

City of Flint, Michigan

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



Meeting Minutes 2 - Final

Monday, March 14, 2016

8:36 PM

WEBSITE SUMMARY

Council Chambers

CITY COUNCIL

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

Eric Mays, Ward 1

Kate Fields, Ward 4

Herbert J. Winfrey, Ward 6

Jacqueline Poplar, Ward 2

Wantwaz D. Davis, Ward 5

Monica Galloway, Ward 7

Scott Kincaid, Ward 9

Inez M . Brown, City Clerk

ROLL CALL

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

RECONSIDERATION

Councilperson Kincaid, seconded by Councilperson Galloway, made a Motion to Suspend the Rules for the purpose of discussing previously FAILED resolution No. 160014, Resolution Approving the Termination of Employment of Natasha L. Henderson as City Administrator. The motion passed by a vote of 9:0.

160014 Termination of Employment/City Administrator/Natasha L. Henderson

Resolution resolving that the Mayor and City Council shall, on behalf of the City of Flint, terminate the employment of Natasha L. Henderson, City Administrator, effective immediately upon approval of this resolution by the Flint Receivership Transition Advisory Board (RTAB), and will make available all funds set aside within the City Administrator's budget for the purpose of wages, salaries and benefits to facilitate the hiring of a City Administrator of the Mayor's choosing, with City Council approval. [Administration Submission No. CA1472016]

A motion was made by Councilperson Kincaid, seconded by Councilperson Galloway, that this matter be RECONSIDERED. 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

A motion was made by Councilperson Kincaid, seconded by Councilperson Winfrey, 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

PUBLIC HEARINGS

151008 Amendment/Ordinance/Chapter 50 (Zoning)/3701 VanBuren Avenue/Glenn Wilson/Communities First, Inc./PC 15-297/Ward 6

An ordinance to amend Chapter 50 (Zoning) of the Code of the City of Flint as requested by Glenn Wilson, Communities First, Inc. (PC 15-297), for a zoning change for the property at 3701 VanBuren Avenue, Parcel No. 40-15-435-017, legally described as BEECHER HEIGHTS LOT 57 EXC THAT PART LYING SWLY OF NELY LINE OF BALLENGER HWY, from "A-2" Single-Family Residential to "D-5" Metropolitan Commercial-Service District. [Planning Commission recommends APPROVAL.]

HEARING HELD

Enactment No: 4071

- 160026** 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 (r), concerning Communities First, Inc.'s Coolidge Park Apartments housing project.

HEARING HELD

Enactment No: 4072

- 160027** 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 Communities First, Inc.'s Coolidge Park Apartments housing project.

HEARING HELD

Enactment No: 4073

- 160028** Amendment/Ordinance/Chapter 50 (Zoning)/Article XXIX (Special Regulated Uses)/Section 50-163 (Locational Standards - Relationship to Similar Uses)

An ordinance to amend Chapter 50 (Zoning), Article XXIX, (Special Regulated Uses), Section 50-163 (Locational Standards - Relationship to Similar Uses), of the Code of the City of Flint by amending Footnote 1 only.

HEARING HELD

Enactment No: 4074

- 160029** Amendment/Ordinance/Chapter 31 (General Offenses)/Article I (In General)/Section 31-10 (Disorderly Conduct and Disorderly Persons)

An ordinance to amend Chapter 31 (General Offenses), Article I (In General) of the Code of the City of Flint by amending Section 31-10 (Disorderly Conduct and Disorderly Persons).

HEARING HELD

Enactment No: 4075

ORDINANCES - Second Reading

- 151008** Amendment/Ordinance/Chapter 50 (Zoning)/3701 VanBuren Avenue/Glenn

Wilson/Communities First, Inc./PC 15-297/Ward 6

An ordinance to amend Chapter 50 (Zoning) of the Code of the City of Flint as requested by Glenn Wilson, Communities First, Inc. (PC 15-297), for a zoning change for the property at 3701 VanBuren Avenue, Parcel No. 40-15-435-017, legally described as BEECHER HEIGHTS LOT 57 EXC THAT PART LYING SWLY OF NELY LINE OF BALLENGER HWY, from "A-2" Single-Family Residential to "D-5" Metropolitan Commercial-Service District. [Planning Commission recommends APPROVAL.]

A motion was made by Councilperson Kincaid, seconded by Councilperson Winfrey, that this matter be PASSED. 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

No: 1 - Councilperson Mays

Enactment No: 4071

160026

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 (r), concerning Communities First, Inc.'s Coolidge Park Apartments housing project.

A motion was made by Councilperson Kincaid, seconded by Councilperson Winfrey, that this matter be PASSED. 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

No: 1 - Councilperson Mays

Enactment No: 4072

160027

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 Communities First, Inc.'s Coolidge Park Apartments housing project.

A motion was made by Councilperson Kincaid, seconded by Councilperson Winfrey, that this matter be PASSED. 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

No: 1 - Councilperson Mays

Enactment No: 4073

160028 Amendment/Ordinance/Chapter 50 (Zoning)/Article XXIX (Special Regulated Uses)/Section 50-163 (Locational Standards - Relationship to Similar Uses)

An ordinance to amend Chapter 50 (Zoning), Article XXIX, (Special Regulated Uses), Section 50-163 (Locational Standards - Relationship to Similar Uses), of the Code of the City of Flint by amending Footnote 1 only.

A motion was made by Councilperson Kincaid, seconded by Councilperson Winfrey, that this matter be PASSED. 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

No: 1 - Councilperson Mays

Enactment No: 4074

160029 Amendment/Ordinance/Chapter 31 (General Offenses)/Article I (In General)/Section 31-10 (Disorderly Conduct and Disorderly Persons)

An ordinance to amend Chapter 31 (General Offenses), Article I (In General) of the Code of the City of Flint by amending Section 31-10 (Disorderly Conduct and Disorderly Persons).

A motion was made by Councilperson Kincaid, seconded by Councilperson Winfrey, that this matter be PASSED. 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

No: 1 - Councilperson Mays

Enactment No: 4075

RESOLUTIONS

160015 Budget Amendment/Fiscal Year 2016/City Administrator Department Budget/Mayor Department Budget/Chief of Staff Position

Resolution resolving that the FY2016 Budget is hereby amended to reflect changes to the City Administrator and Mayor's Department budgets, AND, resolving that the Chief Financial Officer is authorized to do all things necessary to incorporate the amendment into the budget and to assign the appropriate account numbers. [NOTE: The Mayor has appointed a new City Administrator and Chief of Staff, subject to the approval of all other applicable Council resolutions and the approval of this budget amendment. The new City Administrator's wages and fringes are lower than the previous City Administrator, and the Mayor requests that the difference in wages and fringes (approximately \$27,439.00) and supplies and operating expenses (\$7,317.00)

in the City Administrator's Department budget be transferred to the Mayor's Department's wages and fringes account to cover the new Chief of Staff position through the fiscal year ending June 30, 2016.] [Administration Submission No. CA1522016]

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

RESOLUTIONS - MAY BE REFERRED FROM COTW

- 160036** Grant Acceptance/Financially Distressed Cities, Villages, and Townships (FDCVT) Grant/State of Michigan Department of Treasury/Detroit Water and Sewer Department (DWSD)

Resolution resolving that the Flint City Council hereby authorizes participation in the Reconnection to Detroit Water and Sewer Department project and, on behalf of the City of Flint, authorizes the Chief Financial Officer to provide this resolution indicating its approval to the State of Michigan, and to submit and execute documents requested by the State of Michigan relating to the Financially Distressed Cities, Villages, and Townships (FDCVT) Grant requirements. [NOTE: The State of Michigan Department of Treasury has given preliminary notice of its intent to award a FDCVT grant to the City of Flint in the amount of \$2,000,000.00 toward reimbursement of expenditures required for the connection to and purchase of treated water from the Detroit Water and Sewer Department (DWSD). The State requires each municipality's governing body to adopt a resolution authorizing participation in the proposed program prior to finalizing the award of a grant from the State's FDCVT grant program.] [Administration Submission No. CA1552016]

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

- 160037** Budget Amendment/Acceptance and Appropriation of Financially Distressed Cities, Villages, and Townships (FDCVT) Grant

Resolution resolving that the Finance Department is authorized to process a budget amendment to the Water Fund in recognition of the Financially Distressed Cities, Villages, and Townships (FDCVT) grant award and appropriation of expenditures to move forward with the Fast Start program. Specific revenue and expenditure line items will be provided by the Chief Financial Officer. [NOTE: The State of Michigan Department of Treasury has given preliminary notice of its intent to award a FDCVT grant to the City of Flint in the amount of \$2,000,000.00 toward reimbursement of expenditures required for the connection to and purchase of treated water from the Detroit Water and Sewer Department (DWSD). Mayor Weaver has initiated a Fast Start program to replace all lead service lines in the city of Flint to restore safe, clean drinking water to its citizens.] [Administration Submission No. CA1562016]

SEPARATED FROM MASTER RESOLUTION

- 160039** Adoption/City Council Budget Priorities/Fiscal Years 2017 and 2018

Resolution resolving that the City of Flint FY17 and FY18 Budget Priorities are hereby approved. [NOTE: City Ordinance No. 3855, Section 2-107, Development and Adoption of Biennial Budgets and Three-Year Financial Forecasts, requires the City Council to provide its statement of budget priorities to the Mayor and City Administrator for the upcoming biennial budget. The City Council, working with the Mayor and City staff, have created the City of Flint FY17 and FY18 Budget Priorities.] [Administration Submission No. CA1622016]

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 Kincaid, including all the preceding items marked as having been adopted on a Consent Agenda. 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

160044 Budget Amendment/Fiscal Year 2016/City Administrator and Chief of Staff Positions

Resolution resolving that the FY2016 Budget is hereby amended to reflect changes to the City Administrator, Mayor, Personnel Office, and Law Office Operations Department budgets, AND, resolving that the Chief Financial Officer is authorized to do all things necessary to incorporate the amendment into the budget and to assign the appropriate account numbers. [NOTE: The Mayor has appointed a new City Administrator and Chief of Staff, subject to the approval of all other applicable Council resolutions and the approval of this budget amendment. The estimated cost of wages and fringes for the City Administrator and Chief of Staff positions through June 30, 2016, is \$70,548.00. The Mayor requests that a total of \$34,457.00 in unexpended wages and fringes for currently vacant positions in the Personnel Office and Law Office Operations Departments be transferred to the City Administrator's and Mayor's wages and fringes accounts.]

SEPARATED FROM MASTER RESOLUTION

SEPARATED FROM MASTER RESOLUTION

160037 Budget Amendment/Acceptance and Appropriation of Financially Distressed Cities, Villages, and Townships (FDCVT) Grant

Resolution resolving that the Finance Department is authorized to process a budget amendment to the Water Fund in recognition of the Financially Distressed Cities, Villages, and Townships (FDCVT) grant award and appropriation of expenditures to move forward with the Fast Start program. Specific revenue and expenditure line items will be provided by the Chief Financial Officer. [NOTE: The State of Michigan Department of Treasury has

given preliminary notice of its intent to award a FDCVT grant to the City of Flint in the amount of \$2,000,000.00 toward reimbursement of expenditures required for the connection to and purchase of treated water from the Detroit Water and Sewer Department (DWSD). Mayor Weaver has initiated a Fast Start program to replace all lead service lines in the city of Flint to restore safe, clean drinking water to its citizens.] [Administration Submission No. CA1562016]

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

Aye: 7 - Councilperson Mays, Councilperson Poplar, President Nelson, Councilperson Davis, Councilperson Winfrey, Vice President VanBuren and Councilperson Kincaid

No: 2 - Councilperson Fields and Councilperson Galloway

160044 Budget Amendment/Fiscal Year 2016/City Administrator and Chief of Staff Positions

Resolution resolving that the FY2016 Budget is hereby amended to reflect changes to the City Administrator, Mayor, Personnel Office, and Law Office Operations Department budgets, AND, resolving that the Chief Financial Officer is authorized to do all things necessary to incorporate the amendment into the budget and to assign the appropriate account numbers. [NOTE: The Mayor has appointed a new City Administrator and Chief of Staff, subject to the approval of all other applicable Council resolutions and the approval of this budget amendment. The estimated cost of wages and fringes for the City Administrator and Chief of Staff positions through June 30, 2016, is \$70,548.00. The Mayor requests that a total of \$34,457.00 in unexpended wages and fringes for currently vacant positions in the Personnel Office and Law Office Operations Departments be transferred to the City Administrator's and Mayor's wages and fringes accounts.]

Adopted

Substituted

A motion was made by Councilperson Kincaid, seconded by Councilperson Winfrey, that this matter be DROPPED. 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

APPOINTMENTS

160018 Mayoral Appointment/City Administrator/Sylvester Jones, Jr.

Resolution resolving that the Mayor and City Council shall, on behalf of the City of Flint, employ Sylvester Jones, Jr. as City Administrator, with annual compensation in the amount of \$90,000.00 drawn from appropriated funds in Salary and Wages Acct. No. 101-172.100-702.000, with statutory benefits being drawn from appropriated funds pursuant to federal, state and local laws - with the appointment becoming effective after approval from the Flint

Receivership Transition Advisory Board (RTAB), pursuant to RTAB Resolution 2016-1, Paragraph 1, and approval of the resolution authorizing the termination of the current City Administrator, Natasha L. Henderson. [NOTE: Mr. Jones shall serve the City at the direction of the Mayor and City Council, as set forth by applicable law and ordinance.] [Administration Submission No. CA1502016]

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

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

No: 1 - Councilperson Fields

160019 Mayoral Appointment/Chief of Staff/Rodney S. Branch

Resolution resolving that the Mayor and City Council shall, on behalf of the City of Flint, employ Rodney S. Branch as Chief of Staff, with annual compensation in the amount of \$75,000.00 drawn from appropriated funds in Salary and Wages Acct. No. 101-171.100-702.000, with statutory benefits being drawn from appropriated funds pursuant to federal, state and local laws - with the appointment becoming effective after approval from the Flint Receivership Transition Advisory Board (RTAB), pursuant to RTAB Resolution 2016-1, Paragraph 1, and City Council approval of required FY2016 budget amendments. [NOTE: Mr. Branch shall serve the City at the direction of the Mayor and City Council, as set forth by applicable law and ordinance.] [Administration Submission No. CA1542016]

A motion was made by Councilperson Mays, seconded by Councilperson Galloway, that this matter be DROPPED. 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

ADJOURNMENT

This regular City Council meeting was adjourned at 11:59 p.m.