

# City of Flint, Michigan

*Third Floor, City Hall  
1101 S. Saginaw Street  
Flint, Michigan 48502  
[www.cityofflint.com](http://www.cityofflint.com)*



## Meeting Agenda - Final

Monday, January 11, 2010

5:30 PM

Council Chambers

### CITY COUNCIL

*Delrico J. Loyd, President, Ward 1  
Dale K. Weighill, Vice President, Ward 7*

*Jacqueline Poplar, Ward 2      Bryant W. Nolden, Ward 3  
Joshua M. Freeman, Ward 4      Bernard Lawler, Ward 5  
Sheldon A. Neeley, Ward 6      Michael J. Sarginson, Ward 8  
Scott Kincaid, Ward 9*

*Inez M. Brown, City Clerk*

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

- 090330** Resolution to set a public hearing date to consider the vacation of a portion of Willow Street (Ward 7), between Roosevelt Avenue and Cleveland Avenue with an easement reserved for public utility purposes as requested by El Shaddai Ministries (PC-09-223), for Monday, January 11, 2010, at 5:30 p.m.
- 091200** An ordinance to amend Chapter 1 [General Provisions] of the Code of the City of Flint by the restating of Section 1-7.2 [Hate Crimes] and to add additional information.
- 091210.1** An amended ordinance to amend Chapter 31 (General Offenses), Article I (In General), Section 31-27.3 (Use of Paraphernalia for Controlled Substances; Exceptions) of the Code of the City of Flint by adding subsection (c) regarding the Wellness Aids Service Incorporated approved Syringe Exchange Program. [NOTE: Ordinance amended to change date of "sunset clause" from December 14, 2010, to June 21, 2011.]

**PETITIONS AND UNOFFICIAL COMMUNICATIONS****COMMUNICATIONS FROM CITY OFFICIALS**

- 100026** Legal Opinion/68th District Court Magistrate Qualifications/City Attorney's Office/Magistrate Cynthia Favila-Terry
- Legal Opinion dated December 7, 2009, from Peter M. Bade, Chief Legal Officer, to 4th Ward Councilperson Joshua M. Freeman, re: The City Attorney's Office is unaware of any resolution approving the appointment of Ms. Favila-Terry as 68th District Court Magistrate, nor does it appear that this appointment was submitted to the City Council. Also, any actions taken by a individual/magistrate who was not properly appointed by the Council would not be invalidated.

**ADDITIONAL COMMUNICATION****PUBLIC SPEAKERS****APPOINTMENTS (May Be Referred from Special Affairs)**

**091198** Appointment/Patrick Gerace/Director of Neighborhood Services

Resolution authorizing the recommendation by Mayor Dayne Walling to appoint Mr. Patrick Gerace to the position of Director of Neighborhood Services for the City of Flint, at an annual rate of \$80,000.00, as requested by Administration. [NOTE: The Director of Neighborhood Services is responsible for Parks and Recreation, Forestry, Sanitation, and Building and Safety Inspections.]

**APPOINTMENTS****091260** Appointment/Caron S. Wilson/Downtown Development Authority Director

Resolution authorizing the recommendation by Mayor Dayne Walling to appoint Ms. Caron S. Wilson (8345 Jaclyn Ann Drive, Flushing, MI, 48433) to the position of Director of the Downtown Development Authority.

**COMMITTEE/COUNCIL MINUTES****LICENSES****BONDS****DAMAGE CLAIMS****RESOLUTIONS****090330.1** Street Vacation/Portion of Willow Street/Roosevelt Avenue & Cleveland Avenue

Resolution to approve the vacation of a portion of Willow Street [Ward 7], between Roosevelt Avenue and Cleveland Avenue, with an easement reserved for public utility purposes as requested by El Shaddai Ministries (PC-09-223), AND, authorizing the City Clerk, with thirty [30] days of this action, to record a certified copy of this resolution with the Register of Deeds for Genesee County and forward a certified copy of said resolution to the State Treasurer. (FLINT PLANNING COMMISSION RECOMMENDS DENIAL.)

**091214.1** Amended Resolution/CO #1/Contract/Bartman Excavating/Topsoil and Fill Dirt/Additional Deliveries

An amended resolution authorizing the proper City Officials, upon City Council approval, to enter into change order #1 to the contract with Bartman Excavating for additional deliveries of topsoil and fill dirt to demolition sites, as requested by the Development Division, in an amount NOT-TO-EXCEED \$60,000.00, and a revised total contract amount of \$310,000.00 [Building Inspection Fund Acct. No. 542-371.706-801.000]. [NOTE: Resolution amended by Administration to change authorization from issuance of a

purchase order to a contract change order.]

**091221** Spartan Stores/Additional Food and Kitchen Supplies/Pierce Senior Center

Resolution authorizing the Department of Purchases and Supplies, upon City Council approval, to issue a purchase order to Spartan Stores for additional food and kitchen supplies [for Pierce Senior Center, per Resolution Staff Review], as requested by Parks and Recreation, in an amount NOT-TO-EXCEED \$1,500.00 [Parks & Recreation Senior Citizens Center Fund Acct. No. 213-752.150-726.000].

**091257** Contract/Equipment Co./Ash Lagoon Cleaning

Resolution authorizing the proper City Officials, upon City Council approval, to enter into a contract with Equipment Co. for ash lagoon cleaning, as requested by Utilities/Water Pollution Control, in an amount NOT-TO-EXCEED \$227,600.00 [Sewer Fund Acct. No. 590-550.300-977.000].

**091258** Professional Service Agreement [PSA]/Wanda A. Parham/Exercise Classes/Brennan and Hasselbring Senior Centers

Resolution authorizing the appropriate City Officials, upon City Council approval, to do all things necessary to enter into a PSA with Wanda A. Parham to teach exercise classes at Brennan and Hasselbring Senior Centers, as requested by Parks and Recreation, in an amount NOT-TO-EXCEED \$3,255.00 [Brennan Senior Millage Professional Service Acct. No. 213-752.120-801.000 = \$1,395.00; Hasselbring Senior Millage Professional Service Acct. No. 213-752.160-801.000 = \$1,860.00].

**091259** Settlement/Cheryl Blake, as Next Friend of Jarron L. Blake II, a Minor v. City of Flint/Genesee County Circuit Court No. 08-89653-NO

Resolution authorizing the proper City Officials, upon City Council approval, to make payment to Cheryl Blake, as Next Friend of Jarron L. Blake II, a Minor, and their attorney, Michael J. Mangapora, in the amount of \$84,000.00, in satisfaction of any and all claims arising out of said incident resulting in injuries received when the minor, Jarron L. Blake, II, fell on a sidewalk located on E. Foss Avenue, Flint, MI, on February 29, 2008, with funding made available from the Suits and Settlements Fund Acct. No. 677-266.200-956.300.

## **RESOLUTIONS (May Be Referred from Special Affairs)**

**091238** Agreement/Department of Community and Economic Development [DCED]/Department of Neighborhood Services [DNS]/Renovations/Neighborhood Service Centers

Resolution authorizing the appropriate City Officials, upon City Council approval, to do all things necessary to enter into an agreement with the Department of Neighborhood Services for renovations to the Neighborhood Service Centers in low to moderate areas throughout the City of Flint, as requested by DCED, in the amount of \$233,006.00, with funds to be made

available from the Community Development Block Grant Recovery Program [CDBG-R] [Revenue Acct. No. 297-745.212-530.000 and Expense Acct. No. 297-745.212-801.000].

- 100018** CO#1/Contract/Goodwill Industries of Mid-Michigan/Employment of a Homeless Person/Demolition Program/Term Extension/Michigan State Housing Development Authority [MSHDA]/Neighborhood Stabilization Program [NSP]

Resolution authorizing the proper City Officials, upon City Council approval, to enter into change order #1 to extend the terms of the contract with Goodwill Industries of Mid-Michigan until March 31, 2010, for the employment of a homeless person in the City's demolition program as stipulated in a grant from MSHDA, as requested by the Development Division. [NOTE: This request is based on the additional funding that was received from MSHDA/NSP for the demolition program. These funds must be utilized by March 31, 2010, or they will be forfeited. The change order is only to extend the date of the contract from 12-31-2009 to 3-31-2010.]

- 100019** Acceptance of Donation/Target Stores/National Night Out Program/Flint Police Department

Resolution authorizing the appropriate City Officials, upon City Council approval, to accept a donation from Target to support the National Night Out Program, in the amount of \$1,000.00, as requested by the Police Department, AND authorizing the proper City Officials to do all things necessary to recognize revenues for \$1,000.00 in the appropriate revenue account and that appropriation in like amount be made in the Flint Police Operating Budget Police Fund (207 FD). [NOTE: Acct. No. 207-315.204-726.000 and 207-315.204-677.000.]

- 100020** Memorandum of Understanding/Central Michigan 2-1-1[CM-211]/City of Flint 9-1-1 Communications Center [COF-911]

Resolution authorizing the appropriate City Officials, upon City Council approval, that the City of Flint 9-1-1 Communications Center enter into a Memorandum of Understanding with Central Michigan 2-1-1, as requested by Administration. [NOTE: CM-211 is interested in increasing and/or improving its mission by being an available resource to receive referrals for human services from the COF-911 and by referring, in appropriate circumstances, calls for emergency services to the COF-911. The purpose of this agreement is to coordinate the exchange of referrals and services in an organized fashion.]

- 100021** Confirmation/Local Share of Funding/Genesee County Transportation Improvement Program [TIP]/Fiscal Years 2011-2014/Back-Up Projects List

Resolution attesting to the City of Flint's commitment, upon City Council approval, to provide the local share of funding for projects recommended to be included in the Genesee County Transportation Improvement Program [TIP] during fiscal years 2011-2014 and on the list of back-up projects as indicated below, pending adoption of the City of Flint budget each year during the period

from FY2011-FY2014, as requested by Transportation. [NOTE: Project/20% Local Share/Recommended Year/Funding Source @ Lippincott Boulevard = \$138,616.00/FY2011/FY11 Operating Budget; West Stewart Avenue = \$68,920.00/FY2011/FY11 Operating Budget; Genesee Valley Trail = \$121,180.00/FY2012/FY12 Operating Budget; Saginaw Street = \$477,736.00/FY2013/FY13 Operating Budget; Saginaw Street = \$290,400.00/Back-Up Project List/Fund Balance.]

**100022** Creation of City Department/Department of Planning and Development [DPD]

Resolution authorizing, upon City Council approval, that the City of Flint Department of Planning and Development [DPD] is created effective immediately. [NOTE: The Mayor of the City of Flint recommends the creation of a DPD which will perform compliance management, community development, economic development, housing development, planning, and demolition-related tasks. This department will include the currently existing Department of Community and Economic Development (DCED).]

**100023** Creation of City Department/Department of Neighborhood Services [DNS]

Resolution authorizing, upon City Council approval, that the City of Flint Department of Neighborhood Services [DNS] is created effective immediately. [NOTE: The Mayor of the City of Flint recommends the creation of a DNS which will be to effectively manage the personnel, equipment, and systems required to respond to neighborhood concerns about parks, trees, problem properties, garbage and clean-ups, and other such matters. The DNS will consist of the current existing divisions of Parks and Recreation, Forestry, Code Enforcement, and Sanitation.]

## LIQUOR LICENSES

**100024** Sam's Liquor Store/4806 Fleming Road/WARD 2

The Michigan Liquor Control Commission has received an application from Nadira T. Kharoubeh requesting to Transfer Ownership of 2008 SDD and SDM licensed business, located at 4806 Fleming Rd., Flint, Michigan, 48504, Genesee County, from Samih Farah (Applicant: Nadira T. Kharoubeh).

**100025** Sam's Rollingwood Market/4602 Western Road/WARD 4

The Michigan Liquor Control Commission has received an application from Sama Corporation requesting to Transfer Ownership of 2008 SDM licensed business, located at 4602 Western Rd., Flint, Michigan, 48506, Genesee County, from J & L Properties-II, LLC (Applicant: Sayed A. Mohamed).

## ORDINANCES - First Reading

## ORDINANCES - Second Reading

**091200** An ordinance to amend Chapter 1 [General Provisions] of the Code of the City

of Flint by the restating of Section 1-7.2 [Hate Crimes] and to add additional information.

- 091210.1** An amended ordinance to amend Chapter 31 (General Offenses), Article I (In General), Section 31-27.3 (Use of Paraphernalia for Controlled Substances; Exceptions) of the Code of the City of Flint by adding subsection (c) regarding the Wellness Aids Service Incorporated approved Syringe Exchange Program. [NOTE: Ordinance amended to change date of "sunset clause" from December 14, 2010, to June 21, 2011.]

## **MEETING SCHEDULE**

*The next Flint City Council Committee meetings are scheduled for Wednesday, January 20, 2010, at 5:00 p.m.*

*The next Flint City Council Special Affairs meeting is scheduled for Monday, January 25, 2010, at 4:30 p.m., with the Flint City Council meeting immediately following at 5:30 p.m.*

## **ADDITIONAL COUNCIL DISCUSSION**

## **ADJOURNMENT**