

City of Flint, Michigan

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



Meeting Minutes - Final

Monday, July 25, 2016

6:16 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

160330 Summary Minutes/Flint City Council/Regular Meeting/July 11, 2016

Summary Minutes of the Flint City Council regular meeting held Monday, July 11, 2016, at 6:31 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: 9 - Councilperson Mays, Councilperson Poplar, President Nelson, Councilperson Fields, Councilperson Davis, Councilperson Winfrey, Councilperson Galloway, Vice President VanBuren and Councilperson Kincaid

160331 Summary Minutes/Flint City Council/Special Meeting/July 18, 2016

Summary Minutes of the Flint City Council special meeting held Monday, July 18, 2016, at 5:44 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: 9 - Councilperson Mays, Councilperson Poplar, President Nelson, Councilperson Fields, Councilperson Davis, Councilperson Winfrey, Councilperson Galloway, Vice President VanBuren and Councilperson Kincaid

SPECIAL ORDERS

160337 Special Order/Consideration of Mayor's Veto/City Council Resolution No. 160323 for Waste Collection Services

A Special Order to allow for City Council's consideration of Mayor Karen W. Weaver's "Notice of Veto" (dated July 19, 2016) for Resolution No. 160323, Resolution Approving Tri-County Refuse Service, Inc. dba Republic Services for Waste Collection Services, Recycling, Composting, and Blight Removal, as adopted by the City Council on July 18, 2016.

Presented

ADD-ON RESOLUTION

160323.2 Override/Mayor's Veto/City Council Resolution No. 160323/Tri-County Refuse, Inc. dba Republic Services/Waste Collection Services

Resolution by the Flint City Council to override Mayor Karen W. Weaver's veto (on Tuesday, July 19, 2016, at 3:44 p.m.) of City Council Resolution No. 160323, a Resolution Approving Tri-County Refuse, Inc. dba Republic Services for Waste Collection Services, Recycling, Composting, and Blight Removal - pursuant to Flint City Charter Section 3-304 (D).

A motion was made by Councilperson Kincaid, seconded by Councilperson Davis, that this matter be Adopted. 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

160338 Special Order/Kay Muhammad

A Special Order to allow for a presentation by former City of Flint Transportation Director Kay Muhammad.

Presented

PUBLIC HEARINGS

160265.3 Public Hearing/Amended Ordinance/Amendment/Ordinance/Chapter 50 (Zoning)/4601 Fenton Road/Jeremy Shaw/Shaw Distilling/PC 16-301/Ward 9

A public hearing on an amended ordinance to amend Chapter 50 (Zoning) of the Code of the City of Flint as requested by Jeremy Shaw, Shaw Distilling (PC 16-301), for a zoning change for the property at 4601 Fenton Road, Parcel No. 41-30-157-033, from "D-3" Community Business District to "D-5" Metropolitan Commercial-Service District.

HEARING HELD

ROLL CALL

Councilperson Mays briefly left the Council Chambers at 7:54 p.m.

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

Absent: Councilperson: Councilperson Mays

ORDINANCES - Second Reading

160265.1 Amended Ordinance/Amendment/Ordinance/Chapter 50 (Zoning)/4601 Fenton Road/Jeremy Shaw/Shaw Distilling/PC 16-301/Ward 9

An amended ordinance to amend Chapter 50 (Zoning) of the Code of the City of Flint as requested by Jeremy Shaw, Shaw Distilling (PC 16-301), for a zoning change for the property at 4601 Fenton Road, Parcel No. 41-30-157-033, legally described as ATHERTON PARK LOTS 355, 356, 587 & 588, from "D-3" Community Business District to "D-5" Metropolitan Commercial-Service District. [Planning Commission recommends APPROVAL.] [NOTE: Ordinance amended to correct the Ward location from Ward 8 to Ward 9.]

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

Absent: 1 - Councilperson Mays

Enactment No: 4077

PUBLIC COMMENT

ROLL CALL

Councilperson Mays left this City Council meeting at approximately 8:45 p.m.

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

Absent: Councilperson: Councilperson Mays

PETITIONS AND UNOFFICIAL COMMUNICATIONS

160332 Damage Claims

ROSAS, VALERIE CHALPENO, 809 W. Marengo Street, Flint (Ward 1)

This Matter was Placed on File on the Consent Agenda.

160333 2016 Tax Rate Request/Michigan Department of Treasury/Bishop International Airport Authority

Form L-4029 dated June 28, 2016, re: Millage Request Report to the County Board of Commissioners for a Bishop International Airport Authority property tax levy.

This Matter was Placed on File on the Consent Agenda.

COMMUNICATIONS FROM CITY OFFICIALS

160334 Traffic Engineering/Closure Permits

Sidewalk, Lane and Street Closures (5) dated July 2016, re: (1) University,

Chevrolet, Glenwood, Court, Pershing, Cumings, Bradley, Brentwood, Westcombe, and Sunset Streets (Atwood 10K/5K Run & Walk-July 16th); (2) Saginaw Street (repairing utility cut-July 13th); (3) Franklin Avenue (repairing utility cut-July 14th); (4) James P. Cole, Harrison, First, Wallenberg, Kearsley, E. Boulevard, and Hamilton Streets (The Color Vibe 5K-July 16th); and (5) Concord Street (block party-July 16th).

This Matter was Placed on File on the Consent Agenda.

ADDITIONAL COMMUNICATION

APPOINTMENTS

160313 Appointment/Hurley Board of Managers/Nancy J. Hanflik

Resolution resolving that the Flint City Council approves the appointment of Nancy J. Hanflik (1301 Woodlawn Park Drive, Flint, MI 48503) to serve a five-year term on the Hurley Board of Hospital Managers, commencing July 20, 2016, and expiring April 30, 2021. [NOTE: Ms. Hanflik is replacing Isaiah Oliver, who's term expired April 30, 2016, but he has continued to serve.]

A motion was made by Councilperson Galloway, seconded by Councilperson Winfrey, that this matter be POSTPONED for August 8, 2016. The motion failed by the following vote:

Aye: 4 - President Nelson, Councilperson Winfrey, Councilperson Galloway and Vice President VanBuren

No: 4 - Councilperson Poplar, Councilperson Fields, Councilperson Davis and Councilperson Kincaid

Absent: 1 - Councilperson Mays

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

Aye: 2 - Councilperson Winfrey and Councilperson Galloway

No: 6 - Councilperson Poplar, President Nelson, Councilperson Fields, Councilperson Davis, Vice President VanBuren and Councilperson Kincaid

Absent: 1 - Councilperson Mays

LICENSES

None

RESOLUTIONS

160294 Three-Year Contract/M & M Pavement Marking, Inc./Traffic Pavement Marking Services

Resolution authorizing the proper city officials to enter into a (three-year) contract with M & M Pavement Marking for traffic pavement marking services,

as requested by Traffic Engineering, in an amount NOT-TO-EXCEED \$300,000.00 (\$90,000.00 for FY2017, \$100,000.00 for FY2018 and \$110,000.00 for FY2019, pending adoption of each yearly budget) [Major Street Fund Acct. No. 202-443.201-801.000].

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

160295 Annual Supply/Etna Supply/Water Main & Service Connection Parts

Resolution resolving that the Department of Purchases & Supplies is (authorized) to issue a purchase order to Etna Supply for (the annual supply of) water main and service parts, as requested by the Water Service Center, in an amount NOT-TO-EXCEED \$145,000.00 [Water Fund Acct. No. 591-540.202-726.000].

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

160296 Annual Supply/Fire Hydrants Manhole Covers & Catch Basin Grates

Resolution authorizing the Department of Purchases & Supplies to issue a purchase order to EJ USA for (the annual supply of) fire hydrants manhole covers and catch basin grates, as requested by the Water Service Center, in an amount NOT-TO-EXCEED \$180,000.00 [Water Fund Acct. No. 591-540.202-726.000 = \$100,000.00 and Sewer Fund Acct. No. 590-540.208-726.000].

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

160297 Annual Supply/Aldridge Trucking/Sand & Various Stones

Resolution authorizing the Department of Purchases and Supplies to issue purchase orders to Aldridge Trucking for (the annual supply of) fill sand, mason sand, 2NS sand, 3CS sand and various stones, as requested by Street Maintenance and the Water Service Center, in an amount NOT-TO-EXCEED \$96,000.00 [Major Street Fund Acct. No. 202-449.201-726.000 = \$7,500.00 and Acct. No. 202-449.203-726.000 = \$3,500.00; Water Fund Acct. No. 591-540.202-726.000 = \$40,000.00; and Sewer Fund Acct. No. 590-540.208-726.000 = \$40,000.00 and Acct. No. 590-550.202-775.000 = \$5,000.00].

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

160299 Two-Year Contracts/York Repair, Inc./Motor Preventive Maintenance Services

Resolution resolving that the proper city officials are hereby authorized to enter into contracts with York Repair, Inc., for two-year motor preventative maintenance services, at a cost NOT-TO-EXCEED \$45,000 for FY2017 and \$45,000.00, pending adoption of the FY2018 budget, as requested by Utilities/Water Service Center [Sewer Fund Acct. No. 590-550.202-775.000 =

\$3,000.00 and Acct. No. 590-550.202-930.000 = \$17,000.00 and Water Fund Acct. No. 591-545.201-930.000 = \$25,000].

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

- 160301** Contract/Environmental Consulting and Technology (ECT), Inc./Engineering Services/Chevy Commons

Resolution resolving that the proper city officials are hereby authorized to enter into a contract with Environmental Consulting and Technology (ECT), Inc. for (additional) engineering services for the Chevy Commons Phytoremediation Project, in an amount NOT-TO-EXCEED \$200,000.00, with funds to be made available from USDA Forest Service Grant Acct. No. 296-690.391-801.000 FUSDA14CHEVY, as requested by Planning & Development.

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

- 160306** Contracts/Oak Construction/Removal/Concrete Patching & Joint Repair Services

Resolution resolving that the proper city officials are hereby authorized to enter into contracts with Oak Construction for concrete patching and joint repair services, as requested by the Utilities/Water Plant/Water Pollution Control, in an amount NOT-TO-EXCEED \$110,000.00 [Sewer Fund Acct. No. 590-550.202-930.000 = \$70,000.00 and Water Fund Acct. No. 591-545.201-930.000 = \$40,000.00].

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

- 160307** Annual Supply/Hach Company/Hach Laboratory Supplies

Resolution authorizing the Department of Purchases & Supplies is to issue (annual) purchase orders to Hach Company for the third year of a three-year agreement for Hach laboratory supplies, as requested by Utilities/DPW, in an amount NOT-TO-EXCEED \$34,400.00, and a three-year total expenditure of \$115,200.00 [Sewer Fund Acct. No. 590-550.100-740.200 = \$4,400.00 and Water Fund Acct. No. 591-545.200-726.000 = \$30,000.00].

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

- 160308** CO#___/Contract/Cut Rite Lawn Services/Mowing Abatement/Right of Ways

Resolution resolving that the proper City Officials are authorized to enter into change order #___ (to the contract with) Cut Rite Lawn Services 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 Acct. No. 202-449.201-801.000 = \$7,500.00 and Local Street Fund Acct. No. 203-449.201-801.000 = \$12,500.00]. [NOTE:

During FY2016 Cut Rite Lawn Services was awarded a contract and performed services with an aggregate value of \$45,000.00. DPW/Transportation is requesting an additional \$20,000.00 for FY2017 and \$30,000.00 for FY2018.]

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

160309 Annual Supply/Arnold Sales/Janitorial Supplies

Resolution authorizing the Department of Purchases and Supplies to issue purchase orders to Arnold Sales for (the annual supply of) janitorial supplies, as requested by the DPW/Maintenance Division, in an amount NOT-TO-EXCEED \$80,000.00 for FY2017, and \$80,000.00 for FY2018 and \$80,000.00 for FY2019, pending adoption of the respective budgets [General Fund Acct. No. 101-338.201-726.000 = \$18,000 and Acct. No. 101-753.200-726.000, and Sewer Fund Acct. No. 590-550.202-775.000].

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

160310 Annual Supply/Office Depot/Office Supplies/Various Departments

Resolution resolving that the Department of Purchases & Supplies is authorized to issue purchase orders to Office Depot for (the annual supply of) office supplies, as requested by various departments, in an amount NOT-TO-EXCEED \$109,740.00 [General Fund, Major Street Fund, Local Street Fund, Police Fund, Drug Law Enforcement Fund, Sewer Fund, Water Fund and Fleet/Central Garage Fund]; AND, resolving that the Finance Department has the discretion to spend an additional amount of no more than five (5) percent of the annual requested spend amount to Office Depot for unanticipated requests that may be submitted during the next year.

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

160311 Contract/3-Year/Duke's Root Control/Sewer Line Chemical Root Control Services

Resolution authorizing the proper city officials to enter into a three-year contract with Dukes Root Control for sewer line chemical root control services, as requested by Utilities/Water Service Center, in an annual amount NOT TO EXCEED \$350,000.00 for FY2017, and \$350,000.00 for FY2018 and \$350,000.00 for FY2019, pending adoption of the respective budgets [Sewer Fund Acct. No. 590-540.300-801.000].

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

RESOLUTIONS (May Be Referred from Special Affairs)

160320 Reprogramming/Unspent HOME Investment Partnership Funds/Contracts/Metro Community Development/Court Street Village/Genesee County Habitat for Humanity

Resolution resolving that contracts with Metro Community Development (\$246,793.00, Court Street Village (\$92,000.00) and Genesee County Habitat for Humanity (\$245,661.00) be approved and that the appropriate City of Flint officials are hereby authorized to do all things necessary to reprogram HOME funds in the amount of \$584,454.00, and to process a budget amendment moving funds to the appropriate accounts, as requested by the Department of Community and Economic Development (DCED).

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

160335 Due Date Extension/First Installment/2016 Summer City and School Property Tax Roll

Resolution resolving that the period during which the first installment owed on the 2016 summer City and school property tax roll may be paid without penalty or interest is extended from August 1, 2016 through close of City business on August 15, 2016. [NOTE: The City had a shortened time frame to prepare and balance the tax rolls as the approved tax rates were not finalized until the latter part of June and staff encountered problems with validation as to the bill format. As a result, a delay in excess of ten (10) days occurred in the printing and mailing of tax bills.] [Administration Submission No. CA2592016]

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

160336 Charitable Gaming License/State of Michigan Lottery Charitable Gaming Division/Flint Cultural Center Corporation, Inc./Fundraiser

Resolution recognizing the Flint Cultural Center Corporation, Inc. 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 fundraising event on October 1, 2016, as allowed by Act 382 of the Public Acts of 1972, as amended. [Administration Submission No. CA2602016]

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

160339.1 Amended Resolution/Amendment/2016-2017 Adopted Budget/C.S. Mott Foundation Grant/Residential Service Line Technical Assistance

An amended resolution resolving that the appropriate City Officials are authorized to do all things necessary to amend the 2016-17 adopted budget to include revenue and expenditure appropriation for C.S. Mott Foundation Grant No. 2016-00387 for Residential Service Line Technical Assistance, in the amount of \$120,000.00, in the Water Fund under City of Flint Grant Code No. LCSM16-RSLTA, and to comply with the associated grant terms and conditions. [NOTE: Resolution amended to change the language in the 2nd paragraph from

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 Galloway, 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

Passed The Consent Agenda

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

LIQUOR LICENSES

None

ORDINANCES - First Reading

160314 Amendment/Ordinance/Chapter 46 (Utilities)/Article V (Wastewater Disposal Regulations)/Division 2 (Use of the Publicly Owned Treatment Works)

An ordinance to amend Chapter 46 (Utilities), Article V (Wastewater Disposal Regulations), Division 2 (Use of the Publicly Owned Treatment Works), of the Code of the City of Flint by amending Section 46-146 (Discharge Prohibitions and Limits), specifically Tables 46-146(c) and (d)(2).

A motion was made by Councilperson Winfrey, seconded by Councilperson Kincaid, that this matter be ACKNOWLEDGED FOR FIRST READING. 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

160340 Amendment/Ordinance/Chapter 2 (Administration)/Article VI (City Wide Advisory Committee)

An ordinance to amend Chapter 2 (Administration), Article VI (City Wide Advisory Committee), of the Code of the City of Flint by amending Sections 2-26 through 2-26.4.

A motion was made by Councilperson Winfrey, seconded by Councilperson Kincaid, that this matter be **ACKNOWLEDGED FOR FIRST READING**. 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

PUBLIC SPEAKERS

ADDITIONAL COUNCIL DISCUSSION

COUNCIL REFERRALS

160345 Referral/Attendance Request/Interim Utilities Administrator

A referral as requested by Councilperson Nelson to ADMIN/DPW, re: He requests that JoLisa McDay, Interim Utilities Administrator, attend the August 3, 2016 Governmental Operations Committee meeting in order to update the City Council on the Water Treatment Plant operations - particularly concerning EPA and MDEQ requirements.

Referred for Response to the WATER PLANT

REFERRED TO COMMITTEE to the GOVERNMENTAL OPERATIONS COMMITTEE

ADJOURNMENT

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