

City of Flint, Michigan

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



Meeting Agenda - Final

Wednesday, June 5, 2024

5:00 PM

Council Chambers

GOVERNMENTAL OPERATIONS COMMITTEE

VACANT, Chairperson

***Leon El-Alamin, Ward 1
Quincy Murphy, Ward 3
Jerri Winfrey-Carter, Ward 5
Candice Mushatt, Ward 7***

***Ladel Lewis, Ward 2
Judy Priestley, Ward 4
Tonya Burns, Ward 6
Dennis Pfeiffer, Ward 8***

Jonathan Jarrett, Ward 9

Davina Donahue, City Clerk

ROLL CALL

REQUEST FOR AGENDA CHANGES

PUBLIC COMMENT

Members of the public who wish to address the City Council or its committees must register before the meeting begins. A box will be placed at the entrance to the Council Chambers for collection of registrations. No additional speakers or slips will be accepted after the meeting begins.

Members of the public shall have no more than three (3) minutes per speaker during public comment, with only one speaking opportunity per speaker.

COUNCIL RESPONSE

Councilmembers may respond once to all public speakers only after all public speakers have spoken. An individual Councilmember's response shall be limited to two (2) minutes.

CONSENT AGENDA

Per the amended Rules Governing Meetings of the Flint City Council (as adopted by the City Council on Monday, April 22, 2024), the Chair may request the adoption of a "Consent Agenda". After a motion to adopt a Consent Agenda is made and seconded, the Chair shall ask for separations. Any agenda item on a Consent Agenda shall be separated at the request of any Councilmember. After any separations, there is no debate on approving the Consent Agenda - it shall be voted on or adopted without objection.

RESOLUTIONS

240228 Consumers Energy Easement/Lake State Railroad Company Pedestal

Resolution resolving that the Flint City Council approves the easement for running power underground to the pedestal signal between the City of Flint and Consumers Energy Company. [NOTE: Lake States Railroad Company has a powered signal on the railroad track near parcel ID number 41-21-326-063. Unfortunately, the current power line runs above ground and is frequently vandalized, so the signal loses power. Consumers is willing to run the power line underground to reduce the occurrences of vandalism and power disruption, however, the property between the railroad tracks and the power supply is owned by the City of Flint so that Consumers requires an easement to do so.]

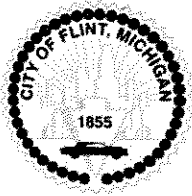
240232 Setting of Public Hearing/Street Vacation/Dewey Street (Between N. Saginaw and North Streets)

Resolution resolving that a public hearing to consider the vacation of Dewey Street, between North Saginaw Street and North Street, shall be held on the _____ day of _____, 2024, at 5:30 p.m., in City Council Chambers, AND, resolving that the City Clerk shall cause notice of such hearing to be

published in an official paper of general circulation not less than fifteen (15) days prior to said hearing.

ADJOURNMENT

240228



RESOLUTION NO.: _____

PRESENTED: JUN 05 2024

ADOPTED: _____

RESOLUTION APPROVING CONSUMERS ENERGY EASEMENT FOR UNDERGROUND SERVICE FOR LAKE STATE RAILROAD COMPANY PEDESTAL ON RAILROAD TRACKS

Lake States Railroad Company has a powered signal on the railroad track near parcel ID number 41-21-326-063. Unfortunately, the current power line runs above ground and is frequently vandalized, so the signal loses power. Consumers is willing to run the power line underground to reduce the occurrences of vandalism and power disruption, however, the property between the railroad tracks and the power supply is owned by the City of Flint so that Consumers requires an easement to do so;

IT IS RESOLVED that the Flint City Council approves the Easement for running power underground to the Pedestal signal between the City of Flint and Consumers Energy Company.

For the City

For City Council

CLYDE D EDWARDS / A0198
CLYDE D EDWARDS (May 23, 2024 14:13 EDT)
Clyde Edwards, City Administrator

APPROVED AS TO FORM:

APPROVED AS TO FINANCE:

William Kim
William Kim (May 23, 2024 13:43 EDT)
William Kim, City Attorney

Phillip Moore
Phillip Moore (May 23, 2024 14:11 EDT)
Phillip Moore, Chief Financial Officer



CITY OF FLINT STAFF REVIEW FORM

TODAY'S DATE: May 23, 2024

BID/PROPOSAL# N/A

AGENDA ITEM TITLE: Resolution Approving Consumers Energy Easement for underground service Lake State Railroad Company Pedestal on Railroad Tracks line.

PREPARED BY: Joseph N. Kuptz, Chief Deputy City Attorney

VENDOR NAME:

BACKGROUND/SUMMARY OF PROPOSED ACTION:

Lake State Rail Company has signals on the railroad line that require power. Unfortunately, the power line to the equipment runs above ground and vandals have been able to disrupt the power supply which has greatly hindered train movements in the area. Putting the power supply underground will help to minimize future attacks. Consumers Energy is willing to put the line underground, but the pathway to the signal crosses property owned by the City of Flint, parcel ID number 41-21-326-063, commonly known as 3200 Chambers St. Therefore, an easement is needed to run the power underground. The easement has been prepared by Consumers Energy and will not result in any cost to the City.

The easement was signed off on by the City engineer and there appear to be no barriers to running the underground line where it has been proposed by Consumers Energy.

PREVIOUS ALLOCATIONS (INCLUDE ALL ACCOUNTS USED FOR THIS PURPOSE)/ PROVIDE RESOLUTION OR CONTRACT INFORMATION THAT APPLIES

POSSIBLE BENEFIT TO THE CITY OF FLINT (RESIDENTS AND/OR CITY OPERATIONS) INCLUDE PARTNERSHIPS AND COLLABORATIONS:

Allowing this easement would allow for more orderly movement of trains and would reduce the potential for vandalism in the area.



CITY OF FLINT STAFF REVIEW FORM

FINANCIAL IMPLICATIONS:

No financial impact on the City.

BUDGETED EXPENDITURE? YES NO IF NO, PLEASE EXPLAIN:

Dept.	Name of Account	Account Number	Grant Code	Amount
	N/a No financial implications			
		FY24 GRAND TOTAL		

PRE-ENCUMBERED? YES NO REQUISITION NO: N/A.

ACCOUNTING APPROVAL: _____ **Date:** _____

WILL YOUR DEPARTMENT NEED A CONTRACT? YES NO

WHEN APPLICABLE, IF MORE THAN ONE (1) YEAR, PLEASE ESTIMATE TOTAL AMOUNT FOR EACH BUDGET YEAR: (This will depend on the term of the bid proposal)

BUDGET YEAR 1 \$ N/A

BUDGET YEAR 2

BUDGET YEAR 3

OTHER IMPLICATIONS (i.e., collective bargaining):

STAFF RECOMMENDATION: (PLEASE SELECT): **APPROVED** **NOT APPROVED**

DEPARTMENT HEAD SIGNATURE: _____

William Y. Kim, City Attorney

EASEMENT FOR ELECTRIC FACILITIES

SAP# 1068665198
Design# 11566975
Agreement# MI00000075986

CITY OF FLINT, a Michigan municipal corporation, whose address is 1101 South Saginaw Street, Flint, Michigan 48502 (hereinafter "Owner")

for \$1.00 and other good and valuable consideration [*exempt from real estate transfer tax pursuant to MCLA 207.505(f) and from State real estate transfer tax pursuant to MCLA 207.526(f)*] grants and warrants to

CONSUMERS ENERGY COMPANY, a Michigan corporation, One Energy Plaza, Jackson, Michigan 49201 (hereinafter "Consumers")

a permanent easement to enter Owner's land (hereinafter "Owner's Land") located in the City of Flint, County of Genesee, and State of Michigan as more particularly described in the attached Exhibit A to construct, operate, maintain, inspect (including aerial patrol), survey, replace, reconstruct, improve, remove, relocate, change the size of, enlarge, and protect a line or lines of electric facilities in, on, over, under, across, and through a portion of Owner's Land (hereinafter "Easement Area") as more fully described in the attached Exhibit B, together with any pole structures, poles, or any combination of same, wires, cables, conduits, crossarms, braces, guys, anchors, transformers, electric control circuits and devices, location markers and signs, communication systems, utility lines, protective apparatus and all other equipment, appurtenances, associated fixtures, and facilities, whether above or below grade, useful or incidental to or for the operation or protection thereof, and to conduct such other activities as may be convenient in connection therewith as determined by Consumers for the purpose of transmitting and distributing electricity.

Additional Work Space: In addition to the Easement rights granted herein, Owner further grants to Consumers, during initial construction and installation only, the right to temporarily use such additional work space reasonably required to construct said lines. Said temporary work space shall abut the Easement Area, on either side, as required by construction.

Access: Consumers shall have the right to unimpaired access to said line or lines, and the right of ingress and egress on, over, and through Owner's Land for any and all purposes necessary, convenient, or incidental to the exercise by Consumers of the rights granted hereunder.

Trees and Other Vegetation: Owner shall not plant any trees within the Easement Area. Consumers shall have the right from time to time hereafter to enter Owner's Land to trim, cut down, and otherwise remove and control any trees, brush, roots, and other vegetation within the Easement Area. Consumers shall have the right from time to time hereafter to enter Owner's Land to trim, cut down, and otherwise remove and control any trees, brush, or other vegetation located outside of the Easement Area which are of such a height or are of such a species whose mature height that in falling directly to the ground could come into contact with or land directly above Consumers' facilities.

Buildings/Structures: Owner agrees not to build, create, construct, or permit to be built, created, or constructed, any obstruction, building, septic system, drain field, fuel tank, pond, swimming pool, lake, pit, well, foundation, engineering works, installation or any other type of structure over, under, or on said Easement Area, whether temporary or permanent, natural or man-made, without a prior written agreement executed by Consumers' Real Estate Department expressly allowing the aforementioned.

Ground Elevation: Owner shall not materially alter the ground elevation within the Easement Area without a prior written agreement executed by Consumers Real Estate Department allowing said alteration.

Exercise of Easement: Consumers' nonuse or limited use of this Easement shall not preclude Consumers' later use of this Easement to its full extent.

Ownership: Owner covenants with Consumers that they are the lawful fee simple owner of the aforesaid lands, and that they have the right and authority to make this grant, and that they will forever warrant and defend the title thereto against all claims whatsoever.

Successors: This Easement shall bind and benefit Owner's and Consumers' respective heirs, successors, lessees, licensees, and assigns.

Counterparts: This Easement may be executed simultaneously in two or more counterparts, each of which shall be deemed an original and all of which together shall constitute one and the same instrument. It is not necessary that all parties execute any single counterpart if each party executes at least one counterpart.

Date: _____

Owner: CITY OF FLINT, a Michigan municipal corporation

Signature
By: Bennet Bush

Its: _____
Print title

Acknowledgment

The foregoing instrument was acknowledged before me in _____ County, _____,
on _____ by Bennet Bush, _____ of the City of Flint, a Michigan
Date Title
municipal corporation, on behalf of the corporation.

Notary Public
Print Name _____
County, _____
Acting in _____ County
My Commission expires: _____

**PROPERTY OWNERS MAIL
SIGNED EASEMENT TO:**
Noel Blazen (FLI-058-18)
Consumers Energy Company
3201 E. Court Street
Flint, MI 48506

Prepared By:
Nicole Corts 01/25/2024, EP7-464
Consumers Energy Company
One Energy Plaza
Jackson, MI 49201

**REGISTER OF DEEDS OFFICE USE
ONLY**
Return recorded instrument to:
Carrie J. Main, EP7-464
Consumers Energy Company
One Energy Plaza
Jackson, MI 49201

EXHIBIT A

Owner's Land

Land situated in the City of Flint, County of Genesee, State of Michigan:

Lots 37-56 inclusive, Chambers Parks, being in the Southwest 1/4 of Section 21, Town 7 North, Range 7 East, according to the recorded plat thereof, Genesee County Records.

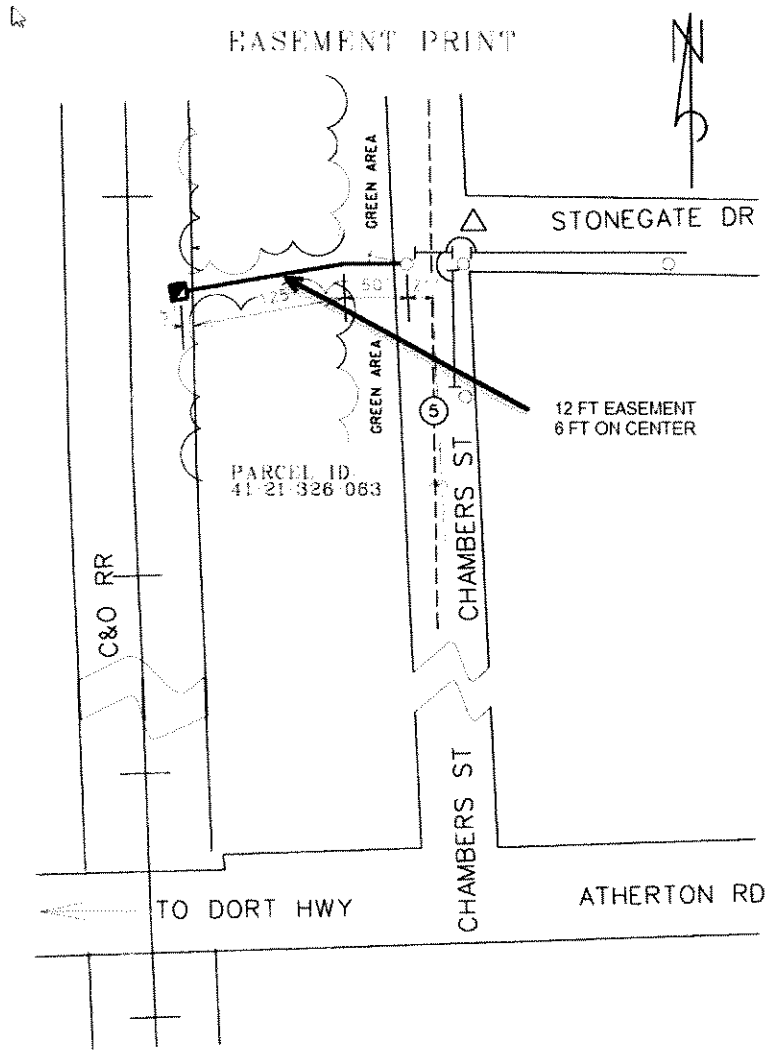
Also known as: Chambers Street, Flint, Michigan 48507

Parcel ID: 41-21-326-063

EXHIBIT B

Easement Area

A 12.00-foot-wide strip of land, being 6.00 feet on each side of the centerline of the line constructed on Owner's Land, the centerline to be located approximately as shown in the attached drawing.





CITY OF FLINT

240232

RESOLUTION NO.: _____

PRESENTED: 6-05-2024

ADOPTED: _____

**Resolution recommending Setting a Public Hearing regarding the Approval of the
RESOLUTION RECOMMENDING THE VACATION OF DEWEY STREET BETWEEN NORTH
SAGINAW STREET AND NORTH STREET**

BY THE CITY ADMINISTRATOR:

The City of Flint desires to provide due notice to all persons interested as to the time and place of a hearing in respect to the proposed action of this body to vacate Dewey Street between North Saginaw Street and North Street for the purpose of the Berston Fieldhouse Redevelopment Project.

Pursuant to the requirements of section 42-25 of the Flint City Code, a public hearing was held so that members of the Flint Planning Commission could meet and hear objections to the proposed vacation and discontinuance of the above described street, alley or public ground, and now the City Council will be holding an additional public hearing.

IT IS RESOLVED, that a public hearing to consider the vacation of Dewey Street between North Saginaw Street and North Street shall be held on the _____ day of _____, 2024 at 5:30 p.m., in the City Council Chambers, 3rd Floor, City Hall, 1101 S. Saginaw St., Flint, Michigan.

IT IS FURTHER RESOLVED, that the City Clerk shall cause notice of such hearing to be published in an official paper of general circulation not less than fifteen (15) days prior to said hearing.

APPROVED AS TO FORM:

APPROVED AS TO FINANCE

William Kim, City Attorney

Phillip Moore, Chief Financial Officer

ADMINISTRATION:

CITY COUNCIL:

Clyde Edwards, City Administrator

Flint City Council



CITY OF FLINT

RESOLUTION STAFF REVIEW FORM

TODAY'S DATE: June 4, 2024

AGENDA ITEM TITLE: Resolution recommending Setting a Public Hearing regarding the Approval of the RESOLUTION RECOMMENDING THE VACATION OF DEWEY STREET BETWEEN NORTH SAGINAW STREET AND NORTH STREET

PREPARED BY Emily Doerr Director, Department of Business and Community Services (formerly known as Planning and Development)

VENDOR NAME: n/a

BACKGROUND/SUMMARY OF PROPOSED ACTION:

The City of Flint seeks to vacate Dewey Street between N. Saginaw Street and North Street in support of the Berston redevelopment project. All affected properties are owned by the City of Flint. The Planning Commission (PC) made a Positive Recommendation for this street vacation at their 4/23/24 meeting which included a public hearing.

FINANCIAL IMPLICATIONS: n/a

BUDGETED EXPENDITURE? YES [] NO [X] IF NO, PLEASE EXPLAIN: n/a

Table with 5 columns: Dept., Name of Account, Account Number, Grant Code, Amount

PRE-ENCUMBERED? YES [] NO [X] REQUISITION NO: []

WILL YOUR DEPARTMENT NEED A CONTRACT? YES [] NO [X] (If yes, please indicate how many years for the contract) YEARS

OTHER IMPLICATIONS (i.e., collective bargaining): n/a

STAFF RECOMMENDATION: (PLEASE SELECT): [X] APPROVED [] NOT APPROVED

DEPARTMENT HEAD SIGNATURE: Emily Doerr, Director, Business and Community Services