

# **City of Flint, Michigan**

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



## **Meeting Minutes 2 - Final**

**Monday, December 11, 2017**

**7:19 PM**

**WEBSITE**

**Council Chambers**

**CITY COUNCIL**

*Herbert J. Winfrey, President, Ward 6  
Monica Galloway, Vice President, Ward 7*

*Eric Mays, Ward 1*

*Maurice D. Davis, Ward 2*

*Santino J. Guerra, Ward 3*

*Kate Fields, Ward 4*

*Jerri Winfrey-Carter, Ward 5*

*Allan Griggs, Ward 8*

*Eva L. Worthing, Ward 9*

*Inez M. Brown, City Clerk*

## ROLL CALL

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

**Absent:** Councilperson: Councilperson Fields and Vice President Galloway

## PUBLIC HEARINGS

*None*

## APPOINTMENTS

**170567** Appointment/Zoning Board of Appeals/Matthew Telliga (Ward 8)

Resolution resolving that Matthew Telliga (3330 Westwood Parkway, Flint, MI 48503 -- Ward 8) is appointed to the Zoning Board of Appeals for a three-year term, expiring August 31, 2020. [By way of background, Louis A. Griggs resigned from the Zoning Board of Appeals after being elected to the Flint City Council. His term expired August 31, 2017, however, he continued to serve.]

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

**Aye:** 7 - Councilperson Mays, Councilperson Davis, Councilperson Guerra, Councilperson Winfrey-Carter, President Winfrey, Councilperson Griggs and Councilperson Worthing

**Absent:** 2 - Councilperson Fields and Vice President Galloway

## LICENSES

*None*

## RESOLUTIONS

**170586** Kennedy Industries/Lift Station Pumps

Resolution resolving that the Department of Purchases & Supplies, upon City Council's approval, is hereby authorized to issue a purchase order to Kennedy Industries for lift station pumps, as requested by Utilities/Water Pollution Control, in an amount NOT-TO-EXCEED \$197,715.00 [Sewer Fund Acct. No. 590-550.300-977.000].

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

**170587** Three-Year/Contract/William E. Walter/HVAC Support Services

Resolution resolving that the proper city officials are hereby authorized to enter into a three-year contract with William E. Walter for HVAC support services, as requested by the Water Service Center, in an annual amount

NOT-TO-EXCEED \$15,000.00, pending adoption of the FY2019 and FY2020 budgets, for a total aggregate amount of \$224,000.00 [Sewer Fund Acct. No. 590-540.100-801.000 = \$7,500.00 and Water Fund Acct. No. 591-540.100-801.000 = \$7,500.00].

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

**170589** Settlement/Pre-Suit Litigation/Kathy Konesy

Resolution resolving that the Acting City Administrator hereby authorizes settlement for the pre-suit litigation of Kathy Konesy, in the amount of \$12,000.00, in satisfaction of any and all claims arising out of said matter, with payment drawn from appropriated funds in Litigation and Suits Line Item No. 677-266.200-956.300.

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

**170591** Budget Amendments/FY2017-FY2018/General Fund/Drug Forfeiture Fund/Public Safety Fund/Police Fund

Resolution resolving that the appropriate city officials are authorized to do all things necessary to amend the FY2017-2018 adopted budget to support the Flint Police Officers' Association (FPOA) collective bargaining agreement for the FY2017-2018 fiscal year; the wages and fringes will come from: General Fund (\$76,588.76) and Drug Forfeiture Fund (\$1,309.92), and Fund Balances in the Public Safety Fund (\$17,062.59) and Police Fund (\$10,388.75). [NOTE: The Flint City Council approved a collective bargaining agreement with the FPOA on November 27, 2017. The adopted budget did not include the additional expenses that will be incurred as a result of the new agreement.]

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

## **RESOLUTIONS (May Be Referred from Special Affairs)**

**170590** Sale of Six (6) City-Owned Parcels/Metro Community Development/Metawanenee Hills Phase 2

Resolution resolving that the appropriate city officials are hereby authorized to do all things necessary to approve an option with Metro Community Development for \$1,500.00 total (which would be deposited into Revenue Acct. No. 101-371.209-673.100) for six parcels, contingent on a Low-Income Housing Tax Credit award for Phase 2 of the Metawanenee Hills Housing Project and an accompanying deed restriction the parcels necessitating that the property is used solely for residential housing, as requested by Planning & Development. [NOTE: The properties are on Garland Street (1), West Wood Street (2) and M.L. King Avenue (3).]

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

- 170592** Budget Adjustment/Transfer/F&V Operations/Laboratory Services/Water Fund
- Resolution resolving that the appropriate city officials are authorized to do all things necessary to amend the FY2017-FY2018 adopted budget to transfer the budgeted amount of \$163,132.00 from Water Fund Wages & Salaries Acct. No. 591-545.200-5702.000, \$19,118.00 from Water Fund Direct Fringes Acct. No. 591-545.200-719.100 and \$5,000.00 from Water Fund Overtime Acct. No. 591-545.200-709.000 to Water Fund Professional Services Acct. No. 591-536.100-801.000 for the month to month contract with F&V Operations. [NOTE: On August 24, 2017, the Flint City Council approved Resolution No. 170455 for F&V Operations to provide the Water Plant with one month of laboratory services as a result of the resignation of two laboratory staffers. Although the city has interviewed and made an offer of employment, the city has been unable to secure permanent staff to fill the laboratory staff services. As a result, the city needs to continue the agreement for F&V Operations to provide laboratory services on a month-to-month basis and will need a budget adjustment in order to continue.]
- This Matter was ADOPTED BY THE MASTER RESOLUTION on the Consent Agenda.**

- 170596** Settlement/Smith v. City of Flint/Genesee County Circuit Court Case No. 13-100532-CZ
- Resolution resolving that the Acting City Administrator authorizes settlement, in the amount of \$72,500.00, in satisfaction of any and all claims arising out of the litigation matter of Smith v. City of Flint, Genesee County Circuit Court Case No. 13-100532-CZ, with payment drawn from appropriated funds in Litigation and Suits Line Item No. 677-266.200-956.300. [Administration Submission No. CA5662017]
- This Matter was ADOPTED BY THE MASTER RESOLUTION on the Consent Agenda.**

- 170597** Settlement/City of Flint v. Rooter1, Inc./Genesee County District Court Case No. C17G3934
- Resolution resolving that the Acting City Administrator authorizes settlement, in the amount of \$19,014.82, in satisfaction of any and all claims arising out of the litigation matter of City of Flint v. Rooter1, Inc., Genesee County District Court Case No. C17G3934, with the appropriate City Officials authorized to do all things necessary to amend the 2017-2018 adopted budget to recognize revenue in Acct. No. 101-253.204-439.000. [Administration Submission No. CA5702017]
- 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 Davis, including all the preceding items marked as having been adopted on a Consent Agenda. The motion carried by the following vote:**

**Aye:** 7 - Councilperson Mays, Councilperson Davis, Councilperson Guerra, Councilperson Winfrey-Carter, President Winfrey, Councilperson Griggs and Councilperson Worthing

**Absent:** 2 - Councilperson Fields and Vice President Galloway

**170598**

First Addendum/License to Transmit Water/Genesee County Drain Commissioner

Resolution resolving that the Mayor is authorized to do all things necessary to enter into the First Addendum to [the] License to Transmit Water with the Genesee County Drain Commissioner. [NOTE: The City of Flint and the Genesee County Drain Commissioner (GCDC) entered into a License to Transmit Water dated October 15, 2015 (effective October 14, 2015). The city selected the Great Lakes Water Authority (GLWA) as its primary source of potable water, and the City, the GLWA, the GCDC, the Karegnondi Water Authority (KWA), and the State of Michigan (SOM) collectively negotiated various agreements related to the terms for the City using the GLWA as its permanent water supplier (the "Water Deal"). As part of the Water Deal, the GCDC is quit claiming a 72" pipeline and associated appurtenances to the City that includes a meter pit at Baxter Road and Potter Road, and such 72" pipeline continues westerly approximately eleven miles to the west of the KWA connection at the intersection of Center Road and Pierson Road ("Pipeline"). The Water Deal is effective December 1, 2017, however, the deed to the Pipeline will not be released from escrow until closing of the refinancing of the KWA's \$74,370,000.00 Water Supply System (Karegnondi Water Authority Pipeline Bonds) Series 2016 (the "KWA Bonds"), which is anticipated to be completed prior to May 2018. The City will be the only entity using the Pipeline after the Water Deal closes and the GCDC has its own water treatment facility and 42" pipeline that are transmitting water to its customers. It is critical that the City install various equipment and that the City can control the pressure of the Pipeline in the meter pit. If the pressure is not controlled properly, a malfunction of the Pipeline could occur. The City and the GCDC are willing to modify the language of the License by executing this Addendum to the License.]

**SEPARATED FROM MASTER RESOLUTION**

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various agreements related to the terms for the City using the GLWA as its permanent water supplier (the "Water Deal"). As part of the Water Deal, the GCDC is quit claiming a 72" pipeline and associated appurtenances to the City that includes a meter pit at Baxter Road and Potter Road, and such 72" pipeline continues westerly approximately eleven miles to the west of the KWA connection at the intersection of Center Road and Pierson Road ("Pipeline"). The Water Deal is effective December 1, 2017, however, the deed to the Pipeline will not be released from escrow until closing of the refinancing of the KWA's \$74,370,000.00 Water Supply System (Karegnondi Water Authority Pipeline Bonds) Series 2016 (the "KWA Bonds"), which is anticipated to be completed prior to May 2018. The City will be the only entity using the Pipeline after the Water Deal closes and the GCDC has its own water treatment facility and 42" pipeline that are transmitting water to its customers. It is critical that the City install various equipment and that the City can control the pressure of the Pipeline in the meter pit. If the pressure is not controlled properly, a malfunction of the Pipeline could occur. The City and the GCDC are willing to modify the language of the License by executing this Addendum to the License.]

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

**Aye:** 7 - Councilperson Mays, Councilperson Davis, Councilperson Guerra, Councilperson Winfrey-Carter, President Winfrey, Councilperson Griggs and Councilperson Worthing

**Absent:** 2 - Councilperson Fields and Vice President Galloway

## LIQUOR LICENSES

*None*

## INTRODUCTION AND FIRST READING OF ORDINANCES

**170593** 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 amending subsection (u), concerning Berkley Place Apartments (Communities First, Inc.).

**A motion was made by Councilperson Davis, seconded by Councilperson Guerra, that this matter be ACKNOWLEDGED FOR FIRST READING. The motion carried by the following vote:**

**Aye:** 7 - Councilperson Mays, Councilperson Davis, Councilperson Guerra, Councilperson Winfrey-Carter, President Winfrey, Councilperson Griggs and Councilperson Worthing

**Absent:** 2 - Councilperson Fields and Vice President Galloway

**170594** 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 (registration and compliance with the City of Flint).

**A motion was made by Councilperson Davis, seconded by Councilperson Guerra, that this matter be ACKNOWLEDGED FOR FIRST READING. The motion carried by the following vote:**

**Aye:** 7 - Councilperson Mays, Councilperson Davis, Councilperson Guerra, Councilperson Winfrey-Carter, President Winfrey, Councilperson Griggs and Councilperson Worthing

**Absent:** 2 - Councilperson Fields and Vice President Galloway

**170595.1**

Amended Ordinance/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 amended 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 (w), concerning Eagle Ridge Square Apartments (Eagle Ridge Limited Dividend Housing Association, LLC). [NOTE: Ordinance amended to further describe the transfer of the PILOT from the sponsor to one successor of ownership of the project.]

**A motion was made by Councilperson Davis, seconded by Councilperson Guerra, that this matter be ACKNOWLEDGED FOR FIRST READING. The motion carried by the following vote:**

**Aye:** 7 - Councilperson Mays, Councilperson Davis, Councilperson Guerra, Councilperson Winfrey-Carter, President Winfrey, Councilperson Griggs and Councilperson Worthing

**Absent:** 2 - Councilperson Fields and Vice President Galloway

## **SECOND READING AND ENACTMENT OF ORDINANCES**

*None*

## **ADJOURNMENT**

*This regular City Council meeting was adjourned at 8:32 p.m.*