

City of Flint, Michigan

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



Meeting Minutes - Final

Monday, July 11, 2016

6:31 PM

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

CALL TO ORDER

ROLL CALL

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

PLEDGE OF ALLEGIANCE

PRESENTATION OF COMMITTEE/COUNCIL MINUTES

160287 Summary Minutes/Flint City Council/Regular Meeting/June 27, 2016

Summary Minutes of the Flint City Council regular meeting held Monday, June 27, 2016, at 7:19 p.m., in the City Council Chambers, 3rd Floor, City Hall.

A motion was made by Councilperson Mays, seconded by Councilperson Winfrey, that this matter be Placed on File. 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

160210.3 Public Hearing/Proposed 2016-2017 Action Plan of the Consolidated Plan

A Public Hearing for the purpose of receiving citizens' comments on the Proposed 2016-2017 Action Plan of the Consolidated Plan, scheduled for July 11, 2016, at 6:00 p.m.

HEARING HELD

160286.1 Public Hearing/Fenton Road Lane Reduction

A Public Hearing scheduled for Monday, July 11, 2016, at 5:30 p.m., on the proposed Fenton Road lane reduction from four lanes to three lanes.

HEARING HELD

RESOLUTIONS (May Be Referred from Special Affairs)

160286 Lane Reduction/Fenton Road

Resolution resolving that the proper City Officials are authorized to do all things necessary to reduce the number of lanes on Fenton Road, from Hemphill Road to I-69, from four to three - with construction scheduled to start in the spring of 2017.

A motion was made by Councilperson Winfrey, seconded by Councilperson Galloway, that this matter be Amended. 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

160286.2 Amended Resolution/Lane Reduction Project/Fenton Road/Local Share

An amended resolution approving the Lane Reduction Project for Fenton Road, reducing the number of lanes on Fenton Road (Hemphill Road to I-69) from four to three, with construction scheduled to start in the spring of 2017, at a total project amount of \$2,450,000.00, with the City's Local Share of \$453,250.00 (18.5%) coming from appropriated funds [Acct. No. 202-441.702-801.000]. [NOTE: Resolution amended to note City's share of funding.]

A motion was made by Councilperson Winfrey, seconded by Councilperson Galloway, 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 COMMENT

PETITIONS AND UNOFFICIAL COMMUNICATIONS

160274 Proof of Service and Petition/Michigan Tax Tribunal/Woodlawn Park Apartments, LLC v. City of Flint/MTT Docket No. 16-001174

Communication received May 25, 2016, re: Proof of Service and Petition filed with the Michigan Tax Tribunal by Woodlawn Park Apartments, LLC regarding Parcels No. 41-08-480-003 and 41-08-480-010.

This Matter was Placed on File on the Consent Agenda.

160275 Proof of Service and Petition/Michigan Tax Tribunal/VW Leasing, LLC v. City of Flint/MTT Docket No. NOT ISSUED YET

Communication received June 1, 2016, re: Proof of Service and Petition filed with the Michigan Tax Tribunal by VW Leasing, LLC regarding Parcels No. 30-00-100-009 and 20-00-189-214.

This Matter was Placed on File on the Consent Agenda.

160276 Proof of Service and Petition/Michigan Tax Tribunal/Mobility Ventures, LLC v. City of Flint/MTT Docket No. 16-000929

Communication received June 2, 2016, re: Proof of Service and Petition filed with the Michigan Tax Tribunal by Mobility Ventures, LLC regarding Parcel No.

P-54648-8.

This Matter was Placed on File on the Consent Agenda.

- 160277** Proof of Service and Petition/Michigan Tax Tribunal/Racer Properties, LLC v. City of Flint/MTT Docket No. 16-001413
- Communication received June 6, 2016, re: Proof of Service and Petition filed with the Michigan Tax Tribunal by Racer Properties, LLC regarding Parcel No. 41-06-376-008.
- This Matter was Placed on File on the Consent Agenda.**
- 160278** Proof of Service and Petition/Michigan Tax Tribunal/Racer Properties, LLC v. City of Flint/MTT Docket No. 16-001416
- Communication received June 6, 2016, re: Proof of Service and Petition filed with the Michigan Tax Tribunal by Racer Properties, LLC regarding Parcel No. 47-31-401-008.
- This Matter was Placed on File on the Consent Agenda.**
- 160279** Proof of Service and Petition/Michigan Tax Tribunal/Racer Properties, LLC v. City of Flint/MTT Docket No. 16-001415
- Communication received June 6, 2016, re: Proof of Service and Petition filed with the Michigan Tax Tribunal by Racer Properties, LLC regarding Parcel No. 47-31-257-020.
- This Matter was Placed on File on the Consent Agenda.**
- 160280** Proof of Service and Petition/Michigan Tax Tribunal/JJMB Properites, LLC v. City of Flint/MTT Docket No. TBD
- Communication received June 7, 2016, re: Proof of Service and Petition filed with the Michigan Tax Tribunal by JJMB Properties, LLC regarding Parcel No. 41-04-302-017.
- This Matter was Placed on File on the Consent Agenda.**
- 160281** Proof of Service and Petition/Michigan Tax Tribunal/2424 Kansas, LLC and Love Holdings, LLC v. City of Flint/MTT Docket No. 16-000820
- Communication received June 15, 2016, re: Proof of Service and Petition filed with the Michigan Tax Tribunal by 2424 Kansas, LLC and Love Holdings, LLC regarding Parcel No. 41-08-284-013.
- This Matter was Placed on File on the Consent Agenda.**
- 160282** Proof of Service and Petition/Michigan Tax Tribunal/First Street Lofts, LLC v. City of Flint/MTT Docket No. 16-000819
- Communication received June 15, 2016, re: Proof of Service and Petition filed

with the Michigan Tax Tribunal by First Street Lofts, LLC regarding Parcel No. 41-18-107-021.

This Matter was Placed on File on the Consent Agenda.

160283 Public Notice/Karegnondi Water Authority (KWA)

Public Notice received July 5, 2016, re: A Notice of Cancellation for the July 20, 2016 Karegnondi Water Authority (KWA) meeting.

This Matter was Placed on File on the Consent Agenda.

COMMUNICATIONS FROM CITY OFFICIALS

160284 City of Flint/Flint 2015 Annual Water Quality Report

An Annual Report summarizing the quality of the drinking water in the city of Flint, as required by the Federal and State of Michigan Safe Drinking Water Acts (SDWA).

This Matter was Placed on File on the Consent Agenda.

160285 Traffic Engineering/Closure Permits

Sidewalk, Lane and Street Closures (5) dated June/July 2016, re: (1) Dupont Street (repairing utility cuts-June 28th); (2) Kearsley and Stevenson Streets (fireworks set/display-July 1st); (3) Hockenhull Place (church picnic-July 9th); (4) Seymour Street (Christ the King African American Festival-July 9th); and (5) First Street and Buckham Alley (Buckham Alley Fest-July 9th).

This Matter was Placed on File on the Consent Agenda.

ADDITIONAL COMMUNICATION

APPOINTMENTS

None

LICENSES

None

RESOLUTIONS

None

ROLL CALL

Councilperson Mays briefly left the Council Chambers at 9:15 p.m., missing the vote on the Master Resolution.

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

Absent: Councilperson: Councilperson Mays

RESOLUTIONS (May Be Referred from S.A.) Con't

- 160184** Approval and Adoption/Amended Biennial Master Fee Schedule/Fiscal Years 2015 and 2016/Lead Service Line Replacement Fee
- Resolution resolving that the appropriate City Officials be and are authorized to amend the Biennial Master Fee Schedule for fiscal years 2015 and 2016 to include the Lead Service Line Replacement Fee of \$140.00 and to implement and collect the Lead Service Line Replacement Fee, effective immediately upon adoption of this resolution. as requested by the Department of Public Works (DPW). [NOTE: DPW has determined the need for an adjustment to fees charged by the City for Consumer Pavement Breaks, and recommends that the Lead Service Line Replacement Fee be set at \$140.00 - which shall consist of \$70.00 for pre-inspection and \$70.00 for post-inspection of the replacement.] [Administration Submission No. CA1922016]
- SEPARATED FROM MASTER RESOLUTION**
- 160267** Supplemental Funding/Memorandum of Understanding (MOU)/Genesee Conservation District (GCD)/Hazardous Tree Removals
- Resolution resolving that the Mayor is authorized to do all things necessary to allocate \$256,000.00 to the Genesee Conservation District (GCD) to provide supplemental funding to contract tree removals identified as critical removals per the tree inventory emergency tree maintenance activities and to manage the city's street tree activities through June 30, 2017 [Major Street Fund Acct. No. 202-449.215-801.000 = \$106,400.00 and Local Street Fund Acct. No. 203-449.215-801.000 = \$149,600.00]. [NOTE: MOU is not included.]
- This Matter was ADOPTED BY THE MASTER RESOLUTION on the Consent Agenda.**
- 160288** CO#___/Contract/Ground Effect, Inc./Mowing Abatement of Right of Ways
- Resolution resolving that the proper City Officials are authorized to enter into change order #___ to the contract with Ground Effect, Inc. for mowing abatement of right-of-ways, as requested by DPW/Transportation, in an amount NOT-TO-EXCEED \$70,000.00, with an aggregate spend amount of \$110,000.00 (FY2017 at \$30,000.00; \$40,000.00 pending adoption of FY2018 Budget) [Major Street Fund]. [Administration Submission No. CA2302016]
- This Matter was ADOPTED BY THE MASTER RESOLUTION on the Consent Agenda.**
- 160289** CO#___/Contract/Curtis Landscaping/Mowing Abatement of Right of Ways
- Resolution resolving that the proper City Officials are authorized to enter into change order #___ to the contract with Curtis Landscaping for mowing abatement of right-of-ways, as requested by DPW/Transportation, in an

amount NOT-TO-EXCEED \$160,000.00, with an aggregate spend amount of \$210,000.00 (FY2017 at \$75,000.00; \$85,000.00 pending adoption of FY2018 Budget) [Major Street Fund]. [Administration Submission No. CA2312016]

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

160290 CO#___/Contract/Boyd's Lawn & Landscaping/Mowing Abatement of Right of Ways

Resolution resolving that the proper City Officials are authorized to enter into change order #___ to the contract with Boyd's Lawn & Landscaping for mowing abatement of right-of-ways, as requested by DPW/Transportation, in an amount NOT-TO-EXCEED \$160,000.00, with an aggregate spend amount of \$225,000.00 (FY2017 at \$75,000.00; \$85,000.00 pending adoption of FY2018 Budget) [Major Street Fund]. [Administration Submission No. CA2322016]

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

160291 CO#___/Contract/Neighborhood Engagement Hub/Mowing Abatement of Right of Ways

Resolution resolving that the proper City Officials are authorized to enter into change order #___ to the contract with Neighborhood Engagement Hub for mowing abatement of right-of-ways, as requested by DPW/Transportation, in an amount NOT-TO-EXCEED \$50,000.00, with an aggregate spend amount of \$95,000.00 (FY2017 at \$20,000.00; \$30,000.00 pending adoption of FY2018 Budget) [Major Street Fund]. [Administration Submission No. CA2332016]

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

160293 CO#1/Contract/Tri-County Refuse Service, Inc. dba Republic Services/Waste Collection Services

Resolution resolving that the proper City Officials are authorized to enter into change order #1 to the contract with Tri-County Refuse Service, Inc. dba Republic Services for waste collection services, as requested by DPW/Transportation, in an amount NOT-TO-EXCEED \$340,758.99, for an aggregate contractual amount of \$13,749,963.99 [Rubbish Collection Fund]. [Administration Submission No. CA2372016]

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, President Nelson, Councilperson Fields, Councilperson Davis, Councilperson Winfrey, Councilperson Galloway, Vice President VanBuren and Councilperson Kincaid

Absent: 1 - Councilperson Mays

ROLL CALL

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

SEPARATED FROM MASTER RESOLUTION

160184 Approval and Adoption/Amended Biennial Master Fee Schedule/Fiscal Years 2015 and 2016/Lead Service Line Replacement Fee

Resolution resolving that the appropriate City Officials be and are authorized to amend the Biennial Master Fee Schedule for fiscal years 2015 and 2016 to include the Lead Service Line Replacement Fee of \$140.00 and to implement and collect the Lead Service Line Replacement Fee, effective immediately upon adoption of this resolution. as requested by the Department of Public Works (DPW). [NOTE: DPW has determined the need for an adjustment to fees charged by the City for Consumer Pavement Breaks, and recommends that the Lead Service Line Replacement Fee be set at \$140.00 - which shall consist of \$70.00 for pre-inspection and \$70.00 for post-inspection of the replacement.] [Administration Submission No. CA1922016]

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

Aye: 4 - Councilperson Mays, Councilperson Davis, Councilperson Winfrey and Councilperson Galloway

No: 5 - Councilperson Poplar, President Nelson, Councilperson Fields, Vice President VanBuren and Councilperson Kincaid

RECONSIDERATION

160292 Approval/Letter of Agreement/City of Flint/Great Lakes Water Authority (GLWA)/Extension of Water Service Contract

Resolution resolving that the Flint City Council approves the Letter Agreement for Extension of Water Service Contract by the Great Lakes Water Authority (GLWA) dated July 6, 2016. [NOTE: The City of Flint requests an extension of the term of its Water Service Contract with the GLWA until June 30, 2017. The GLWA is agreeable to the City's request for an extension at the same contract terms and conditions as its existing FY2016 charges, with a renewal term equating to 11.5 months at a sum of \$12,731,400.00.]

A motion was made by Councilperson Kincaid, seconded by Councilperson Mays, 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 Poplar, 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

LIQUOR LICENSES

None

ORDINANCES - First Reading

None

ORDINANCES - Second Reading

None

PUBLIC SPEAKERS

ADDITIONAL COUNCIL DISCUSSION

COUNCIL REFERRALS

160303 Referral/Agency Presentations for Community Block Grant Dollars

A referral as requested by Councilperson Mays to ADMIN/PLANNING & DEVELOPMENT, re: What form of communication has been utilized for agency presentations requesting Community Block Grand dollars (e.g. Action Plan)?

Referred for Response to the PLANNING AND DEVELOPMENT

REFERRED TO COMMITTEE to the GRANTS COMMITTEE

160304 Referral/Receipts/COF FY2016-17 Proposed Annual Action Plan

A referral as requested by Councilperson Fields to ADMIN/PLANNING & DEVELOPMENT, re: She is requesting copies of delivery receipts that show when copies of the Draft 2016-17 Annual Action Plan were delivered to the Flint City Clerk's office, the Flint Public Library, the Genesee County Metropolitan Planning Commission Office, the Flint Housing Commission, and the Department of Human Services of Genesee County for public review.

Referred for Response to the PLANNING AND DEVELOPMENT

REFERRED TO COMMITTEE to the GRANTS COMMITTEE

160305 Referral/Amendment Percentage/2016-17 Annual Action Plan

A referral as requested by Councilperson Fields to ADMIN/PLANNING &

DEVELOPMENT, re: She would like to know the exact percentage amount (10%, 15% or other) that the City Council is allowed to amend for an Action Plan.

REFERRED TO COMMITTEE to the PLANNING AND DEVELOPMENT

REFERRED TO COMMITTEE to the GRANTS COMMITTEE

ADJOURNMENT

This regular City Council meeting was adjourned at 10:21 p.m.