

City of Flint, Michigan

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



Meeting Agenda - Final

Wednesday, March 9, 2022

5:00 PM

Council Chambers

LEGISLATIVE COMMITTEE

*Dennis Pfeiffer, Chairperson, Ward 8
Allie Herkenroder, Vice Chairperson, Ward 7*

*Eric Mays, Ward 1
Quincy Murphy, Ward 3
Jerri Winfrey-Carter, Ward 5*

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

Eva Worthing, Ward 9

Inez M. Brown, City Clerk

Davina Donahue, Deputy City Clerk

ROLL CALL

READING OF DISORDERLY PERSONS CITY CODE SUBSECTION

Any person that persists in disrupting this meeting will be in violation of Flint City Code Section 31-10, Disorderly Conduct, Assault and Battery, and Disorderly Persons, and will be subject to arrest for a misdemeanor. Any person who prevents the peaceful and orderly conduct of any meeting will be given one warning. If they persist in disrupting the meeting, that individual will be subject to arrest. Violators shall be removed from meetings.

PUBLIC SPEAKING

Members of the public shall have no more than two (2) minutes to address the City Council on any subject.

COUNCIL RESPONSE

Councilpersons may respond to any public speaker, but only one response and only when all public speakers have been heard. Individual council response is limited to two (2) minutes.

SPECIAL ORDERS

210517 Special Order/Two Water Ordinances

A Special Order as requested by Councilperson Mays to discuss the two water ordinances (210423.1 and 210424) approved by City Council on September 27, 2021.

RESOLUTIONS

ORDINANCES

220112 Ordinance/Amendment/Chapter 12 (Business and Occupations Generally)/Article XV (Convenience Stores)

An ordinance to amend the Code of Ordinances for the City of Flint by amending Chapter 12 (Business and Occupations Generally), Article XV (Convenience Stores), by amended Sections 12-91 through 12-93, and the addition of Section 12-94 (Hours of Operation).

DISCUSSION ITEMS

210209 Discussion Item/Combining Lots

A Discussion Item as requested by Councilperson Winfrey-Carter to discuss combining lots, specifically for Peggy Brisbane-Noblitt. [Referral Action Date: 4/22/2021 @ City Council Legislative Committee Electronic Public Meeting.]

220098 Discussion Item/Zoning Classifications

A Discussion Item as requested by Council President Eric Mays to talk about the differences with some of the new zoning classifications (D-5, D-6 and E) compared to the old classifications. [Referral Action Date: 12/14/2022 @ City Council Meeting.]

220099 Discussion Item/St. Johns Street Committee

A Discussion Item as requested by Councilperson Quincy Murphy to talk about the St. Johns Street Committee. [Referral Action Date: 12/14/2022 @ City Council Meeting.]

ADJOURNMENT

220112

ORDINANCE NO. _____

§ 12-92. DECLARATION OF PURPOSE

An Ordinance to amend the Flint City Code of Ordinances by amending Chapter 12, Business and Occupations Generally; Article XV, Convenience Stores.

THE CITY DECLARES THAT PERSONS WHO LOITERS—WITHIN THE PARKING LOTS OF CONVENIENCE STORES ~~TO BE~~ ARE A SERIOUS AND WIDESPREAD THREAT TO THE HEALTH, SAFETY AND WELFARE OF THE MEMBERS OF THE GENERAL PUBLIC AND THOSE PERSONS WHO RESIDE IN NEARBY RESIDENTIAL PROPERTIES. IN RECENT YEARS, PERSONS WHO LOITERS OUTSIDE OF CONVENIENCE ~~THESE~~ STORES HAVE CAUSED AN INCREASE IN CRIME, PARTICULARLY DRUG ACTIVITY. THIS HAS LED TO AN OVERALL INCREASE IN CRIME IN THE AREAS SURROUNDING THESE STORES, INCLUDING SHOOTINGS AND OTHER ASSAULTS AGAINST PERSONS. CITIZENS HAVE EXPRESSED THAT THEY FEAR AND ARE INTIMIDATED BY THE SUBJECTS THAT LOITER AT THESE STORES. THE CITY HEREBY DECLARES LOITERING AROUND AND INSIDE CONVENIENCE ~~THESE~~ STORES TO BE A NUISANCE. AS A RESULT OF THE NUISANCE ACTIVITY CONNECTED WITH ~~THESE~~ CONVENIENCE STORES, THE CITY DECLARES THAT CONVENIENCE STORES ARE AN INDUSTRY THAT REQUIRES STRICT REGULATION, INCLUDING THEIR HOURS OF OPERATION.

IT IS HEREBY ORDAINED BY THE PEOPLE OF THE CITY OF FLINT:

Sec. 1. An Ordinance to amend the Flint City Code of Ordinances, by amending Chapter 12, Businesses and Occupations Generally; Article XV, Conveniences Stores, by amending Sections 12-91 through 12-94, which shall read in their entirety as follows:

ARTICLE XV. CONVENIENCE STORES

§ 12-91. DEFINITIONS

AS USED IN THIS ARTICLE, THE TERM *CONVENIENCE STORE* SHALL MEAN ~~ANY SMALL~~ A RETAIL STORE, ~~THAT WHICH~~ GENERALLY OFFERS FOR SALE, TO RESIDENTS OF THE IMMEDIATE SURROUNDING AREA, A PRODUCT MIX WHICH INCLUDES DAIRY, BAKERY, SNACK FOODS, BEVERAGES, TOBACCO, BEER, ALCOHOLIC LIQUOR, WINE, GROCERY, HEALTH AND BEAUTY AIDS, CONFECTIONARY, AND PREPACKAGED OR ~~PERHAPS~~ PREPARED FOODS, ~~THAT IS OPEN EXTENDED HOURS FOR THE CONVENIENCE OF THE PUBLIC.~~

§ 12-93. LICENSING REQUIRED

AS USED IN THIS ARTICLE, THE TERM *RESIDENTIAL PROPERTY* SHALL MEAN ANY PARCEL OF LAND LOCATED IN THE CITY OF FLINT WHICH IS ZONED A-1 OR A-2.

ANYONE DESIRING TO OPERATE A CONVENIENCE STORE MUST APPLY FOR A SPECIAL ENDORSEMENT LICENSE, AND MEET THE FOLLOWING REQUIREMENTS:

~~§ 12-93. SPECIAL REQUIREMENTS FOR LICENSE.~~

1. PARKING LOTS MUST BE WELL MAINTAINED AND BRIGHTLY LIT.

2. STORES MUST POST "NO LOITERING" SIGNS INSIDE AND OUTSIDE OF THE STORE. THE SIGNS MUST BE PREAPPROVED BY THE CITY. THE SIGNS MUST REQUIRE ALL CUSTOMERS TO LEAVE THE PREMISES DIRECTLY AFTER COMPLETING A PURCHASE AND INDICATE THAT THE FLINT POLICE DEPARTMENT SHALL ARREST ANYONE WHO REMAINS BEYOND THE TIME NEEDED TO COMPLETE THE PURCHASE.

3. THE APPLICANT MUST SIGN AN AFFIDAVIT DECLARING THAT NO ONE IS AUTHORIZED TO REMAIN ON THE APPLICANT'S PRIVATE PREMISES BEYOND THE TIME FOR MAKING A PURCHASE. THE APPLICANT MUST EXPRESSLY AUTHORIZE THE FLINT POLICE DEPARTMENT TO ACT AS ITS AGENT FOR REMOVING OR ARRESTING ANYONE WHO THE POLICE OBSERVE REMAINING BEYOND THE TIME FOR MAKING A PURCHASE.

§ 12-94. HOURS OF OPERATION

1. NO CONVENIENCE STORE LOCATED WITHIN 300 FEET OF A RESIDENTIAL PROPERTY, AS MEASURED FROM THE EXTERIOR OF THE BUILDING IN WHICH THE CONVENIENCE STORE IS LOCATED TO THE NEAREST LOT LINE OF THE RESIDENTIAL PROPERTY, SHALL BE OPEN TO THE PUBLIC OR CONDUCT

ANY PUBLIC BUSINESS BETWEEN THE HOURS OF 10:00 P.M. AND 6:00 A.M.

2. THE PROVISIONS OF THIS SECTION MAY BE ENFORCED BY ISSUANCE OF A CITATION FOR A MUNICIPAL CIVIL INFRACTION AS DESCRIBED IN SECTION 1-13 OF THE FLINT CITY CODE OF ORDINANCES. THE CITATION MAY BE ISSUED BY ANY LAW ENFORCEMENT OFFICER, CODE ENFORCEMENT OFFICER OR OTHER LOCAL OFFICIAL AUTHORIZED BY THE CITY OF FLINT.

3. ANY PERSON, FIRM, CORPORATION, LIMITED LIABILITY COMPANY, PARTNERSHIP OR OTHER BUSINESS ENTITY THAT VIOLATES THIS SECTION SHALL BE RESPONSIBLE FOR A MUNICIPAL CIVIL INFRACTION AS PROVIDED IN SECTIONS 1-10 THROUGH 1-21 OF THE FLINT CITY CODE OF ORDINANCES, AND SUBJECT TO ALL CIVIL FINES, COSTS, DAMAGES AND EQUITABLE REMEDIES AS PROVIDED THEREIN.

4. IF ANY PROVISION OF THIS SECTION IS HELD INVALID, THE REMAINDER OF THE ORDINANCE SHALL NOT BE AFFECTED THEREBY.

Sec. 2. This Ordinance shall become effective this _____ day of _____, 2022.

Adopted this _____ day of _____, 2022.

FOR THE CITY:

Sheldon A. Neeley, Mayor

Inez M. Brown, City Clerk

APPROVED AS TO FORM:

Angela Wheeler, Chief Legal Officer