

City of Flint, Michigan

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



Meeting Minutes 2 - Final

Monday, October 23, 2017

6:33 PM

WEBSITE

Council Chambers

CITY COUNCIL

*Kerry L. Nelson, President, Ward 3
Vicki VanBuren, Vice President, Ward 8*

Eric Mays, Ward 1

Jacqueline Poplar, Ward 2

Kate Fields, Ward 4

Wantwaz D. Davis, Ward 5

Herbert J. Winfrey, Ward 6

Monica Galloway, Ward 7

Scott Kincaid, Ward 9

Inez M. Brown, City Clerk

ROLL CALL

Present: Councilperson: Councilperson Mays, Councilperson Poplar, Nelson, Councilperson Fields, Councilperson Davis, Councilperson Winfrey, Councilperson Galloway, VanBuren and Councilperson Kincaid

SPECIAL ORDER

170539 Special Orders/Sarvis Park Adoptees/Cook Park Adoptees

Special Orders as requested by Councilpersons Poplar and Galloway to allow for special presentations to Sarvis Park adoptees Reviving Our City's Communities and Cook Park adoptees, respectively.

PUBLIC HEARINGS

170513.4 A public hearing to consider an Obsolete Property Rehabilitation Exemption Application for the Uptown Reinvestment Corporation property located at 352 S. Saginaw Street, 116 W. Kearsley Street and 126 W. Kearsley Street, Flint (Garden Hilton Hotel).

HEARING HELD

170516.4 A public hearing to consider the establishment of a Plant Rehabilitation District on the property commonly known as 1101 N. Center Road, Flint, at which time the owners and other interested parties may appear and be heard.

HEARING HELD

170531.4 A public hearing to consider an Industrial Facilities Exemption Certificate Application for a Lear Corporation project to be located within the Buick Motor Division Industrial Development District (902 E. Hamilton Avenue, Flint), at which time the owners and other interested parties may appear and be heard.

HEARING HELD

APPOINTMENTS

None

LICENSES

None

RESOLUTIONS

170513.1 Approval/Obsolete Property Rehabilitation (OPRA) Exemption/352 S. Saginaw District/Garden Hilton Hotel

Resolution resolving that the Flint City Council hereby approves and grants an

eight (8)-year Obsolete Property Rehabilitation (OPRA) Exemption for the Garden Hilton Hotel project, located within the 352 S. Saginaw Street District, which consists of real property at 352 S. Saginaw Street, 116 W. Kearsley Street and 126 W. Kearsley Street, beginning after project completion and continuing for an eight (8)-year period, as requested by the Division of Community and Economic Development (CED).

SEPARATED FROM MASTER RESOLUTION

170516.1 Approval/Plant Rehabilitation District/1101 N. Center Road

Resolution resolved by the City Council of the City of Flint that the real property commonly known as 1101 N. Center Road, which is situated within the City of Flint, Genesee County and State of Michigan, is hereby established as a Plant Rehabilitation District, pursuant to the provisions of Public Act 198 of 1974, as amended, to be known as the Center Road Plant Rehabilitation District, as requested by the Community and Economic Development Division (CED).

SEPARATED FROM MASTER RESOLUTION

170531.1 Approval/Industrial Facilities Exemption Certificate (IFEC)/Lear Corporation/Buick Motor Division Industrial Development District

Resolution resolving that the granting of the Industrial Facilities Exemption Certificate (IFEC), considered together with the aggregate amount of certificates previously granted and currently in force under Public Act 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 the taxing unit that levies ad valorem property taxes with the city, AND, resolving that the application from the Lear Corporation for an IFEC, with respect to a new facility on the parcel of real property situated within the Buick Motor Division Industrial Development District, be and the same is hereby approved, AND, the IFEC, when issued, shall be and remain in force for a period of twelve (12) years, after construction completion, as requested by the Community and Economic Development Division (CED).

[Enter body here.]

SEPARATED FROM MASTER RESOLUTION

170535 Contract/Wade Trim, Inc./Preliminary Design Services/Watermain Replacement/Transportation Investment Generating Economic Recovery (TIGER) Grant

Resolution authorizing the proper City Officials, upon City Council's approval, enter into a contract with Wade Tim, Inc. for preliminary design services for the TIGER (Transportation Investment Generating Economic Recovery) grant project and watermain replacement for the duration of the project, as requested by Public Works, in an amount NOT-TO-EXCEED \$620,000.00 (Major Street Fund Acct. No. 202-441.702-801.000).

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

170536 Agreement Continuation/City of Flint/F&V Operations & Resource Management/Laboratory Services

Resolution resolving that the Flint City Council approves the continuation of laboratory services of two (2) laboratory staff provided by F&V Operations and Resource Management. [NOTE: Two City laboratory staff employees resigned in August. As a result, the city contacted the Michigan Department of Environmental Quality (MDEQ) to determine the appropriate qualifications and used its water quality expert to obtain appropriately licensed candidates through F&V Operations, who will provide staff for laboratory services, including operating the City Water Plant lab, collection of data required to prepare State reports and the collection of water samples. Laboratory staff will be paid \$23,406.25 on a month-to-month basis from Water Fund Acct. No. 591-536.100-801.000.]

SEPARATED FROM MASTER RESOLUTION

RESOLUTIONS (May Be Referred from Special Affairs)

170354 Master Agreement/City of Flint/Great Lakes Water Authority (GLWA)/Karegnondi Water Authority (KWA)/Genesee County Drain Commission (GCDC)

Resolution resolving that the Flint City Council approves the Master Agreement and the Exhibits attached to the Master Agreement to be executed by the city, inclusive of the Water Contract between the City of Flint and the Great Lakes Water Authority (GLWA), AND, resolving that the Mayor and City Clerk are authorized to execute and deliver the Transaction Documents to be executed by the city and to do all other things necessary to effectuate the execution and delivery of the Transaction Documents, in accordance with the provisions of this Resolution. [NOTE: The City of Flint, the Michigan Department of Environmental Quality (MDEQ), the Genesee County Drain Commission (GCDC), the Great Lakes Water Authority (GLWA) and the Karegnondi Water Authority (KWA) have worked in collaboration for the purposes of effectuating the overall agreement described in the Statement of Principles for Long-Term Water Delivery to the City of Flint, signed by the Parties and dated April 18, 2017, and implemented through the Master Agreement and the exhibits attached thereto and incorporated therein. The aforementioned parties have come to a collective agreement to enter into a partnership for the purpose of Flint receiving a long-term water source from GLWA to provide safe drinking water to the residents of the city, to relieve the city of its debt service payment obligations on the KWA bonds, and to obtain ownership of the 72-inch pipe and a backup water source in the event of an emergency. GLWA and the city have agreed to a Water Service Contract regarding the long-term service of potable water to the City of Flint. GLWA shall sell and supply water to the City of Flint in accordance with the terms of the Water Contract for a period of thirty (30) years from the effective date of the Water Contract.

SEPARATED FROM MASTER RESOLUTION

170540 Contract/Lake Agency, Inc./Extension of Excess Liability Insurance Coverage

Resolution resolving that the appropriate City Officials are authorized to enter into a contract with Lake Agency, Inc. to extend its [general liability] coverage with Old Republic Union Insurance Company for [an] additional 60 (sixty) days, for the period of 9/23/2017 through 11/23/2017, as requested by the Finance Department, in the amount of \$51,352.50 [Acct. No. 677-174.851-955.000]. [Administration Submission No. CA5422017] [NOTE: Through Lake Agency, Inc., its current broker, the City of Flint retained the Old Republic Union Insurance Company for its general liability coverage for the period of 11/23/16 - 9/23/17. Due to ongoing litigation, the City extended this policy for an additional 60 days to ensure maximum coverage at competitive rates.]

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

170541 Contract/Lake Agency, Inc./Excess Liability Insurance Coverage

Resolution resolving that the appropriate City Officials are authorized to enter into a contract with Lake Agency, Inc. to provide the City of Flint with general liability coverage through Old Republic Union Insurance Company at a premium NOT-TO-EXCEED \$319,861.00 for a 12-month period beginning 11/23/2017 to 11/23/2018, as requested by the Finance Department [Acct. No. 677-174.851-955.000]. [Administration Submission No. CA5402017]

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

170542 Contract/Lake Agency, Inc./Property Insurance Coverage

Resolution resolving that the appropriate City Officials are authorized to enter into a contract with Lake Agency, Inc. to provide the City of Flint with Property, Inland Marine and Contractors Equipment [coverage] through Traveler's Insurance and Hartford Steam Boiler at a cost NOT-TO-EXCEED \$177,507.00 for the period of 11/01/2017 to 11/01/2018, as requested by the Finance Department [Acct. No. 677-174.851-955.000]. [Administration Submission No. CA5412017]

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

170543 Budget Amendment/542 Fund Balance/Wage and Fringe Expense Accounts

Resolution resolving that the appropriate City Officials are authorized to do all things necessary to process a budget amendment to allocate a \$32,624.11 expense appropriation from the 542 Fund Balance to multiple expense accounts, as requested by Planning and Development. [The City of Flint and AFSCME Local 1799 and Local 1600 reached agreements on reclassification of the Neighborhood Enforcement Official from a Level 29 to a Level 31, and the Neighborhood Enforcement Officer 2 (Level 28) to an Officer 3 (Level 35), impacting a total of three positions. The City's FY2018 Adopted Budget did not account for these increases.] [Administration Submission No. CA5442017]

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

Passed The Consent Agenda

A motion was made by Councilperson Mays, seconded by Councilperson Galloway, 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 Poplar, President Nelson, Councilperson Fields, Councilperson Davis, Councilperson Winfrey, Councilperson Galloway and Councilperson Kincaid

Absent: 1 - Vice President VanBuren

SEPARATED FROM MASTER RESOLUTION

170513.1 Approval/Obsolete Property Rehabilitation (OPRA) Exemption/352 S. Saginaw District/Garden Hilton Hotel

Resolution resolving that the Flint City Council hereby approves and grants an eight (8)-year Obsolete Property Rehabilitation (OPRA) Exemption for the Garden Hilton Hotel project, located within the 352 S. Saginaw Street District, which consists of real property at 352 S. Saginaw Street, 116 W. Kearsley Street and 126 W. Kearsley Street, beginning after project completion and continuing for an eight (8)-year period, as requested by the Division of Community and Economic Development (CED).

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

Aye: 9 - Councilperson Mays, Councilperson Poplar, President Nelson, Councilperson Fields, Councilperson Davis, Councilperson Winfrey, Councilperson Galloway, Vice President VanBuren and Councilperson Kincaid

170516.1 Approval/Plant Rehabilitation District/1101 N. Center Road

Resolution resolved by the City Council of the City of Flint that the real property commonly known as 1101 N. Center Road, which is situated within the City of Flint, Genesee County and State of Michigan, is hereby established as a Plant Rehabilitation District, pursuant to the provisions of Public Act 198 of 1974, as amended, to be known as the Center Road Plant Rehabilitation District, as requested by the Community and Economic Development Division (CED).

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

Aye: 9 - Councilperson Mays, Councilperson Poplar, President Nelson, Councilperson Fields, Councilperson Davis, Councilperson Winfrey, Councilperson Galloway, Vice President VanBuren and Councilperson Kincaid

170531.1 Approval/Industrial Facilities Exemption Certificate (IFEC)/Lear Corporation/Buick Motor Division Industrial Development District

Resolution resolving that the granting of the Industrial Facilities Exemption Certificate (IFEC), considered together with the aggregate amount of certificates previously granted and currently in force under Public Act 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 the taxing unit that levies ad valorem property taxes with the city, AND, resolving that the application from the Lear Corporation for an IFEC, with respect to a new facility on the parcel of real property situated within the Buick Motor Division Industrial Development District, be and the same is hereby approved, AND, the IFEC, when issued, shall be and remain in force for a period of twelve (12) years, after construction completion, as requested by the Community and Economic Development Division (CED).
[Enter body here.]

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

Aye: 9 - Councilperson Mays, Councilperson Poplar, President Nelson, Councilperson Fields, Councilperson Davis, Councilperson Winfrey, Councilperson Galloway, Vice President VanBuren and Councilperson Kincaid

170536

Agreement Continuation/City of Flint/F&V Operations & Resource Management/Laboratory Services

Resolution resolving that the Flint City Council approves the continuation of laboratory services of two (2) laboratory staff provided by F&V Operations and Resource Management. [NOTE: Two City laboratory staff employees resigned in August. As a result, the city contacted the Michigan Department of Environmental Quality (MDEQ) to determine the appropriate qualifications and used its water quality expert to obtain appropriately licensed candidates through F&V Operations, who will provide staff for laboratory services, including operating the City Water Plant lab, collection of data required to prepare State reports and the collection of water samples. Laboratory staff will be paid \$23,406.25 on a month-to-month basis from Water Fund Acct. No. 591-536.100-801.000.]

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

Aye: 9 - Councilperson Mays, Councilperson Poplar, President Nelson, Councilperson Fields, Councilperson Davis, Councilperson Winfrey, Councilperson Galloway, Vice President VanBuren and Councilperson Kincaid

170354

Master Agreement/City of Flint/Great Lakes Water Authority (GLWA)/Karegnondi Water Authority (KWA)/Genesee County Drain Commission (GCDC)

Resolution resolving that the Flint City Council approves the Master Agreement and the Exhibits attached to the Master Agreement to be executed by the city, inclusive of the Water Contract between the City of Flint and the Great Lakes Water Authority (GLWA), AND, resolving that the Mayor and City Clerk are

authorized to execute and deliver the Transaction Documents to be executed by the city and to do all other things necessary to effectuate the execution and delivery of the Transaction Documents, in accordance with the provisions of this Resolution. [NOTE: The City of Flint, the Michigan Department of Environmental Quality (MDEQ), the Genesee County Drain Commission (GCDC), the Great Lakes Water Authority (GLWA) and the Karegnondi Water Authority (KWA) have worked in collaboration for the purposes of effectuating the overall agreement described in the Statement of Principles for Long-Term Water Delivery to the City of Flint, signed by the Parties and dated April 18, 2017, and implemented through the Master Agreement and the exhibits attached thereto and incorporated therein. The aforementioned parties have come to a collective agreement to enter into a partnership for the purpose of Flint receiving a long-term water source from GLWA to provide safe drinking water to the residents of the city, to relieve the city of its debt service payment obligations on the KWA bonds, and to obtain ownership of the 72-inch pipe and a backup water source in the event of an emergency. GLWA and the city have agreed to a Water Service Contract regarding the long-term service of potable water to the City of Flint. GLWA shall sell and supply water to the City of Flint in accordance with the terms of the Water Contract for a period of thirty (30) years from the effective date of the Water Contract.

Adopted

Substituted

A motion was made by Councilperson Kincaid, seconded by Councilperson Davis, that this matter be POSTPONED for November 22, 2017. The motion carried by the following vote:

Aye: 8 - Councilperson Poplar, President Nelson, Councilperson Fields, Councilperson Davis, Councilperson Winfrey, Councilperson Galloway, Vice President VanBuren and Councilperson Kincaid

Abstain: 1 - Councilperson Mays

ADD-ON RESOLUTIONS

170545 Extension/Water Service Contract/Great Lakes Water Authority (GLWA)

Resolution resolving that the Flint City Council approves the extension of the Water Service Contract with the Great Lakes Water Authority (GLWA) from October 31, 2017, until October 31, 2019, and approves the independent analysis of our long-term water supply to determine a clean, reliable and affordable drinking source.

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

Aye: 8 - Councilperson Poplar, President Nelson, Councilperson Fields, Councilperson Davis, Councilperson Winfrey, Councilperson Galloway, Vice President VanBuren and Councilperson Kincaid

Abstain: 1 - Councilperson Mays

LIQUOR LICENSES

None

INTRODUCTION AND FIRST READING OF ORDINANCES

None

SECOND READING AND ENACTMENT OF ORDINANCES

None

ADJOURNMENT

This regular City Council meeting was adjourned at 11:40 p.m.