

City of Flint, Michigan

*Third Floor, City Hall,
1101 S. Saginaw Street
Flint, Michigan 48502
www.ci.flint.mi.us*



Meeting Agenda - Final

Monday, August 25, 2008

5:30 PM

Council Chambers

CITY COUNCIL

*Carolyn A. Sims, President, Ward 5
Sheldon Neeley, Vice President, Ward 6*

*Delrico J. Loyd, Ward 1 Jacqueline Poplar, Ward 2
Kerry Nelson, Ward 3 Sandra Hill, Ward 4 Jim Ananich, Ward 7
Ehren Gonzales, Ward 8 Scott Kincaid, Ward 9
Inez M. Brown, City Clerk*

ROLL CALL**PLEDGE OF ALLEGIANCE****SPECIAL ORDER AND UNFINISHED BUSINESS****PUBLIC HEARINGS**

- 081092** Amendment/Chapter 50/HTK Development, Inc. (PC-212)/Fleming Road/Three (3) Vacant Properties

An ordinance to amend Chapter 50 of the Code of the City of Flint as requested by HTK Development, Inc. (PC-212) for a zoning change (Amendment to change the District boundaries or regulations established in Chapter 50, thereof, specifically allowing under Section 50-4 a zoning map amendment to three (3) vacant properties identified as Parcel No's.: 46-35-184-012 - 4229 Fleming Road; 46-35-331-008 - 4221 Fleming Road; 46-35-331-009 - on Fleming Road and legally described as: WOODWARD SQUARE LOT 512 AND ELY10 FT OF LOT 401; ALSO LOT 400 EXC NLY 18.69 FT; ALSO LOT 513 EXC NLY 18.5 FT; ALSO LOT 514 EXC NLY 18.54 FT; ALSO LOT 515 EXC NLY 18.47 FT; ALSO LOT 516 EXC NLY 18.36 FT, from C-1 Multi-Family Walk-Up Apartment to "P" Parking District; WOODWARD SQUARE, LOT 511; WOODWARD SPQUARE, LOT 510, from "A-2" Single Family Medium Density to "P" Parking District. PLANNING COMMISSION RECOMMENDS APPROVAL. WARD 2

- 081061** Public Hearing/General Motors [GM] Powertrain Engine Plant/Brownfield Redevelopment Plan

Resolution setting a Public Hearing date, to consider the GM Powertrain Engine Plant Brownfield Redevelopment Plan, for August 25, 2008, at 5:30 p.m., in the Flint City Council Chambers, 1101 S. Saginaw Street, Flint.

- 081109** Public Hearing Date/Industrial Facilities Exemption Certificate [IFEC]/General Motors Powertrain Division

Resolution setting a Public Hearing date for Monday, August 25, 2008, at 5:30 p.m., City Council Chambers, Flint City Hall, to consider an Industrial Facilities Exemption Certificate (P.A. 198) for General Motors Corporation, established on property legally described as Part of Secs 23 & 26, T7N, R6E beg at the S.E. Cor of sd sec 26th Wly alg the Sly line of sd sec to the Wly Corporation limits line of the City of Flint; th Nly alg sd Wly line 1,100 ft; the Wly parl with Sly line of sd sec 84.24 ft to the Ely R.W. line of Hwy I-75 exit ramp; Th Nly alg sd Ely R/W line to the Corporation limits line of the City of Flint (Sd Corp. limits line being 701.75 ft Nly from & parl with E & W 1/4 line of sd sec); this Ely, & NELY alg sd corp. line to ther Sly line of sd sec 23; th Wly alg sd Sly line to Sely R/W line of Grand Trunk Western Railroad; Th NELY alg sd SEly R/W line to Ely line of sd sec; Th Sly alg Ely line of sd secs 23 & 26 to the point of

beginning.

081110 Public Hearing Date/Exemption/New Personal Property/General Motors Corporation

Resolution setting a Public Hearing date for Monday, August 25, 2008, at 5:30 p.m., City Council Chambers, Flint City Hall, to consider an exemption of new personal property under Public Act 328 of 1998 for General Motors Corporation, established on property legally described as Part of Secs 23 & 26, T7N, R6E beg at the S.E. Cor of sd sec 26th Wly alg the Sly line of sd sec to the Wly Corporation limits line of the City of Flint; th Nly alg sd Wly line 1,100 ft; the Wly parl with Sly line of sd sec 84.24 ft to the Ely R.W. line of Hwy I-75 exit ramp; Th Nly alg sd Ely R/W line to the Corporation limits line of the City of Flint (Sd Corp. limits line being 701.75 ft Nly from & parl with E & W 1/4 line of sd sec); this Ely, & NEly alg sd corp. line to ther Sly line of sd sec 23; th Wly alg sd Sly line to Sely R/W line of Grand Trunk Western Railroad; Th NEly alg sd SEly R/W line to Ely line of sd sec; Th Sly alg Ely line of sd secs 23 & 26 to the point of beginning.

PETITIONS AND UNOFFICIAL COMMUNICATIONS

081180 Invitation/GM Powertrain - Flint North/Factory 36 Tribute

Invitation to attend the Factory #36 Tribute to the 3800 engine and those members who have worked diligently to make this engine the success that it is in the automotive world on Friday, August 22, 2008 from 12 noon to 4:00 p.m., Factory 36.

COMMUNICATIONS FROM CITY OFFICIALS

081181 Letter/Department of Transportation/NextG Networks, Inc./Installation & Maintenance of Telecommunication Facilities

Communication received from the Director of Transportation, dated August 11, 2008, addressed to Christopher Sinclair, Director, Network Real Estate Eastern Region, NextG Networks, Inc., 5902 Mount Eagle Drive, Suite 1517, Alexandria VA 22303-2522, regarding the installation and maintenance of Telcommunication Facilities per the terms set forth within the Metro Act permit issued the 23rd day of May 2007. Permit to be obtained from Consumers Energy for aerial construction in the public right-of-way. Excavation and/or pavement break permits to be obtained from the City's Transportation Department.

081182 Public Notice/Special City Council Meeting/Ordered by Genesee County Circuit Court Judge Neithercut

Public Notice calling a Special City Council Meeting, pursuant to an order issued on Thursday, August 21, 2008, by Judge Geoffrey L. Neithercut, Genesee County Circuit Judge, to the Flint City Council ordering it to meet, en masse, in Executive Session on Monday, August 25, 2008, at 4:00 p.m. in

Judge Neithercut's Court Chambers. Mayor Donald J. Williamson and the City of Flint, Plaintiffs, v. Flint City Council, Defendants, CAse No. 08-88962-AW.

081183

Memorandum/Sprint Communications Co., LP/Right-of-Way Telecommunications Permit

Memorandum received dated August 12, 2008, from the John Carpenter, Deputy Director of Transportation, addressed to Inez Borwn, City Clerk re: Sprint Communications Company, L.P. Right-of-Way Telecommunications Permit.

081184

Ombudsman Report/Complaint #007106/Alleged Discrimination, Abuse of Authority & Unfairness/Police Department/Anderson

Critical Report received from the Ombudsman Office dated August 18, 2008 (Complaint #007106): Arthur Anderson, complainant, alleged discrimination, abuse of authority and unfairness on the part of Flint Police Department, Officer P. Busch and others at the scene (reportedly Caucasians).

081185

FY08/09 Budget/Police Department/Line Item Exemption/Grants

Memorandum received from David Dicks, Flint Police Department, dated August 19, 2008, addressed to Carolyn A. Sims, President, Flint City Council, regarding line item budgets for grants requesting grant accounts be exempt from line item budgets for police grants.

081186

Summons & Complaint/Lee M. Khan vs. City of Flint/Demolition

Memorandum dated August 13, 2008, received from Nancy Forystek, Senior Litigation Assistant (City Attorney's Office) regarding: Lee M. Khan vs. City of Flint, alleging plaintiff did not receive notice of demolition.

081187

Memorandum/Street Construction/Moore Street (Ward 3)

Memorandum received from the Department of Transportation, Street Maintenance Division, dated August 19, 2008, re: Street Construction, Moore Street Residents and Businesses, beginning Tuesday, August 19, 2008, in preparation for street resurfacing (Moore Street between Fleming Road and Proctor Avenue).

081188

Memorandum/Street Construction/Home Avenue (Ward 1)

Memorandum received from the Department of Transportation, Street Maintenance Division, dated August 19, 2008, re: Street Construction, Home Avenue Street Residents and Businesses, beginning Tuesday, August 19, 2008, in preparation for street resurfacing (Home Avenue between Chestnut Avenue and M.L. King Avenue).

081189

Memorandum/Street Construction/Concord Street (Ward 5)

Memorandum received from the Department of Transportation, Street

Maintenance Division, dated August 9, 2008, re: Street Construction, Concord Street Residents and Businesses, beginning Tuesday, August 8, 2008, in preparation for street resurfacing (Concord Street between Ballenger Hwy and Forest Hill Avenue).

081190 Memorandum/Street Construction/Begole Street (Ward 5)

Memorandum received from the Department of Transportation, Street Maintenance Division, dated August 9, 2008, re: Street Construction, Concord Street Residents and Businesses, beginning Wednesday, August 9, 2008, in preparation for street resurfacing (Begole Street between Ballenger Hwy and Forest Hill Avenue).

081191 Memorandum/Street Construction/Chippewa Street (Ward 5)

Memorandum received from the Department of Transportation, Street Maintenance Division, dated August 8, 2008, re: Street Construction, Chippewa Street Residents and Businesses, beginning Tuesday, August 8, 2008, in preparation for street resurfacing (Chippewa Street between Mary Street and Harriet Street).

081192 Memorandum/Street Construction/Mary Street (Ward 5)

Memorandum received from the Department of Transportation, Street Maintenance Division, dated August 8, 2008, re: Street Construction, Mary Street Residents and Businesses, beginning Tuesday, August 8, 2008, in preparation for street resurfacing (Mary Street between Root Street and Chippewa Street).

081198 Notice of Intent/Bryan Edward Johnson v. City of Flint/Sidewalk

Notice of Intent received from the City Attorney's Office dated August 22, 2008, regarding Bryan Edward Johnson v. City of Flint alleging injuries (shoulder injury) sustained as a result of a fall of his bicycle on the sidewalk located on Miller Road heading westbound on the northbound side of the street on August 5, 2008.

081199 Civil Lawsuit/Karl Petrich v. City of Flint/Freedom of Speech

Civil Lawsuit filed, Karl Petrich v. City of Flint, in the U.S. District Court and served upon the City of Flint on August 21, 2008 at 4:08 p.m. alleging violation of freedom of speech rights.

081200 Civil Lawsuit/Keith Speer v. City of Flint/Freedom of Speech

Civil lawsuit received August 22, 2008, regarding Keith Speer v. City of Flint filed in the U.S. District Court and served upon the City of Flint on August 21, 2008 at 4:08 p.m. Alleged violation of his freedom of speech rights and of the Elliot Larsen Civil Rights Act.

ADDITIONAL COMMUNICATION

081202 Revenue & Expenditure Report/City of Flint

Revenue & Expenditure Report received from Finance Department dated August 19, 2008 for month ended July 31, 2008.

MEETING SCHEDULE

The next City Council Committee Meetings will be held on Wednesday, September 3, 2008, beginning at 5:00 p.m.

The next City Council Special Affairs Committee Meeting will be held on Monday, September 8, 2008, immediately followed by the City Council Meeting beginning at 5:30 p.m. in the City Council Chambers, 3rd Floor City Hall.

PUBLIC SPEAKERS**MINUTES****081193** Agenda/Retirement Board/Regular Meeting/August 19, 2008

City of Flint Employees' System, Board of Trustees Regular Meeting Agenda, held on Tuesday, August 19, 2008.

081194 Minutes/Zoning Board of Appeals/June 19, 2007

Meeting Minutes for the Flint Zoning Board of Appeals, June 19, 2007.

081195 Minutes/Zoning Board of Appeals/August 21, 2007

Meeting Minutes for the Flint Zoning Board of Appeals, August 21, 2007.

081196 Minutes/Zoning Board of Appeals/October 16, 2007

Meeting Minutes for the Flint Zoning Board of Appeals, October 16, 2007.

081197 Agenda/City of Flint Employees' Retirement System/Board of Trustees Special Meeting

Retirement Board Agenda, Special Meeting, held on Wednesday, August 27, 2008.

081201 Meeting Minutes/Flint Planning Commission/June 24, 2008

Meeting Minutes received for the June 24, 2008, Flint Planning Commission.

APPOINTMENTS**081021** Re-Appointment/Hurley Board of Managers/Frances Gilcreast

Resolution approving the re-appointment of Frances Gilcreast to an additional five-year term on the Hurley Board of Managers, expiring April 30, 2013.

081091 Appointment (Out County)/Hurley Board of Managers/Philip W. Shaltz

Resolution authorizing the appointment of Philip W. Shaltz to the Hurley Board of Managers (out-county), replacing Mr. Joel Kleiner whose five-year term expired May, 2008, for a five-year term expiring July 31, 2013. (Term expiration date should be May 2008.)

Amended

081091.1 Amendment/Appointment (County)/Hurley Board of Managers/Philip W. Shaltz

Amended resolution authorizing the appointment of Philip W. Shaltz to the Hurley Board of Managers (county appointment), replacing Mr. Joel Kleinger (Kleiner) whose five-year term expired May, 2008, for a five-year term expiring April 30, 2013. (Term expiration date should be May 2008.) Mr. Shaltz's appointment maintains the 3/4 residency requirements.

081171 Appointment/Board of Review/Claudia Croom (Ward 1)

Resolution approving the appointment of Ms. Claudia Croom, 6401 Fleming Road, Flint MI 48504 - Ward 1) to the Board of Review, replacing Ms. Allene Kemp whose term expired January 1, 2008, for a three-year term expiring January 1, 2011.

LICENSES

081203 Liquor License/New SDM/6101 N. Saginaw Street/Al & Jerry's Mini Mart, Inc.

The Michigan Liquor Control Commission has received an application from Al & Jerry's Mini Mart, Inc. (Albert Savage), a request for a new SDM license to be located at 6101 N. Saginaw Street, Flint MI 48505, Genesee County (Ward 1).

BONDS

There were no bonds before the City Council.

DAMAGE CLAIMS

081179 Damage Claim/2601 Kansas Avenue/Sidewalk

LOPEZ, Pablo R., 2509 Kansas Avenue, Flint MI 48506

RESOLUTIONS

081061.1 Approval/Brownfield Redevelopment Plan/General Motors [GM] Powertrain Engine Plant

Resolution approving the Brownfield Redevelopment Plan for the property legally described in the attached, also known as the General Motors Powertrain Family 0 Engine Plant.

081066 Golden Age Publishing/Senior Citizen Magazine/Publishing & Mailing

Resolution authorizing the Department of Purchases & Supplies, upon City Council approval, to issue a purchase order to Golden Age Publishing for publishing and mailing of a senior citizen magazine, as requested by Parks & Recreation, in an amount not to exceed \$13,998.00. (Parks & Recreation Senior Citizens Center Fund 213-752.120-801.000 - \$4,666.00; 213-752.130-801.000 - \$4,666.00; 213-752.160-801.000 - \$4,666.00).

081112 CO #3/Contract Extension/Burnash Wrecking/Backfilling Services/Demolition

Resolution authorizing the proper City Officials to enter into Change Order #3 to the contract with Burnash Wrecking to extend backfilling services until August 31, 2008, in order to complete seeding on various sites that have been demolished, as requested by the Development Division, in an amount not to exceed \$6,600.00 and a revised contract amount of \$467,650.00 (Building Inspection Fund - 542-748.150-801.000 - \$825.00; 542-371.706-801.000 - \$3,850.00; 542-371.206-801.000 - \$1,925.00).

081113 FY09/CO #1/J & M Tree Services/Additional Weed Abatement

Resolution authorizing the proper City Officials, upon City Council approval, to enter into Change Order #1 with J & M Tree Services for additional weed abatement services for the FY09 fiscal year, as requested by the Transportation Department, in an amount not to exceed \$100,000.00 and a revised contract amount of \$200,000.00 (Building Inspection Fund - 542-371.213-801.000).

081115 CO #2/Citizen's Disposal/Additional Disposal Services/Demolition Material

Resolution authorizing the proper City Officials, upon City Council approval, to enter into Change Order #2 to the contract with Citizen's Disposal for additional disposal services of demolition material, as requested by the Development Division, in an amount not to exceed \$60,000.00 and a revised contract total of \$367,787.45 (Building Inspection Fund 542-748.150-801.000 - \$30,000.00; 542-371.206-801.000 - \$30,000.00).

081116 Quality Lube & Wash/Oil Change Services/Light Duty Trucks & Automobiles

Resolution authorizing the Department of Purchases & Supplies, upon City Council approval, to issue a purchase order to Quality Lube & Wash for oil change services on light duty trucks and automobiles, as requested by the Fleet Division, in an amount not to exceed \$22,000.00 (Fleet/Central Garage Fund - 661-451.100-930.000).

081117 Jay's Septic/Rental/Port-A-Johns

Resolution authorizing the Department of Purchases & Supplies, upon City Council approval, to issue purchase orders to Jay's Septic for rental of port-a-johns, as requested by Parks & Recreation, (Per Resolution Staff Review: Max Brandon Park, Berston & Golf Courses) in an amount not to exceed \$4,540.00 (General Fund, Golf Fund: 101-752.102-801.000 - \$3,000.00; 584-755.230-801.000 - \$1,000.00; 584-755.100-801.000 - \$457.00; 584-755.100-726.000 - \$83.00).

081118 Carter Lumber/Lumber & Building Supplies

Resolution authorizing the Department of Purchases & Supplies, upon City Council approval, to issue purchase orders to Carter Lumber for lumber and building supplies, as requested by various departments, in an amount not to exceed \$22,950.00 (General Fund, Local Street Fund, Major Street Fund, Park/Recreation Fund, Building Inspection Fund, Golf Fund, Sewer Fund, Water Fund: 101-753.201-726.000 - \$750.00; 101-753.200-930.000 - \$1,500.00; 202-443.201-726.000 - \$1,500.00; 203-443.201-726.000 - \$1,500.00; 202-449.201-726.000 - \$3,500.00; 208-752.102-930.000 - \$500.00; 213-752.120-726.000 - \$1,000.00; 213-752.130-726.000 - \$1,000.00; 213-752.160-726.000 - \$1,000.00; 542-748.150-726.000 - \$2,000.00; 584-755.230-930.000 - \$50.00; 584-755.210-930.000 - \$150.00; 590-540.207-726.000 - \$500.00; 591-540.202-726.000 - \$500.00; 591-545.201-726.00 - \$7,500.00).

081119 CO #1/Multi-Year Contract/360 Services/Tax Bills/Printing and Mailing

Resolution authorizing the proper City Officials, upon City Council approval, to enter into Change Order #1 to the contract with 360 Services for additional printing and mailing of City property tax bills for the next two years in an amount not to exceed \$23,603.00 and a revised contract amount of \$35,300.00 (General Fund: 101-253.200-900.000 - \$11,766.00 - FY09; \$11,837.00 pending adoption of FY10 Budget.)

081120 Three-Year Agreement/VWR International/Lab Supplies

Resolution authorizing the Department of Purchases & Supplies, upon City Council approval, to issue purchase orders to VWR International for lab supplies, as requested by the Water Pollution Control Facility, in the amount of \$28,000.00. (Sewer Fund, Water Fund: 590-550.100-740.200 - \$16,000.00; 591-545.200-726.000 - \$12,000.00) (Per Resolution Staff Review: Renewable for FY10 and FY11.)

081121 Annual Supply/Thermo Environmental Instruments/THC Analyzer Parts

Resolution authorizing the Department of Purchases & Supplies, upon City Council approval, to issue a purchase order to Thermo Environmental Instruments, Inc. for the annual supply of Thermo Electron Corp. THC air quality analyzer repair parts and service, as requested by Utilities/Water Pollution Control Facilities, in an amount not to exceed \$8,000.00. (Sewer Fund - 590-550.202-930.000)

081122 Rental/AIS Construction Equipment/Excavator

Resolution authorizing the Department of Purchases & Supplies, upon City Council approval, to issue a purchase order to AIS Construction Equipment for the rental of an excavator, as requested by Transportation/Development Division, in the amount not to exceed \$16,218.30. (Building Inspections Fund - 542-748.150-940.000)

081123 Genesee County Clerk's Office/Various Election Supplies

Resolution authorizing the Department of Purchases & Supplies, upon City Council approval, to issue a purchase order to the Genesee County Clerk's Office for various election supplies, as requested by the City Clerk, in an amount not to exceed \$10,000.00. (General Fund - 101-262.100-900.000)

081124 Genesee County Clerk's Office/Ballots/Printing

Resolution authorizing the Department of Purchases & Supplies, upon City Council approval, to issue a purchase order to the Genesee County Clerk's Office for printing of election ballots, as requested by the City Clerk's Office, in the amount not to exceed \$60,000.00. (General Fund: 101-262.100-900.000)

081125 Printing Systems, Inc./Miscellaneous Printing/City Clerk's Office

Resolution authorizing the Department of Purchases & Supplies, upon City Council approval, to issue a purchase order to Printing Systems, Inc. for miscellaneous printing, as requested by the City Clerk's Office, in the amount not to exceed \$4,400.00. (General Fund: 101-262.100-900.000)

081126 Shue & Voeks/Election Equipment/Storage & Transportation

Resolution authorizing the Department of Purchases & Supplies, upon City Council approval, to issue a purchase order to Shue & Voeks, Inc. for the storage and transporting of election equipment, as requested by the Clerk's Office, in the amount of \$24,000.00. (General Fund - 101-262.100-860.262 - \$20,000.00; 101-215.100-940.000 - \$3,000.00; 101-262.100-940.000 - \$1,000.00)

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081127 Choicepoint Services/CDL Drug & Alcohol Testing

Resolution authorizing the Department of Purchases & Supplies, upon City Council approval, to issue a purchase order to Choicepoint Services for CDL drug and alcohol testing, as requested by Human Resources, in the amount of \$6,500.00. (General Fund - 101-270.100-801.000)

081128 Association Fee/CDL/Michigan Municipal League/Department of Transportation

Resolution authorizing the Department of Purchases & Supplies, upon City Council approval, to issue a purchase order to the Michigan Municipal League, in the amount of \$8,500.00, for Department of Transportation (DOT) Association Fee, as requested by Human Resources for the Department of Transportation. (General Fund; Human Resources Professional Services Account: 101-270.100-801.000)

081129 FY09/State of Michigan/Water Testing

Resolution authorizing the Department of Purchases & Supplies, upon City Council approval, to issue a purchase order to the State of Michigan for FY09 water testing, as requested by the Utilities/Water Plant, in the amount of \$5,500.00. (Water Fund 591-545.200-801.000)

081130 Permit Fee/State of Michigan/NPDES

Resolution authorizing the Department of Purchases & Supplies, upon City Council approval, to issue a purchase order to the State of Michigan for NPDES permit fee in the amount of \$7,000.00, as requested by the Utilities/Water Plant. (Water Fund - 591-545.200-801.000)

081131 FY09/Schonstedt Instrument/Magnetic Underground Leak Detectors/Repair & Replacement

Resolution authorizing the Department of Purchases & Supplies, upon City Council approval, to issue a purchase order to Schonstedt Instrument Co. for FY09 annual repair and/or replacement of Schonstedt magnetic underground leak detectors, as requested by Utilities/Water Service Center, in an amount of \$4,300.00. (Water Fund - 591-540.202-930.000)

081132 FY09/Stratix Corp./Mobile Data Terminals/Repairs

Resolution authorizing the Department of Purchases & Supplies, upon City Council approval, to issue a purchase order to Stratix Corp., for any repairs on Mobile Data Terminals (MDTs) during the FY09 fiscal year, as requested by Information Services for the Police Department, in an amount not to exceed \$10,000.00. (General Fund - 101-228.202-931.000)

081133 FY08/Keller Thoma/Legal Services/Human Resources

Resolution authorizing the proper City Officials, upon City Council approval, to do all things necessary to issue payment to Keller Thoma for legal services used during the FY08 fiscal year, as requested by Human Resources Department, in an amount not to exceed \$14,706.95. (Per Resolution Staff Review: Labor Relations Department was eliminated in FY09 due to budget cuts; however, Keller Thoma invoices for services already provided in fiscal year 2008 are outstanding. Requesting emergency payment be issued to Keller Thoma for FY08 Labor Relations budget in the amount of \$14,706.95 for services rendered in fiscal year 2008.; FY08 Labor Relations Account: 101-173.100-801.000)

081134 Tri County Equipment/John Deere 997/72" Mower Deck/Parks & Recreation

Resolution authorizing the Department of Purchases & Supplies, upon City Council approval, to issue a purchase order to Tri County Equipment for a John Deere 997 with 72" mower deck, as requested by Parks & Recreation for use by Facilities Maintenance, in the amount of \$10,949.00. (Public Improvement Fund - 402-753.200-977.000)

081135 Safety Kleen Corp./Waste Oil Removal Services

Resolution authorizing the Department of Purchases & Supplies, upon City Council approval, to issue a purchase order to Safety Kleen Corp. for waste oil removal services, as requested by Fleet/Central Garage Maintenance, in the amount of \$5,500.00. (Fleet/Central Garage Fund - 661-451.100-726.000)

081136 FY09/Hach Co./Lab Supplies

Resolution authorizing the Department of Purchases & Supplies, upon City Council approval, to issue a purchase order to Hach Co. for FY09 lab supplies, as requested by Utilities/Water Plant, in the amount of \$15,000.00. (Water Fund - 591-545.200-726.000)

081142 Cannon Engineering & Equipment/Repair/Medium Duty Truck/Traffic Division

Resolution authorizing the Department of Purchases & Supplies, upon City Council approval, to issue a purchase order to Cannon Engineering & Equipment for repair of a (per Resolution Staff Review: #4279, a 2003 medium duty truck - Traffic Division. Sign truck is currently ineffective and is an integral part of the operation), as requested by the Fleet Department, in an amount not to exceed \$8,173.41. (Fleet/Central Garage Fund - 661-451.100-930.000)

081143 JDE Equipment/1989 John Deere Backhoe/Loader/Repair

Resolution authorizing the Department of Purchases & Supplies, upon City Council approval, to issue a purchase order to JDE Equipment for the repair of a John Deere backhoe, Vehicle #6057 (Per Resolution Staff Review: Installation of a used engine, turbo and injectors), as requested by the Fleet Division, in an amount not to exceed \$3,500.00. (Fleet/Central Garage Fund - 661-451.100-930.000)

081145 FY09/Contracts/Maintenance Services/Michigan Switchgear Services

Resolution authorizing the proper City Officials, upon City Council approval, to enter into FY09 contracts with Michigan Switchgear Services for switchgear maintenance services, as requested by Utilities Department, in an amount not to exceed \$35,000.00 (Sewer Fund - 590-550.202-930.000)

081146 Contract/Ace Asphalt/Cold Patch Material

Resolution authorizing the proper City Officials, upon City Council approval, to

enter into a contract with Ace Asphalt for cold patch material, as requested by Purchasing Department for various departments, in an amount not to exceed \$120,000.00. (Sewer Fund - 202-449.203-782.000 - \$30,000.00; 203-449.203-782.000 - \$25,000.00; 590-540.208-782.000 - \$55,000.00; 591-540.202-782.000 - \$10,000.00; for cold patch material to repair potholes and street patching after watermain breaks, sewer or catchbasin repairs.)

081147 Morgan's Michigan Towing/Heavy Duty Towing Services

Resolution authorizing the Department of Purchases & Supplies, upon City Council approval, to issue a purchase order to Morgan's Michigan Towing for heavy duty towing services, as requested by the Fleet Division, in an amount not to exceed \$10,000.00. (Fleet/Central Garage Fund - 661-451.100-930.000)

081148 Tuffy Auto Service Center/Light Truck Exhaust Repairs

Resolution authorizing the Department of Purchases & Supplies, upon City Council approval, to issue a purchase order to Tuffy Auto Service Center for auto and light truck exhaust repairs, as requested by the Fleet Division, in an amount not to exceed \$7,000.00. (Fleet/Central Garage Fund - 661-451.100-930.000)

081149 Top Hat Auto Wash/Car Washes

Resolution authorizing the Department of Purchases & Supplies, upon City Council approval, to issue a purchase order to Top Hat Auto Wash for car washes, as requested by The Fleet Division, in an amount not to exceed \$10,000.00. (Fleet/Central Garage Fund - 661-451.100-930.000)

081150 Replacement Services/Henderson Glass/Vehicles

Resolution authorizing the Department of Purchases & Supplies, upon City Council approval, to issue a purchase order to Henderson Glass for vehicle glass replacement services, as requested by the Fleet Division, in an amount not to exceed \$9,000.00. (Fleet/Central Garage Fund - 661-451.100-930.000)

081151 Graff Truck Center/Repair Services/Construction Equipment

Resolution authorizing the Department of Purchases & Supplies, upon City Council approval, to issue a purchase order to Evans Equipment Company for construction equipment repair services, as requested by the Fleet Division, in an amount not to exceed \$10,000.00. (Fleet/Central Garage Fund - 661-451.100-930.000)

081152 Graff Truck Center/Repair Services/Heavy Duty Truck Equipment

Resolution authorizing the Department of Purchases & Supplies, upon City Council approval, to issue a purchase order to Graff Truck Center for heavy truck equipment repair services, as requested by the Fleet Division, in an amount not to exceed \$30,000.00 (Fleet/Central Garage Fund - 661-451.100-930.000)

081153 McNaughton-McKay/Electronic Parts/Critical Plant Processes

Resolution authorizing the Department of Purchases & Supplies, upon City Council approval, to issue a purchase order to McNaughton-McKay for electronic parts, as requested by Utilities/Water Pollution Control Facilities, in an amount not to exceed \$5,000.00. (Sewer Fund 590-550.202-775.000)

081155 Overhead Door/Overhead Garage Door/Repair Services

Resolution authorizing the Department of Purchases & Supplies, upon City Council approval, to issue a purchase order to Overhead Door for the overhead/garage door repair services for various departments in an amount not to exceed \$3,500.00. (Golf Fund, Sewer Fund - 584-755.230-930.000 - \$500.00; 590-540.100-930.000 - \$1,400.00; 591-540.100-930.000 - \$1,600.00)

081156 Contract/Three-Year/Fishbeck, Thompson, Carr & Huber/Environmental Regulatory Compliance Consulting Services

Resolution authorizing the proper City Officials, upon City Council approval, to enter into a contract with Fishbeck, Thompson, Carr & Huber for three-year environmental regulatory compliance consulting services, as requested by Utilities/Water Pollution Control Facilities, in an amount not to exceed \$125,000.00 per year for a total contractual amount of \$375,000.00 (Sewer Fund - 590-550.100-801.000; \$125,000.00 pending adoption of the FY10 budget; \$125,000.00 pending adoption of the FY11 budget).

081158 Budget Adjustment/Mayor's Office

Resolution authorizing the appropriate City Officials to do all things necessary to process a budget adjustment to transfer \$1,000.00 from 101-171.100-726.000 (Office of Mayor - Supplies) expense appropriation to 101-171.100-801.000 (Office of Mayor - Professional Services) as indicated on the attached budget adjustment.

081159 FY09/Budget Adjustment/Development Division/Transfer of Funds/Kenewell Group/Printing of Forms

Resolution authorizing the appropriate City Officials to do all things necessary to process a budget adjustment transferring the amount of \$1,000.00 (542-371.100-825.000 - Development Administration - Contractual Payments) to 542-371.100-900.000 (Development Administration - Printing & Publishing) as indicated on the attached budget adjustment, requested by the Development Division for printing of forms (Per Resolution Staff Review - Kenewell Group).

081160 FY09/Budget Adjustment/Golf Fund/Kearsley Lake/Mott Park/Swartz Creek/Pierce Park

Resolution authorizing the appropriate City Officials to do all things necessary to adjust the FY09 Budget to fund certain Golf Fund line items according to the

attached budget adjustment form, as requested by the Budget Department:
584-755.210-702.000 - Golf Division, Kearsley Lake Gc - Wages & Salaries - (\$27,853.00);
584-755.210-719.100 - Golf Division - Kearsley Lake Gc - Direct Fringes - (\$6,729.00);
584-755.210-709.000 - Golf Division - Kearsley Lake Gc - Overtime - \$10,208.00;
584-755.210-751.000 - Golf Division - Kearsley Lake Gc - Gas, Oil, Fuel - (\$5,668.00);
584-755.220-751.000 - Golf Division - Mott Park Gc - Gas, Oil, Fuel - \$5,668.00;
584-755.220 - Golf Division - Mott Park Gc - Wages & Salaries - \$14,119.00; 584-755.220-709.00 - Golf Division - Mott Park Gc - Overtime - \$5,402.00;
584-755.220-719.100 - Golf Division - Mott Park Gc - Direct Fringes - \$4,853.00;
584-755.230-702.000 - Golf Division - Swartz Creek Gc - Wages & Salaries - (\$8,112.00);
584-755.230-719.100 - Golf Division - Swartz Creek Gc - Direct Fringes - (\$1,604.00);
584-755.230-751.000 - Golf Division - Swartz Creek Gc - Gas, Oil, Fuel - (\$1,554.00);
584-755.240-751.000 - Golf Division - Pierce Park Gc - Gas, Oil, Fuel - \$1,554.00;
584-755.240-702.000 - Golf Division - Pierce Park - Wages & Salaries - \$8,598.00;
584-755.240-709.000 - Golf Division - Pierce Park Gc - Overtime - \$373.00; 584-755.240-719.100 - Golf Division - Pierce Park Gc - Direct Fringes - \$745.00.

081162 Settlement/Donald A. Gilbert, PLLC v. City of Flint/Civil Service Commission

Resolution authorizing the appropriate City Officials to make payment in the amount of \$38,373.29 to Donald A. Gilbert, PLLC, in satisfaction of the Summary Disposition Order in the matter of Donald A. Gilbert, PLLC vs. City of Flint, Genesee County Circuit Court Case No. 08-87969-CL, including interest and cost and the negotiated disputed fees which encompass any and all claims arising out of said lawsuit with funding made available from the 677-266.200-956.300 Suits and Settlement Fund. (Executive Session August 6, 2008)

081163 Settlement/Anthony Cole v. City of Flint/Whistle Blowers Protection Act

Resolution authorizing the appropriate City Officials to make payment in the amount of \$10,000.00 to Anthony Cole and his Attorney, Tom R. Pabst, in satisfaction of any and all claims arising out of allegations of retaliatory discrimination and Whistle Blowers Protection Act violations with funding made available from the 677-266.200-956.300 Suits and Settlements Fund. (Executive Session August 11, 2008)

081164 Settlement/Patricia Rison v. City of Flint/Uneven Cement/3447 Barth

Resolution authorizing the appropriate City Officials to make payment in the amount of \$90,000.00 to Patricia Rison and her attorney, Randall I. Stone, in satisfaction of any and all claims arising out of injuries sustained from an incident of June 19, 2007, while riding her bicycle on Barth Street striking uneven cement on the ground in front of 3447 Barth, sustaining a fracture to the left ankle, head, neck, shoulder and back injuries, with funds pre-encumbered and made available from the 677-266.200-956.300 Suits & Settlements Fund.

081165 Settlement/Jennifer Scott v. City of Flint/546 W. Marengo/Sidewalk

Resolution authorizing the appropriate City Officials to make payment in the amount of \$12,000.00 to Jennifer Scott and her attorney, Mark M. Grayell, in satisfaction of any and all claims arising from injuries sustained (ankle injuries requiring surgery) from a sidewalk trip and fall on August 26, 2006, in front of 546 W. Marengo Street, with funding pre-encumbered and made available from 677-266.200-956.300 Suits and Settlement Fund. (Executive Session June 4, 2008)

081166 Loan Contract/Michigan Department of Transportation/State Infrastructure Bank (SIB)/Third Avenue Project/Authorized Official

Resolution authorizing the appropriate City Officials to do all things necessary to execute Michigan Department of Transportation (MDOT) Contract No. 2008-0487 (Third Avenue Project Costs/University Avenue - assisting the City in financing transportation infrastructure improvements through the Third Avenue project as identified in the City's loan application dated June 25, 2008, pages 1 through 5), in the amount of \$2,000,000.00 and to establish revenue and expenditure accounts, as needed, throughout the effective term of the contract that expires December 31, 2028, and approving Donald J. Williamson, Mayor of the City of Flint, as the duly authorized City Official authorized to sign MDOT Contract No. 2008-0487 on behalf of the City and to sign all official documents necessary for the administration of the contract.

081167 Acceptance/Grant Award/Michigan State Housing Development Authority (MSHDA)/Cities of Promise/Comprehensive Economic Development Strategy

Resolution authorizing the appropriate City Officials to accept a grant award in the amount of \$50,000.00, from the Michigan State Housing Development Authority's (MSHDA) Cities of Promise for the planning and development of a Comprehensive Economic Development Strategy (for economic development efforts). Funds to be made available in Revenue Account No. 296-690.366-539.000 and Expense Account No. 296-690.366-801.000. The grant award from MSHDA requires a commitment of funds from the City of Flint funds for the match of \$55,000.00 made available in account 278-748.100-805.502 - \$30,000.00 and accounts 101-748.100-801.000 - \$25,000.00.

081168 Agreement/Genesee County Planning Commission/Comprehensive Economic Development Strategy Plan

Resolution authorizing the appropriate City Officials to do all things necessary for the City of Flint Department of Community and Economic Development to enter into an agreement with the Genesee County Planning Commission for a partnership in the development of a Comprehensive Economic Development Strategy (CEDS). Local match funds in the amount of \$155,000.00 will be provided for this project including \$55,000.00 of Community Development Block Grant allocated by the City of Flint in revenue account 101-748.100-532.900 and expense account 101-748.100-801.000 - \$25,000.00 and revenue account 278-748.502.748 and expense account 278-748.100-805.502 - \$30,000.00; \$50,000.00 from Genesee County Planning Commission and \$50,000.00 from a State of Michigan Cities of Promise Grant in revenue account 296-690.366-539.000 and expense account 296-690.366-801.000. (Genesee County Planning Commission has been designated as the lead agency and will be responsible for payment of associated project costs using both federal and local funding sources.)

081170 Support/H.R. 676/Comprehensive Single-Payer National Health Care System

Resolution in support of the United States National Health Insurance Act (H.R. 676) assuring universal coverage for all medically necessary services, contain costs by slashing bureaucracy, protecting the doctor/patient relationship, assuring patients free choice of doctors and hospitals and allowing physicians free choice of practice settings and calling on the Congress of the United States to pass this bill and begin its' implementation, swiftly, on order to reduce the suffering and dying in the City of Flint, the United States and our nation. Also sending this resolution to Senators Debbie Stabenow and Carl Levin, Congressman Dale Kildee and President George W. Push and the two (2) presumptive Presidential nominees - John McCain and Barak Obama.

081061.1 Approval/Brownfield Redevelopment Plan/General Motors [GM] Powertrain Engine Plant

Resolution approving the Brownfield Redevelopment Plan for the property legally described in the attached, also known as the General Motors Powertrain Family 0 Engine Plant.

RESOLUTIONS - MAY BE REFERRED FROM S.A.

080620.1 Amendment/Resolution in Support of Arbor Day

An amended resolution in support of Arbor Day that is recognized throughout the nation by the planting of trees to reduce erosion of our topsoil by wind and water reducing the cost of heating and cooling, providing moderate temperature, clean air and the production of oxygen and a habitat for wildlife, increasing city property values, the enhancement of vitality of business areas and the beautification of our community. (Amendment: removal of date & correction in wording.)

081157 FY08/LTM Fire Equipment/Repair Services/Fire Trucks

Resolution authorizing the Department of Purchases & Supplies, upon City

Council approval, to issue a purchase order to LTM Fire Equipment for repair services for fire trucks, as requested by the Fire Department, in an amount not to exceed \$130,000.00. (General Fund - 101-337.201-930.000; Purchase Order in the amount of \$130,000.00 has been budgeted for in FY08.) Per Resolution Staff Review: Fire Department currently lacks emplyment of it's own State Certified Mechanic.

081109.1 Approval/Industrial Facilities Exemption Certificate [IFEC]/General Motors Powertrain Division

Resolution approving the Industrial Facilities Exemption Certificate for the General Motors Powertrain Family 0 Engine Plant and authorizing the appropriate City Officials to execute the Tax Abatement Agreement with the applicant specifying the conditions/recourses of the Industrial Facilities Exemption Certificate. (Property legally described as PART OF SECS 23 & 26, T7N, R6E BEG AT THE SE COR OF SD SEC 26TH WLY ALG THE SLY LINE OF SD SEC TO THE WLY CORPORATION LIMITS LINE OF THE CITY OF FLINT; TH NLY ALG THE WLY LINE 1,100 FT; THE WLY PARL WITH SLY LINE OF SD SEC 84.24 FT TO THE ELY R/W LINE OF HWY 1-75 EXIT RAMP; TH NLY ALG SD ELY R/W LINE TO THE CORPORATION LIMITS LINE OF THE CITY OF FLINT (SD CORP LIMITS LINE BEING 701.75 FT NLY FROM & PARL WITH E & W 1/4 LINE OF SD SEC); TH ELY & NELY ALG SD CORP LINE TO THE SLY LINE OF SD SEC 23; TH WLY ALG SD SLY LINE TO SLY R/W LINE OF GRAND TRUNK WESTERN RAILROAD; TH NELY ALG SD SELY R/W LINE TO ELY LINE OF SD SEC; TH SLY ALG ELY LINE OF SD SECS 23 & 26 TO THE POINT OF BEGINNING.

081110.1 Approval/New Personal Property Tax Exemption (PA 328)/General Motors Corporation

Resolution approving a new Personal Property Tax Exemption for all personal property located in the attached identified eligible district, owned or leased by the applicant, for a period of twenty (20) years commencing December 31, 2008 and ending December 30, 2033 and authorizing the appropriate City Officials to forward said application and approved resolution to the Michigan State Tax Commission in accordance with the Act. (Property legally described as PART OF SECS 23 & 26, T7N, R6E BEG AT THE SE COR OF SD SEC 26TH WLY ALG THE SLY LINE OF SD SEC TO THE WLY CORPORATION LIMITS LINE OF THE CITY OF FLINT; TH NLY ALG SD WLY LINE 1,100 FT; TH NLY ALG SD WLY LINE 1,100 FT; THE SLY PARL WITH SLY LINE OF SD SEC 84.24 FT TO THE ELY R/W LINE OF HWY 1-75 EXIT RAMP; TH NLY ALG SD ELY R/W LINE TO THE CORPORATION LIMITS LINE OF THE CITY OF FLINT (SD CORP LIMITS LINE BEING 701.75 NLY FROM & PARL WITH E & W 1/4 LINE OF SD SEC); TH ELY & NELY ALG SD CORP LINE TO THE SLY LINE OF SD SEC 23; TH WLY ALG SD SLY LINE TO SELY R/W LINE OF GRAND TRUNK WESTERN RAILROAD; TH NELY ALG SD SELY R/W LINE TO ELY LINE OF SD SEC; TH SLY ALG ELY LINE OF SD SECS 23 & 26 TO THE POINT OF BEGINNING.

081175 Policy/City of Flint/ACH Electronic Transactions

Resolution authorizing the City Treasurer to do all things necessary to utilize electronic transactions in compliance with the attached written procedures and internal controls developed and adopted by the Treasurer of the City of Flint ACH policy.

081176 FY09/Agreement/University of Michigan - Flint/Ground Maintenance/Park Property/Flint River - R. T. Longway to Harrison Street Bridge

Resolution authorizing the appropriate City Officials to enter into an agreement with University of Michigan - Flint, for the maintenance of park property along the Flint River from R. T. Longway to Harrison Street, including two (2) traffic triangles from July, 2008 through June 30, 2009 at a cost of \$18,160.00 for ongoing maintenance, to be funded from 101-752.102-801.000 for fiscal year 2009.

081177 FY09/Agreement/Industrial Mutual Foundation of Greater Flint/Maintenance/Kearsley, Whaley & Broome Parks

Resolution authorizing the appropriate City Officials to enter into an agreement with the IMA for the quality ground maintenance of Kearsley Park, Whaley Parks and Broome Park from July, 2008 through June 30, 2009, in the amount of \$116,025.00, to be funded from account 101-752.102-801.000 for fiscal year 2009. Maintenance will include mowing and trimming services from July through October, spring clean up in April, 2009 and mowing and trimming services again from April through June, 2009; assistance with illegal dumping, trash removal, regular brush clearance and parking lot cleanup will also be provided. (A payment of \$66,300.00 will be made upon adoption of this resolution and a payment of \$49,725.00 will be made in April, 2009 from FY09 budget account 101-752.102-801.000.)

081178 Payment/Downtown Development Authority/Ground Maintenance/Riverbank Park/Harrison Street to Grand Traverse

Resolution the appropriate City Officials to render payment to the Downtown Development Authority for the maintenance of Riverbank Park from Harrison Street to Grand Traverse from April 1, 2007 through March 31, 2008, at a cost of \$25,000.00, funds made available from the Parks & Forestry Professional Service Account 101-752.102.801.000. (The Downtown Development Authority has maintained Riverbank Park between Harrison Street and Grand Traverse from April 1, 2007 through March 31, 2008, at a yearly cost of \$25,000.00. Maintenance included mowing, trimming, fertilization, flower planting and other general landscape maintenance as required.)

081114.1 Amendment/Citizen's Disposal/Dirt Spoils & Street Sweepings/Third Year of 3-Year Agreement

An amended resolution authorizing the Department of Purchases & Supplies, upon City Council approval, to issue a purchase order to Citizen's Disposal for the disposal of dirt spoils, street sweepings, catch basin and other disposable materials (third year of three-year contract) as requested by Transportation/Street Maintenance, in an amount not to exceed \$60,000.00

\$150,000.00 (Major Street Fund, Sewer Fund, Water Fund - 202-449.201-801.000 \$60,000.00; 590-550.202-930.000 - \$5,000.00; 590-540.100-801.000 - \$34,000.00; 590-540.208-801.000 - \$8,500.00; 591-540.100-801 - \$34,000.00; 591-540.202-801.000 - \$8,500.00).

081154.1 Amendment/Beck's Pest Control/Pest Control Services

An amended resolution authorizing the Department of Purchases & Supplies, upon City Council approval, to issue purchase orders to Beck's Pest Control for pest control services, as requested by Purchasing for various departments, in an amount not to exceed \$5,540.00. \$7,040.00 (General Fund, Sewer Fund, Senior Citizens Center - 101-753.201-930.000 - \$1,800.00; 101-753.200-930.000 - \$1,140.00; 590-540.100-801.000 - \$1,000.00; 590-550.202-930.000 - \$1,600.00; 213-752.160-801.000 - \$300.00); 101-753.200-930.000 - \$750.00; 213-752.150-801.000 - \$300.00.

LIQUOR LICENSES

081203 Liquor License/New SDM/6101 N. Saginaw Street/Al & Jerry's Mini Mart, Inc.

The Michigan Liquor Control Commission has received an application from Al & Jerry's Mini Mart, Inc. (Albert Savage), a request for a new SDM license to be located at 6101 N. Saginaw Street, Flint MI 48505, Genesee County (Ward 1).

ORDINANCES - First Reading

There are no ordinances for 1st Reading.

ORDINANCES - Second Reading

081092 Amendment/Chapter 50/HTK Development, Inc. (PC-212)/Fleming Road/Three (3) Vacant Properties

An ordinance to amend Chapter 50 of the Code of the City of Flint as requested by HTK Development, Inc. (PC-212) for a zoning change (Amendment to change the District boundaries or regulations established in Chapter 50, thereof, specifically allowing under Section 50-4 a zoning map amendment to three (3) vacant properties identified as Parcel No's.: 46-35-184-012 - 4229 Fleming Road; 46-35-331-008 - 4221 Fleming Road; 46-35-331-009 - on Fleming Road and legally described as: WOODWARD SQUARE LOT 512 AND ELY10 FT OF LOT 401; ALSO LOT 400 EXC NLY 18.69 FT; ALSO LOT 513 EXC NLY 18.5 FT; ALSO LOT 514 EXC NLY 18.54 FT; ALSO LOT 515 EXC NLY 18.47 FT; ALSO LOT 516 EXC NLY 18.36 FT, from C-1 Multi-Family Walk-Up Apartment to "P" Parking District; WOODWARD SQUARE, LOT 511; WOODWARD SPQUARE, LOT 510, from "A-2" Single Family Medium Density to "P" Parking District. PLANNING COMMISSION RECOMMENDS APPROVAL. WARD 2

HELD IN COUNCIL

There were no items Held in Council.

ADJOURNMENT