Council Review/Rules Governing Meetings of the Council
- Per the "Rules Governing Meetings of the Council", the Flint City Council shall review the "Rules Governing Meetings of the Council." [NOTE: The "Rules Governing Meetings of the Council" were originally adopted by the City Council on May 10, 1976, with a 1st Amendment adopted May 24, 2010, a 2nd Amendment adopted on April 27, 2015, and a 3rd Amendment adopted on June 12, 2017.]
- 180005** Referral/Police Investigation/Clubs With Recent Violations
- A referral by Councilperson Galloway for LAW/POLICE: She would like to know the status of the investigations into clubs with recent violations, including one on Saginaw Street and Piece of the Rock on Dort Highway. [Referral Action Date: 1/3/2018 @ Governmental Operations Committee Meeting.]
- 180018** Discussion Item/City of Flint Charter
- Discussion item proposed by Councilperson Mays, re: He would like a discussion of the new Flint City Charter on the next Governmental Operations Agenda. [Referral Action Date: 1/3/2018 @ Governmental Operations Committee Meeting.]
- 180056** Referral/Legal Opinion/Harassment and Discrimination in the Workplace
- Referral by Councilperson Fields to CITY ATTORNEY, re: She asks for a legal opinion as to whether or not Councilperson Mays' conduct during some council/committee meetings rises to the level of harassment, threats and/or intimidation, particularly in light of the City's Harassment and Discrimination Policy as adopted by EM Ambrose in April of 2015. [Referral Action Date: 2/12/2018 @ Special Affairs Committee Meeting.]
- 180059** Discussion Item/"Pilot Program"/Tax Reverted Property
- Discussion Item as requested by Councilperson Mays, re: He would like to discuss the necessary rules, policies, procedures, etc. for establishing a "pilot program" for the disposal of seven (7) homes recently reverted to the City's ownership by way tax reverted property. [Referral Action Date: 2/13/2018 @ Special City Council Meeting.]
- 180073** Discussion Item/Road Restoration/Previous/Ongoing
- Discussion item proposed by Councilperson Fields, re: She would like a discussion item about road restoration, previous and ongoing, for Governmental Operations. [Referral Action Date: 2/21/2018 @ Finance Committee Meeting.]
- 180086** Referral/Interim Positions/Timelines

A referral from Councilperson Galloway to ADMIN/LAW, re: She would like to discuss interim positions and timelines for those positions, including how many positions are interim, is there movement to appoint a permanent replacement and what does the new Charter say about interim appointments/positions. [Referral Action Date: 2/21/2018 @ Governmental Operations Committee Meeting.]

**180087** Discussion Item/Ethics Board/Ombudsperson

A discussion item from Councilperson Fields to ADMIN/LAW, re: She would like to discuss setting up basic criteria for the Ethics Board and job qualifications for the Ombudsperson. [Referral Action Date: 2/21/2018 @ Governmental Operations Committee Meeting.]

**180179** Referral/Genesee County Conservation District

A referral as requested by Councilperson Fields to FIN/DPW: She would like to know how much money the Genesee County Conservation District has left-over from last year's budget. [Referral Action Date: 4/4/2018 @ Finance Committee Meeting.]

**180183** Referral/Certification/Files Shredded in Human Resources/Labor Relations

A referral as requested by Councilperson Fields to Human Resources Director: She would like a copy of the certification for the files recently shredded in Human Resources/Labor Relations (as discussed at the April 4, 2018 Governmental Operations Meeting). [Referral Action Date: 4/4/2018 @ Governmental Operations Committee Meeting.]

**180236** Revenue/Downtown Parking Meters

Referral from Councilperson Guerra to LEGAL: re, he would like to know if the city can take back the revenue from parking meters from the Downtown Development Authority (DDA). [Referral Action Date: 5/9/2018 @ Governmental Operations Committee Meeting.]

**180293** Discussion Item/Chief Public Health Advisor

Discussion Item as requested by Councilperson Worthing, re: What is the exact role of the City's Chief Public Health Advisor?

**180348** Referral/Question/Use of Electronic Cigarettes in Restaurants

Referral by Councilperson Guerra to CITY ATTORNEY, re: He would like to know if the use of electronic cigarettes (vaping) is a health concern inside restaurants. [Referral Action Date: 6/20/2018 @ Finance Committee Meeting.]

**180368** Update/Schedule for Mowing Right-of-Ways

Referral by Councilperson Winfrey-Carter to TRANSPORTATION: She would like to know when the right-of-ways will be cut, particularly in the area of Dayton and Mason. [Referral Action Date: 7/18/2018 @ Governmental Operations Committee Meeting.]

**NEW BUSINESS**

**ADJOURNMENT**

180398.1

Resolution No.: \_\_\_\_\_

Presented: 8-22-2018

Adopted: \_\_\_\_\_

**Resolution Approving an Application for an Industrial Facilities  
Exemption Certificate**

(Public Act 198 of 1974, as amended – Spentech USA)

**By the Mayor**

In accordance with Public Act 198 of 1974, M.C.L. 207.551 et seq, the City of Flint created the James P. Cole Industrial Development District on real property legally described in the Attachment, after a duly noticed public hearing held on March 26, 2018.

Spentech USA has filed an application for an Industrial Facilities Exemption Certificate with respect to a new facility to be acquired and installed within the aforementioned Industrial Development District.

Before acting on said application, the City of Flint held a hearing on August 27, 2018 at 5:30 p.m. in the City Council Chamber at 1101 S. Saginaw St., at which hearing the applicant, the Assessor and a representative of the affected taxing units were given written notice and were afforded an opportunity to be heard on said application.

Construction of the facility and installation of new machinery and equipment had not begun earlier than six (6) months before September 26, 2017, the date of acceptance of the application for the Industrial Facilities Exemption Certificate.

Completion of the facility is calculated to, and will at the time of issuance of the certificate have the reasonable likelihood to, retain, create or prevent the loss of employment within the City of Flint.

The aggregate SEV of real and personal property exempt from ad valorem taxes within the City of Flint, after granting this certificate, will exceed 5 percent of an amount equal to the sum of the SEV of the unit, plus the SEV of personal and real property thus exempted.

**IT IS RESOLVED** by the Flint City Council that:

1. The granting of the Industrial Facilities Exemption Certificate considered together with the aggregate amount of certificates previously granted and

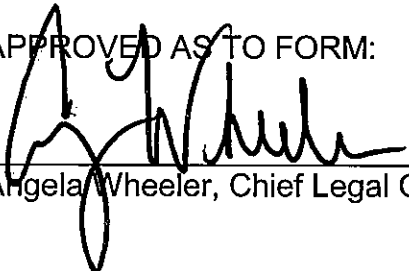



currently in force under Act No. 198 of the Public Acts of 1974, shall not have the effect of substantially impeding the operation of the City of Flint or impairing the financial soundness of a taxing unit which levies ad valorem property taxes within the City.

2. The application from Spentech USA for an Industrial Facilities Exemption Certificate, with respect to a new facility on the following described parcel of real property situated within the James P. Cole Blvd. Industrial Development District, to wit: legally described in the Attachment, be and the same is hereby approved.
3. The Industrial Facilities Exemption Certificate, when issued, shall be and remain in force for a period of four (4) years.

APPROVED AS TO FORM:

ADMINISTRATION

  
\_\_\_\_\_  
Angela Wheeler, Chief Legal Officer

  
\_\_\_\_\_  
Dr. Karen W. Weaver, Mayor

CITY COUNCIL

\_\_\_\_\_  
Herbert J. Winfrey, City Council President

## RESOLUTION STAFF REVIEW

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### DATE

June 11, 2018

August 10, 2018 – Rev.

### Agenda Item Title:

1. Resolution Setting Hearing Date to Consider the Approval of an Industrial Facilities Exemption Application (Public Act 198 – Spentech, USA)
- ✓ 2. Resolution Approving an Industrial Facilities Exemption Application (Public Act 198 – Spentech, USA)

### Prepared By

Department of Planning and Development – Community and Economic Development Division

### Background/Summary of Proposed Action:

The purpose for which these resolutions are being presented is to set a public hearing date to consider approval of a 4 year Industrial Facilities Exemption Application for the Spentech USA project at 2851 James P. Cole Blvd. and to set a public hearing for same. The required industrial development district was created March 26, 2018.

From its application for an Industrial Facilities Exemption Certificate, Spentech USA states the following: *The facility at 2851 James P. Cole is comprised of two buildings and has 155,000 total square feet. Spentech would like to purchase the facility to manage its growth for the next several years as the auto industry continues to recover. Once purchased, Spentech will begin construction to improve the facility to optimize the building for operations. Spentech currently has 90 employees and foresees new employment growth in this facility.*

Spentech, formerly located at 4221 James P. Cole Blvd., proposes to invest \$3.8M in the acquisition of and improvements to the building located at 2851 James P. Cole Boulevard. The company also proposes to expand its operations and increase employment by thirty, according to its application.

Approval of the application will allow the applicant to realize a savings of 50 percent of the local property tax millage rate normally assessed on the building.

**Budgeted Expenditure:** Yes \_\_\_\_\_ No X \_\_\_\_\_ **Please explain, if no:** N/A

### Account #:

Date Reviewed and approved by Carissa Dotson           N/A

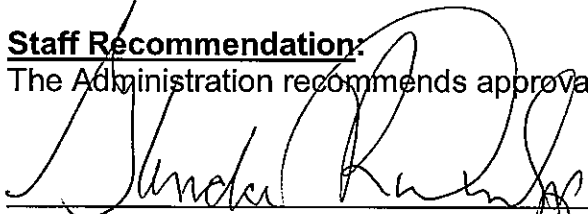
Staff Review - Spentech IFEC Application  
June 11, 2018 –Page Two  
August 10, 2018 - Revised

**Pre-encumbered:** Yes \_\_\_ No \_\_\_ **Requisition #** \_\_\_\_\_ N/A

**Other Implications (i.e., collective bargaining):** There are no known implications

**Staff Recommendation:**

The Administration recommends approval.



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Glenda R. Dunlap, Program Manager

**RESOLUTION REVIEW FORM**

FROM: DCED/- GRD  
Department/Author

DATE August 10, 2018  
NO. 16-6425  
Law Office Login #

RESOLUTION NAME: **Reso Approving an Industrial Facilities Exemption Certificate Application - Spentech USA**

Date in:

**1. RESOLUTION REVIEW - PLANNING AND DEVELOPMENT DIRECTOR**

By: Suzanne Wilcox  
Planning and Development Director

DATE: 8/13/18  
(Date)

Date in:

**2. RESOLUTION REVIEW - LEGAL**

The attached RESOLUTION is submitted to the Legal Department for Approval as to FORM ONLY:  
The Legal Department has reviewed the RESOLUTION as to Form on this form approves as to FORM ONLY.

8-13-18, and by signing  
(Date)

By: [Signature]  
Legal Officer

DATE: 8-13-18