

City of Flint, Michigan

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



Meeting Minutes 2 - Final

Monday, October 9, 2017

6:28 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 Winfrey, Councilperson Galloway,
VanBuren and Councilperson Kincaid

Absent: Councilperson: Councilperson Davis

PUBLIC HEARINGS

None

APPOINTMENTS

None

LICENSES

None

RESOLUTIONS

None

RESOLUTIONS (May Be Referred from Special Affairs)

170523.1 Amended Resolution/CO#1/Contract/Goyette Mechanical/Residential Water Line Replacements

An amended resolution resolving that the proper city officials are hereby authorized to enter into change order #1 to the contract with Goyette Mechanical for additional residential water line replacements, in an amount NOT-TO-EXCEED \$1,320,000.00, for an aggregate total of \$10,738,500.00, as requested by Utilities [Water Fund Acct. No. 591-540.210-801.012.] [NOTE: Funding will come from the Water Infrastructure Improvements for the Nation (WIIN) grant and a Children's Health Insurance Program (CHIP), using the Water Fund account.] [NOTE: Resolution amended to change dollar amount.]

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

170524.1 Amended Resolution/CO#3/Contract/Zito Construction/Pavement Right-of-Way Restoration Services After Water Service Line Repair

An amended resolution resolving that the proper city officials are authorized to enter into Change Order No. 3 to the contract with Zito Construction for additional pavement/right-of-way repair/restoration services after water service line repair, in an amount NOT-TO-EXCEED \$290,400.00, for a revised aggregate contractual amount of \$6,794,250.00 [Water Fund Acct. No. 591-540.210-801.030]. [NOTE: Funding will come from the Water Infrastructure Improvements for the Nation (WIIN) grant and a Children's Health Insurance Program (CHIP), using the Water Fund account.] [NOTE: Resolution amended

to change dollar amount.]

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

- 170525.1** Amended Resolution/CO#1/Contract/AFSCME Local 1600/AFSCME Local 1799/Right-of-Way Restoration/Repair Services/Water Service Line Repair

An amended resolution resolving that the proper city officials are hereby authorized to enter into change order #1 to the contract with AFSCME Local 1600 and AFSCME Local 1799 for additional pavement/right-of-way repair/restoration services after water service line repair, in an amount NOT-TO-EXCEED \$290,400.00, for a revised aggregate contractual amount of \$4,776,900.00 [Water Fund Acct. No. 591-540.210-801.030]. [NOTE: Funding will come from the Water Infrastructure Improvements for the Nation (WIIN) grant and/or the Children Health Insurance Program (CHIP), using the Water Fund account.] [NOTE: Resolution amended to change dollar amount.]

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

- 170531** Public Hearing Date/Industrial Facilities Exemption Certificate Application/Lear Corporation/Buick Motor Division Industrial Development District

Resolution resolving that a public hearing to consider the Industrial Facilities Exemption Certificate application for the Lear Corporation's project to be located within the Buick Motor Division Industrial Development District be held at 5:30 p.m. on the 23rd day of October 2017, in City Council Chambers, Flint City Hall, 1101 S. Saginaw Street, Flint, as requested by the Community and Economic Development Division (CED), and that notice of such hearing shall be published in an official paper of general circulation not less than ten (10) days prior to said hearing. [Administration Submission No. CA5342017.]

SEPARATED FROM MASTER RESOLUTION

- 170532** Settlement/Adam Gerics v. Alex Trevino, et al/Federal District Court Case No. 15-12922

Resolution resolving that the City Administrator authorizes settlement, in an amount NOT-TO-EXCEED \$16,000.00, in satisfaction of any and all claims arising out of the litigation matter of Adam Gerics v. Alex Trevino, et al, Federal District Court Case No. 15-12922, with payment drawn from appropriated funds in Litigation and Suits Line Item No. 677-266.200-956.300. [Administration Submission No. CA5322017]

SEPARATED FROM MASTER RESOLUTION

- 170533.1** Amended Resolution/Budget Amendment/591 Fund Balance/Professional Services Agreement (PSA)/Gary C. Cline, PE

An amended resolution resolving that the appropriate City Officials are authorized to do all things necessary to amend the 2017-18 adopted budget to allocate \$150,000.00 from the 591 Fund Balance to fund a Professional

Services Agreement (PSA) with Gary C. Cline, PE. [NOTE: Resolution amended to change funding source.]

SEPARATED FROM MASTER RESOLUTION

- 170534.1** Amended Resolution/Professional Services Agreement (PSA)/Gary C. Cline, PE/City Council Consultant

An amended resolution resolving that the appropriate City Officials are authorized to do all things necessary to enter into a Professional Services Agreement (PSA) with Gary C. Cline, PE, to serve as the City Council consultant to review the options analyzed by John Young and CDM Smith and develop an alternate long-term water plan that is reliable, safe and affordable, at a cost NOT-TO-EXCEED \$150,000.00, with funding made available from the 591 Fund Balance, with terms of the PSA effective beginning October 9, 2017. [NOTE: Resolution amended to change funding source.]

SEPARATED FROM MASTER RESOLUTION

- 170506** Settlement/William Surface v. City of Flint and Alvern Lock/U.S. District Court Case No. 12-cv-15513

Settlement/William Surface v. City of Flint and Alvern Lock/U.S. District Court Case No. 12-cv-15513

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

- 170507** Settlement/Stanford Lewis/Workers Compensation Claim No. W1400189

Settlement/Stanford Lewis/Workers Compensation Claim No. W1400189

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

Passed The Consent Agenda

A motion was made by Councilperson Kincaid, 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 Winfrey, Councilperson Galloway, Vice President VanBuren and Councilperson Kincaid

Absent: 1 - Councilperson Davis

Passed The Consent Agenda

A motion was made by Councilperson Kincaid, 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 Winfrey, Councilperson Galloway, Vice President VanBuren and Councilperson Kincaid

Absent: 1 - Councilperson Davis

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A motion was made by Councilperson Kincaid, 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 Winfrey, Councilperson Galloway, Vice President VanBuren and Councilperson Kincaid

Absent: 1 - Councilperson Davis

SEPARATED FROM MASTER RESOLUTION

170531 Public Hearing Date/Industrial Facilities Exemption Certificate Application/Lear Corporation/Buick Motor Division Industrial Development District

Resolution resolving that a public hearing to consider the Industrial Facilities Exemption Certificate application for the Lear Corporation's project to be located within the Buick Motor Division Industrial Development District be held at 5:30 p.m. on the 23rd day of October 2017, in City Council Chambers, Flint City Hall, 1101 S. Saginaw Street, Flint, as requested by the Community and Economic Development Division (CED), and that notice of such hearing shall be published in an official paper of general circulation not less than ten (10) days prior to said hearing. [Administration Submission No. CA5342017.]

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

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

Absent: 1 - Councilperson Davis

170532 Settlement/Adam Gerics v. Alex Trevino, et al/Federal District Court Case No. 15-12922

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

Absent: 1 - Councilperson Davis

170533.1 Amended Resolution/Budget Amendment/591 Fund Balance/Professional Services Agreement (PSA)/Gary C. Cline, PE

An amended resolution resolving that the appropriate City Officials are authorized to do all things necessary to amend the 2017-18 adopted budget to allocate \$150,000.00 from the 591 Fund Balance to fund a Professional Services Agreement (PSA) with Gary C. Cline, PE. [NOTE: Resolution amended to change funding source.]

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

Aye: 7 - Councilperson Poplar, President Nelson, Councilperson Fields, Councilperson Winfrey, Councilperson Galloway, Vice President VanBuren and Councilperson Kincaid

Abstain: 1 - Councilperson Mays

Absent: 1 - Councilperson Davis

170534.1 Amended Resolution/Professional Services Agreement (PSA)/Gary C. Cline, PE/City Council Consultant

An amended resolution resolving that the appropriate City Officials are authorized to do all things necessary to enter into a Professional Services Agreement (PSA) with Gary C. Cline, PE, to serve as the City Council consultant to review the options analyzed by John Young and CDM Smith and develop an alternate long-term water plan that is reliable, safe and affordable, at a cost NOT-TO-EXCEED \$150,000.00, with funding made available from the 591 Fund Balance, with terms of the PSA effective beginning October 9, 2017. [NOTE: Resolution amended to change funding source.]

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

Aye: 7 - Councilperson Poplar, President Nelson, Councilperson Fields, Councilperson Winfrey, Councilperson Galloway, Vice President VanBuren and Councilperson Kincaid

Abstain: 1 - Councilperson Mays

Absent: 1 - Councilperson Davis

LIQUOR LICENSES

None

INTRODUCTION AND FIRST READING OF ORDINANCES

None

ROLL CALL

Present: Councilperson: Councilperson Mays, Nelson, Councilperson Winfrey, Councilperson Galloway, VanBuren and Councilperson Kincaid

Absent: Councilperson: Councilperson Poplar, Councilperson Fields and Councilperson Davis

ORDINANCES - First Reading (May Be Referred from S.A.)

170526 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)

An ordinance to 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), of the Code of the City of Flint by adding a new subsection (s), concerning Swayze Court (Communities First, Inc.).

A motion was made by Councilperson Kincaid, seconded by Vice President VanBuren, that this matter be ACKNOWLEDGED FOR FIRST READING. The motion carried by the following vote:

Aye: 6 - Councilperson Mays, President Nelson, Councilperson Winfrey, Councilperson Galloway, Vice President VanBuren and Councilperson Kincaid

Absent: 3 - Councilperson Poplar, Councilperson Fields and Councilperson Davis

170527 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)

An ordinance to 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), of the Code of the City of Flint by adding a new subsection (t), concerning Flint Marketplace (310 East Third Street Limited Dividend Housing Association Limited Partnership).

A motion was made by Councilperson Kincaid, seconded by Vice President VanBuren, that this matter be ACKNOWLEDGED FOR FIRST READING. The motion carried by the following vote:

Aye: 6 - Councilperson Mays, President Nelson, Councilperson Winfrey, Councilperson Galloway, Vice President VanBuren and Councilperson Kincaid

Absent: 3 - Councilperson Poplar, Councilperson Fields and Councilperson Davis

170528 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)

An ordinance to 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), of the Code of the City of Flint by adding a new subsection (v), concerning Cedar Court Commons (Cedar Court, Inc.).

A motion was made by Councilperson Kincaid, seconded by Vice President VanBuren, that this matter be ACKNOWLEDGED FOR FIRST READING. The motion carried by the following vote:

Aye: 6 - Councilperson Mays, President Nelson, Councilperson Winfrey, Councilperson Galloway, Vice President VanBuren and Councilperson Kincaid

Absent: 3 - Councilperson Poplar, Councilperson Fields and Councilperson Davis

170529

Amendment/Ordinance/Chapter 18 (Taxation; Funds; Purchasing)/Article I (In General)/Section 18-4.7 (Same - Duration)

An ordinance to amend Chapter 18 (Taxation; Funds; Purchasing), Article I (In General), Section 18-4.7 (Same - Duration), of the Code of the City of Flint concerning the duration of tax incentives.

A motion was made by Councilperson Kincaid, seconded by Vice President VanBuren, that this matter be ACKNOWLEDGED FOR FIRST READING. The motion carried by the following vote:

Aye: 6 - Councilperson Mays, President Nelson, Councilperson Winfrey, Councilperson Galloway, Vice President VanBuren and Councilperson Kincaid

Absent: 3 - Councilperson Poplar, Councilperson Fields and Councilperson Davis

SECOND READING AND ENACTMENT OF ORDINANCES

None

ADJOURNMENT

This regular City Council meeting was adjourned at 8:21 p.m.