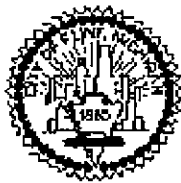


City of Flint, Michigan

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



Meeting Minutes 2 - Draft

Wednesday, May 27, 2015

6:01 PM

Council Chambers

CITY COUNCIL

*Joshua M. Freeman, President, Ward 4
Wantwaz D. Davis, Vice President, Ward 5*

Eric Mays, Ward 1

Kerry Nelson, Ward 3

Monica Galloway, Ward 7

Jacqueline Poplar, Ward 2

Herbert J. Winfrey, Ward 6

Victoria VanBuren, Ward 8

Scott Kincaid, Ward 9

Inez M. Brown, City Clerk

CALL TO ORDER

ROLL CALL

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

Absent: Councilperson: Davis

PLEDGE OF ALLEGIANCE

PRESENTATION OF COMMITTEE/COUNCIL MINUTES

150429 Summary Minutes/Flint City Council/Regular Meeting/May 11, 2015

Summary Minutes of the Flint City Council regular meeting held Monday, May 11, 2015, at 6:05 p.m., in the City Council Chambers, 3rd Floor, City Hall.

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

Aye: 8 - Councilperson Poplar, Councilperson Nelson, Chairperson Freeman, Councilperson Winfrey, Councilperson Galloway, Councilperson VanBuren, Councilperson Kincaid and Councilperson Mays

Absent: 1 - Vice President Davis

SPECIAL ORDER AND UNFINISHED BUSINESS

PUBLIC HEARINGS

150387 Public Hearing/Obsolete Property Rehabilitation Exemption Certificate Application/URC 600 South, L.L.C.

A Public Hearing to consider an Obsolete Property Rehabilitation Exemption Certificate Application for URC 600 South, L.L.C.'s 600 S. Saginaw Street Project will be held Wednesday, May 27, 2015, at 6:00 p.m., in City Council Chambers, 3rd Floor, City Hall, 1101 S. Saginaw Street, Flint.

HEARING HELD

PETITIONS AND UNOFFICIAL COMMUNICATIONS

150424 Amended Petition/Michigan Tax Tribunal/God's City of Refuge International Ministries of the Apostolic Faith, Inc. v. City of Flint/MTT Docket No. 15-000131

Communication dated January 27, 2015, re: An amended petition filed with the Michigan Tax Tribunal by God's City of Refuge International Ministries of the Apostolic Faith, Inc. regarding subject property (500 West Pierson Road, Flint) as it relates to its taxable value and assessment.

This Matter was Placed on File on the Consent Agenda.

- 150425** Corporation for National & Community Service (CNCS)/Flint AmeriCorps Project

Communication dated May 6, 2015, from CNCS, re: Flint will be one of 10 communities nationwide to become part of CNCS' new Operation AmeriCorps initiative.

This Matter was Placed on File on the Consent Agenda.

- 150426** Press Release/Church Without Walls Ministries/Community Prayer

Press release dated May 7, 2015, from Church Without Walls, re: The church will be hosting a Community Prayer on Friday, May 15, 2015, at 8:15 a.m.

This Matter was Placed on File on the Consent Agenda.

- 150427** Letter of Resignation/Brian Larkin/City of Flint Economic Development Corporation

Communication dated May 15, 2015, from Brian Larkin, Flint & Genesee Chamber of Commerce, to Mayor Dayne Walling, re: I am resigning from the City of Flint Economic Development Corporation as of Monday, May 18, 2015.

This Matter was Placed on File on the Consent Agenda.

- 150428** Meeting Agenda/Karegnondi Water Authority (KWA)

Communication received May 19, 2015, re: An agenda for the KWA meeting scheduled for May 20, 2015, at 2:00 p.m., Sanilac County Board of Commissioners' Chambers, Sandusky, Michigan.

This Matter was Placed on File on the Consent Agenda.

COMMUNICATIONS FROM CITY OFFICIALS

- 150404** Press Release/Draft Zoning Code Workshop

Press release received April 27, 2015, re: The City of Flint will hold a Ward 9 Zoning Code Workshop on Tuesday, April 28, 2015, from 5:30 - 7:30 p.m., at the Vista McKinley Center, 249 Peer Avenue, Flint.

This Matter was Placed on File on the Consent Agenda.

- 150409** Flint Historic District Commission/Public Notice/Regular Meeting

Public Notice received May, 2015, re: The Historic District Commission will hold a regular meeting on Thursday, May 7, 2015, at 5:30 p.m., in the City Council Chambers, 3rd Floor, City Hall.

This Matter was Placed on File on the Consent Agenda.

150410 Office of the Mayor/Public Notice/State of the City Address

Public Notice posted April 29, 2015, re: Mayor Dayne Walling will present his State of the City address to City Council and the public at large at 3 p.m. Thursday, May 7, 2015, in City Council Chambers, 3rd Floor, City Hall.

This Matter was Placed on File on the Consent Agenda.

150411 Public Information Officer/Media Advisory/Love Your City Neighborhood Cleanup

Media Advisory dated May 14, 2015, re: City of Flint Mayor Dayne Walling, Americorps National Service Members and other volunteers will participate in a community cleanup, focusing on Flint's East Side, in conjunction with "Love Your City" activities on Friday, May 15, 2015, at Asbury United Methodist Church, 1653 Davison Road, Flint.

This Matter was Placed on File on the Consent Agenda.

150412 Press Release/Love Your City Month

Press Release dated May 15, 2015, re: Love Your City Month continues with Unlimited Bundled Brush Pickup being offered during the week of May 18 to 22, 2015.

This Matter was Placed on File on the Consent Agenda.

150414 Flint Zoning Board of Appeals [ZBA]/Meeting Agenda

Communication received May 15, 2015, re: An agenda for the Flint Zoning Board of Appeals meeting scheduled for May 19, 2015.

This Matter was Placed on File on the Consent Agenda.

150415 Flint Planning Commission/Meeting Agenda

Communication received May 20, 2015, re: An agenda for the Flint Planning Commission meeting scheduled for May 26, 2015.

This Matter was Placed on File on the Consent Agenda.

150416 Press Release/Charter Commission Oath of Office

Press Release dated May 19, 2015, re: City of Flint's newly elected Charter Commissioners take Oath of Office as first step in task of Charter review.

This Matter was Placed on File on the Consent Agenda.

150417 Press Release/Memorial Day Holiday

Press Release dated May 19, 2015, re: Flint City Hall will be closed Monday,

May 25, 2015, in observance of Memorial Day.

This Matter was Placed on File on the Consent Agenda.

150418 Flint City Council/Public Notice/Committee-of-the-Whole Meeting

Public Notice posted May 8, 2015, re: The Flint City Council will hold a Committee-of-the-Whole Meeting at 4:30 p.m., Monday, May 11, 2015, in the Committee Room, City Council Chambers, 3rd Floor, City Hall.

This Matter was Placed on File on the Consent Agenda.

150419 Flint City Council/Public Notice/City Council Meeting

Public Notice posted May 8, 2015, re: The Flint City Council will hold a regular City Council Meeting at 6:00 p.m., Monday, May 11, 2015, in the City Council Chambers, 3rd Floor, City Hall.

This Matter was Placed on File on the Consent Agenda.

150420 Charter Review Commission/Public Notice/Oath of Office Ceremony

Public Notice posted May 18, 2015, re: The Charter Review Commission will receive the Oath of Office at 5:30 p.m., Tuesday, May 19, 2015, in the City Council Chambers, 3rd Floor, City Hall.

This Matter was Placed on File on the Consent Agenda.

150421 Flint City Council/Public Notice/Public Works Committee

Public Notice posted May 18, 2015, re: The Flint City Council will hold a Public Works Committee Meeting at 4:30 p.m., Wednesday, May 20, 2015, in the Committee Room, City Council Chambers, 3rd Floor, City Hall.

This Matter was Placed on File on the Consent Agenda.

150422 Flint City Council/Public Notice/Planning & Development Committee

Public Notice posted May 18, 2015, re: The Flint City Council will hold a Planning & Development Committee Meeting at 5:00 p.m., Thursday, May 21, 2015, in the Committee Room, City Council Chambers, 3rd Floor, City Hall.

This Matter was Placed on File on the Consent Agenda.

150423 Traffic Engineering/Closure Permits

Closure Permits (5) dated May 2015, re: (1) Lane Closures - Sunset, University, Nolen, Weller, and Dougherty Streets on Sat., May 9th (St. Paul "Spring Tune-Up" 5K Run/Walk; (2) Lane Closures - MCC Campus Streets on Sat., May 16th (Healing Hands 5K Run/Walk; Street Closures - Saginaw, M.L. King, Garland, and Harrison Streets on Sat., May 16th (Tour De Crim Bicycle Ride); (4) Lane Closure - Court Street on Mon., May 18th (Sewer Tap); and (5) Lane Closures - Stewart and Industrial Avenues on Tues., May 19th (Flow Meters).

This Matter was Placed on File on the Consent Agenda.

Passed The Consent Agenda

A motion was made by Councilperson Poplar, 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: 8 - Councilperson Poplar, Councilperson Nelson, Chairperson Freeman, Councilperson Winfrey, Councilperson Galloway, Councilperson VanBuren, Councilperson Kincaid and Councilperson Mays

Absent: 1 - Vice President Davis

ADDITIONAL COMMUNICATION

PUBLIC COMMENTS

APPOINTMENTS

LICENSES

RESOLUTIONS

150390 Contract/Echologics, LLC/Water Main & Pipe Leak Detection Assessment Services

Resolution resolving that the proper city officials, upon the City Council's approval, are hereby authorized to enter into a contract with Echologics, LLC, for acoustical watermain and pipe leak detection assessment services, as requested by Utilities/Water Service Center, an an amount NOT-TO-EXCEED \$895,850.00 [Water Fund Acct. No. 591-540.300-801.000].

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

150391 Resolution/Establishing the Interest Rate Charged on Past Due Water & Sewer Bill Balances

Resolution resolving that the interest charged on City of Flint past due water and sewer bill amounts shall be 0.5 percent per month charged no sooner than ten (10) days after the due date, provided that the guidelines for late payment interest for financially challenged customers include: waiver of late payment interest for low-income customers who provide proof as to their eligibility for Food Stamps or that their income is at or below the most current Federal Poverty Guidelines; waiver of penalty for customers who are not in arrears on the schedule defined in their payment arrangements; and waiver of late payment interest for veterans, senior citizens and other persons, whether a homestead property owner or not, who would qualify for the Michigan Homestead Property Tax Deferment based on the income threshold in MCL 211.51 (2). [NOTE: The City of Flint relies on timely payment of water/sewer

bills to provide for water and sewer system needs, (but also) recognizes the financial challenges certain customers face.]

SEPARATED FROM MASTER RESOLUTION

- 150396** Public Hearing Date/Industrial Facilities Exemption Certificate (IFEC)General Motors LLC/Body Shop/3100 Van Slyke

Resolution resolving that such a hearing to consider an Industrial Facilities Exemption Certificate (IFEC) (P.A. 198 of 1974, as amended) for General Motors LLC., shall be held on the 22nd day of June 2015, in City Council Chambers, Flint City Hall, 1101 S. Saginaw Street, and that the City Clerk shall cause notice of such hearing to 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 the above referred to and any other interested parties shall have the opportunity to be heard relative to said application. [NOTE: The exemption certificate is for General Motors' Body Shop at 3100 Van Slyke.] [City Administrator Submission No. CA0072015.]

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

- 150397** CO#1/Contract/Nan McKay & Associates/Rental Inspection Services

Resolution resolving that the proper city officials, upon the City Council's approval, are hereby authorized to enter into change order #1 to the contract (for rental inspection services) with Nan McKay & Associates to extend the contract until June 30, 2016, and add an additional \$100,000.00 to said contract for FY2016, for a revised contractual amount NOT-TO-EXCEED \$400,000.00, as requested by Building Inspections [Building Inspection Fund Acct. No. 542-371.100-801.000]. [City Administrator Submission No. CA0062015.]

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

- 150437** Charitable Gaming License/State of Michigan Lottery Charitable Gaming Division/Flint Children's Museum/Raffle

Resolution recognizing the Flint Children's Museum as a non-profit organization operating in the City of Flint for the purpose of obtaining a charitable gaming license, issued by the Michigan Lottery Charitable Gaming Division, relative to conducting a 50/50 raffle during their SUMMER FUNdraiser on June 12, 2015, at the Flint Golf Club, Flint, Michigan.

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

RESOLUTIONS - MAY BE REFERRED FROM FINANCE & ADMINISTRATION COMMITTEE

- 150431** Reprogramming of Funds/Community Development Block Grant [CDBG]

Funds/HOME Investment Partnership Program Funds

Resolution authorizing the appropriate City Officials to do all things necessary to process a budget amendment, in the amount of \$115,311.73, from FHOMEPRIOR accounts, \$197,241.678 from FHUD13HOME accounts, and \$250,000.00 from FHUD14CDBG accounts, and make said funds available for reprogramming. [NOTE: Said funds are available for reprogramming due to developer GDC Smith Village's completion of construction for the 39-unit Smith Village Development.]

SEPARATED FROM MASTER RESOLUTION

- 150432** Etna Supply Co./Additional Couplings-Connectors, Curb Boxes, Fittings, and Hydrant Repair Parts

Resolution authorizing the Department of Purchases and Supplies, upon City Council approval, to issue an additional purchase order to Etna Supply Co. for additional water service supply parts, couplings/connectors, curb boxes, fittings and fire hydrant repair parts, as requested by DPW Utilities/Water Service Center, in an amount NOT-TO-EXCEED \$49,000.00 for a revised aggregate FY15 total of \$114,000.00 [Water Fund Acct. No. 591-540.202-726.000].

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

- 150433** CO#1/Contract/Ace-Saginaw Paving Co./Additional Asphalt Paving Materials

Resolution authorizing the proper City Officials, upon City Council approval, to enter into change order to #1 to the contract with Ace-Saginaw Paving Co. for additional asphalt paving materials, as requested by Street Maintenance, in an amount NOT-TO-EXCEED \$57,650.00, for a revised contract amount of \$240,411.00 [Local Street Fund, Major Street Fund].

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

- 150434** CO#3/Contract/Rowe Engineering/Additional Professional Engineering Services/Iroquois and Dupont Streets Watermain Project

Resolution authorizing the proper City Officials, upon City Council approval, to enter into change order to #3 to the contract with Rowe Engineering for additional professional engineering services for the construction and installation design of the new Iroquois and Dupont Streets watermain project, as requested by DPW Utilities/Water Service Center, in an amount NOT-TO-EXCEED \$210,000.00, for a revised aggregate FY15 total of \$525,000.00 [Water Fund Acct. No. 591-540.300-801.000].

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

- 150435** CO#2/Purchase Order/Central Concrete/Additional Concrete

Resolution authorizing the Department of Purchases and Supplies, "upon the

Finance Department's approval", to issue change order #2 to Purchase Order No. 14-465 to Central Concrete for additional concrete to fulfill requests for sidewalk repairs, pavement breaks and any other urgent repairs, as requested by Street Maintenance, in an amount NOT-TO-EXCEED \$34,000.00, for an aggregate amount of \$137,004.00 [Local Street Fund, Major Street Fund].

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 Poplar, including all the preceding items marked as having been adopted on a Consent Agenda. The motion carried by the following vote:

Aye: 8 - Councilperson Poplar, Councilperson Nelson, Chairperson Freeman, Councilperson Winfrey, Councilperson Galloway, Councilperson VanBuren, Councilperson Kincaid and Councilperson Mays

Absent: 1 - Vice President Davis

150436 Acceptance of Funds/Charles Stewart Mott Foundation/Harrison Street Improvements

Resolution authorizing the appropriate City Officials to do all things necessary to enter into a grant agreement with the Charles Stewart Mott Foundation to fund construction of improvements to Harrison Street, in an amount NOT-TO-EXCEED \$40,576.00, and to create appropriate revenue and expense accounts under grant code LCSMOTT16HAR, AND, to comply with all terms and conditions of the grant award including, but not limited to, allocating an expense appropriation within the Department of Transportation, 202 Major Street Fund Acct. No. 202-441.702-801.000 (FY16 Budget), to be applied toward the local share of the total project cost.

SEPARATED FROM MASTER RESOLUTION

150387.1 Approval/Obsolete Property Rehabilitation Exemption Certificate/URC 600 South, LLC/600 S. Saginaw Street Project

Resolution resolving that the Flint City Council hereby approves and grants a 12-year Obsolete Property Rehabilitation Act exemption for URC 600 South LLC's 600 S. Saginaw Street Project, located within the URC 600 South District (which consists of real property at 600 S. Saginaw St. and 550 S. Saginaw St.), with the exemption period beginning December 31, 2015.

SEPARATED FROM MASTER RESOLUTION

SEPARATED FROM MASTER RESOLUTION

150391 Resolution/Establishing the Interest Rate Charged on Past Due Water & Sewer Bill Balances

Resolution resolving that the interest charged on City of Flint past due water

and sewer bill amounts shall be 0.5 percent per month charged no sooner than ten (10) days after the due date, provided that the guidelines for late payment interest for financially challenged customers include: waiver of late payment interest for low-income customers who provide proof as to their eligibility for Food Stamps or that their income is at or below the most current Federal Poverty Guidelines; waiver of penalty for customers who are not in arrears on the schedule defined in their payment arrangements; and waiver of late payment interest for veterans, senior citizens and other persons, whether a homestead property owner or not, who would qualify for the Michigan Homestead Property Tax Deferment based on the income threshold in MCL 211.51 (2). [NOTE: The City of Flint relies on timely payment of water/sewer bills to provide for water and sewer system needs, (but also) recognizes the financial challenges certain customers face.]

Adopted

Substituted

A motion was made by Councilperson Kincaid, seconded by Councilperson Mays, that this matter be POSTPONED for July 1, 2015. The motion carried by the following vote:

Aye: 8 - Councilperson Poplar, Councilperson Nelson, Chairperson Freeman, Councilperson Winfrey, Councilperson Galloway, Councilperson VanBuren, Councilperson Kincaid and Councilperson Mays

Absent: 1 - Vice President Davis

150431 Reprogramming of Funds/Community Development Block Grant [CDBG]
Funds/HOME Investment Partnership Program Funds

Resolution authorizing the appropriate City Officials to do all things necessary to process a budget amendment, in the amount of \$115,311.73, from FHOMEPRIOR accounts, \$197,241.678 from FHUD13HOME accounts, and \$250,000.00 from FHUD14CDBG accounts, and make said funds available for reprogramming. [NOTE: Said funds are available for reprogramming due to developer GDC Smith Village's completion of construction for the 39-unit Smith Village Development.]

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

Aye: 8 - Councilperson Poplar, Councilperson Nelson, Chairperson Freeman, Councilperson Winfrey, Councilperson Galloway, Councilperson VanBuren, Councilperson Kincaid and Councilperson Mays

Absent: 1 - Vice President Davis

150436 Acceptance of Funds/Charles Stewart Mott Foundation/Harrison Street
Improvements

Resolution authorizing the appropriate City Officials to do all things necessary to enter into a grant agreement with the Charles Stewart Mott Foundation to fund construction of improvements to Harrison Street, in an amount NOT-TO-EXCEED \$40,576.00, and to create appropriate revenue and expense

accounts under grant code LCSMOTT16HAR, AND, to comply with all terms and conditions of the grant award including, but not limited to, allocating an expense appropriation within the Department of Transportation, 202 Major Street Fund Acct. No. 202-441.702-801.000 (FY16 Budget), to be applied toward the local share of the total project cost.

Adopted

Substituted

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

Aye: 8 - Councilperson Poplar, Councilperson Nelson, Chairperson Freeman, Councilperson Winfrey, Councilperson Galloway, Councilperson VanBuren, Councilperson Kincaid and Councilperson Mays

Absent: 1 - Vice President Davis

150436.1 Amended Resolution/Acceptance of Funds/Charles Stewart Mott Foundation/Harrison Street Improvements

An amended resolution authorizing the appropriate City Officials to do all things necessary to enter into a grant agreement with the Charles Stewart Mott Foundation to fund construction of improvements to Harrison Street, in an amount NOT-TO-EXCEED \$40,576.00, and to create appropriate revenue and expense accounts under grant code LCSMOTT16HAR, AND, to comply with all terms and conditions of the grant award including, but not limited to, allocating an expense appropriation within the Department of Transportation, 202 Major Street Fund Acct. No. 202-441.702-801.000 (FY16 Budget), to be applied toward the local share of the total project cost. [NOTE: Resolution amended to change "By the Flint City Council" to "By the Mayor".]

A motion was made by Councilperson Kincaid, seconded by Councilperson Nelson, that this matter be ADOPTED AS AMENDED. The motion carried by the following vote:

Aye: 8 - Councilperson Poplar, Councilperson Nelson, Chairperson Freeman, Councilperson Winfrey, Councilperson Galloway, Councilperson VanBuren, Councilperson Kincaid and Councilperson Mays

Absent: 1 - Vice President Davis

150387.1 Approval/Obsolete Property Rehabilitation Exemption Certificate/URC 600 South, LLC/600 S. Saginaw Street Project

Resolution resolving that the Flint City Council hereby approves and grants a 12-year Obsolete Property Rehabilitation Act exemption for URC 600 South LLC's 600 S. Saginaw Street Project, located within the URC 600 South District (which consists of real property at 600 S. Saginaw St. and 550 S. Saginaw St.), with the exemption period beginning December 31, 2015.

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

Aye: 3 - Councilperson Poplar, Chairperson Freeman and Councilperson Kincaid

No: 5 - Councilperson Nelson, Councilperson Winfrey, Councilperson Galloway, Councilperson VanBuren and Councilperson Mays

Absent: 1 - Vice President Davis

LIQUOR LICENSES

ORDINANCES - First Reading

150392 Amendment/Ordinance/Chapter 46 [Utilities]/Article III [Rates and Charges]/Division I [Water]

An ordinance to amend the Code of the City of Flint by amending Chapter 46 [Utilities], Article III [Rates and Charges], Division I [Water] by amending and restating existing Section 46-52.2 [When Bills Due; Interest on Past Due Amount].

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

Aye: 6 - Councilperson Poplar, Councilperson Nelson, Councilperson Winfrey, Councilperson Galloway, Councilperson VanBuren and Councilperson Kincaid

No: 2 - Chairperson Freeman and Councilperson Mays

Absent: 1 - Vice President Davis

ORDINANCES - Second Reading

PUBLIC SPEAKERS

COUNCIL DISCUSSION

COUNCIL MOTION

COUNCIL DISCUSSION (Continued)

COUNCIL REFERRAL

150449 Inquiry/Prayer in City Council Meetings

Referral by Councilperson Freeman to CITY ATTORNEY. He asks if there are any legal concerns with having the City Council conduct a short prayer during City Council meetings, and whether or not there would need to be a rules change to incorporate prayer as a regular part of the Council agenda.

Referred for Response to the CITY ATTORNEY

REFERRED TO COMMITTEE to the COMMITTEE-OF-THE-WHOLE

ADJOURNMENT