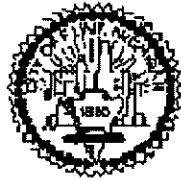


# **City of Flint, Michigan**

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



## **Meeting Agenda - Final**

**Monday, March 9, 2020**

**5:30 PM**

**Council Chambers**

### **CITY COUNCIL**

*Monica Galloway, President, Ward 7  
Maurice D. Davis, Vice President, Ward 2*

*Eric Mays, Ward 1  
Kate Fields, Ward 4  
Herbert J. Winfrey, Ward 6*

*Santino J. Guerra, Ward 3  
Jerri Winfrey-Carter, Ward 5  
Allan Griggs, Ward 8*

*Eva L. Worthing, Ward 9*

*Inez M. Brown, City Clerk*

*Davina Donahue, Deputy Clerk*

**CALL TO ORDER****ROLL CALL****PLEDGE OF ALLEGIANCE****PRAYER OR BLESSING****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.*

**REQUEST FOR CHANGES AND/OR ADDITIONS TO AGENDA**

*Council shall vote to adopt any amended agenda.*

**PRESENTATION OF MINUTES****PUBLIC HEARINGS****200074.6**      Public Hearing/Ordinance No. 200074

A public hearing for Ordinance No. 200074, an ordinance to amend the Code of the City of Flint by amending Chapter 50 (Zoning), Article XXXII (Medical Marihuana Facilities), Section 50-183 (Medical Marihuana Facilities Opt In Ordinance). [NOTE: Ordinance to become effective immediately upon adoption.]

**200075.6**      Public Hearing/Ordinance No. 200075

A public hearing for Ordinance No. 200075, an ordinance to amend the Code of Ordinances for the City of Flint by amending Chapter 12 (Business and Occupations Generally), Article XVI (Medical Marihuana Facilities), Section 12-95 (Standards for Medical Marihuana Facilities), by changing references to Medical Marihuana Facilities to Marihuana Facilities, consistent with the licenses and standards set forth in Chapter 50, Article XXXII, Section 50-183. [NOTE: Ordinance to become effective immediately upon adoption.]

**200076.6**      Public Hearing/Ordinance No. 200076

A public hearing for Ordinance No. 200076, an ordinance to amend Chapter 50 (Zoning), Article XXIX, (Special Regulated Uses), of the Code of the City of Flint by amending §50-161 (Purpose), §50-163 (Locational Standards -

Relationship to Similar Uses), §50-164 (Locational Standards - Relationship to Residential Area and Other Uses), and §50-169 (Zoning Districts Requirements for Special Regulated Uses) in light of the amendments to Special Regulated Uses "E", "F" and "G" set forth in Chapter 50 (Zoning), Section 50-183 (Marihuana Facilities Opt In Ordinance). [NOTE: Ordinance to become effective immediately upon adoption.]

## **PUBLIC SPEAKING**

*Per the amended Rules Governing Meetings of the Council (as adopted by the City Council on Monday, June 12, 2017), three (3) minutes per speaker. Only one speaking opportunity per speaker. Numbered slips will be provided prior to the start of the meeting to those wishing to speak during this agenda item. No additional speakers or slips will be accepted after the meeting begins. Speakers may not allocate or "donate" their allotted time to another person. Council members may not speak during Public Speaking, nor may they make response comments to speakers. Council members may use their five (5) minutes for Final Comments to address any issues that have been addressed by Public Speakers.*

## **COUNCIL RESPONSE**

*Per the amended Rules Governing Meetings of the Council (as adopted by the City Council on Monday, June 12, 2017), 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 minutes and is subject to all rules of decorum and discipline.*

## **PETITIONS AND UNOFFICIAL COMMUNICATIONS**

**200135**            Communication/Karegnondi Water Authority (KWA)/2020 Meeting Schedule

Communication dated February 14, 2020, from the Karegnondi Water Authority (KWA) to City Clerk, re: A reminder of the 2020 Karegnondi Water Authority meeting date schedule.

## **COMMUNICATIONS (from Mayor and Other City Officials)**

**200136**            Office of the Mayor/Public Notice/Special City Council Meeting

Public Notice dated February 28, 2020, re: Mayor Sheldon A. Neeley calls for a Special Meeting of the Flint City Council to present the 2021 Budget.

**200137**            Traffic Engineering/Closure Permits

Sidewalk, Lane and Street Closures permits (5) dated February and March 2020 for requested activities/events, with noted responsibility for the placement of the required traffic control devices, and/or personnel, for the protection of traffic and event participants.

## **ADDITIONAL COMMUNICATIONS**

**APPOINTMENTS**

- 200018** Appointment/Bishop International Airport Authority (BIIA)/Wyntis Hall
- Resolution resolving that the Flint City Council approves the appointment of Wyntis Hall (5556 Mocer Lane, Grand Blanc, MI) to the Bishop International Airport Authority [for the remainder of a three-year term] replacing Dr. Bobby Mukkamala, with the term expiring December 31, 2020, as requested by Mayor Sheldon A. Neeley. [NOTE: By way of background, Dr. Mukkamala's term expired December 31, 2017, although he continued to serve.]
- 200019** Appointment/Bishop International Airport Authority (BIIA)/Valeria J. Conerly Moon
- Resolution resolving that the Flint City Council approves the appointment of Valeria J. Conerly Moon (906 W. Flint Park Boulevard, Flint, MI) to the Bishop International Airport Authority [for the remainder of a three-year term] replacing Reta Venessa Stanley, with the term expiring December 31, 2021, as requested by Mayor Sheldon A. Neeley. [NOTE: By way of background, Ms. Stanley's term expired December 31, 2018, although she continued to serve.]

**RESOLUTIONS**

- 200099** CO#1/Contract/Wade Trim/Water Main Replacement Preliminary Design
- Resolution resolving that the proper City Officials are authorized to enter into change order #1 [to the contract] with Wade Trim for extension of the scope of work for preliminary design for the Water Main Replacement, in an amount NOT-TO-EXCEED \$60,000.00, and a revised aggregate amount of \$375,000.00, as requested by Transportation.
- 200101** Cancel Spending Authority/Community Development Block Grant (CDBG)/Police Activities League (PAL)
- Resolution resolving that the appropriate City Officials are authorized to do all things necessary - including budget amendments - to cancel spending authority and revenue recognition in the revenue and expense accounts previously established [City of Flint Police Department/PAL @ 30,000.00], in the amount of \$30,000.00, in order to make available for future reprogramming to other CDBG eligible activities, as requested by Planning and Development.
- 200124** Change Order #1/Contract/Consumers Energy Co./Electrical Service
- Resolution resolving that the appropriate city officials are authorized to do all things necessary to enter into an amended contract with Consumers Energy Co., [which will reduce the city's monthly electric bill by 7 percent or approximately \$26,000.00 per year.]
- 200125** Public Hearing Date/Obsolete Property Rehabilitation District (OPRD)/3701 Lapeer Road

Resolution resolving that a public hearing to consider an Obsolete Property Rehabilitation District [at 3701 Lapeer Road] be held April 13, 2020, at 5:30 p.m. in City Council Chambers, Flint City Hall, 1101 S. Saginaw Street, Flint, as requested by the Community and Economic Development, and that notice of such hearing shall be published in an official paper of general circulation not less than ten (10) days prior to said hearing; AND, resolving that at said hearing, the property owners and any other taxpayer or resident of the City of Flint may appear and be heard.

**200134**      Budget Amendment/Transfer of Funds/Street Maintenance/Intercity Charges/Tree Removal Work Services

Resolution resolving that the appropriate city officials are hereby authorized to do all things necessary to amend the FY2019-2020 budget of the City of Flint for the Street Maintenance Department's FY2020 budget to recognize revenue received from intercity charges for services rendered to the Department of Planning & Development for tree removal work services completed in association with the Neighborhood Planning Initiative grant and transfer \$43,838.25 from Street Maintenance Acct. No. 202-449.201-677.900 to Street Maintenance Professional Services Acct. No. 202-449.215-801.000 for additional tree trimming and removal for the remainder of the FY2020 budget year, as requested by Transportation.

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

### **LIQUOR LICENSES**

### **INTRODUCTION AND FIRST READING OF ORDINANCES**

**200126**      Amendment/Ordinance/Chapter 2 (Administration)/Article XV (Department of Finance)/Amendment/Section 2-106 (Development and Update of Strategic Plan)

An ordinance to amend Chapter 2 (Administration), Article XV (Department of Finance) of the Flint City Code of Ordinances by the by amending Section 2-106 (Development and Update of Strategic Plan).

**200127**      Amendment/Chapter 35 (Personnel)/Article V (Working Conditions)/Amendment of Sections 35-101 Through 35-109/Civil Service Commission

An ordinance to amend the Code of the City of Flint by amending Chapter 35, (Personnel), Article V (Working Conditions) by amending Sections 35-101 through 35-109 (Civil Service Commission).

### **SECOND READING AND ADOPTION OF ORDINANCES**

**200074**      Ordinance/Chapter 50 (Zoning)/Article XXXI (Medical Marihuana Facilities Opt

In Ordinance)/Section 50-183 (Medical Marihuana Facilities Opt In Ordinance)

An ordinance to amend the Code of the City of Flint by amending Chapter 50 (Zoning), Article XXXII (Medical Marihuana Facilities), Section 50-183 (Medical Marihuana Facilities Opt In Ordinance). [NOTE: Amendments recommended by the Planning Commission on February 4, 2020.]

- 200075** Ordinance/Amendment/Chapter 12 (Business and Occupations Generally)Article XVI (Medical Marihuana Facilities)/Section 12-95 (Standards for Medical Marihuana Facilities)

An ordinance to amend the Code of Ordinances for the City of Flint by amending Chapter 12 (Business and Occupations Generally), Article XVI (Medical Marihuana Facilities), Section 12-95 (Standards for Medical Marihuana Facilities), by changing references to Medical Marihuana Facilities to Marihuana Facilities, consistent with the licenses and standards set forth in Chapter 50, Article XXXII, Section 50-183.

- 200076** Ordinance/Chapter 50 (Zoning)/Article XXIX (Special Regulated Uses)/Sections 50-161 (Purpose), 50-163 (Locational Standards - Relationship to Similar Uses), 50-164 (Locational Standards - Relationship to Residential Area and Other Uses), and 50-169 (Zoning Districts Requirements for Special Regulated Uses)

An ordinance to amend Chapter 50 (Zoning), Article XXIX, (Special Regulated Uses), of the Code of the City of Flint by amending §50-161 (Purpose), §50-163 (Locational Standards - Relationship to Similar Uses), §50-164 (Locational Standards - Relationship to Residential Area and Other Uses), and §50-169 (Zoning Districts Requirements for Special Regulated Uses) in light of the amendments to Special Regulated Uses "E", "F" and "G" set forth in Chapter 50 (Zoning), Section 50-183 (Marihuana Facilities Opt In Ordinance).

## **NEW BUSINESS**

## **FINAL COUNCIL COMMENTS**

## **ADJOURNMENT**

200018

RESOLUTION NO.: \_\_\_\_\_

PRESENTED: 1-13-2020

ADOPTED: \_\_\_\_\_

**RESOLUTION APPOINTING WYNTIS HALL TO THE BISHOP INTERNATIONAL AIRPORT  
AUTHORITY REPLACING DR. BOBBY MUKKAMALA**

**BY THE MAYOR:**

The Bishop International Airport Authority is made of nine members, appointed to three year terms. Pursuant to 6-101 (B)(3) of the Flint City Charter, appointments shall be made by the Mayor with the approval of the City Council; and

Mayor Sheldon A. Neeley recommends the appointment of Wyntis Hall (5556 Mocer Lane, Grand Blanc, Michigan), to replace Dr. Bobby Mukkamala, on the Bishop International Airport Authority, term to expire December 31, 2020.

By way of background, Dr. Bobby Mukkamala was appointed to a three-year term which expired on December 31, 2017.

**BE IT RESOLVED** that the Flint City Council approves the appointment of Wyntis Hall, to serve on the Bishop International Airport Authority, term to expire December 31, 2020, replacing Dr. Bobby Mukkamala whose term expired on December 31, 2017.

**APPROVED AS TO FORM:**

\_\_\_\_\_  
**Angela Wheeler, Chief Legal Officer**

**FOR THE CITY OF FLINT:**

  
\_\_\_\_\_  
**Sheldon A. Neeley, Mayor**

**APPROVED BY CITY COUNCIL:**

\_\_\_\_\_  
**Monica Galloway, City Council President**

**Wyntis E. Hall  
5556 Mocerri Lane  
Grand Blanc, MI 48439  
810-771-4556  
wyntis@icloud.com**

---

---

## **SUMMARY**

**To pursue a challenging administrative position in the health care field that offers growth opportunity, utilizing my strong skills in planning organizing and public relations.**

---

## **HIGHLIGHTS OF QUALIFICATIONS**

- Direct managerial and clerical staff in performance of job responsibilities and day to day departmental operations
  - Ensure that department operates within the established budget guidelines
  - Introducing the Electronic Health Record System Epic to Health Information Services and establishing working guidelines
  - Ensure that departmental areas work within JCAHO and HIPAA regulations
  - Establish guidelines, procedures and service standards for the department
  - Collaboratively works with the hospital attorney to establish and maintain policies and procedures regarding confidentiality and release of protected health information
  - Ensure confidentiality of all Protected Health Information
  - Develop and implement all policies and procedures effecting Protected Health Information
  - Limit the incidental use of Protected Health Information
  - Instrumental in establishing guidelines and procedures for MyChart, a medical record portal
  - Document, investigate and respond to all patient complaints regarding amending and complaints regarding Protected Health Information
-



---

## EXPERIENCE

---

### **Director Health Information Services**

**4-2014 to present**

*Hurley Medical Center*

*Flint, MI*

- Explains procedures to the public, medical staff and other requesting parties
- Accepts Subpoena Duces Tecum relative to Hurley Medical Center and appear in court as the Medical Records Custodian
- Liaison to Hospital Attorney
- Establishes rapport in assisting attorneys, insurance companies, health care facilities and patients with release of information

### **Health Information Services Supervisor**

**10-2013 to 4-2014**

*Hurley Medical Center*

*Flint, MI*

- Assisted employees relative to difficult problems in release of information or birth certificate processing
- Risk management screening, maintaining legal files
- Prepared reports and abstract data from medical records relative to Correspondence Unit activities
- Established, monitored, and maintained various electronic files and directories utilizing word processing equipment
- Ensured submission of live birth certificates to the Bureau of Vital Statistics on a timely basis
- Working knowledge of Microsoft Office
- Familiar with moderately complex requirements /procedures regarding law.
- Assist in hiring and performing employee appraisals

### **Health Information Services Coordinator**

**9-2007 to 10-2013**

*Hurley Medical Center*

*Flint, MI*

- Served as lead worker and department coordinator
  - Served as back up departmental secretary
  - Coordinated, assisted and organized hospital record reviews by third party auditors
  - Trained staff and distributed work assignments
  - Familiar with JCAHO regulatory standards associated with health information
  - Assisted in overseeing departmental operations on weekends and holidays
  - Assisted in identifying, developing and implementing new procedures designed to increase operation efficiency
-

**Health Information Services****10-1997 to 9-2007****Intermediate Clerk***Hurley Medical Center**Flint, MI*

- Familiar with Epic electronic health record system
- Familiar with IDOC Medical Records Imaging system
- Coordinated and monitored copy service procedures
- Participated in HIPAA committee that resulted in confidentiality recommendations and Standard Practices for the Medical Center

---

**EDUCATION****Baker College of Flint****9-2013 to 8-2016***Flint, MI*

Associate of Applied Science: Health Information Technology

- Dean's List
- GPA 3.67

**Memberships and Affiliations**

- MHIMA/AHIMA
- MHIMA Nomination Committee
- Former AFL-CIO Cope Committee Member
- Former AFSCME Local 1603 Union Rep
- Former AFSCME Local 1603 PEOPLE Chairperson
- National Registered Health Information Technician
- NAACP
- HIPAA Task Force Hurley Medical Center
- Baker College Advisory Board

200019

RESOLUTION NO.: \_\_\_\_\_

PRESENTED: 1-13-2020

ADOPTED: \_\_\_\_\_

**RESOLUTION APPOINTING VALERIA J. CONERLY MOON TO THE BISHOP  
INTERNATIONAL AIRPORT AUTHORITY REPLACING RETA VENESSA STANLEY**

**BY THE MAYOR:**

The Bishop International Airport Authority is made of nine members, appointed to three year terms. Pursuant to 6-101 (B)(3) of the Flint City Charter, appointments shall be made by the Mayor with the approval of the City Council; and

Mayor Sheldon A. Neeley recommends the appointment of Valeria J. Conerly Moon (906 W. Flint Park Blvd.), to replace Reta Venessa Stanley, on the Bishop International Airport Authority, term to expire December 31, 2021.

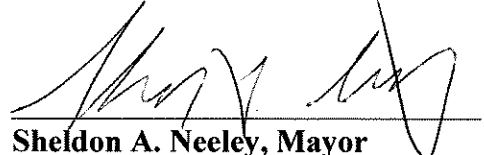
By way of background, Ms. Stanley was appointed to a three-year term which expired on December 31, 2018.

**BE IT RESOLVED** that the Flint City Council approves the appointment of Valeria J. Conerly Moon, to serve on the Bishop International Airport Authority, term to expire December 31, 2021, replacing Reta Stanley whose term expired December 31, 2018.

**APPROVED AS TO FORM:**

\_\_\_\_\_  
Angela Wheeler, Chief Legal Officer

**FOR THE CITY OF FLINT:**

  
Sheldon A. Neeley, Mayor

**APPROVED BY CITY COUNCIL:**

\_\_\_\_\_  
Monica Galloway, City Council President

Valaria J. Conerly-Moon, the long time Executive Director of Valley Area Agency on Aging, announced her retirement after 30-plus years at the helm of the organization. Demonstrating remarkably strong leadership, exceptionally keen instincts, and extraordinary political savvy, Conerly-Moon guided the agency through the three decades into a 14 million-dollar operation.

Conerly-Moon was a recent Eastern Michigan University graduate when she was hired to manage federal grants in Flint through the Model Cities Initiative. Her management talent was quickly recognized, and shortly thereafter, in 1974, she was asked to head up a new division that included the planning and administration of aging programs. The total budget was \$25,000, and Conerly-Moon focused on establishing senior center programs and recreational opportunities.

In 1974, federal law created area agencies on aging nationwide. Genesee, Lapeer, and Shiawassee Counties enjoined the City of Flint to comprise Michigan's Region V planning and service area. The private, non-profit Valley Area Agency on Aging—commonly known as VAAA—was established, and Conerly-Moon was named its first Executive Director. She was the youngest director in the state, and among the youngest in the nation.

A visionary, Conerly-Moon anticipated a greater role for the agency: helping senior citizens to live independently within their own homes, with dignity and pride, for as long as possible. With this mission in mind, she painstakingly began to build programs and services that have profoundly impacted the quality of life for area seniors. While also pursuing a Ph.D. in Psychology, Conerly-Moon grew the agency to include the delivery and administration of extensive home care services, including the home delivered meal program, which presently serves nearly one thousand Genesee County seniors each day.

Conerly-Moon also proved to be a champion for senior rights, a fervent and adamant voice for those often unheard. Her compassion, dedication, wisdom and diligence were ever present, whether testifying before Flint City Council, A county Board of Commissioners, or federal and state officials. Ever the advocate and faithful to her convictions, Conerly-Moon never failed to stand up for what she believed was right.

After over thirty years in the top post, Conerly-Moon is the longest-serving area agency director in the state, and her presence in aging will be sorely missed. Nonetheless, Conerly-Moon looks forward to spending more time working with her husband in their businesses, the Lawrence E. Moon Funeral Home in Flint, Browne's Mortuary in Saginaw, and Lawrence E. Moon Funeral Home in Pontiac. She is especially looking forward to spending more time with her beloved son, Trunis, a Hampton and Wayne State graduate, who joined the family business as a licensed funeral director and General Manager of Lawrence E. Moon Funeral Home in Pontiac, Michigan.

Mrs. Conerly-Moon is a devout Christian and a member of Grace Emmanuel Baptist Church.

**VALARIA J. CONERLY MOON**

*906 W. Flint Park Blvd. \* Flint, MI 48505 \* Telephone (810) 789-6666  
email:lemoonfhflint@gmail.com*

**EDUCATION**

**EASTERN MICHIGAN UNIVERSITY**

Bachelors of Science, June 1972

Major, Psychology: Minor, Sociology

**UNIVERSITY OF MICHIGAN – FLINT**

Graduate Study in Psychology and Gerontology

**EXPERIENCE**

**VALLEY AREA AGENCY ON AGING**

**Executive Director, 9/15/74 – 10/01/04**

**Responsibilities:** Overall administrative and professional responsibility in directing and coordinating all phases of the aging program in Region V (Genesee, Lapeer, Shiawassee and City of Flint). See Attachment A

- Rendered technical assistance in the formulation of policies and programs pertaining to the development of procedures and programs of the aging.
- Executed federal and state policies and guidelines relating to Title III programs for the region.
- Extensive planning experience.
- Provided technical assistance in proposal writing for grants from local (public and private), state, and federal sources.
- Extensive knowledge of budgeting and financial management.

**Experience:**

New program design, monitoring and evaluation, contractual and negotiation, budget writing.

- Thorough knowledge of federal, state and local government operations.
- Excellent communication and coalescing skills.
- Conducted all training and hiring of staff.

**MODEL CITIES**

**Education Coordinator, 7/1/73 – 9/15/74**

**Research and Evaluation Analyst, 6/72 –7/1/73**

**Responsibilities:** Worked with all phases of education federally-funded; coordinated educational programs with local, state, and national agencies; developed contracts and budgets.

- Developed project overview and assisted in the information flow between agency and appropriate departmental staff.
- Monitored programs and conducted workshops to familiarize citizens with monitoring and evaluation.
- Rendered technical assistance to Advisory and Policy Boards and Community committees.

- Prepared quarterly reports for HUD.
- Assisted in writing the yearly plan for refunding.
- Assisted in developing the Management by Objectives System for the agency; developed the Monitoring and Evaluation System for the agency.
- Assisted in the development and implementation of policy for evaluation of all projects.
- Analyzed projects and program effectiveness in light of contractual obligations and program effectiveness.

**LAWRENCE E. MOON FUNERAL HOME**  
**Co-Founder, 10/87**  
**Vice President**

**Responsibilities:** Worked in all areas of the funeral home in developing strategy to maintain a successful business.

- Developed policies, procedures and objectives.
- Instituted the financial department by developing a unique accounts receivable and payable system to maximize the effectiveness of employees' time and talents.
- Created publicity by careful advertising and promoting the caring and professionalism of the business and staff. Emphasized the importance of the business and how the company will be a part of the community.

**Communication  
& People  
Skills**

- Proven superior verbal skills
- Reputation for integrity
- Dynamic public speaker

**Management  
Skills**

- Managed and supervised up to 25 professional staff
- Managed and supervised up to 10 support staff
- Conducted staff training and development
- Managed budgets ranging from \$25,000 to \$14 million

**Knowledge of  
Government**

- Coordinated activities and provided technical assistance for 21 member Valley Area Agency on Aging Board
- Provided technical assistance for the Genesee County, Shiawassee County and the Lapeer County Board of Commissioners, and the Flint City Council
- Facilitated collaborative ventures between VAAA under the City of Flint, Mott Community College, Genesee County, Shiawassee County and Lapeer County Board of Commissioners, Hurley Medical Center, Mass Transportation Authority, Spanish Speaking Information Center and many other entities in the Tri County Area
- Knowledgeable about the City of Flint, Governance (Chief Executive/Mayor and Council Form of Government)



- Wrote area plan
- Wrote and presented statements concerning legislation before State and Federal Legislators
- Wrote training and development programs
- Wrote and presented synopsis arguing issues to local government and community groups

**Past and**  
**Present**  
**Community**  
**And Professional**  
**Affiliations**

- Area Agencies on Aging Association of Michigan
- National Association of Area Agencies on Aging
- National Council on Aging (NCOA)
- National Association of Counties (NACo)
- National Forum of Black Public Administrators (NFBPA)
- Life Member, National Association for the Advancement of Colored People (NAACP)
- African-American Geriatric Network
- Flint Area Enterprise Community
- Genesee County Partnership for Families
- Hurley Community Health Initiatives Committee
- State of Michigan Nursing Home Administration Board
- University of Michigan Health Advisory Board
- Mott Community College Foundation Board
- National Black Caucus on Aging
- AARP
- Senior Council on Aging
- Past Chairperson, Urban League of Flint
- Past member Board of Directors, Salvation Army of Flint
- Genesee District Library Trustee

(PROPOSAL #19000546)

RESOLUTION NO: \_\_\_\_\_

200099

PRESENTED: \_\_\_\_\_

2-24-2020

ADOPTED: \_\_\_\_\_

**Resolution Authorizing a Change Order to  
Wade Trim, Inc. for the Extension of the Preliminary Design for  
the Water Main Replacement**

**BY THE MAYOR:**

On February 20, 2019, Wade Trim was awarded (Resolution #190051) the preliminary engineering services for the Saginaw Street (Court St. to Flint River) rehabilitation project in the amount of \$315,000.00

The Department of Transportation is requesting an extension of the scope of work to include the preliminary design for the Water Main Replacement. The Department of Transportation is requesting an additional sixty thousand dollars (\$60,000) to complete additional preliminary engineering work by Wade Trim. Funding for said services will come from the following account: 496-555.000-801.052 (\$60,000); and

**IT IS RESOLVED**, that the proper city officials, upon City Council's approval, are hereby authorized to enter into change order #1 with Wade Trim for extension of the scope of work for preliminary design for the Water Main Replacement in an amount NOT-TO-EXCEED \$60,000.00 and a revised aggregate amount of \$375,000.00.

APPROVED

  
Joyce A. McClane  
Purchasing Manager

  
Amanda Trujillo  
Acting Chief Financial Officer

APPROVED AS TO FORM

  
Angela Wheeler  
Chief Legal Officer

  
Sheldon A. Neeley, Mayor

**CITY COUNCIL:**

\_\_\_\_\_  
Monica Galloway, Council President



## RESOLUTION STAFF REVIEW

---

**DATE:** February 4, 2020

**Agenda Item Title:** Wade Trim

**Prepared By:** Mark Adas for John H. Daly, III

**Background/Summary of Proposed Action:** On February 20, 2019, Wade Trim was awarded the preliminary engineering services for the Saginaw Street (Court St. to Flint River) rehabilitation project. The City of Flint is requesting the extension of the scope of work to include the preliminary design for the water main replacement. The City of Flint is requesting an additional sixty thousand dollars (\$60,000) to complete the additional preliminary engineering work by Wade Trim.

This is part of the WIIN funding for water main replacement

**Financial Implications:** Funding is available in the account listed below.

**Budgeted Expenditure?** Yes ☒ No ☐ Please explain if no:

**Account No.:** 496-555.000-801.052

*Handwritten initials and scribbles*

**Pre-encumbered?** Yes ☒ No ☐ Requisition # 190001674

**Other Implications (i.e., collective bargaining):**

**Staff Recommendation:** Recommend Approval

**Staff Person:**

*Handwritten signature of John H. Daly, III*  
John H. Daly, III, Interim Director of Transportation

190051

(Proposal 19000546)

SUBMISSION NO.:

PRESENTED:

2-20-19

ADOPTED:

2-25-2019

**RESOLUTION TO WADE TRIM, INC. FOR PRELIMINARY ENGINEERING SERVICES FOR  
SAGINAW STREET REHABILITATION**

BY THE MAYOR

**RESOLUTION**

The Department of Purchases and Supplies solicited a proposal for preliminary engineering services for Saginaw St. rehabilitation and reconstruction; and

Wade Trim, Inc., 555 S. Saginaw Street, Suite 201, Flint, Michigan scored the highest and was the most responsive bidder from five solicitations received for said requirements. Funding for said services will come from the following account: 202-441.702-801.000; and

IT IS RESOLVED, that the Proper City Officials, upon City Council's approval, are hereby authorized to enter into a contract with Wade Trim for preliminary engineering services for the Saginaw St. rehabilitation and reconstruction in an amount not to exceed \$315,000.00. (Major Street Fund in the account listed above)

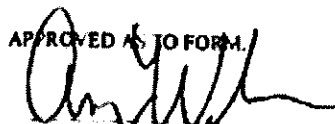
APPROVED PURCHASING DEPT.

  
Bryan D. Bond  
Interim Purchasing Manager


APPROVED AS TO FINANCE

  
Hughes Newsome  
Chief Financial Officer

APPROVED AS TO FORM.

  
Angela Wheeler  
Chief Legal Officer

  
Steve Branch, City Administrator

  
Herbert J. Winfrey, President  
City Council



Wade Trim, Inc.  
555 S. Saginaw Street • Suite 201 • Flint, MI 48502  
810.235.2555 • [www.wadetrim.com](http://www.wadetrim.com)

**Saginaw Street Water Main Replacement  
Proposal #19-546  
Fee Proposal  
November 29, 2018**

**SCOPE**

**Geotechnical Investigation**

- 10-foot soil borings  
Fee = \$5,000

**Water Main Design and Study**

- Water Model Analysis and Main Sizing
  - Water Main Route and Trench Alternatives
  - Special Provisions, MDEQ Permitting, and Engineer's Opinion of Cost
  - Construction Plans, per RFP
- Fee = \$55,000      Approximate Hours = 550

**TOTAL ESTIMATED FEE = \$60,000**

*The costs above indicate the fixed fee estimates, including all related costs, for the tasks outlined in the submitted work plan. Breakdowns for labor hour by employee, hourly labor rates, applied overhead, direct costs, subconsultant costs, and applied fixed fee will be provided upon request during the negotiation phase.*

**Department of  
Public Works**

**19-009**

# **CITY OF FLINT MICHIGAN**



## **CONTRACT**

**Wade Trim  
Preliminary Engineering Services  
For Saginaw St. Rehab  
\$315,000.00  
Approved by City Council on 2/25/19  
Resolution #190051**

RESOLUTION NO.: \_\_\_\_\_

PRESENTED: 2-24-2020

ADOPTED: \_\_\_\_\_

**Resolution to Cancel Spending Authority and Revenue Recognition in 2019-2020 Community Development Block Grant (CDBG) Funds for Police Activities League (PAL) – City of Flint Police Department in the Amount of \$30,000 for Reprogramming Availability**

**BY THE MAYOR:**

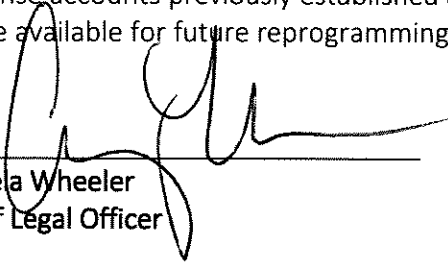
Community Development Block Grant (CDBG) Program funds were previously allocated to activities and awarded to agencies through the 2019 – 2020 Action Plan process, resolution #190324.

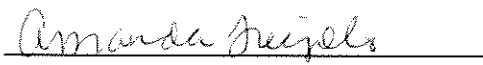
Through this process, the Flint Police Department was awarded \$30,000 for its PAL program. The police department has prioritized law enforcement and has, therefore, elected to forgo the allocation.

In order to make funds available for future reprogramming, spending authority and revenue recognition needs to be cancelled for expense and revenue accounts associated with the existing activity as identified below. CDBG funds from the canceled accounts are to be transferred to unallocated CDBG accounts: revenue: FHUD-CDBG20 274-748.104-502.748 and expense: FHUD-CDBG20 274-748.104-700.100

<u>Agency</u>	<u>Amount</u>	<u>Revenue Account</u>	<u>Expense Account</u>
City of Flint Police Department	\$30,000	FHUD-CDBG20 274-748.220-502.748	FHUD-CDBG20 274-748.220-700.100

**IT IS RESOLVED**, that appropriate City officials are authorized to do all things necessary including budget amendments to cancel spending authority and revenue recognition in the revenue and expense accounts previously established and listed herein in the amount of \$30,000 in order to make available for future reprogramming to other CDBG eligible activities.

  
\_\_\_\_\_  
Angela Wheeler  
Chief Legal Officer

  
\_\_\_\_\_  
Amanda Trujillo  
Acting Chief Financial Officer

\_\_\_\_\_  
Sheldon A. Neeley, Mayor

\_\_\_\_\_  
Monica Galloway, Council President



## RESOLUTION STAFF REVIEW FORM

**DATE:** January 21, 2020

**Agenda Item Title:**

Resolution to Cancel Spending Authority and Revenue Recognition in 2019-2020 Community Development Block Grant (CDBG) Funds for Police Activities League (PAL) – City of Flint Police Department in the Amount of \$30,000 for Reprogramming Availability

**Prepared By:** Kevin L. Miller, CD Grant Coordinator

**Requestor:** Department of Planning and Development

**Background/Summary of Proposed Action:**

Community Development Block Grant (CDBG) Program funds were previously allocated to activities and awarded to agencies through the 2019 – 2020 Action Plan process, resolution #190324.

Through this process, the Flint Police Department was awarded \$30,000 for its PAL program. The police department has prioritized law enforcement and has, therefore, elected to forgo the allocation.

In order to make funds available for future reprogramming, spending authority and revenue recognition needs to be cancelled for expense and revenue accounts associated with the existing activity as identified below. CDBG funds from the canceled accounts are to be transferred to unallocated CDBG accounts: revenue: FHUD-CDBG20 274-748.104-502.748 and expense: FHUD-CDBG20 274-748.104-700.100

**Financial Implications:** Funds will be made for future reprogramming.

**Budgeted Expenditure:** Yes X No      Please explain, if no: *mmp*

**Account #:** Reviewed and approved by C. Dotson *C. Dotson*

Funds currently available in:

Revenue: FHUD-CDBG20 274-748.220-502.748 - \$30,000

Expense: FHUD-CDBG20 274-748.220-700.100 - \$30,000

**Pre-encumbered:**

Yes      No X N/A

**Requisition #:**

*City Department*

**Other Implications:** There are no other known implications at this time.

**Staff Recommendation:** Staff recommends approval of this resolution.

**APPROVAL**

*Suzanne Wilcox*

Suzanne Wilcox, Planning and Development Director



# RESOLUTION REVIEW FORM

FROM: DCED  
Division

DATE  
NO.

January 22, 2020  
20-1022  
Law Office Login #

RESOLUTION NAME:

Resolution to Cancel Spending Authority and Revenue Recognition in 2019-2020 Community Development Block Grant (CDBG) Funds for Police Activities League (PAL) – City of Flint Police Department in the Amount of \$30,000 for Reprogramming Availability

Date in:

## 1. RESOLUTION REVIEW - CED PROGRAM MANAGER

The attached RESOLUTION is approved by a Program Manager in the Division. By signing, the Program Manager approves this resolution to be processed for signatures.

By: Glenda Dunlap  
Program Manager

DATE:

(Date)

Date in:

## 2. RESOLUTION REVIEW - DEPT OF PLANNING AND DEV DIRECTOR

The attached RESOLUTION is approved by the DPD Director. By signing, the DPD Director approved this resolution to be processed for signatures.

By: Suzanne Wilcox  
Director

DATE:

(Date)

Date in:

## 3. RESOLUTION REVIEW - LEGAL

The attached RESOLUTION is submitted to the Legal Department for Approval as to FORM ONLY:

The Legal Department has reviewed the RESOLUTION as to Form on this form approves as to FORM ONLY.

2/5/20  
(Date)

and by signing

By: Angela Wheler  
Chief Legal Officer

DATE:

2-5-2020

Date in:

## 4. RESOLUTION REVIEW - FINANCE

The attached RESOLUTION is submitted to the FINANCE Department for approval as to FINANCE COMPLIANCE:

The Finance Department reviewed this RESOLUTION, on this form approves as to FINANCE COMPLIANCE.

2/19/2020

and by signing

(Date)

By: Amanda Trujillo  
Acting Chief Financial Officer

DATE:

2/19/2020

200124

RESOLUTION NO.: \_\_\_\_\_

PRESENTED: 3-4-20

ADOPTED: \_\_\_\_\_

**RESOLUTION TO APPROVE CONTRACT FOR ELECTRIC SERVICES WITH  
CONSUMER'S ENERGY**

**BY THE CITY ADMINISTRATOR:**

WHEREAS, The City and Consumer's Energy entered into a contract for electric services. The contract now expired.

WHEREAS, The City of Flint desires to obtain substantial reduction to the cost of electric to the City to reducing the monthly electric bill by 7% (See Attachment). The estimated savings under the new contract is approximately \$26,000.00 per year. This contract is renewable on an annual basis, and thereafter continues at the same rate on a month to month basis.

**IT IS RESOLVED** that the City Administrator is hereby authorized to do all this necessary to enter into this electric rate contract with the Consumer's Energy.

**APPROVED AS TO FORM:**

  
\_\_\_\_\_  
Angela Wheeler, Chief Legal Officer

**FOR THE CITY OF FLINT:**

  
\_\_\_\_\_  
Clyde Edwards, City Administrator

**APPROVED AS TO FINANCE:**

  
\_\_\_\_\_  
Amanda Trujillo, Acting Finance Director

**APPROVED BY CITY COUNCIL:**

\_\_\_\_\_  
Monica Galloway, City Council President



Effective Date of Agreement: \_\_\_\_\_  
(Month/Day/Year)

Company:

**CONSUMERS ENERGY COMPANY**  
a Michigan Corporation

ONE ENERGY PLAZA  
JACKSON MI 49201-2357

Customer:

**CITY OF FLINT**  
(Legal Name)

**1101 SOUTH SAGINAW STREET**  
(Street & Number)

**FLINT, MICHIGAN 48502**  
(City, State & Zip Code)

- |  |  |
|--|--|
| <input type="checkbox"/> Corporation               | <input type="checkbox"/> Sole Proprietorship     |
| <input type="checkbox"/> General Partnership       | <input type="checkbox"/> Limited Partnership     |
| <input type="checkbox"/> Limited Liability Company | <input type="checkbox"/> Education*              |
| <input type="checkbox"/> Other (Specify) _____     | <input checked="" type="checkbox"/> Government** |

SERVICE CHARACTERISTICS	
Service Location Name <b>City Hall- Administrative Complex</b>	Phase (60 Hertz) <b>Three (3)</b>
Service Address <b>1101 S. Saginaw Street</b>	Voltage Level (CVL 1,2,3) Volts <b>CVL3 8320</b>
Service Address City <b>Flint</b>	Capacity Reserved (kW) <b>700</b>
Service Address Township <b>Flint</b>	Substation Ownership Credit <input type="checkbox"/> Y <input checked="" type="checkbox"/> N
Service Address County <b>Genesee</b>	Self-Generation Provision (SG) <input type="checkbox"/> Y <input checked="" type="checkbox"/> N
Customer Account Number <b>1000 0029 8446</b>	General Service Rate/Code <b>GPT 1280</b>

Initial Term: One (1) year(s) beginning with the Effective Date of Agreement stated above and month to month thereafter.

**PART II, TERMS AND CONDITIONS, is attached hereto and is a part of this Agreement. CUSTOMER ACKNOWLEDGES HAVING READ SAID TERMS AND CONDITIONS.**

CONSUMERS ENERGY COMPANY

**CITY OF FLINT**  
(Customer)

By: \_\_\_\_\_  
(Signature)

By: \_\_\_\_\_  
(Signature)

\_\_\_\_\_  
(Print or Type Name)

\_\_\_\_\_  
(Print or Type Name)

Title: \_\_\_\_\_

Title: \_\_\_\_\_

Date: \_\_\_\_\_

Date: \_\_\_\_\_

\*Education customers may also require resolution Form 1509.  
\*\*Government customers may also require resolution Form 1502.



CONTRACT FOR ELECTRIC SERVICE  
PART I

**CONTRACT FOR ELECTRIC SERVICE  
TERMS AND CONDITIONS**

**PART II**

1. The Company agrees to supply, and the Customer agrees to purchase hereunder, all of the electric energy for the operation of the Customer's Facility described in Part I, but not in excess of the capacity reserved amount identified in Part I. The Company will, at the written request of the Customer, made at least thirty (30) days in advance, permit an increase in such reserved capacity if the Company has power available. A location for the metering equipment, suitable to the Company, shall be provided by the Customer and adequate protection afforded to avoid damage thereto, tampering or interference with such metering equipment.
2. The electric energy to be supplied hereunder shall be alternating current and shall have the characteristics identified in Part I. Delivery shall be made at one mutually agreeable point upon the Customer's premises. It shall be metered by meters furnished, installed and maintained by the Company. A location for the metering equipment, suitable to the Company, shall be provided by the Customer and adequate protection afforded to avoid damage thereto, tampering or interference with such metering equipment. The Company shall make periodic tests of its meters and keep them within accepted standards of accuracy.
3. The Customer shall pay for such energy in accordance with Company's General Service Rate and applicable provisions identified in Part I, a copy of which is attached hereto and made a part hereof, and in accordance with such amendments thereto as may be filed with and approved by the Michigan Public Service Commission during the term of this Agreement.
4. **For customers on the EIP rate:** With Customer approval, the Company may equip Customer facility with the System, which includes site devices owned by the Company that can enable direct load management, power metering, data collection, near real-time data communication, and internet-based monitoring. There shall be no cost to the Customer associated with the System equipment or installation of the System equipment. The Company reserves the right to remove the System equipment if customer elects to switch from the EIP rate to another primary rate.
5. It is further agreed that:
  - (a) Such service is for the sole use of the Customer, for the purpose aforesaid, and shall not be transmitted elsewhere, or shared or resold, or used as auxiliary or standby as to any other source of power supply, except as may be herein provided.
  - (b) Such service shall be governed by the Company's Rate Book and such future revisions and amendments thereof, supplements thereto, or substitutions therefore as may be filed with and approved by the Michigan Public Service Commission during the term of this Agreement. Unless otherwise specified, rate change becomes effective with the beginning of the customer's next full month's billing cycle. A copy thereof will be furnished to the Customer upon request.
  - (c) Except as to the capacity and minimum charges payable by the Customer, prescribed in said rate, neither party shall be liable to the other for damages for any act, omission or circumstance occasioned by or in consequence of any act of God, labor disturbance, act of the public enemy, war, insurrection, riot, fire, storm or flood, explosion, breakage or accident to machinery or equipment, or by any other cause or causes beyond such party's control, including any curtailment, order, regulation or restriction imposed by governmental, military or lawfully established civilian authorities, or by the making of necessary repairs upon the property or equipment of either party hereto; provided, however, that the Company's responsibility for interruptions in service, phase failure or reversal, or variations in the service characteristics shall be as provided in said Rate Book.
  - (d) This Agreement will become effective on the date identified in Part I and will extend for an initial term as stated in Part I and from month to month thereafter until terminated by mutual consent, or by either party giving the other at least sixty (60) days written notice of its desire to terminate the same at the expiration of any monthly period. If the Company does not receive notice prior to that time and has not issued a notice of termination on its own initiative, Customer's participating in the Energy Intensive Primary Rate shall be renewed for a minimum of the following 12-month period from the anniversary date of the Effective Date of Agreement in Part I. Notice of termination of the use of the Energy Intensive Primary Rate by the Customer to the Company or vice versa shall be mailed using the United States Post Office first-class mail. Notice to the Company for termination of the Agreement should be sent to Consumers Energy Company, Attention: Business Center Operations, 4000 Clay Avenue SW, Grand Rapids, MI 49548-3017.

- (e) This Agreement inures to and binds the heirs, administrators, successors and assigns of the respective parties hereto. There are no understandings or agreements between them in relation to electric distribution service at the facility service location stated in Part I except as contained herein. This Agreement supersedes all previous representations, negotiations, understandings or agreements, either written or oral, between the parties hereto or their representatives pertaining to the subject matter hereof and constitutes the entire agreement of the parties. This Agreement shall not be transferred by the Customer or otherwise alienated without the Company's written consent; any such attempted transfer without the Company's written consent shall be void.
- (f) The Customer shall furnish, without cost to the Company, a suitable site on its premises at each plant location listed in Part I for the Company's transmission lines, substations, and/or distribution facilities as may be required to provide such service to said premises. If, during the term hereof, the Customer's use of said premises makes necessary the relocation of said facilities, from the site presently furnished, to another site on said premises, the Company shall relocate the same at the Customer's request, and the Customer shall reimburse the Company for the cost thereby incurred. The Company, its agents, employees, and authorized contractors shall have full right and authority of ingress and egress at all times on and across said premises of the Customer, for the purpose of constructing, operating, maintaining, replacing, repairing, moving and removing its said facilities. Said right of ingress and egress, however, shall not unreasonably interfere with the use of the Customer's said premises.
- (g) This Agreement may be executed and delivered in counterparts, including by a facsimile or an electronic transmission thereof, each of which shall be deemed an original. Any document generated by the parties with respect to this Agreement, including this Agreement, may be imaged and stored electronically and introduced as evidence in any proceeding as if original business records. Neither party will object to the admissibility of such images as evidence in any proceeding on account of having been stored electronically.

6. Additional Terms:

---

**GENERAL SERVICE PRIMARY TIME-OF-USE RATE GPTU**

---

**Availability:**

Subject to any restrictions, this General Service Primary Time-Of-Use (GPTU) Rate is available to any Full Service Customer taking service at the Company's Primary Voltage level.

*This rate is not available for Standby service with generators that exceed 550kW, except for solar installations, nor available for lighting service, except for temporary service for lighting installations.*

**Nature of Service:**

Service under the rate shall be alternating current, 60-Hertz, single-phase or three-phase (at the Company's option) Primary Voltage service. The Company will determine the particular nature of the voltage in each case.

Where service is supplied at a normal voltage of 25,000 Volts or less, the customer shall furnish, install and maintain all necessary transforming, controlling, and protective equipment.

Where the Company elects to measure the service at a nominal voltage above 25,000 Volts, 1% shall be deducted for billing purposes, from the demand and energy measurements thus made.

Where the Company elects to measure the service at a nominal voltage of less than 2,400 Volts, 3% shall be added for billing purposes, to the demand and energy measurements thus made.

Interval Data Meters are required for service under this rate. Meter reading will be accomplished electronically through telecommunication links or other electronic measuring equipment available to provide the Company with the metering data necessary for billing purposes.

**Schedule of Hours:**

The following schedule shall apply Monday through Friday (except holidays designated by the Company):

**Summer:**

Off-Peak Hours:	12:00 AM to 6:00 AM and 11:00 PM to 12:00 AM
Low-Peak Hours:	6:00 AM to 12:00 PM and 7:00 PM to 11:00 PM
Mid-Peak Hours:	12:00 PM to 2:00 PM and 5:00 PM to 7:00 PM
High-Peak Hours:	2:00 PM to 5:00 PM

**Winter:**

Off-Peak Hours:	12:00 AM to 2:00 PM and 9:00 PM to 12:00 AM
Mid-Peak Hours:	2:00 PM to 4:00 PM and 7:00 PM to 9:00 PM
High-Peak Hours:	4:00 PM to 7:00 PM

Weekends and holidays are off-peak. Designated Company holidays are: New Year's Day - January 1; Memorial Day - Last Monday in May; Independence Day - July 4; Labor Day - First Monday in September; Thanksgiving Day - Fourth Thursday in November; and Christmas Day - December 25. Whenever January 1, July 4 or December 25 fall on a Sunday, extended holiday periods such as Monday, January 2, Monday, July 5 and Monday, December 26 shall not be considered as holidays for application of off-peak hours.

(Continued on Sheet No. D-36.20)

---

Issued April 17, 2018 by  
Patti Poppe,  
President and Chief Executive Officer,  
Jackson, Michigan

---

Effective for service rendered on  
and after April 1, 2018

Issued under authority of the  
Michigan Public Service Commission  
dated March 29, 2018  
in Case No. U-18322

**GENERAL SERVICE PRIMARY TIME-OF-USE RATE GPTU**

(Continued from Sheet No. D-36.10)

**Monthly Rate:**

**Power Supply Charges:**

Charges for Customer Voltage Level 3 (CVL3)

Energy Charge:

	Non-Capacity	Capacity	Total	
Off-Peak-Summer	\$0.056286	\$0.020681	\$0.076967	per kWh during the calendar months of June-September
Low-Peak-Summer	\$0.072924	\$0.025299	\$0.098223	per kWh during the calendar months of June-September
Mid-Peak-Summer	\$0.088694	\$0.029676	\$0.118370	per kWh during the calendar months of June-September
High-Peak-Summer	\$0.100060	\$0.032831	\$0.132891	per kWh during the calendar months of June-September

Off-Peak - Winter	\$0.056918	\$0.020856	\$0.077774	per kWh during the calendar months of October-May
Mid-Peak - Winter	\$0.063823	\$0.022773	\$0.086596	per kWh during the calendar months of October-May
High-Peak - Winter	\$0.065501	\$0.023239	\$0.088740	per kWh during the calendar months of October-May

Charges for Customer Voltage Level 2 (CVL2)

Energy Charge:

	Non-Capacity	Capacity	Total	
Off-Peak-Summer	\$0.051286	\$0.015681	\$0.066967	per kWh during the calendar months of June-September
Low-Peak-Summer	\$0.067924	\$0.020299	\$0.088223	per kWh during the calendar months of June-September
Mid-Peak-Summer	\$0.083694	\$0.024676	\$0.108370	per kWh during the calendar months of June-September
High-Peak-Summer	\$0.095060	\$0.027831	\$0.122891	per kWh during the calendar months of June-September

Off-Peak - Winter	\$0.051918	\$0.015856	\$0.067774	per kWh during the calendar months of October-May
Mid-Peak - Winter	\$0.058823	\$0.017773	\$0.076596	per kWh during the calendar months of October-May
High-Peak - Winter	\$0.060501	\$0.018239	\$0.078740	per kWh during the calendar months of October-May

Charges for Customer Voltage Level 1 (CVL1)

Energy Charge:

	Non-Capacity	Capacity	Total	
Off-Peak-Summer	\$0.049286	\$0.013681	\$0.062967	per kWh during the calendar months of June-September
Low-Peak-Summer	\$0.065924	\$0.018299	\$0.084223	per kWh during the calendar months of June-September
Mid-Peak-Summer	\$0.081694	\$0.022676	\$0.104370	per kWh during the calendar months of June-September
High-Peak-Summer	\$0.093060	\$0.025831	\$0.118891	per kWh during the calendar months of June-September

Off-Peak - Winter	\$0.049918	\$0.013856	\$0.063774	per kWh during the calendar months of October-May
Mid-Peak - Winter	\$0.056823	\$0.015773	\$0.072596	per kWh during the calendar months of October-May
High-Peak - Winter	\$0.058501	\$0.016239	\$0.074740	per kWh during the calendar months of October-May

**Delivery Charges:**

System Access Charge: \$200.00 per customer per month

Charges for Customer Voltage Level 3 (CVL3)

Capacity Charge: \$3.60 per kW of Maximum Demand

Charges for Customer Voltage Level 2 (CVL2)

Capacity Charge: \$1.86 per kW of Maximum Demand

Charges for Customer Voltage Level 1 (CVL1)

Capacity Charge: \$0.91 per kW of Maximum Demand

**Adjustment for Power Factor**

This rate requires a determination of the average Power Factor maintained by the customer during the billing period. Such average Power Factor shall be determined through metering of lagging Kilovar-hours and Kilowatt-hours during the billing period. The calculated ratio of lagging Kilovar-hours to Kilowatt-hours shall then be converted to the average Power Factor for the billing period by using the appropriate conversion factor. Whenever the average Power Factor during the billing period is above .899 or below .850, the customer bill shall be adjusted as follows:

(Continued on Sheet No. D-36.30)

Issued January 23, 2019 by  
Patti Poppe,  
President and Chief Executive Officer,  
Jackson, Michigan

Effective for service rendered on  
and after January 10, 2019

Issued under authority of the  
Michigan Public Service Commission  
dated January 9, 2019  
in Case No. U-20134



**GENERAL SERVICE PRIMARY TIME-OF-USE RATE GPTU**

(Continued from Sheet No. D-36.20)

**Monthly Rate (Contd)**

**Adjustment for Power Factor (Contd)**

- (a) If the average Power Factor during the billing period is .900 or higher, a 0.50% credit will be applied to all metered-based charges, excluding surcharges. This credit shall not in any case be used to reduce the prescribed Minimum Charge.
- (b) If the average Power Factor during the billing period is less than .850, a penalty will be applied to all metered-based charges, excluding surcharges, in accordance with the following table:

Power Factor	Penalty
0.800 to 0.849	0.50%
0.750 to 0.799	1.00%
0.700 to 0.749	2.00%
Below 0.700	3% first 2 months

- (c) A Power Factor less than 0.700 is not permitted and necessary corrective equipment must be installed by the customer. A 15% penalty will be applied to any metered-based charges, excluding surcharges, after two consecutive months below 0.700 Power Factor and will continue as long as the Power Factor remains below 0.700. Once the customer's Power Factor exceeds 0.700, it is necessary to complete two consecutive months below 0.700 before the 15% penalty applies again.

**Maximum Demand**

The Maximum Demand shall be the highest 15-minute demand created during the current month or previous 11 months.

**Resale Service Provision**

*Subject to any restrictions, this provision is available to customers desiring Primary Voltage service for resale purposes in accordance with Rule C4.4, Resale.*

**Substation Ownership Credit**

Where service is supplied at a nominal voltage of more than 25,000 volts, energy is measured through an Interval Data Meter, and the customer provides all the necessary transforming, controlling and protective equipment for all the service there shall be deducted from the bill a monthly credit. For those customers, part of whose load is served through customer-owned equipment, the credit shall be based on the Maximum Demand.

The monthly substation ownership credit shall be applied as follows:

**Delivery Charges - These charges are applicable to Full Service Customers.**

Charges for Customer Voltage Level 2 (CVL 2)

Substation Ownership Credit: \$(0.97) per kW of Maximum Demand

Charges for Customer Voltage Level 1 (CVL 1)

Substation Ownership Credit: \$(0.45) per kW of Maximum Demand

For those customers served by more than one substation where one or more of the substations is owned by the customer, the credit will be applied to the customer's coincident Maximum Demand for those substations owned by the customer. This credit shall not operate to reduce the customer's billing below the prescribed minimum charges included in the rate. The credit shall be based on the kW after the 1% deduction or 3% addition has been applied to the metered kW.

**Educational Institution Service Provision (GEI)**

When service is supplied to a school, college or university, a credit shall be applied during all billing months. As used in this provision, "school" shall mean buildings, facilities, playing fields, or property directly or indirectly used for school purposes for children in grades kindergarten through twelve, when provided by a public or nonpublic school. School does not include instruction provided in a private residence or proprietary trade, vocational, training, or occupational school. "College" or "University" shall mean buildings located on the same campus and used to impart instruction, including all adjacent and appurtenant buildings owned by the same customer which are located on the same campus and which constitute an integral part of such college or university facilities.

The monthly credit for the Educational Institution Service Provision shall be applied as follows:

**Delivery Charges - These charges are applicable to Full Service Customers.**

Educational Institution Credit: \$ (0.000314) per kWh for all kWh

Customers on this provision shall require a written contract, with a minimum term of one year, and shall be evaluated annually to determine whether or not the accounts shall remain on the service provision.

(Continued on Sheet No. D-36.40)

Issued January 23, 2019 by  
Patti Poppe,  
President and Chief Executive Officer,  
Jackson, Michigan

Effective for service rendered on  
and after January 10, 2019

Issued under authority of the  
Michigan Public Service Commission  
dated January 9, 2019  
in Case No. U-20134

---

**GENERAL SERVICE PRIMARY TIME-OF-USE RATE GPTU**  
(Continued from Sheet No. D-36.30)

---

**Self-Generation Provision (SG)**

Subject to any restrictions, as of June 8, 2012, this provision may be required for any Full Service Customer with a generating installation less than 550 kW operating in parallel with the Company's system, which may employ cogeneration or small power production technology.

All facilities operated in parallel with the Company's system must meet the Parallel Operation Requirements set forth in Rule C1.6B. The Company shall own, operate and maintain all metering and auxiliary devices (including telecommunication links) at the customer's expense. Meters furnished, installed and maintained by the Company shall meter generation equipment for customers that sell energy to the Company. No refund shall be made for any customer contribution required.

Energy delivered to the Company shall be alternating current, 60-hertz, single-phase or three-phase (as governed by Rule B8., Electric Interconnection and Net Metering Standards) Secondary Voltage or Primary Voltage service. The Company will determine the particular nature of the voltage in each case.

Self-generation customers requiring Company delivery service for any portion of the load that has been self-generated will be charged as described in the Delivery Charges section of this Rate Schedule.

There shall be no double billing of demand under the base rate and the Self-Generation Provision.

**Sales of Self-Generated Energy to the Company**

A customer who meets the Federal Energy Regulatory Commission's (FERC) criteria for a Qualifying Facility may elect to sell energy to the Company. The Company has the right to refuse to contract for the purchase of energy. Sales of energy to the Company under this provision shall require a written contract with a minimum term of one year.

Where the customer elects to sell energy to the Company, an Interval Data Meter (IDM) or other applicable meter is required for their generator. Meter reading will be accomplished electronically through telecommunication links or other electronic data methods able to provide the Company with the metering data / billing determinants necessary for billing purposes.

**Administrative Cost Charge**

\$0.0010 per kWh purchased for generation installations with a capacity of 550 kW or less.

**Energy Purchase**

An energy purchase by the Company shall be bought at the Midcontinent Independent System Operator's, Inc. (MISO) real-time Locational Marginal Price (LMP) for the Company's load node (designated as "CONS.CETR" as of the date of this Rate Schedule). The Company may discontinue purchases during system emergencies, maintenance and other operational circumstances.

**Green Generation Program**

Customer contracts for participation in the Green Generation Program shall be available to any eligible customer as described in Rule C10.2, Green Generation Program.

A customer who participates in the Green Generation Program is subject to the provisions contained in Rule C10.2, Green Generation Program.

**General Terms**

The rate is subject to all general terms and conditions shown on Sheet No. D-1.00.

**Minimum Charge**

The System Access Charge included in the rate, and any applicable non-consumption based surcharges.

**Due Date and Late Payment Charge**

The due date of the customer bill shall be 21 days from the date of mailing. A late payment charge of 2% of the unpaid balance, net of taxes, shall be assessed to any bill which is not paid on or before the due date shown thereon.

**Term and Form of Contract**

Service under this rate shall require a written contract with a minimum term of one year.

---

Issued January 23, 2019 by  
Patti Poppe,  
President and Chief Executive Officer,  
Jackson, Michigan

---

Effective for service rendered on  
and after January 10, 2019

Issued under authority of the  
Michigan Public Service Commission  
dated January 9, 2019  
in Case No. U-20134

## ELECTRIC RATE ANALYSIS

Billing Month	Total Energy	GPD				GSTU				GPTU				Electric Rate Options			
		OffPeak		OnPeak		Maximum Demand		Power Factor		OffPeak		OnPeak		Current		Option 1	
		Energy	Energy	Energy	Energy	Current	Historic			Energy	Energy	Energy	Energy	U-20134 GPD Bundled CLV 3	U-20134 GPD Bundled CLV 3	U-20134 GPTU Bundled CLV 3	Option 2 U-20134 GPTU Bundled CLV 3
January	206,192	148,840	57,351	369	660	369	660	0.85	95,400	159,286	110,792	27,009	19,897	\$ 21,103	\$ 20,011	\$ 20,011	\$ 25,707
February	189,344	136,018	51,325	369	660	369	660	0.85	90,794	147,752	98,550	24,043	17,549	\$ 20,568	\$ 18,648	\$ 18,648	\$ 23,707
March	202,225	150,221	52,004	372	660	372	660	0.85	102,004	160,083	100,221	24,462	17,680	\$ 21,051	\$ 19,656	\$ 19,656	\$ 25,236
April	190,294	138,377	51,917	338	660	338	660	0.85	89,704	148,184	100,590	24,410	17,700	\$ 19,665	\$ 18,726	\$ 18,726	\$ 23,820
May	237,064	166,657	70,407	634	660	634	660	0.85	105,747	179,710	131,317	32,927	24,427	\$ 30,081	\$ 22,516	\$ 22,516	\$ 29,373
June	269,057	195,634	73,424	614	660	614	660	0.85	131,328	124,702	36,840	35,566	28,359	\$ 31,703	\$ 29,000	\$ 29,000	\$ 33,406
July	322,917	233,599	89,318	637	660	637	660	0.85	155,845	147,371	45,150	43,455	34,509	\$ 34,154	\$ 34,184	\$ 34,184	\$ 39,849
August	323,214	231,329	91,884	595	660	595	660	0.85	150,392	141,432	46,340	44,659	35,528	\$ 32,850	\$ 34,399	\$ 34,399	\$ 39,884
September	266,409	194,266	72,143	645	660	645	660	0.85	132,985	126,190	35,894	34,967	27,613	\$ 32,609	\$ 28,670	\$ 28,670	\$ 33,090
October	197,113	141,605	55,508	349	660	349	660	0.85	90,387	152,323	106,726	25,952	18,838	\$ 20,218	\$ 19,283	\$ 19,283	\$ 24,629
November	200,367	144,624	55,743	376	660	376	660	0.85	93,571	155,057	106,796	26,086	19,224	\$ 21,131	\$ 19,542	\$ 19,542	\$ 25,016
December	200,500	148,707	51,793	384	660	384	660	0.85	101,308	158,419	99,192	24,164	17,916	\$ 21,360	\$ 19,521	\$ 19,521	\$ 25,032
YTD (w/o Tax)	2,804,696	2,031,876	772,819	5,683	7,926	5,683	7,926	0.85	1,339,465	1,800,509	1,018,508	367,700	279,242	\$ 306,494	\$ 284,157	\$ 284,157	\$ 348,749

Generation 266,650 244,312 298,008  
PSCB Factor 2,973 2,973 2,973  
Delivery 28,512 28,512 37,544  
Provisions - - -  
Surcharges 15,775 15,775 15,775  
Power Factor - - -  
Tax Credit (A) (7,416) (7,416) (5,550)

Percentage of Taxable Energy: 0.00%

Sales Tax  
YTD (w/ Tax)

Average Rate 10.93¢  
Power Factor Charges/Credits

Surcharges

Low Income Assistance Fund,  
Power Plant Securitization,

NOTE: Data from 4/18/18 through 4/17/19

All calculations are estimates based on historic use, current rates, and current PSCB. The estimates bills are provided for comparison purposes only and may not be indicative of future billings. Actual bills may be significantly different from those shown based on future rates and usage.

WORKING TO DELIVER THE ENERGY YOU NEED, WHENEVER YOU NEED IT.



THAT'S OUR PROMISE TO MICHIGAN

5/20/2019

Resolution No.:

200125

Presented:

3-4-20

Adopted:

**Resolution Setting Hearing Date to Establish an Obsolete Property Rehabilitation District at 3701 Lapeer Rd.**

(P.A. 146 of 2000, as amended)

**By the Mayor:**

The owners of property comprising at least 50 percent of all taxable value of the property legally described in the *Attachment* and commonly known as 3701 Lapeer Rd., have requested that the City of Flint establish an Obsolete Property Rehabilitation District, pursuant to the authority found in Public Act 146 of 2000, as amended.

Before acting upon the request, the City of Flint, pursuant to Public Act 146 of 2000, as amended, shall afford an opportunity for a hearing on the establishment of an Obsolete Property Rehabilitation District, at which time the owners and any other taxpayer or resident of the City of Flint may appear and be heard.

**IT IS RESOLVED,** That such a hearing to consider the establishment of an Obsolete Property Rehabilitation District be held on the 13th day of April 2020 at 5:30 p.m. in the City Council Chamber of Flint City Hall, 1101 S. Saginaw Street, Flint, Michigan, and the notice of such hearing be published in an official paper of general circulation not less than ten (10) days prior to said hearing.

**RESOLVED,** That at said hearing, the property owners and any other taxpayer or resident of the City of Flint may appear and be heard.

APPROVED AS TO FORM:

Angela Wheeler, Chief Legal Officer

ADMINISTRATION

Sheldon A. Neeley, Mayor

CITY COUNCIL

Monica Galloway, President

## RESOLUTION STAFF REVIEW FORM

### DATE

January 5, 2020

### Agenda Item Title:

- ✓ 1. Resolution Setting Hearing Date to Consider the Establishment of an Obsolete Property Rehabilitation District at 3701 Lapeer Rd.
2. Resolution Approving the Establishment of an Obsolete Property Rehabilitation District at 3701 Lapeer Rd.

### Prepared By

Department of Planning and Development, Community & Economic Development Division

### Background/Summary of Proposed Action:

The attached resolutions are being presented to satisfy the owner's request to establish an Obsolete Property Rehabilitation District on the property commonly known as 3701 Lapeer Rd.

Per the public act, a hearing shall be held prior to the establishment of such a district.

### Financial Implications (Analysis):

There is no financial impact with the establishment of an Obsolete Property Rehabilitation District. But once established, the district allows the property tax payer to apply for an exemption from ad valorem taxes on rehabilitated facilities within the district for a period of up to 12 years.

Budgeted Expenditure: Yes \_\_\_\_\_ No X \_\_\_\_\_ Please explain, if no: N/A

### Account #:

Date Reviewed and approved by Carissa Dotson \_\_\_\_\_ N/A

Pre-encumbered: Yes \_\_\_\_\_ No \_\_\_\_\_ Requisition # \_\_\_\_\_ N/A

Other Implications (i.e., collective bargaining): There are no known implications

### Staff Recommendation:

The Administration recommends approval.

  
Glenda R. Dunlap, Program Manager

**RESOLUTION REVIEW FORM**

FROM: DCED/- GRD  
Department/Author

DATE  
NO.

February 25, 2020

Law Office Login #

RESOLUTION NAME: **Resolution Setting Public Hearing for an Obsolete Property Rehab District at 3701 Lapeer Road**

Date in:

**1. RESOLUTION REVIEW - PLANNING AND DEVELOPMENT DIRECTOR**

By: Suzanne Wilcox   
Planning and Development Director

DATE: \_\_\_\_\_  
(Date)

Date in:

**2. RESOLUTION REVIEW - LEGAL**

The attached RESOLUTION is submitted to the Legal Department for Approval as to FORM ONLY.  
The Legal Department has reviewed the RESOLUTION as to Form on  
this form approves as to FORM ONLY.

2-25-2020  
(Date), and by signing

By:   
Chief Legal Officer Angela Wheeler

DATE: 2-25-2020

SUBMISSION NO.: 200134

PRESENTED: 3-4-20

ADOPTED: \_\_\_\_\_

**RESOLUTION AUTHORIZING APPROPRIATE CITY OFFICIALS TO DO ALL THINGS NECESSARY TO PROCESS A BUDGET AMENDMENT TO TRANSFER FUNDS TO 202-449.215-801.000 ACCOUNT FOR PROFESSIONAL SERVICES**

**BY THE CITY ADMINISTRATOR:**

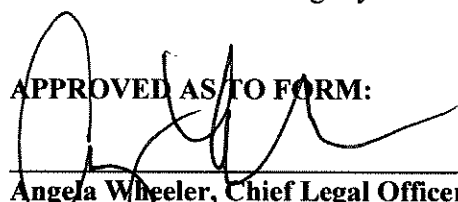
To maintain a balanced departmental budget, it is necessary that appropriated funding be moved within the Department of Public Works, Transportation Division budget from revenue account 202-449.201-677.900 received from the Department of Planning & Development for services rendered into account to 202-449.215-801.000

The Street Maintenance Department asks the following transactions take place to facilitate this Budget Amendment:

Transfer \$43,838.25 from 202-449.201-677.900 to 202-449.215-801.000

**IT IS RESOLVED**, that the appropriate city officials are hereby authorized to do all things necessary to amend the 2019-2020 budget of the City of Flint for the Street Maintenance Department's FY20 budget shall be amended to recognize revenue received from intercity charges for services rendered to Department of Planning & Development for tree removal work services completed in association with the Neighborhood Planning Initiative grant and transfer appropriated funds from line item 202-449.201-677.900 in the amount of \$43,838.25 to be transferred to line item 202-449.215-801.000 for professional services for additional tree trimming and removal for the remainder of FY20 budget year and to bring the account current.

**APPROVED AS TO FORM:**

  
Angela Wheeler, Chief Legal Officer

**APPROVED AS TO FINANCE:**

  
Amanda Trujillo, Interim Chief Finance Officer

  
Clyde Edwards, City Administrator

**CITY COUNCIL:**

\_\_\_\_\_  
Monica Galloway, Council President

FY20-KST



## RESOLUTION STAFF REVIEW

---

**DATE:** February 12, 2020

**Agenda Item Title:** Budget Amendment

**Prepared by:** Kirstie S. Troup for Betty Wideman

**Background/Summary of Proposed Action:**

Street Maintenance Division would like to amend FY 20 budget to recognize revenue received from intercity charges for services rendered to the Planning and Development Division for tree removal work services completed in association with the Neighborhood Planning Initiative grant and transfer appropriated funds from line item 202-449.201-677.900 in the amount of \$43,838.25 to be transferred to line item 202-449.215-801.000 for Professional Services for additional tree trimming and removal for the remainder of FY 20 budget year.

**Financial Implications:** Amending Street Maintenance Division Budget in the amount of \$43,838.25 by moving said funds from Street Maintenance revenue account into the Street Maintenance professional service account, 202-449.215-801.000

**Budgeted Expenditure?** Yes ☒ No ☐ Please explain if no:

**Account No.:** 202-449.201-677.900, 202-449.215-801.000

**Pre-encumbered?** Yes ☐ No ☒ Requisition #

**Other Implications (i.e., collective bargaining):** None

**Staff Recommendation:** Recommend Approval

**Staff Person:** Betty J. Wideman

Betty Wideman, Transportation Division Manager



FROM 202-449.215-801.000 TO 202-449.215-801.000

TRANSACTIONS FROM 07/01/2019 TO 06/30/2020

Date	JNL	Type	Description	Reference #	Debits	Credits	Balance
Fund 202 Major Street Fund							
07/01/2019			<b>202-449.215-801.000 Professional Service</b>		BEG. BALANCE		0.00
09/13/2019	AP	INV	TREE TRIMMING, REMOVALS AND EMERGENC	1310	1,082.92		1,082.92
09/13/2019	AP	INV	TREE TRIMMING, REMOVALS AND EMERGENC	1993	129.95		1,212.87
09/30/2019	AP	INV	50/50 SIDEWALK REPLACEMENT PROGRAM	09202019A	1,017.50		2,230.37
09/30/2019	AP	INV	50/50 SIDEWALK REPLACEMENT PROGRAM	09202019B	8,384.55		10,614.92
09/30/2019	AP	INV	50/50 SIDEWALK REPLACEMENT PROGRAM	09202019C	24,776.42		35,391.34
10/18/2019	AP	INV	50/50 SIDEWALK REPLACEMENT PROGRAM	10142019B	6,696.20		42,087.54
10/18/2019	AP	INV	50/50 SIDEWALK REPLACEMENT PROGRAM	10142019A	26,510.00		68,597.54
10/18/2019	AP	INV	50/50 SIDEWALK REPLACEMENT PROGRAM	10142019C	2,615.33		71,212.87
10/25/2019	ONL	JE	50/50 Sidewalk exp to appropriate ac	54296		67,384.67	3,828.20
10/25/2019	ONL	JE	50/50 Sidewalk exp to appropriate ac	54917		2,615.33	1,212.87
10/31/2019	AP	INV	TREE TRIMMING, REMOVALS AND EMERGENC	103019	5,198.02		6,410.89
11/01/2019	AP	INV	TREE TRIMMING, REMOVALS AND EMERGENC	110119	3,073.33		9,484.22
11/26/2019	AP	INV	TREE TRIMMING, REMOVALS AND EMERGENC	2102	1,338.49		10,822.71
11/26/2019	AP	INV	TREE TRIMMING, REMOVALS AND EMERGENC	2103	537.13		11,359.84
11/26/2019	AP	INV	TREE TRIMMING, REMOVALS AND EMERGENC	2094	428.84		11,788.68
12/04/2019	AP	INV	TREE TRIMMING, REMOVALS AND EMERGENC	2113	298.89		12,087.57
12/04/2019	AP	INV	TREE TRIMMING, REMOVALS AND EMERGENC	2111	1,039.60		13,127.17
12/04/2019	AP	INV	TREE TRIMMING, REMOVALS AND EMERGENC	2110	519.80		13,646.97
12/04/2019	AP	INV	TREE TRIMMING, REMOVALS AND EMERGENC	2114	298.89		13,945.86
12/18/2019	AP	INV	TREE TRIMMING, REMOVALS AND EMERGENC	2120	519.80		14,465.66
12/18/2019	AP	INV	TREE TRIMMING, REMOVALS AND EMERGENC	2116	519.80		14,985.46
12/18/2019	AP	INV	TREE TRIMMING, REMOVALS AND EMERGENC	2119	519.80		15,505.26
12/18/2019	AP	INV	TREE TRIMMING, REMOVALS AND EMERGENC	2117	298.89		15,804.15
12/18/2019	AP	INV	TREE TRIMMING, REMOVALS AND EMERGENC	2142	1,039.60		16,843.75
12/18/2019	AP	INV	TREE TRIMMING, REMOVALS AND EMERGENC	2129	389.85		17,233.60
12/18/2019	AP	INV	TREE TRIMMING, REMOVALS AND EMERGENC	2138	331.37		17,564.97
12/18/2019	AP	INV	TREE TRIMMING, REMOVALS AND EMERGENC	2132	86.63		17,651.60
12/18/2019	AP	INV	TREE TRIMMING, REMOVALS AND EMERGENC	2130	129.95		17,781.55
12/18/2019	AP	INV	TREE TRIMMING, REMOVALS AND EMERGENC	2131	129.95		17,911.50
12/18/2019	AP	INV	TREE TRIMMING, REMOVALS AND EMERGENC	2123	129.95		18,041.45
12/18/2019	AP	INV	TREE TRIMMING, REMOVALS AND EMERGENC	2101	537.13		18,578.58
12/18/2019	AP	INV	TREE TRIMMING, REMOVALS AND EMERGENC	2134	129.95		18,708.53
12/18/2019	AP	INV	TREE TRIMMING, REMOVALS AND EMERGENC	2143	298.89		19,007.42
12/18/2019	AP	INV	TREE TRIMMING, REMOVALS AND EMERGENC	2140	138.61		19,146.03
12/18/2019	AP	INV	TREE TRIMMING, REMOVALS AND EMERGENC	2128	129.95		19,275.98
12/18/2019	AP	INV	TREE TRIMMING, REMOVALS AND EMERGENC	2122	129.95		19,405.93
12/18/2019	AP	INV	TREE TRIMMING, REMOVALS AND EMERGENC	2141	298.89		19,704.82
12/18/2019	AP	INV	TREE TRIMMING, REMOVALS AND EMERGENC	2127	259.90		19,964.72
12/18/2019	AP	INV	TREE TRIMMING, REMOVALS AND EMERGENC	2126	259.90		20,224.62
12/18/2019	AP	INV	TREE TRIMMING, REMOVALS AND EMERGENC	2145	896.66		21,121.28
12/20/2019	AP	INV	TREE TRIMMING, REMOVALS AND EMERGENC	2084	5,631.19		26,752.47
12/20/2019	AP	INV	TREE TRIMMING, REMOVALS AND EMERGENC	2154	259.90		27,012.37
12/20/2019	AP	INV	TREE TRIMMING, REMOVALS AND EMERGENC	2152	259.90		27,272.27
12/20/2019	AP	INV	TREE TRIMMING, REMOVALS AND EMERGENC	2153	86.63		27,358.90
12/20/2019	AP	INV	TREE TRIMMING, REMOVALS AND EMERGENC	2155	86.63		27,445.53
12/20/2019	AP	INV	TREE TRIMMING, REMOVALS AND EMERGENC	2150	129.95		27,575.48
12/20/2019	AP	INV	TREE TRIMMING, REMOVALS AND EMERGENC	2151	86.63		27,662.11
12/20/2019	AP	VOID	Void Invoice 2084 0000006307	2084		5,631.19	22,030.92
12/20/2019	AP	INV	TREE TRIMMING, REMOVALS AND EMERGENC	2084	5,631.19		27,662.11
01/13/2020	AP	INV	TREE TRIMMING, REMOVALS AND EMERGENC	1775	422.34		28,084.45
01/13/2020	AP	INV	TREE TRIMMING, REMOVALS AND EMERGENC	1827	422.34		28,506.79
01/13/2020	AP	INV	TREE TRIMMING, REMOVALS AND EMERGENC	1741	324.88		28,831.67
01/13/2020	AP	INV	TREE TRIMMING, REMOVALS AND EMERGENC	1856	422.34		29,254.01
01/13/2020	AP	INV	TREE TRIMMING, REMOVALS AND EMERGENC	1850	422.34		29,676.35
01/13/2020	AP	INV	TREE TRIMMING, REMOVALS AND EMERGENC	1998	519.81		30,196.16
01/13/2020	AP	INV	TREE TRIMMING, REMOVALS AND EMERGENC	2157	519.80		30,715.96
01/13/2020	AP	INV	TREE TRIMMING, REMOVALS AND EMERGENC	2161	519.81		31,235.77
01/13/2020	AP	INV	TREE TRIMMING, REMOVALS AND EMERGENC	2159	597.77		31,833.54
01/13/2020	AP	INV	TREE TRIMMING, REMOVALS AND EMERGENC	2160 PO19-001857	259.90		32,093.44
01/24/2020	AP	INV	TREE TRIMMING, REMOVALS AND EMERGENC	1841	129.95		32,223.39
01/24/2020	AP	INV	TREE TRIMMING, REMOVALS AND EMERGENC	1842	129.95		32,353.34
01/24/2020	AP	INV	TREE TRIMMING, REMOVALS AND EMERGENC	1829	129.95		32,483.29
01/24/2020	AP	INV	TREE TRIMMING, REMOVALS AND EMERGENC	1828	129.95		32,613.24
01/24/2020	AP	INV	TREE TRIMMING, REMOVALS AND EMERGENC	2144	259.91		32,873.15
02/10/2020	AP	INV	TREE TRIMMING, REMOVALS AND EMERGENC	1857	216.58		33,089.73
02/10/2020	AP	INV	TREE TRIMMING, REMOVALS AND EMERGENC	1704	97.46		33,187.19
02/10/2020	AP	INV	TREE TRIMMING, REMOVALS AND EMERGENC	1839	617.26		33,804.45
02/10/2020	AP	INV	TREE TRIMMING, REMOVALS AND EMERGENC	1805	422.34		34,226.79
02/10/2020	AP	INV	TREE TRIMMING, REMOVALS AND EMERGENC	1795	97.46		34,324.25
02/10/2020	AP	INV	TREE TRIMMING, REMOVALS AND EMERGENC	1849	97.46		34,421.71
02/10/2020	AP	INV	TREE TRIMMING, REMOVALS AND EMERGENC	1859	259.90		34,681.61
02/10/2020	AP	INV	TREE TRIMMING, REMOVALS AND EMERGENC	1845	227.41		34,909.02
02/10/2020	AP	INV	TREE TRIMMING, REMOVALS AND EMERGENC	1838	519.80		35,428.82
02/10/2020	AP	INV	TREE TRIMMING, REMOVALS AND EMERGENC	1834	129.95		35,558.77
02/10/2020	AP	INV	TREE TRIMMING, REMOVALS AND EMERGENC	1750	129.95		35,688.72
02/10/2020	AP	INV	TREE TRIMMING, REMOVALS AND EMERGENC	1764	97.46		35,786.18
02/10/2020	AP	INV	TREE TRIMMING, REMOVALS AND EMERGENC	1765	97.46		35,883.64
02/10/2020	AP	INV	TREE TRIMMING, REMOVALS AND EMERGENC	1843	97.46		35,981.10
02/10/2020	AP	INV	TREE TRIMMING, REMOVALS AND EMERGENC	1778	292.39		36,273.49
02/10/2020	AP	INV	TREE TRIMMING, REMOVALS AND EMERGENC	1780	97.46		36,370.95
02/10/2020	AP	INV	TREE TRIMMING, REMOVALS AND EMERGENC	1929	97.46		36,468.41
02/10/2020	AP	INV	TREE TRIMMING, REMOVALS AND EMERGENC	1927	97.46		36,565.87
02/10/2020	AP	INV	TREE TRIMMING, REMOVALS AND EMERGENC	1844	216.59		36,782.46
02/10/2020	AP	INV	TREE TRIMMING, REMOVALS AND EMERGENC	1855	97.46		36,879.92
02/10/2020	AP	INV	TREE TRIMMING, REMOVALS AND EMERGENC	1919	422.34		37,302.26
02/25/2020	AP	INV	TREE TRIMMING, REMOVALS AND EMERGENC	1755	194.93		37,497.19
02/25/2020	AP	INV	TREE TRIMMING, REMOVALS AND EMERGENC	012220	1,754.34		39,251.53

GL ACTIVITY REPORT FOR CITY OF FLINT  
FROM 202-449.215-801.000 TO 202-449.215-801.000  
TRANSACTIONS FROM 07/01/2019 TO 06/30/2020

Date	JNL	Type	Description	Reference #	Debits	Credits	Balance
			<b>202-449.215-801.000 Professional Service</b>		(Continued)		
02/25/2020	AP	INV	TREE TRIMMING, REMOVALS AND EMERGENC	021320 19-001858	2,393.27		41,644.80
02/25/2020	AP	INV	TREE TRIMMING, REMOVALS AND EMERGENC	1848	422.34		42,067.14
02/25/2020	AP	INV	TREE TRIMMING, REMOVALS AND EMERGENC	1846	768.87		42,836.01
06/30/2020			202-449.215-801.000	END BALANCE	118,467.20	75,631.19	42,836.01

Date                      JNL                     

1/1

Date	JNL	Type	Description	Reference #	Debits	Credits	Balance
Fund 202 Major Street Fund							
07/01/2019			<b>202-449.201-677.900 Reimbursements-Intercity</b>	BEG. BALANCE			0.00
10/31/2019	ONL	JE	IGC - DCED/Street Mtnce Services Oct	54389		36,743.25	(36,743.25)
10/31/2019	ONL	JE	IGC-DCED/Street Mtnce Services Oct'1	54423		7,095.00	(43,838.25)
06/30/2020			202-449.201-677.900	END BALANCE	0.00	43,838.25	(43,838.25)

**ORDINANCE NO.** \_\_\_\_\_

**An Ordinance to amend the Flint City Code of Ordinances by amending Chapter 2, Administration; Article XV, Department of Finance.**

**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 2, Administration; Article XV, Department of Finance; which shall read in its entirety as follows:**

**§ 2-106 DEVELOPMENT AND UPDATE OF STRATEGIC PLAN.**

- A. Developing and implementing a multi-year strategic plan is an essential component of a sustainable city government. A Strategic Plan is the statement of vision, mission, and goals of the organization. It also identifies the strategic objectives to be implemented that will move the organization toward the realization of its vision, mission, and goals.
- B. The Mayor and the City Council, working with the Emergency Manager and City Staff, created the initial City of Flint FY15-FY19 Strategic Plan adopted on June 20, 2014, by Emergency Manager Order No. 14.
- C. The process of developing and implementing the strategic plan is an ongoing process. It is dynamic and must be regularly reviewed and updated to reflect progress and changing needs. It must be recognized as the formal foundation of ongoing governing and budgetary decisions.

- D. The City is committed to becoming a sustainable organization. Accordingly, the following process for the development, adoption, implementation, and monitoring of its strategic plan is hereby established:

1. The City Council hereby recognizes the existence of the City of Flint FY15-FY19 strategic plan, as adopted on June 20, 2014, by Emergency Manager No. 14.
2. The Mayor and City Administrator, working in concert with city staff, shall provide a written quarterly report to the City Council on the status of implementing the Strategic Plan. The reports shall identify specific achievements and any significant changes to the original plan. The reports shall be made to the Finance and Administration Committee, and to other committees as appropriate, in the months of October, January, April, and July of each year. The City Administrator shall be responsible for working with the Mayor, City Council leadership and for directing City Staff to provide recommendation, time lines, and the information necessary to enable City Council to adopt the updated plan in a timely manner.

3. PURSUANT TO CITY OF FLINT CHARTER SECTION 7-101(3), ON OR BEFORE THE FIRST MONDAY OF SEPTEMBER THE CITY COUNCIL SHALL PASS AND THE MAYOR SHALL ADOPT A RESOLUTION UPDATING THE CITY OF FLINT'S STRATEGIC PLAN FOR THE NEXT FISCAL YEAR. THE CITY COUNCIL SHALL UTILIZE THE CITY OF FLINT'S COMPREHENSIVE PLAN, INPUT FROM THE MAYOR, AND INPUT FROM THE PUBLIC IN UPDATING THE STRATEGIC PLAN. THE MAYOR SHALL HAVE THE POWER TO VETO A RESOLUTION UPDATING THE STRATEGIC PLAN IN THE SAME MANNER AS PROVIDED IN CITY OF FLINT CHARTER SECTION 3-305. ~~Each year beginning no later than January 1 and concluding no later than the first Monday in February the City Council shall, working in concert with the Mayor and City staff, update the current strategic plan, to be effective at the beginning of the fiscal year (July 1). The plan shall cover the~~

~~next five years. The City Administrator shall be responsible for working with the Mayor, City Council leadership and for directing City Staff to provide recommendations, time lines, and the information necessary to enable City Council to adopt the updated plan in a timely manner.~~

4. The Mayor and City Council recognize the importance of the City's Master Plan, Adopted in October 2013 as a blueprint for the long term development of the City. Accordingly, the Strategic Plan for city government shall consider and be guided by the master plan.
5. Each year, no later than March 15, the City Council shall develop and provide to the Mayor and City Staff its budget priorities for the upcoming budget. Priorities shall be based on the updated strategic plan. The Mayor shall be responsible for working with City Council leadership and directing City staff to provide recommendations, time lines, and the information necessary to enable City Council to adopt their budget priorities in a timely manner.
6. The City Administrator and Mayor, in concert

with City Staff, shall construct recommended budgets that reflect the vision, mission, goals and strategic objectives of the strategic plan, as well as the annual budget priorities adopted by City Council.

Sec. 2. This ordinance shall become effective immediately upon publication.

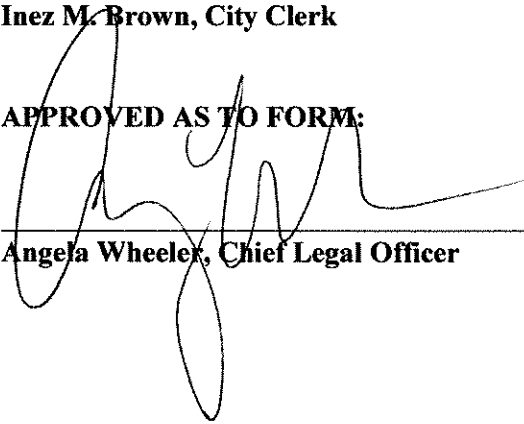
Adopted this \_\_\_\_\_ day of \_\_\_\_\_, 2020 A.D.

**FOR THE CITY:**

\_\_\_\_\_  
**Sheldon A. Neeley, Mayor**

\_\_\_\_\_  
**Inez M. Brown, City Clerk**

**APPROVED AS TO FORM:**

  
\_\_\_\_\_  
**Angela Wheeler, Chief Legal Officer**

200127

ORDINANCE NO. \_\_\_\_\_

An Ordinance to amend the Flint City Code of Ordinances by amending Chapter 35, Personnel; Article V, Working Conditions; by amending Sections 35-101 through 35-109.

**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 35, Personnel; Article V, Working Conditions; by amending Sections 35-101 through 35-109, which shall read in its entirety as follows:**

**§ 35-101 CIVIL SERVICE COMMISSION – CREATED; COMPOSITION.**

Pursuant to the provisions of Section 5-101 of the Flint City Charter effective JANUARY 1, 2018, ~~November 10, 1975~~, the Civil Service Commission is hereby created composed of seven members.

**§ 35-102 SAME- SELECTION MEMBERS.**

On or before the first Thursday of November, all City employees within the Classified Service, except those employees by the Board of Hospital Managers, shall select TWO (2) ~~one member~~ MEMBERS of the Civil Service Commission by secret ballot at an election to be conducted by the City Clerk. A polling place has been established at a convenient location and shall be available for voting by City employees commencing 6:00 a.m. of the election day and concluding 6:00 p.m. on that day.

**§ 35-103 SAME – QUALIFICATIONS OF CANDIDATES.**

All candidates for nomination and election by the employees shall meet the following requirements:

- (a) Must have attained the age of 18 years prior to the date of election;
- (b) Must be a resident of the City of Flint; and
- (c) Must hold no appointive or elective office with the City of Flint or be in the employ of the City of Flint during his or her term of office.

**§ 35-104 SAME- SUBMISSION OF NOMINATING PETITION BY CANDIDATE.**

To qualify as a candidate, the qualified candidate must personally submit a nominating petition for the position of Civil Service Commission to the City Clerk, which petition shall be signed by not less than 50 general City employees. Candidates for the position of Civil Service Commissioner to be elected by employees of Hurley Medical Center, to the office of the Hospital Director. The petitions shall be submitted not later than 4:00 p.m. the last Friday of October. No employee shall sign more than one nominating petition.

**§35-105 SAME- ELECTION OF MEMBER BY BOARD OF HOSPITAL MANAGERS EMPLOYEES.**

The employees of the Board of Hospital Managers shall elect a member of the Civil Service Commission at the same time and in the same manner as provided above with the election to be conducted and supervised by the Hospital Director.

**§35-106 SAME – POWERS, DUTIES AND TERMS.**

The powers and duties of the Civil Service Commission, their term of office and other conditions of their tenure shall be as set forth in Article 5 of the Charter of the City of Flint.

**§35-107 SAME – ELECTION; RUN-OFF.**

The candidate receiving a majority of the votes of the respective groups of employees shall be elected Civil Service Commissioner. In the event no candidate received a majority of votes at the election the first Thursday in November, a run-off election of the two candidates receiving the highest number of votes in each election shall be held the second Thursday in November under the same conditions specified herein.

**§35-108 SAME – FORM OF SUBPOENA BY CIVIL SERVICE COMMISSION.**

For the purposes of enforcing Section 5-202 of the Charter of the City of Flint, subpoenas may be issued by the Civil Service Commission in the name of the people of the City of Flint and shall be signed and sealed by the Director of the Civil Service Commission pursuant to the rules of the Civil Service Commission.

**§35-109 SAME – REFUSAL TO COMPLY WITH SUBPOENA.**

It shall be unlawful for any person served with a subpoena issued by the Civil Service Commission as provided in §35-108 to appear and testify or to produce books, papers and other evidence in the course of an investigation or proceeding pursuant to Section 5-202 of the Charter, to refuse or neglect to appear or testify or produce the books, papers and other evidence as commanded in the subpoena. The provisions

of this section are cumulative and are not intended to have any effect on the power of the Civil Service Commission to take other action to compel the production of evidence.

Sec. 2. This ordinance shall become effective immediately upon publication.

Adopted this \_\_\_\_\_ day of \_\_\_\_\_, 2020 A.D.

**FOR THE CITY:**

\_\_\_\_\_  
**Sheldon A. Neeley, Mayor**

\_\_\_\_\_  
**Inez M. Brown, City Clerk**

**APPROVED AS TO FORM:**

\_\_\_\_\_  
**Angela Wheeler, Chief Legal Officer**



200074

RECOMMENDED BY PLANNING COMMISSION 02.04.2020

ORDINANCE NO. \_\_\_\_\_

An ordinance to amend the Code of the City of Flint by amending Chapter 50, Zoning, by amending Article XXXII, Medical Marihuana Facilities, §50-183.

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

Sec. 1. That the Code of the City of Flint shall be amended by amending Chapter 50, Zoning, Article XXXII, Medical Marihuana Facilities, which shall read in their entirety as follows:

**§50-183. MEDICAL MARIHUANA FACILITIES OPT IN ORDINANCE.**

This ordinance of the City of Flint, Michigan is to provide for the licensing and regulation of **BOTH Medical AND ADULT-USE ("RECREATIONAL")** Marihuana Facilities within the City of Flint, Michigan; to ~~establish the maximum number of Medical Marihuana Licensed Facilities;~~ to establish operational, land use, and zoning requirements, and standards attendant thereto; to protect the health, safety and welfare of the City of Flint and its neighborhoods; and to provide penalties for violations of the chapter. These Special Regulated Uses pertain to **Medical AND ADULT-USE ("RECREATIONAL")** Marihuana Facilities that are allowed under the statues of the Michigan Medical Marihuana Act, 2008 IL 1, MCL 333.26421 ET SEQ., as amended ("MMMA"), the Medical Marihuana Facilities Licensing act, MCL 333.2701, ET SEQ., (MMFLA), and the Marihuana Tracking Act (MTA), MCL 333.27901, ET SEQ. **AND THE MICHIGAN REGULATION AND TAXATION OF MARIHUANA ACT ("THE MRTMA")**, 2018 IL 1, MCL 333.27951 ET SEQ. This Ordinance is subject to interpretation and revision based on rules yet to be fully and permanently adopted by the Michigan Department of Licensing and Regulatory Affairs (LARA) **AND THE**

**MICHIGAN MARIJUANA REGULATORY AGENCY (MRA).** If the standards set forth in this Ordinance are in conflict with the standards adopted by LARA / **THE MRA** than the standards from LARA / **THE MRA** shall apply.

A. Uses subject to these controls are as follows:

(1) Group "E" -- Special Regulated Uses:

i. Medical Marihuana Provisioning Centers

ii. **RETAIL FACILITIES**

iii. **COMMERCIAL MARIHUANA SECURE TRANSPORT FACILITIES**

(2) Group "F"- Special Regulated Uses:

i. Commercial Medical Marihuana Growing Centers

ii. Commercial Medical Marihuana Processing Center

iii. **COMMERCIAL MARIHUANA SAFETY COMPLIANCE FACILITIES**

(3) Group "G" -- Special Regulated Uses:

i. ~~Commercial~~ ~~Medical~~ ~~Marihuana~~ ~~Secure~~ ~~Transport~~ ~~Facility~~ **MICROBUSINESSES**

- ii. ~~Commercial~~ ~~Medical~~  
~~Marihuana~~ ~~Safety~~  
~~Compliance Facility~~

#### B. Definitions:

For the purposes of this chapter:

Any term defined by the Michigan Medical Marihuana Act, 2008 IL 1, MCL 333.26421 ET SEQ., as amended ("MMMA"), or the Medical Marihuana Facilities Licensing Act, 2016 PA 281, **OR THE MICHIGAN REGULATION AND TAXATION OF MARIHUANA ACT ("THE MRTMA")**, 2018 IL 1, MCL 333.27951 ET SEQ shall have the definition given in the MMMA, as amended, or the Medical Marihuana Facilities Licensing Act, as amended, **OR THE MRTMA**. These Special Regulated Uses pertain to Medical Marihuana Facilities that are allowed under the statutes of the Michigan Medical Marihuana Act, 2008 IL 1, MCL 333.26421 ET SEQ., as amended ("MMMA"), the Medical Marihuana Facilities Licensing act, MCL 333.2701, ET SEQ., ("MMFLA"), and the Marihuana Tracking Act ("MTA"), MCL 333.27901, ET SEQ **AND ADULT-USE OR RECREATIONAL FACILITIES THAT ARE ALLOWED UNDER THE THE MICHIGAN REGULATION AND TAXATION OF MARIHUANA ACT ("THE MRTMA")**, 2018 IL 1, MCL 333.27951 ET SEQ. If the definition of a word or phrase set forth in this Ordinance conflicts with the definition in the MMMA, **THE MRTMA** or the Medical Marihuana Facilities Licensing Act, or if a term is not defined but is defined in the MMMA or the Medical Marihuana Facilities Licensing Act, then the definition in the MMMA or the Medical Marihuana Facilities Licensing Act, **OR THE MRTMA** shall apply.

This ordinance shall not limit an individual's or entity's rights under the MMMA, MMFLA, or MTA **OR THE MRTMA** and these acts supersede this ordinance where there is a conflict between

them and the immunities and protections established in the MMMA unless superseded or preempted by the MMFLA **OR THE MRTMA**.

The following definitions apply to all Group "E", "F", and "G" Special Regulated Uses:

1. **Dedicated Public Park** - A city or privately owned piece of property that contains deed restrictions explicitly stating the property is for the use of the general public for leisure, recreation, or general public purposes. Property does not need to contain playground or recreation equipment to be established as a Dedicated Public Park space.
2. **City** - the City of Flint, Michigan.
3. ~~Medical~~ **Marihuana Growing Center** - An entity that is licensed to operate by the State of Michigan **FOR MEDICAL AND/OR ADULT-USE MARIJUANA** and has applied to be established as a Special Regulated Use by the City. This facility is used to cultivate, dry, and package ~~Medical~~ Marihuana in accordance with state law.
  - i. The Growing Center must be located in a structure that is, **IN A SINGLE BUILDING OR CUMULATIVELY IN A COLLECTION OF BUILDINGS**, a minimum of 2,000 square feet for a class a licensed grower, 5,000 square feet for a class b licensed grower, and 8,000 square feet for a

class c licensed grower  
**OR AN EXCESS  
GROWER.** The  
building(S) may be split  
among multiple state  
licensed growers, and  
processors given that  
there are walls or  
partitions erected  
between them and  
approved by BSI  
officials, pursuant to  
state building code.

ii. If a Growing Center is  
collocated with a Group  
E Provisioning Center  
**OR RETAILER**, the  
structure must be a  
minimum of 9,000  
square feet, **IN A  
SINGLE BUILDING  
OR CUMULATIVELY  
IN A COLLECTION  
OF BUILDINGS.**

iii. A Growing Center shall  
provide only wholesale  
products for the use of  
other Medical Marihuana  
Provisioning Centers **OR  
RETAILERS.**

4. ~~Medical~~ Marihuana Processing  
Center - An entity that is  
licensed by the State of  
Michigan **FOR MEDICAL  
AND/OR ADULT-USE  
MARIJUANA** that acquires  
marihuana from a grower and  
that extracts resin from the  
marihuana or creates a  
marihuana-infused product for  
sale and transfer in packaged  
form to a Provisioning Center  
**OR RETAILER.**

i. The Processing Center  
must be located in a

facility that is a  
minimum of 3,000  
square feet. The building  
may be split among  
multiple state licensed  
processors & growers,  
given that there are walls  
or partitions erected  
between them and  
approved by BSI  
officials, pursuant to  
state building code.

ii. If a Processing Center is  
collocated with a Group  
E Provisioning Center  
**OR RETAILER**, the  
structure must be a  
minimum of 9,000  
square feet, **IN A  
SINGLE BUILDING  
OR CUMULATIVELY  
IN A COLLECTION  
OF BUILDINGS.**

iii. A Processing Center  
shall provide only  
wholesale products for  
the use of other ~~Medical~~  
Marihuana Provisioning  
Centers **OR  
RETAILERS.**

5. ~~Medical~~ Marihuana Secure  
Transport Facility - A licensee  
that is a commercial entity  
located in this state **AND IS  
LICENSED BY THE STATE  
OF MICHIGAN FOR  
MEDICAL AND/OR ADULT-  
USE MARIJUANA** that stores  
~~Medical~~ Marihuana and  
transports ~~Medical~~ Marihuana  
between ~~Medical~~ Marihuana  
Licensed Facilities for a fee.

6. ~~Medical~~ Marihuana Safety  
Compliance Facility - A  
commercial entity **LICENSED**

**BY THE STATE OF MICHIGAN FOR MEDICAL AND/OR ADULT-USE MARIJUANA** that receives marijuana from a marihuana facility or registered caregiver, tests it for contaminants and for tetrahydrocannabinol (THC) and other cannabinoids, returns the test results, and may return the marijuana to the Medical Marihuana Licensed Facility.

7. Enclosed, Locked Facility - A permanent building having a roof supported by columns or any other support used for the enclosure of persons, animals, chattels or property of any kind, or carrying on business activities or other uses. Marihuana must be grown and stored in a fully enclosed area equipped with secured locks or other functioning security devices that permit access only by a registered licensee or registered qualifying patient.
8. Grower- A licensee that is an entity located in this state, approved by the State **FOR MEDICAL AND/OR ADULT-USE MARIJUANA**, that cultivates, dries, trims, or cures and packages marihuana for sale to a Processor or Provisioning Center **OR RETAILER**.
9. Pre-K through 12 School - A building or facility that houses students ranging from grades pre-kindergarten (K) through the 12th grade (12). Pre-K through 12 facilities can be both public and private educational establishments and include both Charter and Parochial scholastic systems, **CONTINGENT**

**UPON THE FACT THAT SAID SCHOOL IS EITHER CURRENTLY BEING USED AS A SCHOOL OR IS UNDER CONSTRUCTION AND WILL BE OPENED AND USED AS A SCHOOL ON A FUTURE DATE CERTAIN.** This list includes early childhood education facilities.

10. License Application - The requirements and procedures set forth in this Ordinance to secure the subject license.
11. Licensee - A person holding a state operating license, pursuant to the Medical Marihuana Facilities Licensing Act, 2016 PA 281 **AND/OR THE MRTMA, 2018 IL 1, MCL 333.27951 ET SEQ.**
12. Marihuana / **MARIJUANA** - The term as defined in section 7106 of the public health code, 1978 PA 368, MCL 333.7106. **"MARIHUANA" AND "MARIJUANA" ARE USED INTERCHANGEABLY.**
13. Marihuana facility - Location at which a license holder is licensed to operate under this Ordinance, including a Provisioning Center, **RETAILER**, Processor, Grower, **EXCESS GROWER**, Safety Compliance Facility, and Secure Transporter, **AND MICROBUSINESS.**
14. Marihuana-infused product - A topical formulation, tincture, beverage, edible substance, or similar product containing any usable marihuana that is

intended for human consumption in a manner other than smoke inhalation. Marihuana-infused product shall not be considered a food for purposes of the food law, 2000 PA 92, MCL 289.1101 to 289.8111

15. Marihuana plant - Any plant of the species Cannabis sativa L.

16. Medical use of marihuana - The acquisition, possession, cultivation, manufacture, extraction, use, internal possession, delivery, transfer, or transportation of marihuana, marihuana-infused products, or paraphernalia relating to the administration of marihuana to treat or alleviate a registered qualifying patient's debilitating medical condition or symptoms associated with the debilitating medical condition.

17. Medical Marihuana Provisioning Center- A licensee that is an entity located in this state that purchases marihuana from a grower or processor and sells, supplies, or provides marihuana to registered qualifying patients, directly or through the patients' registered primary caregivers. Provisioning Center includes any commercial property where marihuana is sold at retail to registered qualifying patients or registered primary caregivers. A noncommercial location used by a primary caregiver to assist a qualifying patient connected to the caregiver through the department's marihuana registration process in accordance with the MMMA act

is not a Provisioning Center for purposes of this Ordinance.

18. Michigan Medical Marihuana Act - The Michigan Medical Marihuana Act, 2008 IL 1, MCL 333.26421 to 333.26430.

19. NEIGHBORHOOD -  
"NEIGHBORHOOD"  
MEANS A  
NEIGHBORHOOD  
RECOGNIZED BY THIS  
ORDINANCE, A  
NEIGHBORHOOD SERVED  
BY AN ORGANIZED  
NEIGHBORHOOD  
ASSOCIATION  
RECOGNIZED BY THE  
CITY, OR AN AREA  
WITHIN A ONE  
THOUSAND (1,000) FOOT  
RADIUS OF THE  
APPLICANT'S/LICENSEE'S  
SITE, WHICHEVER IS  
GREATER.

20. Ordinance - This ordinance, Chapter 50 article xxxi, section 183.

21. Place of Worship - A place of worship is a specially designed structure or consecrated space where individuals or a group of people such as a congregation come to perform acts of devotion, veneration, or religious study that is recognized as a tax-exempt entity, as determined by the City Assessor's Office.

22. Plant - Any living organism that produces its own food through photosynthesis and has observable root formation or is in growth material.

23. Residential Property - A piece of property that is principally zoned for dwelling purposes. This type of structure includes, but is not limited to, single-family dwellings, two-family dwellings, multi-family dwellings, and manufactured housing communities.

24. Residential Zoned District - The residential zoned districts are "A-1", "A-2", "B", "B-1", "C-1", and "C-2".

25. State - The State of Michigan.

26. State Licensed Cultivator/Grower - An individual who has applied for and been authorized for a grower license in Michigan pursuant to the Medical Marihuana Facilities Licensing Act, 2016 PA 281 AND/OR THE MRTMA, 2018 IL 1, MCL 333.27951 ET SEQ. This license authorizes the secure transfer of marihuana and the sale of seeds or plants to another grower or processor. Individuals can apply for 3 different license classes, each of which authorizes the grower to grow not more than the following number of marihuana plants:

i. Class A - 500 marihuana plants.

ii. Class B - 1,000 marihuana plants.

iii. Class C - 1,500 marihuana plants.

\*All commercial Growing Center license classes may be "stacked", to the extent permitted by the State of Michigan,

## INCLUDING FOR AN EXCESS GROWER LICENSE.

27. State operating license (or license) - A license that is issued under the Medical Marihuana Facilities Licensing Act, 2016 PA 281, OR THE MICHIGAN REGULATION AND TAXATION OF MARIHUANA ACT ("THE MRTMA"), 2018 IL 1, MCL 333.27951 ET SEQ, that allows the licensee to operate as one (1) of the following, specified in the license:

i. A grower.

ii. AN EXCESS GROWER.

iii. A processor.

iv. A secure transporter (facility).

v. A provisioning center.

vi. A safety compliance facility.

vii. A RETAIL FACILITY.

28. Medical Research Facility - an applicant which (1) seeks a grow and processing and/or provisioning center license, (2) is located in a building of at least 10,000 square feet, (3) in an industrially zoned district, where (4) the applicant is a verified Michigan-licensed physician or partnership/entity made up exclusively of verified Michigan-licensed physicians, (5) and one or more michigan-licensed physicians are physically on site and available

to see medical marihuana patients during at least half of operating hours and (5) annually demonstrates proof of clinical research involving medical marihuana; is defined as a "medical research facility" and thusly shall be subject to amended locational standards.

**29. MICROBUSINESS - PERSON OR ENTITY LICENSED TO CULTIVATE NOT MORE THAN 150 MARIHUANA PLANTS; PROCESS AND PACKAGE MARIHUANA; AND SELL OR OTHERWISE TRANSFER MARIHUANA TO INDIVIDUALS WHO ARE 21 YEARS OF AGE OR OLDER OR TO A MARIHUANA SAFETY COMPLIANCE FACILITY, BUT NOT TO OTHER MARIHUANA ESTABLISHMENTS, LOCATED IN THE CITY THAT IS LICENSED OR APPROVED TO OPERATE BY THE STATE PURSUANT TO THE MRTMA AND IS LICENSED BY THE CITY PURSUANT TO THE TERMS AND CONDITIONS OF THIS CHAPTER.**

**30. DESIGNATED CONSUMPTION ESTABLISHMENT - A COMMERCIAL SPACE THAT LEGALLY PERMITS THE ON-SITE CONSUMPTION OF ADULT-USE MARIJUANA VIA A LICENSE FROM THE STATE.**

**31. EXCESS GROWER - A GROWING FACILITY THAT IS LICENSED FOR 5 CLASS C MARIHUANA GROWER LICENSES AND LICENSED TO CULTIVATE MARIHUANA AND SELL OR OTHERWISE TRANSFER MARIHUANA TO MARIHUANA ESTABLISHMENTS.**

**32. RETAILER (OR RETAIL FACILITY) - A LICENSEE THAT IS AN ENTITY LOCATED IN THIS STATE THAT PURCHASES MARIHUANA FROM A GROWER OR PROCESSOR AND SELLS, SUPPLIES, OR PROVIDES MARIHUANA TO PERSONS 21 YEARS OF AGE OR OLDER. RETAILER INCLUDES ANY COMMERCIAL PROPERTY WHERE MARIHUANA IS SOLD AT RETAIL TO TO PERSONS 21 YEARS OF AGE OR OLDER. A NONCOMMERCIAL LOCATION USED BY A PRIMARY CAREGIVER TO ASSIST A QUALIFYING PATIENT CONNECTED TO THE CAREGIVER THROUGH THE DEPARTMENT'S MARIHUANA REGISTRATION PROCESS IN ACCORDANCE WITH THE MMMA ACT IS NOT A RETAILER FOR PURPOSES OF THIS ORDINANCE.**

**C. License Allocation and Annual Fees**

1. No person shall operate a Group "E", "F", or "G" use in the City of Flint without obtaining both a

license to do so through both the City and the State.

2. ~~The City shall issue no more than the following for each license type:~~

i. ~~Medical — Marihuana Provisioning Centers: 20 Licenses~~

ii. ~~Commercial — Medical Marihuana — Growing Center: No Limit \* More than 1 State issued — Commercial Growing Center License can operate within 1 structure, to the extent permitted by the State of Michigan.~~

iii. ~~Commercial — Medical Marihuana — Processing Center: No Limit \* More than 1 State issued — Commercial Processing — Center License can operate within 1 structure, to the extent permitted by the State of Michigan.~~

iv. ~~Commercial — Medical Marihuana — Secure Transporter: 5 Licenses~~

~~Commercial Medical Marihuana Safety Compliance Facility: 5 Licenses —~~ **THE CITY AFFIRMATIVELY OPTS OUT OF THE DESIGNATED CONSUMPTION ESTABLISHMENT LICENSE TYPE, AND SHALL NOT GRANT ANY SUCH LICENSE.**

3. ~~The license quotas are permitted to the extent regulated by the MMLB rules and regulations and are subject to change based on any potential rulings made by the board. A LICENSEE FOR MEDICAL AND ADULT-USE MARIJUANA MUST MAINTAIN BOTH LICENSE TYPES WITH BOTH THE STATE AND THE CITY.~~

4. ~~Merit Review Process:~~

~~In order to seek the best candidates for medical marihuana facility licensure for the City of Flint, the City shall review and score and rank the applicants based upon their objective merits if the number of license applicants exceeds the number of licenses available.~~

- a. ~~Application Window:~~

~~Following the effective date of this ordinance, there shall be an open application period of forty five (45) days during which the City shall collect applications for all Marihuana Facility licenses that are subject to a cap. In the event that more applications for licenses are submitted during this window than the number of licenses available, those applications would then be reviewed by staff.~~

- b. ~~Blind Review:~~

~~Each application shall assigned an Application Number by the Zoning Coordinator, which shall be the sole means of identifying that application through the entirety of the review and scoring process. The Zoning~~



~~Coordinator shall not participate in the scoring process; and all individuals reviewing and scoring the applications shall only know the specifications of the applications and the application number not the identities of the applicants themselves.~~

~~c. Scoring Panel.~~

~~City staff shall review and score the applications. Assigned staff consisting of the designees of the heads of the city clerk's office, Legal, Planning and Zoning, Police, Fire, and Building and Safety Inspection Departments shall score the medical marihuana facility licenses, based upon a predetermined rubric of criteria.~~

~~d. Factors for Scoring.~~

~~The assigned City staff shall create a scoring rubric, outlining the factors and weight of criteria considered for the scoring of such applications, and shall provide the final rubric for modification and final approval by a majority of the City Council. The scoring criteria shall include factors such as the proposed number of employees who would be working at the site, whether and to what extent the application commits to local hiring for staff and/or subcontractors, the size of the proposed facility, the total capital investment, whether the applicant has a history of prior building/code violations and whether the applicant has already received pre-approval by~~

~~the State of Michigan for licensure.~~

~~e. Determination of Order.~~

**THE CITY DOES NOT PLACE A NUMERICAL LIMIT ON MARIJUANA LICENSES. HOWEVER, IN RECOGNITION OF THE EFFORTS AND COMMITMENTS MADE BY THE MEDICAL MARIHUANA FACILITY APPLICANTS THROUGHOUT THE RUBRIC SCORING PROCESS, THE CITY SHALL EXHAUST THE LIST OF PROVISIONING CENTER APPLICATIONS, IN THE ORDER SET FORTH IN RESULT OF SAID SCORING, BY HEARINGS OF ALL SUCH APPLICATIONS BY THE CITY'S PLANNING COMMISSION, PRIOR TO NEW RETAIL FACILITY OR PROVISIONING CENTER APPLICATIONS BEING HEARD BY THE COMMISSION.**

~~Once the applications are scored, individual applicants shall be notified of the order of their placement, and those within the cap may proceed through the license application process accordingly. Failure to complete the license application process within six (6) months shall result in the denial of the application, and the next best applicant shall be afforded the opportunity to apply. The resulting list of scores shall be~~

~~used as the order for any waiting list, in the event that (a) currently existing, grandfathered facilities do not pass the State of Michigan's licensure process, (b) other facilities close on their own accord, are closed by court or administrative order and/or have their licenses revoked, or (c) the City chooses to raise the license limit for that kind of facility at a future date.~~

5. The non-refundable application fee for a Medical Marihuana Facility license is \$1500 per license, and the annual fee for a Medical Marihuana Facility license shall be \$5000. The term of each license shall be one (1) year, beginning when the Licensee is granted a Certificate of Occupancy permit from the Building & Safety, Inspections Division.

- i. The \$5000 annual license fee begins and commences at the time of receipt of the Applicant's Certificate of Occupancy by the City.

#### D. Operation Without License Prohibited

- (1) Every Medical Marihuana establishment in the City of Flint shall be licensed pursuant to the terms and provisions set forth in this chapter. No person shall operate a Medical Marihuana establishment in the City without first obtaining a license. A Medical Marihuana establishment operation without a license under the provisions of this chapter or without a state license or approval pursuant to

the MMFLA, as amended from time to time, is hereby declared to be a public nuisance.

#### E. License Application Submission

- (1) Application for any Group "E", "F", or "G" Medical Marihuana license required by this Ordinance shall be made in writing to the Zoning Coordinator, and must be approved by the Planning Commission, and approved by the State of Michigan, prior to commencing operation. Upon the expiration of an existing license, a license will be automatically renewed by the City of Flint for one (1) year if the following conditions are met: (1) there are no uncured administrative violations in the prior year; (2) the applicant has paid the annual licensing fee for the renewal period; (3) any Stakeholder changes have been fully disclosed to the City of Flint; and (4) the applicant has paid and received the renewal of its State license.
- (2) An application for a Medical Marihuana Facility license required by this Ordinance shall contain the following:

- i. The appropriate non-refundable application fee is \$1500 per license, and the annual license fee for a Medical Marihuana Facility license shall be \$5000, less the initial payment of the application fee for the first year only.

- ii. If the applicant is an individual, the applicant's name, date of birth, physical address, copy of government issued photo identification, email address, and one or more phone numbers, including emergency contact information;
- iii. If the applicant is not an individual, the names, dates of birth, physical addresses, copy of government issued photo identification, email addresses, and one or more phone numbers of each stakeholder of the applicant, including designation of the highest ranking stakeholder as an emergency contact person and contact information for the emergency contact person, articles of incorporation, assumed name registration documents, Internal Revenue Service SS-4 EIN confirmation letter, and a copy of the operating agreement of the applicant, if a limited liability company, a copy of the partnership agreement, if a partnership, or a copy of the by-laws or shareholder agreement, if a corporation;
- iv. The name and address of the proposed Medical Marihuana Facility and any additional contact information deemed necessary and requested by the City;
- v. For the applicant, for each Stakeholder of the applicant, an affirmation under oath as to whether they are at least 18 years of age and have never been indicted for, charged with, arrest for, or convicted or pled guilty or nolo contendere to, forfeited bail concerning, or had expunged any criminal offense under the laws of any jurisdiction, either felony or controlled-substance-related misdemeanor not including traffic violations, regardless of whether the offense has been expunged, pardoned, reversed on appeal or otherwise, including the date, name and location of the court, arresting agency, and prosecuting agency, the case caption, the docket number, the offense, the disposition, and the location and length of incarceration;
- vi. An affirmation under oath that the applicant, before hiring a prospective agent or employee of the applicant, and after, the holder of a license shall conduct a background

check of the prospective employee. If the background check indicates a pending charge or conviction within the past ten (10) years for a controlled substance-related felony, the applicant shall not hire the prospective employee or agent without written permission from the City Council;

vii. A signed release authorizing the City of Flint Police Department to perform a criminal background check to ascertain whether the applicant, each Stakeholder of the applicant, each managerial employee and employee of the applicant meet the criteria set forth in this Ordinance;

viii. The name, date of birth, physical address, copy of photo identification, and email address for any managerial employee or employee of the Medical Marihuana Facility, if other than the applicant;

ix. An affirmation under oath as to whether the applicant or Stakeholder has ever applied for or has been granted any commercial license or certificate issued by a licensing authority in Michigan or any other jurisdiction that has been

denied, restricted, suspended, revoked, or not renewed and a statement describing the facts and circumstances concerning the application, denial, restriction, suspension, revocation, or nonrenewal, including the licensing authority, the date each action was taken, and the reason for each action;

x. One of the following: (a) proof of ownership of the entire premises wherein the Medical Marihuana Facility is to be operated; or (b) written consent from the property owner for use of the premises in a manner requiring licensure under this Ordinance along with a copy of the lease for the premises **OR (C) A PURCHASE AGREEMENT EXECUTED BY BOTH THE APPLICANT AS PURCHASER AND THE SELLER OF THE PARCEL IN QUESTION;**

xi. Proof of an adequate premise liability and casualty insurance policy in the amount not exceeding the requirements addressed in the Medical Marihuana Facilities Licensing Act **OR THE**

MRTMA or applicable State laws, covering the Medical Marihuana Facility and naming the City as an additional insured party, available for the payment of any damages arising out of an act or omission of the applicant or its stakeholders, agents, employees, or subcontractors;

- xii. A security plan for the Medical Marihuana Facility that contains a comprehensive diagram, including, but not limited to, any lighting, alarms, barriers, recording/monitoring devices, and/or security guard arrangements proposed for the facility and premises. The security plan must contain the specification details of each piece of security equipment. Each Medical Marihuana Facility must have a security guard present during business hours or alternative security procedures shall be proposed in the business plan;

1. Security cameras are required for any Group "E", "F" or "G" Special Regulated Use operation. For Group "E", "F", and "G" Special

Regulated Uses, the security plans most include details on the location and number of security cameras located on the premises, both on the interior and exterior. At a minimum, security cameras must be installed to capture all entry and exit doors, public counters, and parking lots;

2. The make and model of the security cameras must meet the Flint Project C.A.T.T. EYE specifications and the video feed made available to be monitored twenty-four hours/day by the Flint Police Department. Signs and decals are strongly encouraged to be posted within the Medical Marihuana establishment indicating the facility is part of Flint Project C.A.T.T. EYE.

- xiii. A floor plan of the Medical Marihuana

Facility, as well as a scale diagram illustrating the property upon which the Medical Marihuana Facility is to be operated, including all available parking spaces, and specifying which parking spaces, if any, are handicapped-accessible;

- xiv. An affidavit that neither the applicant nor any Stakeholder of the applicant is in default to the City. Specifically, that the applicant or Stakeholder of the applicant has not failed to pay any property taxes, special assessments, fines, fee or other financial obligations to the City;
- xv. An affidavit that the transfer of Marihuana to and from Medical Marihuana Facilities shall be in compliance with the MMA and the Medical Marihuana Facilities Licensing Act **AND THE MRTMA** or other applicable state laws;
- xvi. A staffing plan complete with an organizational chart listing all individuals that includes position descriptions and the names of each person holding each position;
- xvii. Any proposed text or graphical materials to be shown on the exterior of

the proposed Medical Marihuana Facility;

- xviii. A business plan that includes a proposed marketing plan, scheduled tangible capital investment in the City including an explanation of the economic benefits to the City and job creation statistics. The plan should include both the short and long term goals and objectives of the business operation;
- xix. A location area map of the Medical Marihuana Facility and surrounding area that identifies the relative locations and the distances (closest property line to the subject Medical Marihuana Facility's building) to the subject Medical Marihuana Facility to the closest real property comprising a Pre-K-12 school; a place of worship; and any dedicated public park(s);
- xx. A facility sanitation plan to protect against any Marihuana being ingested by any person or animal, indicating how the waste will be stored and disposed of, and how any Marihuana will be rendered unusable upon disposal. Disposal by on-site burning or introduction

in the sewerage system is prohibited;

- xxi. A hazardous material plan, indicating what, if any, hazardous substances will be on the premises, in what quantities, the intended usage of such hazardous materials, and the plans for the disposal of such hazardous materials and/or their byproducts. All waste that his hazardous must be disposed of pursuant to Part 111 of 1994 PA 451, Hazardous Waste Management.
- xxii. A proposed patient **AND/OR CUSTOMER** recordkeeping plan that will track quantities sold to individual patients and caregivers, **AND/OR CUSTOMERS 21 YEARS OF AGE AND OLDER**, and will monitor inventory;
- xxiii. A description of procedures for testing of contaminants, including mold and pesticides;
- xxiv. An affirmation under oath that the applicant acknowledges the current status of federal marihuana law and agrees that, as a condition of receiving a license from the City of Flint, any plant(s) possessed by the applicant in excess of the licensed quantity of

plants permitted may be immediately confiscated for destruction without a hearing; and that the applicant agrees to waive any right of recourse against the City for any damages or restitution for the value of such excess plant(s).

- xxv. As it relates to a Growing or a Processing Facility **OR AN EXCESS GROWER**, the following additional items shall be required:

1. A grower plan that includes at a minimum a description of the Grower methods to be used, including plans for the growing mediums, treatments and/or additives;
2. A processing plan that includes at a minimum a description of the methods to be used;
3. A production testing plan that includes at a minimum a description of how and when samples for laboratory testing by a state approved Safety Compliance Facility will be

selected, what type of testing will be requested, and how the test results will be used;

4. An affidavit that all operations will be conducted in conformance with the MMMA, the Medical Marihuana Facilities Licensing Act, **THE MRTMA**, or other applicable State laws and such operations shall not be cultivated on the premises at any one time more than the permitted number of Marihuana Plants per the Michigan Medical Marihuana Act, as amended, **THE MRTMA**, and the Medical Marihuana Facilities Licensing Act;

5. A Chemical and pesticide storage plan that states the names of the chemicals and pesticides to be used in a Growing or Processing Facility, and

where and how pesticides and chemicals will be stored in the facility, along with a plan for the disposal of unused pesticides;

6. All Growers, **EXCESS GROWERS** and Processors must be performed within an Enclosed Locked Facility which may include indoors or in an enclosed greenhouse.

- (3) Upon receipt of a completed Medical Marihuana Facility application meeting the requirements of this Ordinance and ~~confirmation that the number of existing licenses does not exceed the maximum number established by resolution pursuant to 2(C);~~ above, the Zoning Coordinator shall refer a copy of the application to each of the following for their review and approval: the City Attorney or their designee, the Police Department or their designee, the Fire Department or their designee, the Building & Safety Inspections Division and the Director of Planning & Development or their designee. Once applications are verified by each department to be sufficiently complete and comprehensive, and no sooner,



the Zoning Coordinator shall forward the applications to the Planning Commission. The plans that are submitted for both preliminary review and final review, must be completed by a State of Michigan licensed Architect or Engineer. The plans must include all of the required elements mentioned in this section. Preliminary plans must be stamped and signed by the licensed architect or engineer who authored the plans. Final plans must be stamped, signed and sealed by the licensed architect or engineer who authored the plans.

(4) No application shall be approved unless:

- i. The Fire Department or designee and the Building & Safety Inspections Division have inspected the plans of the proposed location for compliance with all laws for which they are charged with enforcement;
- ii. The applicant, each Stakeholder of the applicant, and the managerial employees and employees of the applicant, have passed a criminal background check conducted by the State of Michigan;
- iii. The Zoning Coordinator has confirmed that the proposed location complies with the Zoning Code;

iv. The City Treasurer or their designee has confirmed that the applicant and each Stakeholder of the applicant are not in default to the City;

v. The City Attorney or their designee has completed a detailed review of the ~~Medical~~ Marihuana Facility application for compliance with the applicable state laws and City Ordinances.

(5) If written approval is given by each individual or department identified in subsection 1-5, the Zoning Coordinator shall submit the application to the Planning Commission for recommendation to the city council for the issuing of a license to the applicant. All licenses issued are contingent upon the State of Michigan issuing a license for the operation under State law.

(6) Licensees shall report any other change in the information required by subsection 4 above, to the City within ten (10) days of the change. Application Fees shall be set by Council Resolution for any Stakeholder added after the original Application is filed.

#### F. License Evaluation; **LIMITED ADMINISTRATIVE APPROVAL**

(1) The Planning Commission shall assess all applications pursuant to its authority under the city

zoning code and the terms outlined herein.

- (2) Past criminal convictions of the applicant or stakeholder will be evaluated. Convictions involving any of the following listed below, but not limited to, may result in denial of the application.

- i. Gambling;
- ii. Prostitution;
- iii. Weapons;
- iv. Violence;
- v. Tax evasion;
- vi. Fraudulent activity; and
- vii. Serious moral turpitude.

- (3) The Planning Commission shall consider the community impact of the proposed regulated use, including but not limited to the number of jobs created, the number of jobs that will be created specifically for City of Flint residents, and the overall impact on the character and growth of the surrounding neighborhood.

- (4) Further grounds for denial of the application may include a felony or misdemeanor of such nature that it may impair the ability of the applicant or stakeholder to operate a licensed business in a safe and competent manner.

- (5) The Planning Commission, in evaluating a license application, may consider whether the applicant or stakeholder has filed, or had filed against it, a

proceeding for bankruptcy within the past seven (7) years as grounds for denial.

- (6) The Planning Commission, in evaluating a license application, may consider whether the applicant or stakeholder has a history of noncompliance with any regulatory requirements in this state or any other jurisdiction as grounds for denial.

- (7) The Planning Commission may further impose any conditions or limitations upon the establishment, location, construction, maintenance or operations of regulated use as may in its judgment be necessary for the protection of the public interest. Any evidence and guarantee may be required as proof that the conditions stipulated in connection therewith will be fulfilled.

- (8) IF AN APPLICANT WHO ALREADY HOLDS AN SRU UNDER THIS SECTION SEEKS A RELATED RECREATIONAL MARIJUANA LICENSE PURSUANT TO THE MRTMA ON THE SAME SITE OF THAT EXISTING SRU, WITH NO MODIFICATION TO PREVIOUSLY APPROVED SITE PLANS OR FLOOR PLANS, AND THAT APPLICANT MAINTAINS A VALID AND RELATED MMFLA LICENSE WITH THE STATE OF MICHIGAN AND THE CITY OF FLINT, THAT APPLICATION MAY BE ADMINISTRATIVELY**

APPROVED IN  
CONSULTATION WITH  
THE PLANNING  
COMMISSION CHAIR OR  
THE CHAIR'S DESIGNEE,  
AND ADDED TO THE  
EXISTING SPECIAL  
REGULATED USE PERMIT,  
BY THE CITY'S ZONING  
COORDINATOR UPON  
PAYMENT OF A  
NONREFUNDABLE  
SPECIAL REGULATED USE  
PERMIT APPLICATION  
FEE.

G. Minimum Operating Standards of  
Medical Marihuana Provisioning  
Centers **AND RETAILERS**

The following minimum standards for  
Provisioning Centers **AND RETAILERS** shall  
apply

- (1) Operating hours limited to  
between 8:00 a.m. and 7:00 p.m.  
Monday through Saturday and  
12:00 noon and 6:00 p.m.  
Sunday;
- (2) If in a multi-use or multi-tenant  
building, the Group "E" Special  
Regulated Use shall not use  
common entrances or entrances  
off a common hall and must be  
directly accessed from the  
outside by its own separate  
entrance;
  - i. If co-located with a  
Group "F" Special  
Regulated Use, the  
structure must be a  
minimum of 9,000  
square feet, **IN A  
SINGLE BUILDING  
OR CUMULATIVELY  
IN A COLLECTION  
OF BUILDINGS**, and

must be separated by  
walls, and accessible via  
separate entrances  
pursuant to state building  
code.

- (3) Consumption of Marihuana shall  
be prohibited on the premises of  
a Provisioning Center **OR  
RETAILER**, and a sign shall be  
posted on the premises of each  
Provisioning Center **OR  
RETAILER** indicating that  
consumption is prohibited on the  
premises;
- (4) Pursuant to Section E., 2., xii., 1.  
& 2., Provisioning Centers **AND  
RETAILERS** shall  
continuously monitor the entire  
premises on which they are  
operated with surveillance  
systems that include security  
cameras;
- (5) Unless permitted by the  
MMMA, and **THE** Medical  
Marihuana Facilities Licensing  
Act, **THE MRTMA** or  
applicable state law, public or  
common areas of the  
Provisioning Center **OR  
RETAILER** must be separated  
from restricted or non-public  
areas of the provisioning center  
**OR RETAILER** by a  
permanent barrier. Unless  
permitted by the MMMA, and  
**THE** Medical Marihuana  
Facilities Licensing Act, **THE  
MRTMA** or applicable state  
law, no Marihuana is permitted  
to be stored, displayed, or  
transferred in an area accessible  
to the general public;
- (6) All Marihuana storage areas  
within **THE** Provisioning Center  
**OR RETAILER** must be

separated from any customer/patient areas by a permanent barrier. Unless permitted by the MMMA, and **THE** Medical Marihuana Facilities Licensing Act, **THE** **MRTMA** or applicable state law, no Marihuana is permitted to be stored in an area accessible by the general public or registered customers/patients. Marihuana may be displayed in a sales area only if permitted by the MMMA, **THE** **MRTMA** or the Medical Marihuana Facilities Licensing Act;

- (7) Any usable Marihuana remaining on the premises of a Provisioning Center **OR** **RETAILER** while the Provisioning **OR** **RETAILER** Center is not in operation shall be secured in a safe permanently affixed to the premises;
- (8) Drive-through window(s) on the premises of a Provisioning Center **OR** **RETAILER** shall not be permitted;
- (9) Provisioning Center **OR** **RETAILER** shall not allow the sale, consumption, or use of alcohol or tobacco products on the premises;
- (10) No Provisioning Center **OR** **RETAILER** shall be operated in a manner creating noise, dust, vibration, glare, fumes, or odors detectable to normal senses beyond the boundaries of the property on which the Provisioning Center **OR** **RETAILER** is operated;
- (11) The license required by this Ordinance shall be

prominently displayed on the premises of a Provisioning Center **OR** **RETAILER**;

- (12) The premises shall be open, at all times, to any Michigan ~~Medical~~ Marihuana Licensing ~~Board~~ **REGULATORY AGENCY** investigators, agents, auditors, the state police, local police, local fire inspectors or local building and safety inspection officials, without a warrant and without notice to the holder of the license, enter the premises, offices, facilities, or other places of business of a licensee, if evidence of compliance or noncompliance with the MMMA and **THE** Medical Marihuana Facilities Licensing Act, **THE** **MRTMA** or applicable state laws is likely to be found and consistent with constitutional limitations, for the following purposes:
  - i. To inspect and examine all premises of ~~Medical~~ Marihuana Facility;
  - ii. To inspect, examine, and audit relevant records of the licensee and, if the holder of the license or any of the managerial employees or employees fails to cooperate with an investigation, impound, seize, assume physical control of, or summarily remove from the premises all books, ledgers, documents, writings, photocopies, correspondence, records, and videotapes, including electronically

stored records, money receptacles, or equipment in which the records are stored;

iii. To inspect the person, and inspect or examine personal effects present in a ~~Medical~~ Marihuana Facility, of any holder of state operating license while that person is present in a ~~Medical~~ Marihuana Facility;

iv. To investigate alleged violations of the MMMA, and **THE** Medical Marihuana Facilities Licensing Act, **THE MRTMA** or applicable state laws.

#### H. Minimum Operating Standards of Commercial ~~Medical~~ Marihuana Growing Centers, **INCLUDING EXCESS GROWERS**

The following minimum standards for Growing Centers shall apply

(1) The Growing Facility shall comply at all times and in all circumstances with the Michigan Medical Marihuana Act, the Medical Marihuana Facilities Licensing Act, **THE MRTMA**, and the general rules of the Department of Licensing and Regulatory Affairs, as they may be amended from time to time;

(2) At no time and for any reason, shall the enclosed structure be open to the general public;

(3) No Growing Facility shall be operated in a manner creating

noise, dust, vibration, glare, fumes, or odors detectable to normal senses beyond the boundaries of the property on which the Grower Facility is operated;

(4) Any Growing Facility shall maintain a log book and/or database indicating the number of Marihuana Plants therein. Each Marihuana Plant will be tagged as required by the MMMA, **THE MRTMA**, and Medical Marihuana Facilities Licensing Act;

(5) Pursuant to Section E., 2., xii., 1. & 2., Growing Centers shall continuously monitor the entire premises on which they are operated with surveillance systems that include security cameras.

(6) All Marihuana shall be contained within an Enclosed Locked Facility;

(7) All necessary building, electrical plumbing and mechanical permits shall be obtained for any portion of the structure in which electrical wiring, lighting and/or watering devices that support the Grower, growing or harvesting of Marihuana are located;

(8) That portion of the structure storing any chemicals such as herbicides, pesticides, and fertilizers shall be subject to inspection and approval by the City of Flint Fire Department to insure compliance with all applicable statutes, codes and ordinances;

(9) The dispensing of ~~Medical~~ Marihuana at the Growing Facility shall be prohibited;

i. If co-located with a Group "E" Special Regulated Use, Provisioning Center **OR RETAILER**, the structure must be a minimum of 9,000 square feet, **IN A SINGLE BUILDING OR CUMULATIVELY IN A COLLECTION OF BUILDINGS**, and must be separated by walls, and accessible via separate entrances pursuant to state building code.

ii. On such a co-located site, the dispensing of ~~Medical~~ Marihuana must only be in the area designated specifically as the Provisioning Center **OR RETAILER**.

(10) All persons working in direct contact with Marihuana shall conform to hygienic practices while on duty, including but not limited to:

i. Maintaining adequate personal cleanliness;

ii. Washing hands thoroughly in adequate hand-washing areas before starting work and at any other time when the hands may have become soiled or contaminated;

iii. Refraining from having direct contact with Marihuana if the person has or may have an illness, open lesion, including boils, sores or infected wounds, or any other abnormal source of microbial contamination, until the condition is corrected.

(11) Litter and waste shall be properly removed and the operating systems for waste disposal shall be maintained in an adequate manner so that they do not constitute a source of contamination in the areas where Marihuana is exposed.

(12) Floors, walls and ceilings shall be constructed in such a manner that they may be adequately cleaned and kept clean and in good repair;

(13) There shall be adequate screening or other protection against the entry or pests. Rubbish shall be disposed of so as to minimize the development of odor and minimize the potential for the waste development of odor and minimize the potential for waste becoming and attractant, harborage or breeding places for pests;

(14) Any buildings, fixtures and other facilities shall be maintained in a sanitary condition;

(15) Each Grower Facility shall provide its occupants with adequate and readily accessible toilet facilities that are

maintained in a sanitary condition and good repair;

- (16) Marihuana that can support the rapid growth of undesirable microorganisms shall be held in a manner that prevents the growth of these microorganisms;
- (17) Grower Facility shall be free from infestation by insects, rodents, birds, or vermin or any kind;
- (18) The Center must be located in a structure that is a minimum of 2,000 square feet, for a class a licensed grower, 5,000 square feet for a class b licensed grower, and 8,000 square feet for a class c licensed grower **OR EXCESS GROWER, IN A SINGLE BUILDING OR CUMULATIVELY IN A COLLECTION OF BUILDINGS.** The building(S) may be split among multiple state licensed growers, and processing centers, given that there are walls or partitions erected between them and approved by Building and Safety Inspection officials, pursuant to state building code.
- (19) A Growing Center shall provide only wholesale products for the use at other Medical Marihuana Provisioning Centers **OR RETAILERS.**
- (20) The premises shall be open, at all times, to any Michigan ~~Medical—Marihuana Licensing—Board~~ **REGULATORY AGENCY** investigators, agents, auditors,

the state police, local police, local fire inspectors or local building and safety inspection officials, without a warrant and without notice to the holder of the license, enter the premises, offices, facilities, or other places of business of a licensee, if evidence of compliance or noncompliance with the MMMA and Medical Marihuana Facilities Licensing Act, **THE MRTMA**, or applicable state laws is likely to be found and consistent with constitutional limitations, for the following purposes:

- i. To inspect and examine all premises of ~~Medical~~ Marihuana Facility;
- ii. To inspect, examine, and audit relevant records of the licensee and, if the holder of the license or any of the managerial employees or employees fails to cooperate with an investigation, impound, seize, assume physical control of, or summarily remove from the premises all books, ledgers, documents, writings, photocopies, correspondence, records, and videotapes, including electronically stored records, money receptacles, or equipment in which the records are stored;
- iii. To inspect the person, and inspect or examine personal effects present in a ~~Medical~~ Marihuana Facility, of any holder of

state operating license while that person is present in a ~~Medical~~ Marihuana Facility;

- iv. To investigate alleged violations of the MMMA, **THE MRTMA**, and Medical Marihuana Facilities Licensing Act or applicable state laws.

I. Minimum Operating Standards of Commercial ~~Medical~~ Marihuana Processing Center

The following minimum standards for Processing Centers shall apply:

- (1) The Processor shall comply at all times and in all circumstances with the Michigan Medical Marihuana Act, the Medical Marihuana Facilities Licensing Act, **THE MRTMA**, and the general rules of the Department of Licensing and Regulatory Affairs, as they may be amended from time to time;
- (2) Consumption and/or use of Marihuana shall be prohibited at the Processor Facility;
- (3) All activity related to the Processor Facility shall be done indoors;
- (4) The premises shall be open, at all times, to any Michigan ~~Medical—Marihuana Licensing Board~~ **REGULATORY AGENCY** investigators, agents, auditors, the state police, local police, local fire inspectors or local building and safety inspection officials, without a

warrant and without notice to the licensee, enter the premises, offices, facilities, or other places of business of a licensee, if evidence of compliance or noncompliance with the MMMA, **THE MRTMA**, and Medical Marihuana Facilities Licensing Act or applicable state laws is likely to be found and consistent with constitutional limitations, for the following purposes:

- i. To inspect and examine all premises of ~~Medical~~ Marihuana Facilities;
- ii. To inspect, examine, and audit relevant records of the licensee and, if the licensee or any managerial employees or employees fails to cooperate with an investigation, impound, seize, assume physical control of, or summarily remove from the premises all books, ledgers, documents, writings, photocopies, correspondence, records, and videotapes, including electronically stored records, money receptacles, or equipment in which the records are stored;
- iii. To inspect the person, and inspect or examine personal effects present in a ~~Medical~~ Marihuana Facility, of any holder of state operating license while that person is present in a ~~Medical~~ Marihuana Facility;



- iv. To investigate alleged violations of the MMMA and Medical Marihuana Facilities Licensing Act, **THE MRTMA**, or applicable state laws.
- (5) Any Processor Facility shall maintain a log book and/or database which complies with the MMMA, as amended, **THE MRTMA** and Medical Marihuana Facilities Licensing Act or applicable state laws;
  - (6) All Marihuana shall be tagged as required by the MMMA, the Medical Marihuana Facilities Licensing Act, **THE MRTMA**, or applicable state laws;
  - (7) All Marihuana shall be contained within Enclosed Locked Facility in accordance with the MMMA, as amended;
  - (8) All necessary building, electrical plumbing and mechanical permits shall be obtained for any portion of the structure in which electrical wiring for devices that support the processing of Marihuana are located;
  - (9) That portion of the structure where the storage of any chemicals are located shall be subject to inspection and approval by the City of Flint Fire Department to insure compliance with all applicable statutes, codes and ordinances;
  - (10) The dispensing of ~~Medical~~ Marihuana at the Processor facility shall be prohibited;
- i. If co-located with a Group "E" Special Regulated Use, Provisioning Center **OR RETAILER**, the structure must be a minimum of 9,000 square feet, **IN A SINGLE BUILDING OR CUMULATIVELY IN A COLLECTION OF BUILDINGS**, and must be separated by walls, and accessible via separate entrances pursuant to state building code.
  - ii. On such a co-located site, the dispensing of ~~Medical~~ Marihuana must only be in the area designated specifically as the Provisioning Center **OR RETAILER**.
- (11) All persons working in direct contact with Marihuana shall conform to hygienic practices while on duty, including but not limited to:
    - i. Maintaining adequate personal cleanliness;
    - ii. Washing hands thoroughly in adequate hand-washing areas before starting work and at any other time when the hands may have become soiled or contaminated;
    - iii. Refraining from having direct contact with Marihuana if the person has or may have an illness, open lesion,

including boils, sores or infected wounds, or any other abnormal source of microbial contamination, until the condition is corrected.

- (12) Litter and waste shall be properly removed and the operating systems for waste disposal are maintained in an adequate manner so that they do not constitute a source of contamination in areas where Marihuana is exposed;
- (13) Floors, walls, and ceilings shall be constructed in such a manner that they may be adequately cleaned and kept clean and in good repair;
- (14) There shall be adequate screening or other protection against the entry or pests. Rubbish shall be disposed of so as to minimize the development of odor and minimize the potential for the waste development of odor and minimize the potential for waste becoming and attractant, harborage or breeding places for pests;
- (15) Any buildings, fixtures and other facilities shall be maintained in a sanitary condition;
- (16) Each Processor Facility shall provide its occupants with adequate and readily accessible toilet facilities that are maintained in a sanitary condition and good repair;
- (17) Marihuana that can support the rapid growth of

undesirable microorganisms shall be held in a manner that prevents the growth of these microorganisms;

- (18) Processor Facility shall be free from infestation by insects, rodents, birds, or vermin or any kind;

- (19) Processor Facility shall produce no products other than useable Marihuana intended for human consumption.

- (20) The Center must be located in a structure that is a minimum of 3,000 square feet. The building may be split among multiple state licensed growers and processors, given that there are walls or partitions erected between them and approved by BSI officials, pursuant to state building code.

- (21) A Growing Center shall provide only wholesale products for the use at other ~~Medical~~ Marihuana Provisioning Centers **OR RETAILERS.**

J. Minimum Operating Standards of Commercial ~~Medical~~ Marihuana Secure Transport Facility

The following minimum standards for Secure Transporter shall apply

- (1) The Secure Transporter shall comply at all times with the Michigan Medical Marihuana Act, the Medical Marihuana Facilities Licensing Act, **THE MRTMA**, the Marihuana Tracking Act and the general rules of the Department of Licensing and Regulatory

Affairs, as they may be amended from time to time.

(2) Consumption and or use of marihuana shall be prohibited at a facility of a Secure Transporter.

(3) Storage of ~~Medical~~ Marihuana by a Secure Transporter shall comply with the following:

- i. Pursuant to Section E., 2., xii., 1. & 2., Secure Transport Facilities shall continuously monitor the entire premises on which they are operated with surveillance systems that include security cameras.
- ii. The storage facility shall not be used for any other commercial purpose.
- iii. The storage facility shall not be open or accessible to the general public.
- iv. The storage facility shall be maintained and operated so as to comply with all state and local rules, regulations and ordinance.
- v. The storage facility shall be open at all times to any Michigan ~~Medical Marihuana~~ ~~Licensing Board~~ **REGULATORY AGENCY** investigator, local or state police officers, local fire inspectors or local building and safety inspection officials, without a warrant and without notice to the

holder of the license, enter the premises, offices, facilities or other places of business of a licensee, if evidence of compliance or non-compliance with the MMMA and Medical Marihuana Facilities Licensing Act, **THE MRTMA**, or applicable state laws is likely to be found and consistent with constitutional limitations for the following purposes:

1. To inspect and examine all premises of ~~Medical~~ Marihuana Facility;
2. To inspect, examine and audit relevant records of the licensee and, if the holder of the license or any of the managerial employees or employees fails to cooperate with an investigation, impound, seize, assume physical control of, or summarily remove from the premises all books, ledgers, documents, writings, photocopies, correspondence, records, and

videotapes,  
including  
electronically  
stored records,  
money  
receptacles, or  
equipment in  
which the records  
are stored;

3. To inspect the person(s), and inspect or examine personal effects present, in a ~~Medical~~ Marihuana Facility, of any holder or state operating license while that person is present in a ~~Medical~~ Marihuana Facility;
4. To investigate alleged violations of the MMMA and ~~Medical~~ Marihuana Facilities Licensing Act, **THE MRTMA**, or applicable state laws.
- vi. All marihuana stored within the facility shall be stored within Enclosed Locked Facilities in accordance with the MMMA as amended.
- vii. All persons working in direct contact with marihuana being stored by a secure transporter

shall conform to hygienic practices while on duty, including but not limited to:

1. Maintaining adequate personal cleanliness;
2. Washing hands thoroughly inadequate hand washing areas before starting work and at any other time when the hands may have become soiled or contaminated;
3. Refrain from having direct contact with marihuana if the person has or may have an illness, open lesion, including boils, sores or infected wounds, or any other abnormal source of microbial contamination, until the condition is corrected.

(4) A Secure Transporter licensee and each stakeholder shall not have an interest in a Growing, Processor, Provisioning, or Safety Compliance Facility and shall not be a registered qualifying patient or a registered primary caregiver.

(5) A Secure Transporter shall enter all transactions, current inventory, and other information as required by the state into the statewide monitoring system as required by law.

(6) A Secure Transporter shall comply with all of the following:

- i. Each driver transporting marihuana must have a chauffeur's license issued by the state;
- ii. Each employee who has custody of marihuana or money that is related to a marihuana transaction shall not have been convicted of or released from incarceration for a felony under the laws of this state, any other state, or the United States within the past five (5) years or have been convicted of a misdemeanor involving a controlled substance with the past five (5) years;
- iii. Each vehicle shall be operated with a two person crew with at least one individual remaining with the vehicle at all times during the transportation of marihuana;
- iv. A route plan and manifest shall be entered into the statewide monitoring system, and a copy shall be carried in the transporting vehicle

and presented to a law enforcement officer upon request;

v. The Medical Marihuana shall be transported by one or more sealed containers and not be accessible while in transit;

vi. A secure transporting vehicle shall not bear markings or other indication that it is carrying Medical Marihuana or a marihuana infused product.

(7) A vehicle used by a Secure Transporter is subject to administrative inspection by a law enforcement officer at any point during the transportation of Medical Marihuana to determine compliance with all state and local laws, rules, regulations and ordinances.

K. Minimum Operating Standards of Commercial Medical Marihuana Safety Compliance Facility

The following minimum standards for Safety Compliance facilities shall apply

(1) The Safety Compliance Facility shall comply at all times and in all circumstances with the MMMA and Medical Marihuana Facilities Licensing Act or applicable State laws, , **THE MRTMA**, and the general rules of the Department of Licensing and Regulatory Affairs, as they may be amended from time to time;

(2) Consumption and/or use of Marihuana shall be prohibited at the facility;

(3) The premises shall be open, at all times, to any Michigan Medical—Marihuana Licensing Board **REGULATORY AGENCY** investigators, agents, auditors, the state police, local police, local fire inspectors or local building and safety inspection officials, without a warrant and without notice to the licensee, enter the premises, offices, facilities, or other places of business of a licensee, if evidence of compliance or noncompliance with the MMMA and Medical Marihuana Facilities Licensing Act, **THE MRTMA**, or applicable state laws is likely to be found and consistent with constitutional limitations, for the following purposes:

- i. To inspect and examine all premises of Medical Marihuana Facilities;
- ii. To inspect, examine, and audit relevant records of the licensee and, if the licensee or any managerial employees or employees fails to cooperate with an investigation, impound, seize, assume physical control of, or summarily remove from the premises all books, ledgers, documents, writings, photocopies, correspondence, records, and videotapes, including electronically stored records, money

receptacles, or equipment in which the records are stored;

iii. To inspect the person, and inspect or examine personal effects present in a Medical Marihuana Facility, of any holder of state operating license while that person is present in a Medical Marihuana Facility;

iv. To investigate alleged violations of the MMMA and Medical Marihuana Facilities Licensing Act, **THE MRTMA**, or applicable state laws.

(4) Any Safety Compliance Facility shall maintain a log book and/or database which complies with the MMMA, **THE MRTMA** and Medical Marihuana Facilities Licensing Act or applicable state laws;

(5) All Medical Marihuana shall be contained within the building in an enclosed, locked facility in accordance with the MMMA, as amended, **THE MRTMA** and Medical Marihuana Facilities Licensing Act or applicable state laws;

(6) There shall be no other accessory uses permitted within the same facility other than those associated with testing Medical Marihuana;

(7) All persons working in direct contact with Medical Marihuana shall conform to hygienic practices while on duty;

- (8) Litter and waste shall be properly removed and the operating systems for waste disposal shall be maintained in an adequate manner so that they do not constitute a source of contamination in areas where Medical Marihuana is exposed;
- (9) Floors, walls and ceilings shall be constructed in such a manner that they may be adequately cleaned and kept clean and in good repair;
- (10) Any buildings, fixtures and other facilities shall be maintained in a sanitary condition;
- (11) ~~Medical~~ Marihuana that can support the rapid growth of undesirable microorganisms shall be held in a manner that prevents the growth of these microorganisms;
- (12) The premises shall be open, at all times, to any Michigan ~~Medical Marihuana Licensing Board~~ **REGULATORY AGENCY** investigators, agents, auditors, the state police, local police, local fire inspectors or local building and safety inspection officials, without a warrant and without notice to the holder of the license, enter the premises, offices, facilities, or other places of business of a licensee, if evidence of compliance or noncompliance with the MMMA and Medical Marihuana Facilities Licensing Act, **THE MRTMA**, or applicable state laws is likely to be found and consistent with constitutional

limitations, for the following purposes:

- i. To inspect and examine all premises of Medical Marihuana Facility.
- ii. To inspect, examine, and audit relevant records of the licensee and, if the holder of the license or any of the managerial employees or employees fails to cooperate with an investigation, impound, seize, assume physical control of, or summarily remove from the premises all books, ledgers, documents, writings, photocopies, correspondence, records, and videotapes, including electronically stored records, money receptacles, or equipment in which the records are stored.
- iii. To inspect the person, and inspect or examine personal effects present in a Medical Marihuana Facility, of any holder of state operating license while that person is present in a Medical Marihuana Facility.
- iv. To investigate alleged violations of the MMMA and Medical Marihuana Facilities Licensing Act, **THE MRTMA**, or applicable state laws.

**L. MINIMUM OPERATING STANDARDS OF**

**MARIJUANA  
MICROBUSINESSES**

**THE FOLLOWING MINIMUM  
STANDARDS FOR  
MICROBUSINESSES SHALL  
APPLY:**

- (1) OPERATING HOURS FOR  
RETAIL CUSTOMERS  
SHALL LIMITED TO  
BETWEEN 8:00 A.M. AND  
7:00 P.M. MONDAY  
THROUGH SATURDAY  
AND 12:00 NOON AND 6:00  
P.M. SUNDAY;**
- (2) A MICROBUSINESS SHALL  
NOT BE CO-LOCATED ON  
THE SAME PARCEL WITH  
ANOTHER GROUP "E" OR  
GROUP "F" SPECIAL  
REGULATED USE;**
- (3) CONSUMPTION OF  
MARIHUANA SHALL BE  
PROHIBITED ON THE  
PREMISES OF A  
MICROBUSINESS, AND A  
SIGN SHALL BE POSTED  
ON THE PREMISES OF  
EACH MICROBUSINESS  
INDICATING THAT  
CONSUMPTION IS  
PROHIBITED ON THE  
PREMISES;**
- (4) PURSUANT TO SECTION  
E., 2., XII., 1. & 2.,  
MICROBUSINESSES  
SHALL CONTINUOUSLY  
MONITOR THE ENTIRE  
PREMISES ON WHICH  
THEY ARE OPERATED  
WITH SURVEILLANCE  
SYSTEMS THAT INCLUDE  
SECURITY CAMERAS;**

**(5) UNLESS PERMITTED BY  
THE MMMA, THE  
MEDICAL MARIHUANA  
FACILITIES LICENSING  
ACT, THE MRTMA OR  
APPLICABLE STATE LAW,  
PUBLIC OR COMMON  
AREAS OF THE  
MICROBUSINESS MUST BE  
SEPARATED FROM  
RESTRICTED OR NON-  
PUBLIC AREAS OF THE  
PROVISIONING CENTER  
OR RETAILER BY A  
PERMANENT BARRIER.  
UNLESS PERMITTED BY  
THE MMMA, THE  
MEDICAL MARIHUANA  
FACILITIES LICENSING  
ACT, THE MRTMA OR  
APPLICABLE STATE LAW,  
NO MARIHUANA IS  
PERMITTED TO BE  
STORED, DISPLAYED, OR  
TRANSFERRED IN AN  
AREA ACCESSIBLE TO  
THE GENERAL PUBLIC;**

**(6) ALL MARIHUANA  
STORAGE, GROW AND/OR  
PROCESSING AREAS  
WITHIN THE  
MICROBUSINESS MUST BE  
SEPARATED FROM ANY  
CUSTOMER/PATIENT  
AREAS BY A PERMANENT  
BARRIER. UNLESS  
PERMITTED BY THE  
MMMA, THE MEDICAL  
MARIHUANA FACILITIES  
LICENSING ACT, THE  
MRTMA OR APPLICABLE  
STATE LAW, NO  
MARIHUANA IS  
PERMITTED TO BE  
STORED IN AN AREA  
ACCESSIBLE BY THE  
GENERAL PUBLIC OR**



REGISTERED  
CUSTOMERS/PATIENTS.  
MARIHUANA MAY BE  
DISPLAYED IN A SALES  
AREA ONLY IF  
PERMITTED BY THE  
MMMA, THE MRTMA OR  
THE MEDICAL  
MARIHUANA FACILITIES  
LICENSING ACT;

- (7) ANY USABLE MARIHUANA  
REMAINING ON THE  
PREMISES OF A  
MICROBUSINESS WHILE  
THE MICROBUSINESS IS  
NOT IN OPERATION  
SHALL BE SECURED IN A  
SAFE PERMANENTLY  
AFFIXED TO THE  
PREMISES;
- (8) DRIVE-THROUGH  
WINDOW(S) ON THE  
PREMISES OF A  
MICROBUSINESS SHALL  
NOT BE PERMITTED;
- (9) MICROBUSINESS SHALL  
NOT ALLOW THE SALE,  
CONSUMPTION, OR USE  
OF ALCOHOL OR  
TOBACCO PRODUCTS ON  
THE PREMISES;
- (10) NO MICROBUSINESS  
SHALL BE OPERATED IN A  
MANNER CREATING  
NOISE, DUST, VIBRATION,  
GLARE, FUMES, OR  
ODORS DETECTABLE TO  
NORMAL SENSES BEYOND  
THE BOUNDARIES OF THE  
PROPERTY ON WHICH  
THE MICROBUSINESS IS  
OPERATED;
- (11) THE LICENSE  
REQUIRED BY THIS

ORDINANCE SHALL BE  
PROMINENTLY  
DISPLAYED ON THE  
PREMISES OF A  
MICROBUSINESS;

- (12) THE PREMISES  
SHALL BE OPEN, AT ALL  
TIMES, TO ANY  
MICHIGAN MARIHUANA  
REGULATORY AGENCY  
INVESTIGATORS, AGENTS,  
AUDITORS, THE STATE  
POLICE, LOCAL POLICE,  
LOCAL FIRE INSPECTORS  
OR LOCAL BUILDING AND  
SAFETY INSPECTION  
OFFICIALS, WITHOUT A  
WARRANT AND WITHOUT  
NOTICE TO THE HOLDER  
OF THE LICENSE, ENTER  
THE PREMISES, OFFICES,  
FACILITIES, OR OTHER  
PLACES OF BUSINESS OF  
A LICENSEE, IF EVIDENCE  
OF COMPLIANCE OR  
NONCOMPLIANCE WITH  
THE MMMA AND THE  
MEDICAL MARIHUANA  
FACILITIES LICENSING  
ACT, THE MRTMA OR  
APPLICABLE STATE LAWS  
IS LIKELY TO BE FOUND  
AND CONSISTENT WITH  
CONSTITUTIONAL  
LIMITATIONS, FOR THE  
FOLLOWING PURPOSES:

- i. TO INSPECT AND  
EXAMINE ALL  
PREMISES OF  
MARIHUANA  
FACILITY;
- ii. TO INSPECT,  
EXAMINE, AND  
AUDIT RELEVANT  
RECORDS OF THE  
LICENSEE AND, IF

- THE HOLDER OF THE LICENSE OR ANY OF THE MANAGERIAL EMPLOYEES OR EMPLOYEES FAILS TO COOPERATE WITH AN INVESTIGATION, IMPOUND, SEIZE, ASSUME PHYSICAL CONTROL OF, OR SUMMARILY REMOVE FROM THE PREMISES ALL BOOKS, LEDGERS, DOCUMENTS, WRITINGS, PHOTOCOPIES, CORRESPONDENCE, RECORDS, AND VIDEOTAPES, INCLUDING ELECTRONICALLY STORED RECORDS, MONEY RECEPTACLES, OR EQUIPMENT IN WHICH THE RECORDS ARE STORED;
- iii. TO INSPECT THE PERSON, AND INSPECT OR EXAMINE PERSONAL EFFECTS PRESENT IN A MARIHUANA FACILITY, OF ANY HOLDER OF STATE OPERATING LICENSE WHILE THAT PERSON IS PRESENT IN A MARIHUANA FACILITY;
- iv. TO INVESTIGATE ALLEGED VIOLATIONS OF THE MMMA, AND THE MEDICAL MARIHUANA FACILITIES LICENSING ACT, THE MRTMA OR APPLICABLE STATE LAWS.
- (13) THE MICROBUSINESS SHALL COMPLY AT ALL TIMES AND IN ALL CIRCUMSTANCES WITH THE MICHIGAN MEDICAL MARIHUANA ACT, THE MEDICAL MARIHUANA FACILITIES LICENSING ACT, , THE MRTMA, AND THE GENERAL RULES OF THE DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS, AS THEY MAY BE AMENDED FROM TIME TO TIME;
- (14) ANY MICROBUSINESS SHALL MAINTAIN A LOG BOOK AND/OR DATABASE INDICATING THE NUMBER OF MARIHUANA PLANTS THEREIN. EACH MARIHUANA PLANT WILL BE TAGGED AS REQUIRED BY THE MMMA AND MEDICAL MARIHUANA FACILITIES LICENSING ACT;
- (15) ALL NECESSARY BUILDING, ELECTRICAL PLUMBING AND MECHANICAL PERMITS SHALL BE OBTAINED FOR

ANY PORTION OF THE  
STRUCTURE IN WHICH  
ELECTRICAL WIRING,  
LIGHTING AND/OR  
WATERING DEVICES  
THAT SUPPORT THE  
MICROBUSINESSES'  
GROWING OR  
HARVESTING OF  
MARIHUANA ARE  
LOCATED;

(16) THAT PORTION OF  
THE STRUCTURE  
STORING ANY  
CHEMICALS SUCH AS  
HERBICIDES, PESTICIDES,  
AND FERTILIZERS SHALL  
BE SUBJECT TO  
INSPECTION AND  
APPROVAL BY THE CITY  
OF FLINT FIRE  
DEPARTMENT TO INSURE  
COMPLIANCE WITH ALL  
APPLICABLE STATUTES,  
CODES AND ORDINANCES;

(17) ALL PERSONS  
WORKING IN DIRECT  
CONTACT WITH  
MARIHUANA SHALL  
CONFORM TO HYGIENIC  
PRACTICES WHILE ON  
DUTY, INCLUDING BUT  
NOT LIMITED TO:

i. MAINTAINING  
ADEQUATE  
PERSONAL  
CLEANLINESS;

ii. WASHING HANDS  
THOROUGHLY IN  
ADEQUATE HAND-  
WASHING AREAS  
BEFORE STARTING  
WORK AND AT ANY  
OTHER TIME WHEN  
THE HANDS MAY

HAVE BECOME  
SOILED OR  
CONTAMINATED;

iii. REFRAINING FROM  
HAVING DIRECT  
CONTACT WITH  
MARIHUANA IF THE  
PERSON HAS OR  
MAY HAVE AN  
ILLNESS, OPEN  
LESION, INCLUDING  
BOILS, SORES OR  
INFECTED WOUNDS,  
OR ANY OTHER  
ABNORMAL  
SOURCE OF  
MICROBIAL  
CONTAMINATION,  
UNTIL THE  
CONDITION IS  
CORRECTED.

(18) LITTER AND WASTE  
SHALL BE PROPERLY  
REMOVED AND THE  
OPERATING SYSTEMS  
FOR WASTE DISPOSAL  
SHALL BE MAINTAINED  
IN AN ADEQUATE  
MANNER SO THAT THEY  
DO NOT CONSTITUTE A  
SOURCE OF  
CONTAMINATION IN THE  
AREAS WHERE  
MARIJUANA IS EXPOSED.

(19) FLOORS, WALLS  
AND CEILINGS SHALL BE  
CONSTRUCTED IN SUCH A  
MANNER THAT THEY  
MAY BE ADEQUATELY  
CLEANED AND KEPT  
CLEAN AND IN GOOD  
REPAIR;

(20) THERE SHALL BE  
ADEQUATE SCREENING  
OR OTHER PROTECTION

AGAINST THE ENTRY OR PESTS. RUBBISH SHALL BE DISPOSED OF SO AS TO MINIMIZE THE DEVELOPMENT OF ODOR AND MINIMIZE THE POTENTIAL FOR THE WASTE DEVELOPMENT OF ODOR AND MINIMIZE THE POTENTIAL FOR WASTE BECOMING AND ATTRACTANT, HARBORAGE OR BREEDING PLACES FOR PESTS;

(21) ANY BUILDINGS, FIXTURES AND OTHER FACILITIES SHALL BE MAINTAINED IN A SANITARY CONDITION;

(22) EACH MICROBUSINESS FACILITY SHALL PROVIDE ITS OCCUPANTS WITH ADEQUATE AND READILY ACCESSIBLE TOILET FACILITIES THAT ARE MAINTAINED IN A SANITARY CONDITION AND GOOD REPAIR;

(23) MARIHUANA THAT CAN SUPPORT THE RAPID GROWTH OF UNDESIRABLE MICROORGANISMS SHALL BE HELD IN A MANNER THAT PREVENTS THE GROWTH OF THESE MICROORGANISMS;

(24) MICROBUSINESSES SHALL BE FREE FROM INFESTATION BY INSECTS, RODENTS, BIRDS, OR VERMIN OR ANY KIND;

(25) ALL GROWING, PROCESSING AND RETAIL ACTIVITY RELATED TO THE MICROBUSINESS SHALL BE DONE INDOORS;

M. Location of Group "E" Special Regulated Uses

(1) Group "E" Special Regulated Uses shall be limited to the "D-5", "D-6", "E", "F", & "G" zoning districts. ~~For these Special Regulated Uses there shall be no other accessory uses permitted within the same facility other than those associated with the Provisioning of Medical Marihuana to registered patients.~~

(2) Group "E" Special Regulated Uses. An application to establish a Group "E" Special Regulated Use shall not be approved if there is already in existence four or more Group "A" or Group "E" Special Regulated Uses within 2,000 feet of the boundaries of the site of the proposed regulated use.

(3) Group "E" Special Regulated Use. An application to establish a Group "E" Special Regulated Use shall not be approved if the proposed location is within 1,000 feet of a Pre-K through 12 school, or within 500 feet from a dedicated public park (except for the trail, known as the flint river trail/iron belle trail, itself, where the principal use of the park space is for the flint river trail) or place of worship; or if the proposed location is within 300 feet of a residential property or residentially zoned district,

**UNLESS OTHERWISE  
EXEMPTED BY CITY  
CODE.**

- (4) Medical Research Facility Exemption - a medical research facility is bound by the locational standards for its proposed medical marihuana-related uses, including those set forth for groups "e," "f" or "g," except that the 300 foot residential zone exclusion does not apply. Such medical research facilities must still be 1,000 feet from pre-k through 12 schools, and 500 feet from places of worship and dedicated public parks.

**N. Location of Group "F" and "G" Special Regulated Uses**

- (1) Group "F" and "G" Special Regulated Uses shall be limited to the "E", "F", & "G" industrial zoning districts. For Special Regulated Uses there shall be no other accessory uses permitted within the same facility.
- (2) Group "F" and "G" Special Regulated Use. An application to establish a Group "F" and "G" Special Regulated Use shall not be approved if the proposed location is within 1,000 feet of a Pre-K through 12 school, or within 500 feet from a dedicated public park (except for the trail, known as the flint river trail/iron belle trail, itself, where the principal use of the park space is for the flint river trail), or place of worship; or if the proposed location is within 300 feet of a residential property or residentially zoned district, **UNLESS OTHERWISE**

**EXEMPTED BY CITY  
CODE.**

- (3) Medical Research Facility Exemption - a medical research facility is bound by the locational standards for its proposed medical marihuana-related uses, including those set forth for groups "e," "f" or "g," except that the 300 foot residential zone exclusion does not apply. Such medical research facilities must still be 1,000 feet from pre-k through 12 schools, and 500 feet from places of worship and dedicated public parks.

**O. LOCATION OF GROUP "G"  
SPECIAL REGULATED USES**

- (1) GROUP "G" SPECIAL REGULATED USES SHALL BE LIMITED TO THE "D-3," "D-4," "D-5," "D-6," "E", "F", & "G" ZONING DISTRICTS.
- (2) GROUP "G" SPECIAL REGULATED USE. AN APPLICATION TO ESTABLISH A GROUP "G" SPECIAL REGULATED USE SHALL NOT BE APPROVED IF THE PROPOSED LOCATION IS WITHIN 1,000 FEET OF A PRE-K THROUGH 12 SCHOOL, OR WITHIN 500 FEET FROM A DEDICATED PUBLIC PARK (EXCEPT FOR THE TRAIL, KNOWN AS THE FLINT RIVER TRAIL/IRON BELLE TRAIL, ITSELF, WHERE THE PRINCIPAL USE OF THE PARK SPACE IS FOR THE FLINT RIVER TRAIL) OR PLACE OF WORSHIP; OR IF THE PROPOSED

**LOCATION IS WITHIN 300  
FEET OF A RESIDENTIAL  
PROPERTY OR  
RESIDENTIALLY ZONED  
DISTRICT, UNLESS  
OTHERWISE EXEMPTED  
BY CITY CODE.**

**P. Denial and Revocation**

(1) A license issued under this Ordinance may be revoked after an administrative hearing at which the Planning Commission by majority vote of members present, determines that any grounds for revocation under this Ordinance exist. Notice of the time and place of the Hearing and the grounds for revocation must be given to the holder of license at least five days prior to the date of the hearing, by first class mail to the address given on the license application; a licensee whose license is subject of such Hearing may present evidence and/or call witnesses at the Hearing;

(2) A license applied for or issued under this Ordinance may be denied or revoked on any of the following basis:

- i. Violation of this Ordinance;
- ii. Any conviction of or release from incarceration for a felony under the laws of this State, any other state, or the United States within the past five (5) years by the Applicant or any stakeholder of the Applicant as measured

from the date of the Application or the date of becoming a stakeholder, whichever occurs later, or while licensed under this Ordinance; or any conviction of a substance-related felony by the Applicant or any stakeholder of the Applicant ever or while licensed under this Ordinance;

- iii. Commission of fraud or misrepresentation or the making of a false statement by the Applicant or any stakeholder of the Applicant while engaging in any activity for which this Ordinance requires a license;
- iv. Sufficient evidence that the Applicant(s) lack, or have failed to demonstrate, the requisite professionalism and/or business experience required to assure strict adherence to this Ordinance and the rules and regulations governing the Medical Marihuana Program, **THE MMFLA, AND/OR THE MRTMA**, in the State of Michigan;
- v. The ~~Medical~~-Marihuana Facility is determined by the City of Flint to have become a public nuisance;

vi. The Michigan Medical Marihuana Licensing Board-REGULATORY AGENCY has denied, revoked or suspended the applicant's state license.

(3) Any Special Regulated Use that ceases for more than 30 days shall not be resumed except by application and approval pursuant to §50-162, unless the hiatus is caused by a temporary revocation or suspense of the license and is pending a Planning Commission hearing.

**Q. RESIDENT-INITIATED HEARINGS; Penalties; Temporary Suspension of a License; Seizure and Forfeiture**

(1) A PERSON, WHO LIVES, WORKS, AND/OR REGULARLY VISITS A NEIGHBORHOOD IN WHICH A MARIJUANA FACILITY IS LOCATED, MAY MAKE A FORMAL COMPLAINT TO THE ZONING COORDINATOR OR HIS/HER DESIGNEE REGARDING ANY NUISANCE(S) OR VIOLATIONS OF CITY CODE BY THE FACILITY, INCLUDING BY NOT LIMITED TO NUISANCES CAUSED BY ITS CUSTOMERS OR ITS EMPLOYEES, WHICH SHALL TRIGGER A CASE REVIEW AT THE NEXT AVAILABLE PLANNING COMMISSION MEETING.

i. THE COMPLAINANT AND THE LICENSEE, AS RESPONDENT

FOR THE MARIJUANA FACILITY, SHALL BE NOTIFIED OF THE DATE AND TIME OF THE CASE REVIEW.

ii. THE COMPLAINANT, THE RESPONDENT LICENSEE, AND ANY MEMBER(S) OF THE PUBLIC MAY ADDRESS THE PLANNING COMMISSION TO ADDRESS THE ALLEGATIONS AND THE ISSUES GIVING RISE THERETO.

iii. IF THIS CASE REVIEW PROCESS DOES NOT ADDRESS AND CORRECT THE ISSUE(S) GIVING RISE TO THE COMPLAINT(S), AFTER SUFFICIENT TIME FOR THE RESPONDENT TO INITIATE CORRECTIVE ACTION(S), THE CITY SHALL INVESTIGATE FOR VIOLATION(S) OF THIS ORDINANCE AND THE CITY CODE AND, IF VIOLATION(S) ARE SUBSTANTIATED, INITIATE LICENSE SUSPENSION AND REVOCATION, AS OUTLINED IN THE AFOREMENTIONED

## SECTION Q OF THIS ORDINANCE.

(2) The City of Flint may require an applicant or holder of license of a Medical-Marihuana Facility to produce documents, records, or any other material pertinent to the investigation of an application or alleged violation of this Ordinance. Failure to provide the required material may be grounds for application denial, license revocation, or license suspension;

(3) Any person in violation of any provision of this Ordinance or any provision of a license issued under this Ordinance is responsible for a misdemeanor, punishable by fine of up to \$500.00 per violation plus cost of prosecution, 90 days imprisonment, or both, for each violation. Each plant possessed by any person in excess of the licensed quantity of plants permitted shall be a separate violation of this ordinance; and as such each plant in excess of the licensed quantity may be immediately confiscated for destruction. Any person in violation of this Ordinance is also subject to license revocation, as outlined in the aforementioned Section N. Q Immediate, temporary revocation or suspension of the Special Regulated Use license may be issued by the City's Zoning Coordinator, Director of Planning & Development, or their designee. This temporary suspension or revocation will not be rescinded until the Flint Planning Commission holds a

hearing with the applicant to discuss the violations and votes on whether to uphold the suspension or revocation. This section is not intended to prevent enforcement of any provision of the State law by the City of Flint Police Department;

(4) All fines imposed under this Ordinance shall be paid within forty-five (45) days after the effective date of the order imposing the fine or as otherwise specified in the order;

(5) Two or more violations of this ordinance within a six (6) month period by any individual offender shall be considered a public nuisance, and in the interest of such nuisance abatement, may result in the seizure and destruction of the marihuana plants, and/or marihuana product(s), and forfeiture of other related assets, in order to deter and prevent such nuisances and protect the health, safety and welfare of the City of Flint.

(6) The Planning Commission may temporarily suspend a Medical Marihuana Facility License without a hearing if it finds that public safety or welfare requires emergency action. The Planning Commission shall cause the temporary suspension by issuing a Suspension Notice by majority vote of members present and voting thereon in connection with institution of proceedings for a Hearing;

(7) If the Planning Commission temporarily suspends a license without a Hearing, the holder of



license is entitled to a hearing within thirty (30) days after the Suspension Notice has been issued. The hearing shall be limited to the issues cited in the Suspension Notice;

- (8) If the Planning Commission does not hold a hearing within thirty (30) days after the date of suspension was issued, then the suspended license shall be automatically reinstated and the suspension vacated.

R. Lawful Non-Conforming and Grandfathered Locations

- (1) Any Provisioning Center applicant granted Group "E" Special Regulated Use approval under the previous City of Flint Medical Marihuana Provisioning Center ordinance (50-161; & 12-XVI), prior to the adoption date of this ordinance on (insert date of adoption) and additionally, has undergone and successfully fulfilled the required "annual re-licensing process", and having been granted a 2017-2018 Special Regulated Use Group "E" license, will retain legal non-conforming rights and become a legal, conforming use.

- (2) ~~The collective amount of these grandfathered licenses will be subtracted from the license allocation amount listed in Section C.2.i. (Medical Marihuana Provisioning Centers), with the difference representing the definite available allocation of Group "E" Special Regulated Use licenses available to the public;~~

~~pending approval for licensure by the State of Michigan.~~

- i. ~~Applicants who have fulfilled the relicensing requirements and successfully obtained a 2017-2018 Group "E" Medical Marihuana Provisioning Center License, will be granted an additional six (6) month extension to become compliant under the new terms of the Group "E" Special Regulated Use License, (insert ordinance number).~~

- ii. ~~Failure to become compliant under the revised Group "E" Special Regulated Use standards within a six (6) month period, will result in immediate revocation of the grandfathered license. Any number of licenses that are revoked will be added to the allocation amount listed in Section C.2.i. (Medical Marihuana Provisioning Centers).~~

- (3) Any previously licensed Medical Marihuana Cultivation or Growing Facility who received a Special Regulated Use Group "E" permit from the Flint Planning Commission, will not be eligible to gain grandfathered status and will not be treated as a lawful, non-conforming land use. Facilities and applicants who have previously been issued a Group "E" Special Regulated Use for

Cultivation or Growing of Medical Marihuana are required to resubmit applications to the Flint Planning Commission to obtain a Group "F" Commercial Medical Marihuana Growing Center permit and must adhere to the minimum operating standards as referenced in Section H. and the any location of a Growing Center must adhere to the standards established in Section M. "Location of a Group "F" and "G" Special Regulated Use.

(4) AN APPLICANT FOR AN ADDITIONAL LICENSE AT A LOCATION THAT IS A LAWFUL NON-CONFORMING USE, WHOSE LOCATION DOES NOT MEET THE LOCATIONAL REQUIREMENTS OF DISTANCES FROM RESIDENTIALLY-ZONED PROPERTY, SCHOOLS, PARKS OR PLACES OF WORSHIP, AND/OR DOES NOT MEET THE ZONING CLASSIFICATION REQUIRED UNDER THIS ORDINANCE, IS INELIGIBLE FOR ADMINISTRATIVE APPROVAL DESCRIBED IN SUBSECTION (F) AND MUST UNDERGO A PUBLIC HEARING BEFORE THE PLANNING COMMISSION PRIOR TO RECEIVING ANY ADDITIONAL LICENSE(S).

S. Transfer of Medical Marihuana Facility Licenses; Process

(I) Special Regulated Use permits are issued to the Applicant, and not to the location. Any changes to the Special Regulated Use permit, including a change in ownership, requires approval by City, as outlined below.

- i. If the original applicant retains partial ownership, with no modification to previously approved site plans or floor plans, pending successful completion of a background check for any new owner(s), the new owner(s) would be administratively added to the Special Regulated Use Permit by the City's Zoning Coordinator upon payment of a nonrefundable Special Regulated Use Permit Application fee.
- ii. If ownership will be transferred entirely from the original applicant to a new individual, partnership or other corporate entity, but with no modification to previously approved site plans or floor plans, the transfer requires payment of a nonrefundable Special Regulated Use Permit Application fee, completion of a background check for any new owner(s), and public hearing before the Planning Commission for approval of the transfer of the applicable

Special Regulated Use Permit(s).

- iii. If there is any transfer, full or partial, of ownership that accompanies modification of previously approved site plans or floor plans, the Application will be treated as a new Special Use Permit application including all applicable site plan reviews, approvals and public hearing.

- iv. **ANY CHANGE IN LOCATION OF A SPECIAL REGULATED USE, WITH OR WITHOUT A TRANSFER OF LEGAL OWNERSHIP, SHALL BE TREATED AS A NEW APPLICATION. THAT APPLICATION MAY BE REVIEWED BY THE PLANNING COMMISSION AT THE NEXT AVAILABLE PUBLIC HEARING DATE FOLLOWING THE SUBMISSION OF ALL NECESSARY DOCUMENTS, AND IS NOT REQUIRED TO AWAIT THE EXHAUSTION OF THE EXISTING LIST OF PROVISIONING CENTER AND/OR RETAIL ESTABLISHMENT LOCATIONS, TO**

## **THE EXTENT SUCH A LIST EXISTS AND APPLIES.**

### **T. Group "E", "F" and "G" License Location Appeals Process**

- (1) The ~~Medical~~ Marihuana Facilities Licensing Analysis "maps", developed and administered by the Planning & Zoning Division, symbolizes a spatial analysis performed utilizing the criteria listed in Section E. N.,1.-3. (Location of Group "E" Special Regulated Uses) and in Section M. O.,1.-3 **AND P.1-3.** (Location of Group "F" and "G" Special Regulated Uses, **RESPECTIVELY**). Any potential location of a Group "E", "F" or "G" ~~Medical~~ Marihuana Facilities license is appealable to the Flint Planning Commission. A \$5,000, non-refundable appeals fee is required upon submitting an application for a location appeal. An applicant submitting an appeal must clearly demonstrate an "undue hardship" and "prove that special and unusual conditions pertaining to the specific piece of property are warranted" for a variance to be granted.

- i. No such variance shall be authorized by the Planning Commission unless the Commission finds that all of the following facts and conditions exist:

- 1. The proposed use will not alter the essential

character of the area.

2. The problem was not a self-created hardship.
3. The use will be compatible with adjacent uses of land.
4. The plight is due to unique circumstances peculiar to the property and not to general neighborhood conditions.
5. Issuance of the variance would still ensure that the spirit of the ordinance is intact.

#### **U. COMMUNITY BENEFIT LOCATIONAL EXEMPTIONS**

- (1) **SOCIAL EQUITY  
PROGRAM EXEMPTION -  
APPLICANTS WHO APPLY  
FOR A GROUP "G" SRU,  
I.E. A MICROBUSINESS  
LICENSE, OR WHO APPLY  
FOR A GROUP "F" SRU  
STRICTLY FOR A CLASS  
"A" GROW FACILITY,  
MAY BE ELIGIBLE FOR AN  
EXCEPTION FROM THE  
300 RESIDENTIAL  
DISTANCE  
REQUIREMENT, WITHOUT  
THE NEED FOR A  
LOCATION VARIANCE,  
PROVIDED THAT THEY**

#### **MEET THE FOLLOWING CRITERIA:**

- i. **THE APPLICANT,  
EITHER AS AN  
INDIVIDUAL OR  
ALL OF THE  
MEMBERS OF A  
PARTNERSHIP OR  
OTHER  
CORPORATE  
ENTITY APPLICANT,  
IS A RESIDENT OF  
THE CITY OF FLINT;  
AND**
- ii. **THE APPLICANT,  
EITHER AS AN  
INDIVIDUAL OR  
ALL OF THE  
MEMBERS OF A  
PARTNERSHIP OR  
OTHER  
CORPORATE  
ENTITY APPLICANT,  
IS PRE-APPROVED  
IN THE STATE OF  
MICHIGAN'S  
SOCIAL EQUITY  
PROGRAM; AND**
- iii. **THE APPLICATION  
IN QUESTION IS FOR  
A PARCEL ZONED  
D3 OR D4 FOR A  
MICROBUSINESSES,  
OR ZONED E FOR A  
CLASS A GROW  
FACILITY; AND**
  1. **THE  
APPLICANT  
MUST BE  
ABLE TO  
DEMONSTRAT  
E THAT  
THEIR  
PROPOSED  
FACILITY**

WILL  
 DEMONSTRAB  
 LY BE AN  
 ASSET TO  
 THE  
 NEIGHBORHO  
 OD, AND AS  
 CONSTRUCTE  
 D AND  
 OPERATED BY  
 THE  
 APPLICANT  
 WILL NOT  
 HAVE ANY,  
 OR MINIMAL,  
 NEGATIVE  
 SECONDARY  
 EFFECTS ON  
 THE  
 NEIGHBORHO  
 OD.  
 NEGATIVE  
 SECONDARY  
 EFFECTS CAN  
 INCLUDE THE  
 FOLLOWING  
 IMPACTS:

2. VEHICULAR  
 AND  
 PEDESTRIAN  
 TRAFFIC;
3. NOISE,  
 ODORS, OR  
 LIGHTS THAT  
 EMANATE  
 BEYOND THE  
 SITE'S  
 BOUNDARIES  
 ONTO  
 PROPERTY IN  
 THE AREA ON  
 WHICH  
 THERE ARE  
 RESIDENTIAL  
 DWELLINGS;

4. EXCESSIVE  
 NUMBERS OF  
 PERSONS  
 GATHERING  
 OUTSIDE THE  
 ESTABLISHM  
 ENT;

5. PEAK HOURS  
 OF USE THAT  
 ADD TO  
 CONGESTION  
 OR OTHER  
 NEGATIVE  
 EFFECTS IN  
 THE  
 NEIGHBORHO  
 OD.

THE APPLICATION FOR  
 AN APPLICABLE PARCEL  
 WOULD REMAIN SUBJECT  
 TO THE OTHER  
 LOCATIONAL CRITERIA,  
 NOTWITHSTANDING THE  
 EXCEPTION OUTLINED  
 ABOVE. AN APPLICANT  
 WHO ELECTS NOT TO  
 PARTICIPATE IN THIS  
 VOLUNTARY EXEMPTION  
 PLAN PROCESS MAY  
 ALTERNATIVELY SEEK A  
 LOCATIONAL VARIANCE  
 BEFORE THE PLANNING  
 COMMISSION.

- (2) BLIGHT ELIMINATION  
 PLAN EXEMPTION -  
 APPLICANTS WHO APPLY  
 FOR A GROUP "E," GROUP  
 "F," AND/OR GROUP "G"  
 SPECIAL REGULATED USE  
 PERMIT, FOR A PARCEL  
 WITHIN 300 FEET OF  
 RESIDENTIALLY ZONED  
 PARCEL(S), MAY APPLY  
 FOR A BLIGHT  
 ELIMINATION PLAN  
 EXEMPTION, TO ALLOW

THE APPLICANT TO  
RECEIVE THE  
RESPECTIVE SRU(S)  
WITHOUT A VARIANCE,  
PROVIDED THAT THEY  
MEET THE FOLLOWING  
CRITERIA:

- i. THE APPLICANT  
MUST MEET WITH  
THE CITY OF FLINT  
BLIGHT  
ELIMINATION  
DIVISION TO  
DISCUSS BLIGHT  
ISSUES WITHIN  
NEIGHBORHOOD OF  
THE PARCEL  
SUBJECT TO THE  
SRU APPLICATION;  
AND
- ii. THE APPLICANT  
MUST MEET WITH  
MEMBERS  
SURROUNDING  
NEIGHBORHOOD,  
AND THE  
SURROUNDING  
NEIGHBORHOOD  
ASSOCIATION (IN  
THE EVENT THAT  
ONE EXISTS), TO  
DISCUSS BLIGHT  
ISSUES WITHIN THE  
AREA; AND
- iii. THE APPLICANT  
MUST MEET WITH  
THE SURROUNDING  
NEIGHBORHOOD  
AND THE  
SURROUNDING  
NEIGHBORHOOD  
ASSOCIATION (IN  
THE EVENT THAT  
ONE EXISTS) TO  
DISCUSS THEIR

BUSINESS PLAN;  
AND

- iv. THE APPLICANT  
THAT MUST  
PRESENT A PLAN  
TO ELEVATE  
BLIGHT ISSUES,  
SPECIFICALLY BUT  
NOT LIMITED TO  
ANY BLIGHT ISSUES  
WITHIN 300 FEET OF  
THE PARCEL  
SUBJECT TO THE  
SRU APPLICATION,  
TO THE FLINT  
PLANNING  
COMMISSION AT A  
PUBLIC HEARING;  
AND

1. SUCH A PLAN  
MUST  
INCLUDE A  
CAPITAL  
INVESTMENT  
TO ADDRESS  
STRUCTURAL  
BLIGHT IN  
THE AREA IN  
THE FIRST  
YEAR OF THE  
APPLICANT'S  
BUSINESS  
OPERATION;  
AND

2. SUCH A PLAN  
MUST ALSO  
INCLUDE A  
CAPITAL  
INVESTMENT  
TO ADDRESS  
NON-  
STRUCTURAL  
BLIGHT  
ANNUALLY  
FOR FIRST  
FIVE YEARS

OF  
APPLICANT'S  
BUSINESS  
OPERATION;  
AND

- v. THE APPLICANT'S  
BLIGHT  
ELIMINATION PLAN  
MUST BE  
APPROVED BY THE  
PLANNING  
COMMISSION, AND  
MUST  
SUBSEQUENTLY BE  
PUT INTO EFFECT  
AND CONTINUED AS  
THE APPLICANT  
OPERATES WITH  
THEIR LICENSE(S)  
INTO THE FUTURE.  
FAILURE TO  
UPHOLD SUCH  
COMMITMENTS  
MAY BE GROUNDS  
FOR NON-RENEWAL  
OF LICENSE(S),  
AND/OR MAY BE  
SUBJECT TO THE  
LICENSE  
REVOCATION  
PROCESS OUTLINED  
IN THIS  
ORDINANCE.

THE APPLICATION FOR  
AN APPLICABLE PARCEL  
WOULD REMAIN SUBJECT  
TO THE OTHER  
LOCATIONAL CRITERIA,  
NOTWITHSTANDING THE  
EXCEPTION OUTLINED  
ABOVE, HOWEVER THIS  
EXCEPTION MAY BE USED  
IN CONJUNCTION WITH  
THE PARK  
BEAUTIFICATION PLAN  
EXEMPTION OUTLINED

BELOW. AN APPLICANT  
WHO ELECTS NOT TO  
PARTICIPATE IN THIS  
VOLUNTARY EXEMPTION  
PLAN PROCESS MAY  
ALTERNATIVELY SEEK A  
LOCATIONAL VARIANCE  
BEFORE THE PLANNING  
COMMISSION.

- (3) PARK BEAUTIFICATION  
PLAN EXEMPTION -  
APPLICANTS WHO APPLY  
FOR A GROUP "E," GROUP  
"F," AND/OR GROUP "G"  
SPECIAL REGULATED USE  
PERMIT, FOR A PARCEL  
WITHIN 500 FEET OF A  
DEDICATED PUBLIC  
PARK, MAY APPLY FOR A  
PARK BEAUTIFICATION  
PLAN EXEMPTION, TO  
ALLOW THE APPLICANT  
TO RECEIVE THE  
RESPECTIVE SRU(S)  
WITHOUT A VARIANCE,  
PROVIDED THAT THEY  
MEET THE FOLLOWING  
CRITERIA:

i. THE APPLICANT  
MUST MEET WITH  
THE CITY OF FLINT  
PLANNING &  
ZONING DIVISION  
TO DISCUSS  
POTENTIAL PARK  
IMPROVEMENTS  
FOR THE PARK  
NECESSITATING  
THE EXEMPTION;  
AND

ii. THE APPLICANT  
MUST MEET WITH  
MEMBERS  
SURROUNDING  
NEIGHBORHOOD,

AND THE  
SURROUNDING  
NEIGHBORHOOD  
ASSOCIATION (IN  
THE EVENT THAT  
ONE EXISTS), TO  
DISCUSS  
POTENTIAL PARK  
IMPROVEMENTS  
FOR THE PARK  
NECESSITATING  
THE EXEMPTION;  
AND

iii. THE APPLICANT  
MUST MEET WITH  
THE APPLICABLE  
MEMBER(S) OF THE  
ADOPT A PARK  
PROGRAM, IN THE  
EVENT THAT ONE  
EXISTS FOR THE  
PARK  
NECESSITATING  
THE EXEMPTION,  
TO DISCUSS THE  
APPLICANT'S  
BUSINESS PLAN;  
AND

iv. THE APPLICANT  
MUST PRESENT A  
PLAN TO BEAUTIFY  
THE PARK  
NECESSITATING  
THE EXEMPTION  
TO THE FLINT  
PLANNING  
COMMISSION AT A  
PUBLIC HEARING;  
AND

1. SUCH A PLAN  
MUST  
INCLUDE A  
CAPITAL  
INVESTMENT  
TO IMPROVE  
RECREATION

AL  
AMENITIES IN  
THE PARK IN  
THE  
APPLICANT'S  
FIRST YEAR  
OF BUSINESS  
OPERATION;  
AND

2. SUCH A PLAN  
MUST ALSO  
INCLUDE A  
CAPITAL  
INVESTMENT  
TO SUPPORT  
PARK  
MAINTENANC  
E WITHIN  
THE FIRST  
FIVE (5)  
YEARS OF  
THE  
APPLICANT'S  
BUSINESS  
OPERATION.

v. THE APPLICANT'S  
PARK  
BEAUTIFICATION  
PLAN MUST BE  
APPROVED BY THE  
PLANNING  
COMMISSION, AND  
MUST  
SUBSEQUENTLY BE  
PUT INTO EFFECT  
AND CONTINUED AS  
THE APPLICANT  
OPERATES WITH  
THEIR LICENSE(S)  
INTO THE FUTURE.  
FAILURE TO  
UPHOLD SUCH  
COMMITMENTS  
MAY BE GROUNDS  
FOR NON-RENEWAL  
OF LICENSE(S),



AND/OR MAY BE  
SUBJECT TO THE  
LICENSE  
REVOCATION  
PROCESS OUTLINED  
IN THIS  
ORDINANCE.

THE APPLICATION FOR  
AN APPLICABLE PARCEL  
WOULD REMAIN SUBJECT  
TO THE OTHER  
LOCATIONAL CRITERIA,  
NOTWITHSTANDING THE  
EXCEPTION OUTLINED  
ABOVE, HOWEVER THIS  
EXCEPTION MAY BE USED  
IN CONJUNCTION WITH  
THE BLIGHT  
ELIMINATION PLAN  
EXEMPTION LISTED  
ABOVE. AN APPLICANT  
WHO ELECTS NOT TO  
PARTICIPATE IN THIS  
VOLUNTARY EXEMPTION  
PLAN PROCESS MAY  
ALTERNATIVELY SEEK A  
LOCATIONAL VARIANCE  
BEFORE THE PLANNING  
COMMISSION.

- (4) ALL LICENSEES WHO  
RECEIVING A  
COMMUNITY BENEFIT  
LOCATIONAL  
EXEMPTION UNDER THIS  
SECTION SHALL APPEAR  
BEFORE THE PLANNING  
COMMISSION AS A CASE  
REVIEW UPON THE FIRST  
ANNUAL RELICENSING OF  
THEIR PERMIT(S).

Sec. 2. This ordinance shall become  
effective immediately upon adoption.

Adopted this \_\_\_\_\_ day of  
\_\_\_\_\_, 2019, A.D.

\_\_\_\_\_  
Sheldon A. Neeley, Mayor

\_\_\_\_\_  
Inez M. Brown, City Clerk

APPROVED AS TO FORM:

  
\_\_\_\_\_  
Angela Wheeler, Chief Legal Officer

ORDINANCE NO. \_\_\_\_\_

An Ordinance to amend the Flint City Code of Ordinances by amending Chapter 12, Business and Occupations Generally; Article XVI, Medical Marihuana Facilities, Section 12-95.

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, Business and Occupations Generally; amending Article XVI, Section 12-95, Medical Marihuana Facilities, by changing the references to Medical Marihuana Facilities to Marihuana Facilities, consistent with the licenses and standards set forth in Chapter 50, Zoning, Article XXXII, Section 50-183, Marihuana Facilities Opt In Ordinance, which shall read in its entirety as follows:

#### ARTICLE XVI. MEDICAL-MARIHUANA FACILITIES.

##### §12-95. STANDARDS FOR MEDICAL MARIHUANA FACILITIES.

(a) All Medical Marihuana Facilities shall be subject to any other applicable provisions of the Flint City Code. Medical Marihuana Facilities shall also comply with the Michigan Medical Marihuana Act (MCL 333.26421 *et seq.*) as amended ("MMMA"), the Medical Marihuana Facilities Licensing Act, MCL 333.2701, *et seq.*, (MMFLA), the Marihuana Tracking Act (MTA), MCL 333.27901, *et seq.*, THE MICHIGAN REGULATION AND TAXATION OF MARIHUANA ACT ("THE MRTMA"), 2018 IL 1, MCL 333.27951 *ET SEQ.*, the general rules of the Michigan Department of Community Health, the rules of the Michigan Department Of Licensing And Regulatory Affairs (LARA) AND THE MARIJUANA REGULATORY AGENCY (MRA), and other applicable State laws.

(b) **DEFINITIONS.** For the purpose of the code, the definitions set forth in Chapter 50,

Zoning, Article XXXII, Medical Marihuana Facilities, shall apply.

(c) No person shall operate a medical marijuana facility without the Facility having first obtained and being in possession of a valid medical marijuana facility license(s) issued by the City of Flint and the State of Michigan.

- (1) A medical-marijuana facility license application shall be made annually on forms provided by the City of Flint consistent with the terms set forth in Chapter 50, Zoning, Article XXXII, Medical Marihuana Facilities.
- (2) The Chief of Police may conduct a criminal background check of the applicant, and a medical-marijuana facility license shall not be issued to any person who has been convicted of any felony involving illegal drugs, or for other reasons identified by the Chief of Police to protect the health, safety and welfare of the community. Drug related felony offenses does not include a conviction for activity allowed under the Michigan Medical Marihuana Act, even if the activity occurred before the enactment of the Michigan Medical Marihuana Act.
- (3) The applicant shall submit an affidavit of the property owner declaring that the owner is aware of the proposed medical-marijuana facility. The affidavit form will be provided by the City of Flint.
- (4) The applicant shall submit a tax clearance form demonstrating that city taxes are current. The form will be provided by THE City of Flint.
- (5) The applicant shall obtain a special regulated use permit before applying for a medical-marijuana facility license, and submit the permit along with the application.

- (6) The non-refundable fee to submit an application for a ~~medical~~-marijuana facility license shall be one thousand, five hundred (\$1500.00) dollars.
- (7) The annual fee for a Provisioning Center **MARIJUANA FACILITY** license shall be five thousand (\$5,000.00) dollars (with the application fee deducted from that amount).
- (8) A license is valid only for the location identified on the license and cannot be transferred to another location within the city without a new application. The process for otherwise transferring Licenses is set forth in Chapter 50, Zoning, Article XXXII, Medical Marihuana Facilities.
- (9) Compliance with all applicable laws, as enforced, is a condition of maintenance of a license.
- (10) Each day that a person shall conduct a ~~medical~~-marijuana facility without a license shall constitute a separate offense.
- (d) No person shall act as an employee or volunteer of a ~~medical~~-marijuana facility without compliance with the terms set forth in Chapter 50, Zoning, Article XXXII, ~~Medical~~ Marihuana Facilities.

- (1) The non-refundable annual employee license application fee shall be one hundred fifty (\$150.00) dollars.
- (2) A license is valid only for the location identified on the license and cannot be transferred to another location within the City without a new application.

- (3) Compliance with all applicable laws, as enforced, is a condition of maintenance of a license.
- (4) Each day that a person shall work as an employee of a ~~medical~~-marijuana facility without a license shall constitute a separate offense.
- (e) The following additional standards shall apply to ~~medical~~-marijuana facilities

- (1) All ~~medical~~ marihuana shall be contained within an enclosed, locked facility, inaccessible on all sides and equipped with locks that permit access only by the licensed ~~medical~~—marijuana facility employee.
- (2) All transfers and deliveries of ~~medical~~ marihuana must occur within a structure.
- (3) Provisioning Centers, **RETAIL FACILITIES, AND MICROBUSINESSES**, as defined in Chapter 50, Zoning, Article XXXII, Medical Marihuana Facilities, shall be limited to operating between 8:00 a.m. and 7:00 p.m. Monday through Saturday and 12:00 noon and 6:00 p.m. Sunday. No other Medical Marijuana Facility shall be open to the public at any time.
- (4) Persons under the age of eighteen (18) years of age are not permitted to be on the premises of any Provisioning Center unless they possess a valid registry card and parent or legal guardian.
- (5) **PERSONS UNDER THE AGE OF TWENTY ONE (21) ARE NOT PERMITTED TO BE ON THE PREMISES OF ANY MICROBUSINESS OR RETAIL FACILITY.**

(6) Marihuana shall not be smoked, eaten, or otherwise consumed at any ~~medical-marijuana~~ facility.

(f) An inspection of the building out of which a ~~provisioning center~~ **MARIJUANA FACILITY** operates shall be required every year. The inspection fee shall be established by resolution of the City Council.

(g) Every ~~medical-marijuana~~ facility shall provide immediate access to the premises where business is conducted or property is stored, to any police officer, the building inspector or the fire marshal, without warrant, during regular hours of business, or at any time the ~~medical-marijuana~~ facility license holder or his employee or agent are on the premises.

**Sec. 2. This ordinance shall become effective immediately upon adoption.**

Adopted this \_\_\_\_\_ day of  
\_\_\_\_\_ 2019, A.D.

\_\_\_\_\_  
Sheldon A. Neeley, Mayor

\_\_\_\_\_  
Inez M. Brown, City Clerk

**APPROVED AS TO FORM:**

  
\_\_\_\_\_  
Angela Wheeler, Chief Legal Officer

## ORDINANCE NO. \_\_\_\_\_

An ordinance to amend the Ordinances of the City of Flint by amending Chapter 50, Zoning; Article XXIX, Special Regulated Uses; Sections 50-161; 50-163; 50-164; and 50-169.

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

Sec. 1. That the Ordinances of the City of Flint shall be amended by amending Chapter 50, Zoning; Article XXIX, Special Regulated Uses; Sections 50-161; 50-163; 50-164; and 50-169, to amend Group "E," "F" and "G", in light of the amendments to Special Regulated Uses E, F and G set forth in Chapter 50, Zoning, Article XXXII, Section 50-183 Marijuana Facilities Opt In Ordinance, to read in its entirety as follows:

**§ 50-161 PURPOSE.**

(a) In the development of a community it is recognized that there are some uses which, because of their very nature, are recognized as having serious objectionable operational characteristics, particularly when several of them are concentrated under certain circumstances thereby having a deleterious effect upon the adjacent areas. Special regulation of these uses is necessary to ensure that these adverse effects will not contribute to the blighting or downgrading of the surrounding neighborhood. These special regulations are itemized in this article. The primary control or regulation is for the purpose of preventing a concentration of these uses in any one area.

(b) Uses subject to these controls are as follows:

(1) Group "A" — Special regulated uses:

Adult bookstore

Adult motion picture theater

Adult mini motion picture theater

Massage establishments

Establishments for consumption of beer or intoxicating liquor on the premises and having adult entertainment

Steam baths

Any other use, including a group B special regulated use, which provides goods or services which are distinguished or characterized by their emphasis on matters depicting, describing or relating to "specified sexual activities" or "specified anatomical areas" which provides goods or services in a manner which is distinguished or characterized by its emphasis on "specified sexual activities" or "specified anatomical areas"

uses: (2) Group "B" - Special regulated

Pawnshops

Liquor stores

Tattoo Establishments

uses: (3) Group "C" - Special regulated

Pool or billiard halls

Gaming Tables

uses: (4) Group "D" - Special regulated

Wireless telecommunication facilities

Wireless telecommunication towers

Wireless telecommunication antennas

- (5) Group "E," "F" and "G" —  
Special Regulated Uses:

Medical-Marihuana Facilities

The standards set forth in Chapter 50,  
Zoning, Article XXXII, Medical Marihuana  
Facilities, shall apply.

**§ 50-163 LOCATIONAL STANDARDS —  
RELATIONSHIP TO SIMILAR USES.**

(a) Group "A" special regulated uses (§ 50-161). An application to establish a group "A" special regulated use shall not be approved if there is already in existence two or more group "A", group "B", or group "C" special regulated uses within 2,000 feet of the boundaries of the site of the proposed regulated uses.

(b) Group "B" special regulated uses (§ 50-161). An application to establish a group "B" special regulated use shall not be approved if there is already in existence four or more group "B" or group "C" special regulated uses within 2,000 feet of the boundaries of the site of the proposed regulated uses.

(c) Group "C" special regulated uses (§ 50-161). An application to establish a group "C" special regulated use shall not be approved if there is already in existence four or more group "C" special regulated uses within 2,000 feet of the boundaries of the site of the proposed regulated use.

(d) Group "E" Special regulated Uses (§ 50-161). An Application to Establish a Group "E" Special Regulated Use shall not be approved if there is already in existence four or more Group "A" or Group "E" Special Regulated Uses within 2,000 feet of the boundaries of the site of the proposed regulated use, as set forth in Chapter 50,

Zoning, Article XXXII, Medical Marihuana Facilities.

(e) Group "E," "F" and "G" special regulated uses shall be limited by the locational standards set forth in Chapter 50, Zoning, Article XXXII, Medical Marihuana Facilities.

**§ 50-164 LOCATIONAL STANDARDS —  
RELATIONSHIP TO RESIDENTIAL AREA  
AND OTHER USES.**

(a) Group "A" special regulated uses (§ 50-161). An application to establish a group "A" special regulated use shall not be approved if the proposed location is within 1,000 feet of any residentially zoned district, mobile home park, K through 12 school, park or church.

(b) Group "B" special regulated uses (§ 50-161). An application to establish a group "B" special regulated use shall not be approved if the proposed location is within 300 feet of a residentially zoned district, mobile home park, K through 12 school, dedicated park, or church.

(c) Group "C" special regulated uses (§ 50-161). An application to establish a group "C" special regulated use shall not be approved if the proposed location is within 200 feet of a residentially zoned district, mobile home park, K through 12 school, park or church, except in the D-4 zoning district where this locational standard is waived.

(d) Group "E," "F" and "G" special regulated uses. An application to establish a group "E," "F" and/or "G" special regulated use shall not be approved if the proposed location is within 300 feet of a residentially zoned district, or otherwise in conflict with the standards set forth in Chapter 50, Zoning, Article XXXII, Medical Marihuana Facilities.

**§ 50-169 ZONING DISTRICTS  
REQUIREMENTS FOR SPECIAL  
REGULATED USES.**

(a) The special regulated uses itemized in this article shall be limited to the following zoning districts:

(1) Group "A" special regulated uses shall be allowed in D-6, E, F, and G districts.

(2) Group "B" special regulated uses shall be allowed in D-5, D-6, E, and F districts.

(3) Group "C" special regulated uses shall be allowed in D-4, D-5, D-6, E and F districts.

(4) Group "E" Special Regulated Uses shall be allowed in D-2, D-3, D-5, D-6, E, F, and G districts as set forth in Chapter 50, Zoning, Article XXXII, ~~Medical~~ Marihuana Facilities.

(5) Group "F" and "G" special regulated uses shall be limited to the "E", "F", & "G" industrial zoning districts, as set forth in Chapter 50, Zoning, Article XXXII, ~~Medical~~ Marihuana Facilities.

(b) Also, each special regulated use shall be subject to the specific requirements of each zoning district and all other applicable regulations.

**Sec. 2. This ordinance shall become effective immediately upon adoption.**

Adopted this \_\_\_\_\_ day of  
\_\_\_\_\_ 2019, A.D.

\_\_\_\_\_  
Sheldon A. Neeley, Mayor

\_\_\_\_\_  
Inez M. Brown, City Clerk

APPROVED AS TO FORM:

\_\_\_\_\_  
Angela Wheeler, Chief Legal Officer

SAREE Medical Marijuana Rec Drafts Chapter 50, Zoning, Article XXIX.  
Special Regulated Uses, Medical Marijuana Facilities, §50-161 - §50-169  
RECOMMENDED BY PC doc