

City of Flint, Michigan

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



Meeting Minutes - Draft

Monday, May 10, 2021

6:44 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

President Kate Fields called this meeting to order at 6:40 p.m.

ROLL CALL

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

PLEDGE OF ALLEGIANCE

Councilperson Jerri Winfrey-Carter led the Pledge of Allegiance.

REQUEST FOR CHANGES AND/OR ADDITIONS TO AGENDA

Council President Fields made a motion to move all Special Orders, except 210215 (Certificate of Recognition to a Kettering fraternity) until after action items have been completed. The vote was 9-0.

PRESENTATION OF MINUTES

210220

Summary Minutes/Special Flint City Council/March 1, 2021

Summary Minutes of the Special Flint City Council ELECTRONIC PUBLIC MEETING held Monday, March 1, 2021, at 4:33 p.m.

The motion was to place all four minutes on file with any corrections.

A motion was made by Councilperson Mays, seconded by Councilperson Griggs, that this matter be Placed on File. The motion carried by the following vote:

Aye: 9 - Councilperson Mays, Councilperson Davis, Councilperson Guerra, Councilperson Fields, Councilperson Winfrey-Carter, Councilperson Winfrey, Councilperson Galloway, Councilperson Griggs and Councilperson Worthing

210221

Summary Minutes/Special Flint City Council/March 15, 2021

Summary Minutes of the Special Flint City Council ELECTRONIC PUBLIC MEETING held Monday, March 15, 2021, at 5:32 p.m.

A motion was made by Councilperson Mays, seconded by Councilperson Griggs, that this matter be Placed on File. The motion carried by the following vote:

Aye: 9 - Councilperson Mays, Councilperson Davis, Councilperson Guerra, Councilperson Fields, Councilperson Winfrey-Carter, Councilperson Winfrey, Councilperson Galloway, Councilperson Griggs and Councilperson Worthing

210222

Summary Minutes/Regular Flint City Council/March 22, 2021

Summary Minutes of the Regular Flint City Council ELECTRONIC PUBLIC MEETING held Monday, March 22, 2021, at 5:33 p.m.

A motion was made by Councilperson Mays, seconded by Councilperson Griggs, that this matter be Placed on File. The motion carried by the following vote:

Aye: 9 - Councilperson Mays, Councilperson Davis, Councilperson Guerra, Councilperson Fields, Councilperson Winfrey-Carter, Councilperson Winfrey, Councilperson Galloway, Councilperson Griggs and Councilperson Worthing

210223 Summary Minutes/Special Flint City Council/March 25, 2021

Summary Minutes of the Special Flint City Council ELECTRONIC PUBLIC MEETING held Thursday, March 25, 2021, at 5:33 p.m.

A motion was made by Councilperson Mays, seconded by Councilperson Griggs, that this matter be Placed on File. The motion carried by the following vote:

Aye: 9 - Councilperson Mays, Councilperson Davis, Councilperson Guerra, Councilperson Fields, Councilperson Winfrey-Carter, Councilperson Winfrey, Councilperson Galloway, Councilperson Griggs and Councilperson Worthing

SPECIAL ORDERS

210215 Special Order/Certificate of Recognition

A Special Order as requested by Councilperson Griggs to present a Certificate of Recognition to Kettering's B Delta Chi Fraternity.

Presented

PUBLIC HEARINGS

210158.6 Public Hearing/Ordinance 210158

A Public Hearing for Ordinance 210158, which will amend 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) 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.]

HEARING HELD

PETITIONS AND UNOFFICIAL COMMUNICATIONS

210225 Financial Report/Karegnondi Water Authority (KWA)

Communication received April 27, 2021, re: The Karegnondi Water Authority (KWA) March 2021 Financial Report.

This Matter was Placed on File on the Consent Agenda.

COMMUNICATIONS (from Mayor and other City Officials)**210226** Flyer/City of Flint/Clean & Beautify Flint

Flyer received May 6, 2021, from City of Flint, re: Join the city-wide effort to clean and beautify Flint.

This Matter was Placed on File on the Consent Agenda.

210227 Traffic Engineering/Closure Permits

Sidewalk, Lane and Street Closure permits (9) dated April and May, 2021, for requested activities/events, with noted responsibility for the placement of the required traffic control devices, and/or personnel, for the protection of traffic and event participants.

This Matter was Placed on File on the Consent Agenda.

APPOINTMENTS**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.]

A motion was made by Councilperson Mays, seconded by Councilperson Winfrey-Carter, that this matter be REFERRED TO COMMITTEE to the GOVERNMENTAL OPERATIONS COMMITTEE, due back on May 19, 2021. The motion carried by the following vote:

Aye: 9 - Councilperson Mays, Councilperson Davis, Councilperson Guerra, Councilperson Fields, Councilperson Winfrey-Carter, Councilperson Winfrey, Councilperson Galloway, Councilperson Griggs and Councilperson Worthing

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.]

A motion was made by Councilperson Mays, seconded by Councilperson Winfrey-Carter, that this matter be REFERRED TO COMMITTEE to the GOVERNMENTAL OPERATIONS COMMITTEE, due back on May 19, 2021. The motion carried by the following vote:

Aye: 7 - Councilperson Mays, Councilperson Davis, Councilperson Fields, Councilperson Winfrey-Carter, Councilperson Winfrey, Councilperson Galloway and Councilperson Griggs

No: 2 - Councilperson Guerra and Councilperson Worthing

RESOLUTIONS

210202 CO#1/Contract/Extend Contract/Rowe Professional Services Co./Comprehensive Zoning Services

Resolution resolving that city officials, upon City Council's approval, are authorized to do all things necessary to extend the contract [change order #1] with Rowe Professional Services Co. until October 31, 2021, and add \$60,000.00 to continue their provision of comprehensive zoning services with funds in the amount of \$60,000.00, to be made available from Planning & Development Medical Marijuana Compliance Professional Services Acct. No. 101-371.220-801.000.

SEPARATED FROM MASTER RESOLUTION

210203 Sale of City-Owned Land/3420 St. John Street/Evergrow, LLC

Resolution resolving that the appropriate city officials are authorized to do all things necessary to enter into and complete the sale of the property commonly known as 3420 St. John Street, Flint, MI, 48505, Parcel ID 47-31-487-015, and legally described as LOTS 425 THRU 443 AS ORIGINALLY PLATTED; LOT 444 EXC ELY 10 FT OF NLY 75 FT; LOT 445 EXC NLY 75 FT, GENERAL MOTORS PARK; ALSO A CONTIG UNPLATTED PARCEL OF LAND DESC AS FOLLS: THAT PART OF N8 RDS OF 1/2 OF NE 1/4 OF SEC 6, T7N, R7E LYING WLY OF WLY R.O.W. LINE OF JAMES P. COLE BLVD AS DESCRIBED IN DEED LIBER 2183, PAGES 869-873, GENESEE COUNTY RECORDS. EXC THAT PART OF VACATED ST JOHN ST. for a total cost of \$500,000.00 and transfer the property to Evergrow, LLC, in an AS IS condition, according to the terms agreed upon in the Purchase Agreement by means of conveyance of a Warranty Deed. Revenue realized from the sale of this real property will be placed in Revenue Acct. No. 101-371.209-673.100, AND, resolving that the City Clerk shall, within thirty (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.

SEPARATED FROM MASTER RESOLUTION

210204 CO#2/Contract/Rowe Engineering/Northwest Transmission Main/Re-Permitting & Design

Resolution resolving that the proper city officials are hereby authorized to enter

into Change Order #2 [to the contract] with Rowe Engineering for additional scope of services for the Northwest Transmission Main re-permitting and design, in an amount NOT-TO-EXCEED \$28,000.00, and a revised contract amount of \$132,360.00, as requested by the Department of Public Works and Utilities.

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

210219.1

Amendment/Settlement/Pohly v City of Flint, Case No. 19-112528-CZ

Amended resolution resolving that the Flint City Council approves and consents to the city settling Pohly v City of Flint, Case No. 19-112528-CZ, through the mediation process authorizing one City Council representative and one City Administration representative to bind the parties in the event that a settlement is reach(ed) through the mediation process. [NOTE: Plaintiff filed a complaint against the city for alleged Open Meetings Act violations, violations of the Freedom of Information Act and failure to implement and breach of the Flint City Charter. An Executive Session was held on this matter on May 5, 2021.] [NOTE: Resolution amended to add City Councilperson Eric Mays as the Council's representative.]

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

RESOLUTIONS - MAY BE REFERRED FROM SPECIAL AFFAIRS

210216

Grant Acceptance/Budget Amendment/Transfer of Funds/Revive Community Health Center Grant/Bluegreen Alliance Foundation (BGAF)

Resolution resolving that the appropriate city officials, upon City Council's approval, are authorized to accept the Revive Community Health Center Grant, amend the FY2021 budget, appropriate funding for revenue and expenditures in future fiscal years, so long as funds are available from the funder, and abide by the terms and conditions of the grant from BGAF, in the amount of \$20,000.00, to grant budget with code PBGAF-HBBF21, through April 30, 2022. [NOTE: The City of Flint agrees to build a partnership between Revive Flint and two of the city's programs -- Flint ReCAST (Resilience in Communities After Stress and Trauma) and Lead-Based Paint and Hazard Control.]

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

210217

Grant Acceptance/Budget Amendment/Transfer of Funds/Flint Registry Community Referral Network Capacity Support Grant/Greater Flint Health Coalition

Resolution resolving that the appropriate city officials, upon City Council's approval, are authorized to accept the Flint Registry Community Referral Network Capacity Support Grant, amend the FY2021 budget, appropriate funding for revenue and expenditures in future fiscal years, so long as funds are available from the funder, and abide by the terms and conditions of the grant from Greater Flint Health Coalition, in the amount of \$10,000.00, to grant budget with code FCDC-GFH21,

through July 31, 2021. [NOTE: The City of Flint agrees to provide capacity support for participation in the Community Referral Platform and Network. The grant will allow the Flint Registry to develop best practices for establishing community linkages while addressing capacity issues related to use of the referral tool.]

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

210224

Support/Safe Boating Campaign/National Safe Boating Week

Resolution resolving that the Flint City Council supports the goals of the Safe Boating Campaign, proclaims May 22-28, 2021 as National Safe Boating Week and the start of a year-round effort to promote safe boating, and urges those who boat to practice safe boating habits and wear a life jacket at all times while boating.

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

Passed The Consent Agenda

A motion was made by Councilperson Guerra, seconded by Councilperson Griggs, including all the preceding items marked as having been adopted on a Consent Agenda. The motion carried by the following vote:

Aye: 8 - Councilperson Mays, Councilperson Davis, Councilperson Guerra, Councilperson Fields, Councilperson Winfrey-Carter, Councilperson Winfrey, Councilperson Griggs and Councilperson Worthing

No: 1 - Councilperson Galloway

SEPARATED FROM THE MASTER RESOLUTION

210202

CO#1/Contract/Extend Contract/Rowe Professional Services Co./Comprehensive Zoning Services

Resolution resolving that city officials, upon City Council's approval, are authorized to do all things necessary to extend the contract [change order #1] with Rowe Professional Services Co. until October 31, 2021, and add \$60,000.00 to continue their provision of comprehensive zoning services with funds in the amount of \$60,000.00, to be made available from Planning & Development Medical Marijuana Compliance Professional Services Acct. No. 101-371.220-801.000.

A motion was made by Councilperson Mays, with support from Councilperson Winfrey, to separate Resolution 210202 from the Master Resolution. The vote was 7-2 (No: Fields, Worthing).

A motion was made by Councilperson Mays, seconded by Councilperson Winfrey-Carter, that this matter be REFERRED TO COMMITTEE to the GOVERNMENTAL OPERATIONS COMMITTEE, due back on May 19, 2021. The motion carried by the following vote:

Aye: 6 - Councilperson Mays, Councilperson Davis, Councilperson Winfrey-Carter, Councilperson Winfrey, Councilperson Galloway and Councilperson Griggs

No: 3 - Councilperson Guerra, Councilperson Fields and Councilperson Worthing

ROLL CALL

Councilperson Fields was removed (muted) from the meeting after she lost an appeal at 10:50 p.m. Councilperson Worthing left the meeting at 10:51 p.m.

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

Absent: Councilperson: Councilperson Fields and Councilperson Worthing

210203

Sale of City-Owned Land/3420 St. John Street/Evergrow, LLC

Resolution resolving that the appropriate city officials are authorized to do all things necessary to enter into and complete the sale of the property commonly known as 3420 St. John Street, Flint, MI, 48505, Parcel ID 47-31-487-015, and legally described as LOTS 425 THRU 443 AS ORIGINALLY PLATTED; LOT 444 EXC ELY 10 FT OF NLY 75 FT; LOT 445 EXC NLY 75 FT, GENERAL MOTORS PARK; ALSO A CONTIG UNPLATTED PARCEL OF LAND DESC AS FOLLS: THAT PART OF N8 RDS OF 1/2 OF NE 1/4 OF SEC 6, T7N, R7E LYING WLY OF WLY R.O.W. LINE OF JAMES P. COLE BLVD AS DESCRIBED IN DEED LIBER 2183, PAGES 869-873, GENESEE COUNTY RECORDS. EXC THAT PART OF VACATED ST JOHN ST. for a total cost of \$500,000.00 and transfer the property to Evergrow, LLC, in an AS IS condition, according to the terms agreed upon in the Purchase Agreement by means of conveyance of a Warranty Deed. Revenue realized from the sale of this real property will be placed in Revenue Acct. No. 101-371.209-673.100, AND, resolving that the City Clerk shall, within thirty (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.

A motion was made by Councilperson Mays, seconded by Councilperson Davis, that this matter be REFERRED TO COMMITTEE to the GOVERNMENTAL OPERATIONS COMMITTEE, due back on May 19, 2021. The motion carried by the following vote:

Aye: 5 - Councilperson Mays, Councilperson Davis, Councilperson Winfrey-Carter, Councilperson Winfrey and Councilperson Galloway

No: 2 - Councilperson Guerra and Councilperson Griggs

Absent: 2 - Councilperson Fields and Councilperson Worthing

ROLL CALL

Councilperson Guerra left at 11:07 p.m.

Present: Councilperson: Councilperson Mays, Councilperson Davis, Councilperson Winfrey-Carter, Winfrey, Councilperson Galloway and Councilperson Griggs

Absent: Councilperson: Councilperson Guerra, Councilperson Fields and Councilperson Worthing

INTRODUCTION AND FIRST READING OF ORDINANCES

210214.1 Amendment/Ordinance/Chapter 28 (Motor Vehicles & Traffic)/Article II (Operation of Vehicles)/Addition of Sections 28-65 (a) - (d), Section 28-65.1 and Section 28-65.2 (Drag Racing)

An amendment to the ordinance to amend Chapter 28 (Motor Vehicles and Traffic), Article II (Operation of Vehicles) of the Code of the City of Flint by adding Sections 28-65 (a) - (d), Section 28-65.1 and Section 28-65.2 (Drag Racing). [NOTE: Ordinance amended to correct typographical and technical errors.]

ACKNOWLEDGED FOR FIRST READING

A motion was made by Councilperson Mays, seconded by Councilperson Winfrey, that this matter be Substituted. The motion carried by the following vote:

Aye: 7 - Councilperson Mays, Councilperson Davis, Councilperson Guerra, Councilperson Winfrey-Carter, Councilperson Winfrey, Councilperson Galloway and Councilperson Griggs

Absent: 2 - Councilperson Fields and Councilperson Worthing

REFERRED TO COMMITTEE to the LEGISLATIVE COMMITTEE

SECOND READING AND ENACTMENT OF ORDINANCES

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.]

PASSED

Substituted

A motion was made by Councilperson Winfrey-Carter, seconded by Councilperson Mays, that this matter be REFERRED TO COMMITTEE to the LEGISLATIVE COMMITTEE, due back on May 19, 2021. The motion carried by the following vote:

Aye: 6 - Councilperson Mays, Councilperson Davis, Councilperson Winfrey-Carter, Councilperson Winfrey, Councilperson Galloway and Councilperson Griggs

Absent: 3 - Councilperson Guerra, Councilperson Fields and Councilperson Worthing

SPECIAL ORDERS CONTINUED

All Special Orders were postponed to the next City Council Meeting (5-24-21) after a motion by Councilperson Mays and a second from Councilperson Galloway. The vote was 6-0.

210218 Special Order/Republic Services/Composting & Trash

A Special Order as requested by Councilperson Monica Galloway to discuss composting and trash with Republic Services.

210181 Special Order/Plaque for COVID-19 Victims

A Special Order as requested by Council President Fields to discuss having the City Council pay for a plaque to honor employees who have died of COVID-19.

210172 Special Order/Discussion/Finance Committee Vice Chair

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

210171 Special Order/Special Meeting/\$99 Million/COVID-19 Relief Funds

A Special Order as requested by Councilperson Mays to discuss having a special meeting to talk about the \$99 million in COVID-19 relief funds.

210167 Special Order/Special Orders

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

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.

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.

ADJOURNMENT

Vice President Maurice Davis adjourned this meeting at 11:54 p.m. after a motion by Councilperson Mays, with support from Councilperson Galloway. The motion passed 6-0 (Absent: Guerra, Fields, Worthing).

Respectfully transcribed & submitted,

Janell Johnson, Administrative Secretary to City Council