

# **City of Flint, Michigan**

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



## **Meeting Minutes 2 - Draft**

**Monday, March 12, 2018**

**7:15 PM**

**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 Fields, Councilperson Winfrey-Carter, Winfrey, Vice President Galloway, Councilperson Griggs and Councilperson Worthing

## SPECIAL ORDER

**180129** Special Order/Medical Marihuana Facilities Licensing Act

A Special Order to allow for a brief presentation regarding the State's medical marihuana facilities license by Jennifer Rigterink, Legislative Associate, State Affairs, Michigan Municipal League (MML), as a follow-up to the February 28th Special City Council Legislative Committee meeting.

**Discussed**

## PUBLIC HEARINGS

**180071.4** Public Hearing/Ordinance No. 180071

A Public Hearing for Ordinance No. 180071, an ordinance to amend Chapter 35 (Personnel) of the Code of the City of Flint by Article VI (Personnel Code), Section 35-112.1 (Adoption - Job Description and Qualifications Deputy Director of Community and Economic Development).

**HEARING HELD**

## APPOINTMENTS (May Be Referred from Special Affairs)

**180136** Appointment/Economic Development Corporation Board of Directors/Maurice Davis

Resolution resolving that the Flint City Council approves the recommendation and appointment of Councilperson Maurice Davis to the Economic Development Corporation Board of Directors for a six-year term commencing March 13, 2018, and expiring March 13, 2024, as recommended by Mayor Karen W. Weaver.

**180137** Appointment/Economic Development Corporation Board of Directors/Leon El Amin

Resolution resolving that the Flint City Council approves the recommendation and appointment of Leon El Amin to the Economic Development Corporation Board of Directors for a six-year term commencing March 13, 2018, and expiring March 13, 2024, as recommended by Mayor Karen W. Weaver.

**180138** Appointment/Economic Development Corporation Board of Directors/Gina Luster

Resolution resolving that the Flint City Council approves the recommendation and appointment of Gina Luster to the Economic Development Corporation Board of Directors for a six-year term commencing March 13, 2018, and expiring March 13, 2024, as recommended by Mayor Karen W. Weaver.

**180139** Appointment/Economic Development Corporation Board of Directors/Robert Blake

Resolution resolving that the Flint City Council approves the recommendation and appointment of Robert Blake to the Economic Development Corporation Board of Directors for a six-year term commencing March 13, 2018, and expiring March 13, 2024, as recommended by Mayor Karen W. Weaver.

**180140** Appointment/Economic Development Corporation Board of Directors/Jeffrey Shelley

Resolution resolving that the Flint City Council approves the recommendation and appointment of Jeffrey Shelley to the Economic Development Corporation Board of Directors for a six-year term commencing March 13, 2018, and expiring March 13, 2024, as recommended by Mayor Karen W. Weaver. [NOTE: Name changed from James Shelley to Jeffrey Shelley.]

## ROLL CALL

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

**Absent:** Councilperson: Councilperson Fields

## RESOLUTIONS

**180109** Detroit Salt/Additional Bulk Salt

Resolution resolving that the Department of Purchases and Supplies, upon City Council's approval, is hereby authorized to issue change order #1 to the purchase order to Detroit Salt for bulk salt, in an amount NOT-TO-EXCEED \$42,711.00, for a revised total of \$342,711.00, as requested by Street Maintenance. [Major Street Fund Acct. No. 202-449.201-726.000]. [NOTE: On October 11, 2017, the Department of Purchases and Supplies issued a purchase order to Detroit Salt for the FY2018 Fiscal Year as part of a cooperative effort with the Genesee County Road Commission. Due to a significantly higher snowfall this winter season, Street Maintenance is requesting an additional \$42,711.00 for salt.]

**SEPARATED FROM MASTER RESOLUTION**

**180110** Change Order #1/Two-Year Contract/Modern Concrete/Additional Concrete Materials

Resolution resolving that the proper city officials, upon City Council's approval, are authorized to enter into change order #1 to the contract with Modern Concrete Products for additional concrete materials, as requested by Street Maintenance, in an amount NOT-TO-EXCEED \$46,000.00, for an aggregate total of \$395,000.00 [Major Street Fund Acct. No. 202-449.201-726.000 = \$22,000.00 and Acct. No. 202-449.211-726.000 = \$6,500.00; and Local Street Fund Acct. No. 203-449.201-726.000 = \$11,000.00 and Acct. No. 203-449.211-726.000 = \$6,500.00].

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

- 180111** Change Order #1/Two-Year Pricing Agreement/Aldridge Trucking/Additional Topsoil

Resolution authorizing the Department of Purchases and Supplies, upon City Council's approval, to issue change order #1 to the purchase agreement with Aldridge Trucking for additional topsoil, as requested by Street Maintenance, in an amount NOT-TO-EXCEED \$18,035.00, for a revised FY2018 amount of \$145,535.00, and a total aggregate amount of \$273,035.00 [Major Street Fund Acct. No. 202-449.201-726.000].

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

- 180112** Change Order #2/Contract/Cut Rite Lawn Services/Mowing Abatement/Right of Ways/Past Due Invoice

Resolution resolving that the proper City Officials are authorized to enter into change order #2 (to the contract with) Cut Rite Lawn Services for mowing abatement of right-of-ways, as requested by Street Maintenance, in an amount NOT-TO-EXCEED \$1,402.50, with an aggregate spend amount of \$96,402.50 [Local Street Fund Acct. No. 203-449.201-801.000]. [NOTE: On August 10, 2017, the Department of Purchases & Supplies entered into change order #1 with Cut Rite Lawn Services for \$50,000.00. Street Maintenance recently requested an additional \$1,402.50 to pay an outstanding invoice.]

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

- 180113** CO#2/Contract Extension/AFSCME Local 1600/AFSCME Local 1799/Right-of-Way Restoration Services After Water Service Line Repair

Resolution resolving that the proper city officials are hereby authorized to enter into change order #2 to the contract with AFSCME Local 1600 and AFSCME Local 1799 to extend the contract for pavement/right-of-way repair/restoration services after water service line repair until September 30, 2018, as requested by Purchasing. [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.]

**SEPARATED FROM MASTER RESOLUTION**

**180114** CO#4/Contract Extension/Zito Construction/Pavement Right-of-Way Restoration Services After Water Service Line Repair

Resolution resolving that the proper city officials are authorized to enter into change order #3 to the contract with Zito Construction to extend the contract for pavement/right-of-way repair/restoration services after water service line repair until September 30, 2018, as requested by Purchasing. [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.]

**SEPARATED FROM MASTER RESOLUTION**

**180115** Four-Year Agreement/Loomis Armored U.S., Inc./Armored Car Services

Resolution authorizing the proper city officials to issue purchase orders to Loomis Armored U.S., Inc. for armored car pickup services, as requested by Customer Service, in an amount NOT-TO-EXCEED \$24,000.00 per year through FY2021, pending adoption of each year's budget [General Fund Acct. No. 101-253.200-801.100]. [NOTE: According to the Staff Review, the Customer Service Center needs an armored car service to transport cash and checks to JP Chase in Detroit.]

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

**180116** Contract/Rowe Engineering, Inc./Preliminary Engineering Services/Court Street Rehabilitation

Resolution resolving that the proper city officials, upon City Council's approval, are hereby authorized to enter into a contract with Rowe Engineering, Inc. for preliminary engineering services for the Court Street Rehabilitation Project from Crap Street to Center Road, as requested by DPW/Street Maintenance, in an amount NOT-TO-EXCEED \$227,267.58 [Major Street Fund Acct. No. 202-441.702-801.000]. [NOTE: Rowe Engineering, Inc. was one of four engineering firms pre-qualified by the City of Flint to provide engineering services for construction projects. DPW received letters of interest from three of those firms, with Rowe being the lowest responsive bidder.]

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

**180117** Easement Agreement/City of Flint/Consumers Energy Co./Natural Gas Pipeline/City-Owned Property

Resolution resolving that the City of Flint Planning & Development staff, upon City Council's approval, are hereby authorized to executive the easement agreement and appropriate \$55,160.89 into Parks Fund Revenue Acct. No. 208-752.102-668.000. [NOTE: Consumers Energy Co. is in the process of securing rights for a new and/or replacement gas pipeline through Genesee County, which will affect city-owned park property north of Coldwater Road.

Consumers will reimburse the city \$28,260.00 for the easement, and \$26,900.89 for the loss of timber and tree appraisal.] [NOTE: The Parcel Identification Numbers are 16-18-400-100 and 16-18-200-001.] [NOTE: Easement Agreement is not attached.]

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

- 180118** Change Order #2/Genesee County Habitat for Humanity/Formerly HOME Investment Partnership Funds/Rehabilitation/Two (2) Homes

Resolution resolving that the proper city officials are authorized to execute change order #2 to increase the Genesee County Habitat for Humanity HOME Purchase, Rehab, Resale Contract 14-134 by \$35,000.000 [General Fund Acct. No. 101-371.209-801.000], as requested by the Community and Economic Development. [NOTE: Salem Housing was selected as a developer to complete several properties in their target areas using HOME Investment Partnership Funds; however, six homes were unfinished. The city contracted with Habitat for Humanity to finish the remaining homes. Currently there are two homes to complete: 621 West Hamilton and 1424 Garland. Since the majority of the work that remains to be completed were paid for with HOME grant funds in the past, then destroyed by vandalism, it is necessary to utilize General Fund money to complete the work.]

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

- 180119.1** Amended Resolution/Public Hearing Date/Industrial Development District/2851 James P. Cole Boulevard

An amended resolution resolving that a hearing to consider the establishment of an Industrial Development District (IDD) (on the property located at 2851 James P. Cole Boulevard, for Repocast) be held on the 26th of March, 2018, at 5:30 p.m. in the City Council Chambers of Flint City Hall, 1101 S. Saginaw Street, Flint, Michigan, 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, AND, resolving that at said hearing, interested parties shall have an opportunity to appear and be heard. [NOTE: Resolution amended to add project name: Repocast.]

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

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

- 180130** Resolutions and Ordinances Verified and Confirmed/As Approved by Flint City Council

Resolution resolving that at a regular meeting of the Flint City Council held on Monday, March 12, 2018, the original adoption/enactment dates for Resolutions and Ordinances Nos. 170527, 170528, 170529, 170537, 170547, 170548, 170549, 170550, 170551, 170562, 170563, 170574, 170575, 170586, 170596, and 170588.1 were verified and confirmed as approved by City Council.

[NOTE: Due to the State of Michigan's Treasury Department oversight of the City, these resolutions and ordinances must be verified and confirmed as approved by council for their original enactment dates.] [Administration Submission No. CA6232018]

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

180131

Contract/Martha Brown Custom Builders, LLC/Hydrovac Exploration

Resolution resolving that the proper City Officials are authorized to enter into a contract with Martha Brown Custom Builders, LLC for Phase V hydrovac exploration and, upon approval, any miscellaneous work that may be required in order to completely restore a site, as requested by Utilities, in an amount NOT-TO-EXCEED \$945,840.00 [Water Fund Acct. No. 591-540.210-801.013]. [Administration Submission No. CA6242018]

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

180132

Settlement/Grievance No. 16-03/Rick Johnson

Resolution resolving that the Acting City Administrator authorizes settlement of Grievance No. 16-03, with Rick Johnson being reclassified to a Level 28, retroactive to May 2, 2016, in satisfaction of any and all claim arising out of said matter. [Administration Submission No. CA6252018]

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

180133

Memorandum of Understanding (MOU)/City of Flint/Michigan State University/Flint ReCAST

Resolution resolving that the Flint City Council approves the Memorandum of Understanding between the City of Flint and Michigan State University. [NOTE: Amendment No. 1].

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

180134

Memorandum of Understanding (MOU)/City of Flint/Michigan State University/Flint ReCAST

Resolution resolving that the Flint City Council approves the Memorandum of Understanding between the City of Flint and Michigan State University. [NOTE: Amendment No. 2].

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

180135

Settlement/Wetherell v. City of Flint, et al/Claim No. W12002941

Resolution resolving that the Acting City Administrator authorizes settlement, in the amount of \$55,000.00, in satisfaction of any and all claims arising out of the

litigation matter of Wetherell v. City of Flint, et al, Claim No. W12002941, with payment drawn from the appropriated funds in the Litigation and Suits Line Item No. 677-266.200-956.300. [Administration Submission No. CA6282018]

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

### Passed The Consent Agenda

**A motion was made by Vice President Galloway, seconded by Councilperson Worthing, 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 Winfrey-Carter, President Winfrey, Vice President Galloway, Councilperson Griggs and Councilperson Worthing

**Absent:** 1 - Councilperson Fields

## SEPARATIONS

### 180109 Detroit Salt/Additional Bulk Salt

Resolution resolving that the Department of Purchases and Supplies, upon City Council's approval, is hereby authorized to issue change order #1 to the purchase order to Detroit Salt for bulk salt, in an amount NOT-TO-EXCEED \$42,711.00, for a revised total of \$342,711.00, as requested by Street Maintenance. [Major Street Fund Acct. No. 202-449.201-726.000]. [NOTE: On October 11, 2017, the Department of Purchases and Supplies issued a purchase order to Detroit Salt for the FY2018 Fiscal Year as part of a cooperative effort with the Genesee County Road Commission. Due to a significantly higher snowfall this winter season, Street Maintenance is requesting an additional \$42,711.00 for salt.]

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

**Aye:** 8 - Councilperson Mays, Councilperson Davis, Councilperson Guerra, Councilperson Winfrey-Carter, President Winfrey, Vice President Galloway, Councilperson Griggs and Councilperson Worthing

**Absent:** 1 - Councilperson Fields

### 180109.1 Amended Resolution/Detroit Salt/Additional Bulk Salt

Amended resolution resolving that the Department of Purchases and Supplies, upon City Council's approval, is hereby authorized to issue change order #1 to the purchase order to Detroit Salt for bulk salt, in an amount NOT-TO-EXCEED \$69,411.00, and a revised total of \$369,411.00, as requested by Street Maintenance [Major Streets Fund Acct. No. 202-449.201-726.000 = \$42,711.00 and Acct. No. 202-449.203-726.000 = \$13,350.00, and Local Streets Fund Acct. No. 203-449.203-726.000 = \$13,350.00.] [NOTE: Amended resolution changed the total from \$42,711.00 to \$69,411.00.]

**Adopted**



**180113** CO#2/Contract Extension/AFSCME Local 1600/AFSCME Local 1799/Right-of-Way Restoration Services After Water Service Line Repair

Resolution resolving that the proper city officials are hereby authorized to enter into change order #2 to the contract with AFSCME Local 1600 and AFSCME Local 1799 to extend the contract for pavement/right-of-way repair/restoration services after water service line repair until September 30, 2018, as requested by Purchasing. [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.]

**A motion was made by Councilperson Mays, seconded by Councilperson Griggs, that this matter be REFERRED TO COMMITTEE to the FINANCE COMMITTEE, due back on March 22, 2018. The motion carried by the following vote:**

**Aye:** 8 - Councilperson Mays, Councilperson Davis, Councilperson Guerra, Councilperson Winfrey-Carter, President Winfrey, Vice President Galloway, Councilperson Griggs and Councilperson Worthing

**Absent:** 1 - Councilperson Fields

**180114** CO#4/Contract Extension/Zito Construction/Pavement Right-of-Way Restoration Services After Water Service Line Repair

Resolution resolving that the proper city officials are authorized to enter into change order #3 to the contract with Zito Construction to extend the contract for pavement/right-of-way repair/restoration services after water service line repair until September 30, 2018, as requested by Purchasing. [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.]

**A motion was made by Councilperson Mays, seconded by Councilperson Griggs, that this matter be REFERRED TO COMMITTEE to the FINANCE COMMITTEE, due back on March 22, 2018. The motion carried by the following vote:**

**Aye:** 8 - Councilperson Mays, Councilperson Davis, Councilperson Guerra, Councilperson Winfrey-Carter, President Winfrey, Vice President Galloway, Councilperson Griggs and Councilperson Worthing

**Absent:** 1 - Councilperson Fields

## ADD-ON RESOLUTIONS

**180141** Trial Policy/Restoration of Service After Shut-Off

Resolution resolving that the Flint City Council approves adopting the trial policy regarding restoration of service after shut-off. [NOTE: The city desires to institute a trial policy to assist residents after water shut-off and to remain fiscally responsible. The city is working collectively to create a trial policy to process the restoration of service on a temporary basis.

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

**Aye:** 8 - Councilperson Mays, Councilperson Davis, Councilperson Guerra, Councilperson Winfrey-Carter, President Winfrey, Vice President Galloway, Councilperson Griggs and Councilperson Worthing

**Absent:** 1 - Councilperson Fields

## INTRODUCTION AND FIRST READING OF ORDINANCES

**180124** Amendment/Ordinance/Article VI/Chapter 35 (Personnel)/Section 35-112.2 (Adoption-Job Description & Qualifications)/Director of Planning & Development

An ordinance to amend the Flint City Code of Ordinances by adopting Article VI, Chapter 35 (Personnel); Section 35-112.2 (Adoption - Job Description and Qualifications), Director of Planning & Development.

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

**Aye:** 8 - Councilperson Mays, Councilperson Davis, Councilperson Guerra, Councilperson Winfrey-Carter, President Winfrey, Vice President Galloway, Councilperson Griggs and Councilperson Worthing

**Absent:** 1 - Councilperson Fields

**180126** Amendment/Ordinance/Article VI/Chapter 35 (Personnel)/Section 35-112.2 (Adoption-Job Description & Qualifications)/Human Resources & Labor Relations Director

An ordinance to amend the Flint City Code of Ordinances by adopting Article VI, Chapter 35 (Personnel); Section 35-112.3 (Adoption - Job Description and Qualifications), Human Resources & Labor Relations Director.

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

**Aye:** 8 - Councilperson Mays, Councilperson Davis, Councilperson Guerra, Councilperson Winfrey-Carter, President Winfrey, Vice President Galloway, Councilperson Griggs and Councilperson Worthing

**Absent:** 1 - Councilperson Fields

**180127** Amendment/Ordinance/Article VI/Chapter 35 (Personnel)/Section 35-112.2 (Adoption-Job Description & Qualifications)/City Administrator

An ordinance to amend the Flint City Code of Ordinances by adopting Article VI, Chapter 35 (Personnel); Section 35-112.4 (Adoption - Job Description and Qualifications), City Administrator.

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

**Aye:** 8 - Councilperson Mays, Councilperson Davis, Councilperson Guerra, Councilperson Winfrey-Carter, President Winfrey, Vice President Galloway, Councilperson Griggs and Councilperson Worthing

**Absent:** 1 - Councilperson Fields

**180128**

Amendment/Ordinance/Article VI/Chapter 35 (Personnel)/Section 35-112.2 (Adoption-Job Description & Qualifications)/Chief Financial Officer

An ordinance to amend the Flint City Code of Ordinances by adopting Article VI, Chapter 35 (Personnel); Section 35-112.5 (Adoption - Job Description and Qualifications), Chief Financial Officer.

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

**Aye:** 8 - Councilperson Mays, Councilperson Davis, Councilperson Guerra, Councilperson Winfrey-Carter, President Winfrey, Vice President Galloway, Councilperson Griggs and Councilperson Worthing

**Absent:** 1 - Councilperson Fields

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

**180071**

Amendment/Ordinance/Chapter 35 (Personnel)/Article VI (Personnel Code)/Section 35-112.1 (Adoption - Job Description and Qualifications Deputy Director of Community and Economic Development

An ordinance to amend Chapter 35 (Personnel) of the Code of the City of Flint by the addition of Article VI (Personnel Code), Section 35-112.1 (Adoption - Job Description and Qualifications Deputy Director of Community and Economic Development).

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

**Aye:** 8 - Councilperson Mays, Councilperson Davis, Councilperson Guerra, Councilperson Winfrey-Carter, President Winfrey, Vice President Galloway, Councilperson Griggs and Councilperson Worthing

**Absent:** 1 - Councilperson Fields

## **ADJOURNMENT**

*Council President Herbert Winfrey adjourned this meeting at 11:59 p.m. after a motion by Councilperson Griggs and support from Councilperson Worthing.*

*Respectfully transcribed and submitted,*

*Janell Johnson*