

City of Flint, Michigan

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



Meeting Minutes

Monday, April 12, 2021

6:34 PM

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ELECTRONIC PUBLIC MEETING

CITY COUNCIL

*Kate Fields, President, Ward 4
Maurice D. Davis, Vice President, Ward 2*

*Eric Mays, Ward 1
Jeri Winfrey-Carter, Ward 5
Monica Galloway, Ward 7*

*Santino J. Guerra, Ward 3
Herbert J. Winfrey, Ward 6
Allan Griggs, Ward 8*

Eva L. Worthing, Ward 9

Inez M. Brown, City Clerk

Davina Donahue, Deputy Clerk

CALL TO ORDER

Council President Kate Fields called this meeting to order at 6:34 p.m.

ROLL CALL

Present: Councilperson: Councilperson Mays, Councilperson Davis, Councilperson Guerra, Councilperson Fields, Councilperson Winfrey-Carter, Winfrey, Councilperson Griggs and Councilperson Worthing

Absent: Councilperson: Councilperson Galloway

REQUESTS FOR CHANGES OR ADDITIONS TO AGENDA

Councilperson Fields made a motion to do Special Orders after Discussion Items. The motion passed 8-0. Councilperson Fields asked to add three discussion items (and do them first on the agenda). The vote was 8-0. Councilperson Worthing made a motion to include a Special Order to discuss the Finance Vice Chair after Presentation of Minutes. The motion passed 6-2 (No: Guerra, Winfrey-Carter). Councilperson Mays asked to have a Special Order to discuss having a special meeting to discuss the \$99.3 million the city has coming from the COVID-19 Relief Package. The vote was 8-0.

SPECIAL ORDERS

210172 Special Order/Discussion/Finance Committee Vice Chair

A Special Order as requested by Councilperson Worthing to discuss the Finance Committee Vice Chair.

Councilperson Worthing made a motion, supported by Councilperson Griggs, to remove Councilperson Galloway as Finance Vice Chairperson so President Fields can make her own choice for Vice Chair. Councilperson Mays made a substitute motion to table the discussion until the next Council meeting, when Councilperson Galloway will be in attendance. The motion passed 7-1 (No: Griggs).

PUBLIC HEARINGS

210044.6 Ordinance 210044

A Public Hearing for Ordinance 210044, an ordinance to amend Chapter 50 (Zoning), Article I, (In General), of the Code of the City of Flint by repealing said Article and adopting Article I (Title, Purpose and Scope). [NOTE: This Chapter shall be known as the "Zoning Ordinance" of the City of Flint.]

HEARING HELD

210045.6 Ordinance 210045

A Public Hearing for Ordinance 210045, an ordinance to amend Chapter 50 (Zoning), Article II, (A-1 Single-Family Low-Density District), of the Code of the City of Flint by repealing said Article and adopting Article II (Mapped Zone Districts).

HEARING HELD**210046.6** Ordinance 210046

A Public Hearing for Ordinance 210046, an ordinance to amend Chapter 50 (Zoning), Article III, (A-2 Single-Family Medium Density District), of the Code of the City of Flint by repealing said Article and adopting Article III (Residential Zone Districts).

HEARING HELD**210047.6** Ordinance 210047

A Public Hearing for Ordinance 210047, an ordinance to amend Chapter 50 (Zoning), Article IV, (B Two-Family District), of the Code of the City of Flint by repealing said Article and adopting Article IV (Commercial Zone Districts).

HEARING HELD**210048.6** Ordinance 210048

A Public Hearing for Ordinance 210048, an ordinance to amend Chapter 50 (Zoning), Article V, (C-1 Multifamily Walk-Up Apartment District), of the Code of the City of Flint by repealing said Article and adopting Article V (Employment Zone Districts).

HEARING HELD**210049.6** Ordinance 210049

A Public Hearing for Ordinance 210049, an ordinance to amend Chapter 50 (Zoning), Article VI, (C-2 Multifamily High-Density Apartment District), of the Code of the City of Flint by repealing said Article and adopting Article VI (Institutional/Innovation Zoned Districts).

HEARING HELD**210063.6** Public Hearing/Street Vacation/Decker Street Between Robert T. Longway Boulevard and Kearsley Street

A public hearing to consider the vacation of Decker Street between Robert T. Longway Boulevard and Kearsley Street. [NOTE: The Ruth Mott Foundation's Applewood Master Plan calls for the construction of a welcome center... which will offer year-round education, conference and exhibit spaces open to the community and broader access to the archives and collection materials that are part of the foundation.]

HEARING HELD**210064.6** Public Hearing/Street Vacation/Kearsley Street Between Walnut and Robert T. Longway Boulevard (1400 Kearsley Street)

A public hearing to consider the vacation of Kearsley Street between Walnut and Robert T. Longway Boulevard (1400 Kearsley Street). [NOTE: The Ruth Mott Foundation's Applewood Master Plan calls for the construction of a welcome center... which will offer year-round education, conference and exhibit spaces open to the community and broader access to the archives and collection materials that are part of the foundation.]

HEARING HELD

210085.6 Public Hearing/Ordinance 210085

A Public Hearing for Ordinance No. 210085, an ordinance to amend the Flint City Code of Ordinances by amending Chapter 18 (Taxation; Funds; Purchasing), Article II (Assessments), by amending Section 18-7 (Special Assessment Relief Board Created; Membership), by amending Section 18-8 (Same -- Investigation of Requests for Relief; Report and Recommendation), by amending Section 18-9 (Award of Relief from Assessments), and by amending Section 18-10 (Payment of Special Assessment by City; Taking of Mortgage and Note to Assure Repayment to City). [NOTE: Ordinance to become effective 30 days after adoption.]

HEARING HELD

MOTION TO RECESS

Councilperson Worthing, with support from Councilperson Griggs, made a motion to recess the meeting until 6 p.m. Wednesday, April 14, 2021. The vote was 6-1 (No: Davis; Absent: Guerra, Galloway.)

RECONSIDERATION (of Appointments)

210123 Mayoral Appointment/Department of Public Works (DPW) Director/Michael Brown

Resolution resolving that the Flint City Council approves the recommendation by Mayor Sheldon A. Neeley to appoint Michael Brown as the Director of the Department of Public Works (DPW). [NOTE: Mr. Brown will be paid an annual compensation rate of \$95,000.00 (45.673 per hour).]

POSTPONED

APPOINTMENTS

APPOINTMENTS (May be Referred from Special Affairs)

210102 Mayoral Appointment/Chief Financial Officer/Shelbi Frayer

Resolution resolving that the Flint City Council approves the recommendation by Mayor Sheldon Neeley to appoint Shelbi Frayer as Chief Financial Officer [at an hourly compensation rate of \$71.153 per hour (\$148,100.00 annually).]

[General Fund Salary and Wages Acct. No. 101-191.100-703.000 = \$91,976.90 and LCSM-17-FRTA = \$56,032.10.]

POSTPONED

210154 Appointment/Water System Advisory Council/Sheryl Thompson

Resolution resolving that Mayor Neeley hereby appoints Sheryl Thompson (4709 Crestbrook Lane, Flint, MI 48507) to serve on the Water System Advisory Council. [NOTE: Pursuant to the State of Michigan's administrative rules, water suppliers serving a population of 50,000 or more, shall create a Water System Advisory Council. The purpose of the Council is to improve transparency in the City of Flint community by developing materials and advising the water system on public awareness and education efforts.]

POSTPONED

210155 Appointment/Water System Advisory Council/James Gaskin

Resolution resolving that Mayor Neeley hereby appoints James Gaskin (41225 Lori Lane, Fenton, MI 48430) to serve on the Water System Advisory Council. [NOTE: Pursuant to the State of Michigan's administrative rules, water suppliers serving a population of 50,000 or more, shall create a Water System Advisory Council. The purpose of the Council is to improve transparency in the City of Flint community by developing materials and advising the water system on public awareness and education efforts.]

POSTPONED

210156 Appointment/Water System Advisory Council/Earnestine Yvonne Lewis

Resolution resolving that Mayor Neeley hereby appoints Earnestine Yvonne Lewis (2171 South Linden Road, Flint, MI 48532) to serve on the Water System Advisory Council. [NOTE: Pursuant to the State of Michigan's administrative rules, water suppliers serving a population of 50,000 or more, shall create a Water System Advisory Council. The purpose of the Council is to improve transparency in the City of Flint community by developing materials and advising the water system on public awareness and education efforts.]

POSTPONED

210157 Appointment/Water System Advisory Council/Nancy Love

Resolution resolving that Mayor Neeley hereby appoints Nancy Love (1351 Beal Avenue, Ann Arbor, MI 48109) to serve on the Water System Advisory Council. [NOTE: Pursuant to the State of Michigan's administrative rules, water suppliers serving a population of 50,000 or more, shall create a Water System Advisory Council. The purpose of the Council is to improve transparency in the City of Flint community by developing materials and advising the water system on public awareness and education efforts.]

POSTPONED

210166 Appointment/Human Relations Commission/Sharon M. Bradley/6th Ward

Resolution resolving that the Flint City Council approves the appointment of Sharon M. Bradley (333 Ferndale Place, Flint, MI, 48503), to serve on the City of Flint Human Relations Commission for a one-year term, commencing October 27, 2020, and expiring October 28, 2021.

POSTPONED

RECONSIDERATION (of Resolutions)

210081 CO#1/Contract/Rowe Professional Services Co./Project Management Services/FAST Start Program Phase VI

Resolution resolving that the proper city officials, upon City Council's approval, are hereby authorized to enter into change order #1 with Rowe Professional Services Co. for additional project management services for Phase VI of the FAST Start Program, as requested by DPW, in an amount NOT-TO-EXCEED \$500,000.00, for a total contract price NOT-TO-EXCEED \$2,638,735.00 [Water Infrastructure Improvements for the Nation (WIIN) Grant Acct. No. 496-540.006-801.051.]

POSTPONED

RESOLUTIONS

210144 Licensing Renewal/Dell Marketing LP/Microsoft

Resolution resolving that the proper city officials, upon City Council's approval, are hereby authorized to issue a purchase order to Dell Marketing LP for Microsoft License renewal, as requested by Information Services, in an amount NOT-TO-EXCEED \$86,557.67 [Information Services Fund Acct. No. 636-228.100-814.600.] [NOTE: This is the third year of a three-year agreement.]

POSTPONED

210145 J&M Tree Service/Additional Tree Work/City Parks

Resolution resolving that the proper city officials, upon City Council's approval, are authorized to do all things necessary to increase to total contracted amount with J&M Tree Service for additional tree work needed in city parks, as requested by Parks & Recreation, in an amount NOT-TO-EXCEED \$10,000.00 [Parks & Recreation Fund Professional Services Acct. No. 208-752.102-801.000]. [NOTE: The additional work needed total \$10,000.00 and would be set up as a new purchase order for emergency tree removal and trimming in parks.]

POSTPONED

210146 Contract/Platinum Mechanical, Inc./Sludge Storage Pipe Fabrication Project

Resolution resolving that the appropriate city officials, upon City Council's approval, are authorized to do all things necessary to issue a contract to Platinum Mechanical, Inc. for a Sludge Storage Pipe Fabrication project, as requested by DPW, in an amount NOT-TO-EXCEED \$131,477.00 [Sewer Fund Building Additions & Improvements Acct. No. 590-550.300-976-000.]

POSTPONED

210147 Settlement/Stacy Swimp v Mary Buszek et al/Case No. 2:18-cv-11914

Resolution resolving that the City Administrator hereby authorizes settlement, in the matter of Stacy Swimp v Mary Buszek et al, Case No. 2:18-cv-11914, in the amount of \$79,500.00, in satisfaction of any and all claims arising out of said matter, with payment drawn from appropriated funds in the Litigation and Suits Line Item No. 677-266.200-956.300. [NOTE: An Executive Session was requested on this matter on March 8, 2021.]

POSTPONED

210148 Payment/Settlement Agreement/Mackinac Center for Public Policy v City of Flint/Case No. 21-115412-CZ

Resolution resolving that the City Administrator is hereby authorized to pay the settlement offer in the matter of Mackinac Center for Public Policy v City of Flint, in the amount of \$175.00, in satisfaction of any and all claims arising out of said matter, with payment drawn from appropriated funds in the Litigation and Suits Line Item No. 677-266.200-956.300. [NOTE: An Executive Session was held on this matter on February 8, 2021.]

POSTPONED

210163 Approval/Deficit Elimination Plan/Downtown Development Authority (DDA)/Self-Insurance Fund

Resolution resolving that the City Council approves the Deficit Elimination Plan as outlined. The City of Flint's Chief Financial Officer is authorized to do all things necessary to submit the Deficit Elimination Plan to the Michigan Department of Treasury for certification. [NOTE: The Downtown Development Authority has a deficit balance of \$138,003.00 as of June 30, 2020. Any costs not covered by the DDA will be covered by the city's General Fund. And the Self-Insurance Fund incurred numerous expenses related to insurance and legal costs, putting it in the red by \$922,563.00, as of June 30, 2020.]

POSTPONED

210164 Easement Agreement/Genesee County Drain Commission (GCDC)/North Dort Highway Property at Frances Road

Resolution resolving that the Flint City Council approves the grant of a permanent

non-exclusive easement to the Genesee County Drain Commission to own, operate and maintain the GCDC FL-02 Meter Facility for valuable consideration in the amount of \$1.00 to be paid to the City of Flint. [NOTE: The City of Flint entered into a Master Agreement on December 1, 2017, to build a secondary water source. The City of Flint has agreed to grant an easement to the GCDC on the city-owned property on North Dort Highway at Frances Road for valuable consideration in the amount of \$1.00.]

POSTPONED

- 210165** Easement Agreement/Great Lakes Water Authority (GLWA)/North Dort Highway Property at Frances Road

Resolution resolving that the Flint City Council approves the grant of a permanent non-exclusive easement to the Great Lakes Water Authority (GLWA) to construct, operate, maintain, repair and/or replace the GLWA water main pipe for valuable consideration in the amount of \$1.00 to be paid to the City of Flint. [NOTE: The City of Flint entered into a Master Agreement on December 1, 2017, to build a secondary water source. The City of Flint has agreed to grant an easement to GLWA on the city-owned property on North Dort Highway at Frances Road for valuable consideration in the amount of \$1.00.]

POSTPONED

RESOLUTIONS - MAY BE REFERRED FROM S.A.

- 200493** Approval/Emergency Amended Rules Governing Meetings of the Flint City Council

Resolution resolving that the Flint City Council approves the attached amendments to the [Rules Governing Meetings of the Flint City Council], for 60 days, with immediate effect.

POSTPONED

- 210149** Name Change/12th Street Garage/Betty Wideman Building

Resolution resolving that the Flint City Council hereby authorizes the renaming of the 12th Street Garage, located at 702 West Twelfth Street, Flint, to The Betty Wideman Building. [NOTE: Betty Wideman began her career at the City of Flint in 1994, starting in the Police Department, and ending as Transportation Division Manager. Tragically, she passed away in November 2020.]

POSTPONED

- 210150** Approval/Street Vacation/Decker Street Between Robert T. Longway Boulevard and Kearsley Street

Resolution resolving that Decker Street Between Robert T. Longway Boulevard and Kearsley Street is hereby vacated and discontinued forever as a public street, alley

or public ground, and the same is hereby placed on the assessment rolls for the purpose of taxation; AND, resolving that the City Clerk shall, within 30 days of this action, record a certified copy of this resolution with the Register of Deeds for Genesee County and forward a certified copy of said resolution to the State Treasurer. [NOTE: The Ruth Mott Foundation's Applewood Master Plan calls for the construction of a welcome center... which will offer year-round education, conference and exhibit spaces open to the community and broader access to the archives and collection materials that are part of the foundation.]

POSTPONED

- 210151** Approval/Street Vacation/Kearsley Street Between Walnut Street and Robert T. Longway Boulevard (1400 Kearsley Street)

Resolution resolving that Kearsley Street between Walnut Street and Robert T. Longway Boulevard is hereby vacated and discontinued forever as a public street, alley or public ground, and the same is hereby placed on the assessment rolls for the purpose of taxation; AND, resolving that the City Clerk shall, within 30 days of this action, record a certified copy of this resolution with the Register of Deeds for Genesee County and forward a certified copy of said resolution to the State Treasurer. [NOTE: The Ruth Mott Foundation's Applewood Master Plan calls for the construction of a welcome center... which will offer year-round education, conference and exhibit spaces open to the community and broader access to the archives and collection materials that are part of the foundation.]

POSTPONED

- 210152** Setting a Public Hearing/Brownfield Redevelopment Plan/James P. Cole Project (1809 James P. Cole)

Resolution resolving that the Flint City Council will hold a public hearing at 5:30 p.m. in the City Council Chambers, or electronically in accordance with Gov. Whitmer's Executive Order 2020-75, on the _____ day of _____ 2021, AND, resolving that the governing body shall provide notice of the hearing to the taxing jurisdictions that levy taxes subject to capture under this Act, and shall fully inform the taxing jurisdictions about the fiscal and economic implications of the proposed Brownfield Plan.

POSTPONED

- 210153** Support/Application/Michigan Department of Transportation (MDOT)/Transportation Alternatives Program (TAP)/Development/Grand Traverse Greenway Trail

Resolution resolving that the appropriate City of Flint officials are authorized to do all things necessary to demonstrate its public support of the city's application to the Michigan Department of Transportation's Transportation Alternatives Program for the Grand Traverse Greenway project and commits to the requirements [of the program.] [NOTE: The city is planning to redevelop abandoned railroad property into a shared use non-motorized paved trail called the Grand Traverse Greenway.]

Planning & Development has prepared a competitive application to the TAP program requesting \$1,804,825.00 from MDOT-TAP, which the city expects to be matched at \$860,000.00 (32 percent of total project costs) through public and private sources to be finalized before the grant award).

POSTPONED

210159 Submission/2020-2021 Annual Action Plan of the Consolidated Plan

Resolution resolving that city officials approve the funding amounts and projects and authorize entering into contracts for the agencies noted for the City of Flint's FY2020-2021 Community Development Block Grant (CDBG) Program, in the amount of \$3,984,754.00, FY2020-2021 HOME Investment Partnership (HOME) Program, in the amount of \$876,146.00, and FY2020-2021 Emergency Solutions Grant (ESG) Program, in the amount of \$341,765.00, and include any program income which might become available as a result of receipt of these funds.

POSTPONED

INTRODUCTION AND FIRST READING OF ORDINANCES (May Be Referred from Special Affairs)

210158 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)

The provisions of 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) shall be amended by adding subsection (GG). [NOTE: The PILOT is for Flushing Place Limited Dividend Housing Association, LP, a Limited Partnership. The annual service charge for the class of persons of low and moderate income shall be equal to four (4) percent of the annual shelter rents, exclusive of charges for gas, electricity, heat or other utilities furnished to the occupants.]

POSTPONED

SECOND READING AND ENACTMENT OF ORDINANCES

210044 Ordinance/Chapter 50 (Zoning)/Article I (In General)

An ordinance to amend Chapter 50 (Zoning), Article I, (In General), of the Code of the City of Flint by repealing said Article and adopting Article I (Title, Purpose and Scope). [NOTE: This Chapter shall be known as the "Zoning Ordinance" of the City of Flint.]

POSTPONED

210045 Ordinance/Chapter 50 (Zoning)/Article II (A-1 Single-Family Low-Density District)

An ordinance to amend Chapter 50 (Zoning), Article II, (A-1 Single-Family Low-Density District), of the Code of the City of Flint by repealing said Article and adopting Article II (Mapped Zone Districts).

POSTPONED

210046 Ordinance/Chapter 50 (Zoning)/Article III (A-2 Single-Family Medium Density District)

An ordinance to amend Chapter 50 (Zoning), Article III, (A-2 Single-Family Medium Density District), of the Code of the City of Flint by repealing said Article and adopting Article III (Residential Zone Districts).

POSTPONED

210047 Ordinance/Chapter 50 (Zoning)/Article IV (B Two-Family District)

An ordinance to amend Chapter 50 (Zoning), Article IV, (B Two-Family District), of the Code of the City of Flint by repealing said Article and adopting Article IV (Commercial Zone Districts).

POSTPONED

210048 Ordinance/Chapter 50 (Zoning)/Article V (C-1 Multifamily Walk-Up Apartment District)

An ordinance to amend Chapter 50 (Zoning), Article V, (C-1 Multifamily Walk-Up Apartment District), of the Code of the City of Flint by repealing said Article and adopting Article V (Employment Zone Districts).

POSTPONED

210049 Ordinance/Chapter 50 (Zoning)/Article VI (C-2 Multifamily High-Density Apartment District)

An ordinance to amend Chapter 50 (Zoning), Article VI, (C-2 Multifamily High-Density Apartment District), of the Code of the City of Flint by repealing said Article and adopting Article VI (Institutional/Innovation Zoned Districts).

POSTPONED

210085 Ordinance/Amendment/Chapter 18 (Taxation; Funds; Purchasing)/Article II (Assessments)/Amendment of Sections 18-7, 18-8, 18-9 and 18-10

An ordinance to amend the Flint City Code of Ordinances by amending Chapter 18 (Taxation; Funds; Purchasing), Article II (Assessments), by amending Section 18-7 (Special Assessment Relief Board Created; Membership), by amending Section 18-8 (Same -- Investigation of Requests for Relief; Report and Recommendation), by amending Section 18-9 (Award of Relief from Assessments), and by amending Section 18-10 (Payment of Special Assessment by City; Taking of Mortgage and

Note to Assure Repayment to City).

POSTPONED

SPECIAL ORDERS CONTINUED

All Special Orders were postponed to 4-14-21.

210070 Special Order/Hatch Act

A Special Order as requested by Council President Fields to discuss the Hatch Act of 1939, which prohibits some forms of political activity.

210124 Special Order/Bone Scans & Lead Measurement/Dr. Lawrence Reynolds

A Special Order as requested by Council President Fields to allow Dr. Lawrence Reynolds to present his findings on bone scanning equipment and their use in measuring lead exposure.

210167 Special Order/Special Orders

A Special Order as requested by Council President Fields to discuss Special Orders.

ADJOURNMENT

The meeting recessed at 11:41 p.m.