

City of Flint, Michigan

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



Meeting Agenda - Final

Monday, January 25, 2021

5:30 PM

***Agenda amended to remove Special Orders 200503 and 200505
as they were previously addressed on Jan. 11, 2021.***

Council Chambers

CITY COUNCIL

***Kate Fields, President, Ward 4
Maurice D. Davis, Vice President, Ward 2***

***Eric Mays, Ward 1
Jerri Winfrey-Carter, Ward 5
Monica Galloway, Ward 7***

***Santino J. Guerra, Ward 3
Herbert J. Winfrey, Ward 6
Allan Griggs, Ward 8***

Eva L. Worthing, Ward 9

Inez M. Brown, City Clerk

Davina Donahue, Deputy Clerk

SPECIAL PUBLIC NOTICE -- ELECTRONIC PUBLIC MEETING**AMENDED PUBLIC NOTICE*****In Accordance with the Newly Revised Open Meetings Act
FLINT CITY COUNCIL ELECTRONIC PUBLIC MEETING***

On Friday, October 5, 2020, the Michigan Supreme Court (MSC) issued an order declaring the Emergency Powers of Governor (EPG) Act as an unconstitutional delegation of legislative authority, which was the primary authority relied on by Governor Whitmer for her COVID-19 related executive orders. Subsequently, Governor Whitmer requested that the MSC clarify that their order does not go into effect until October 30, 2020. On Monday October 12, 2020, the Michigan Supreme Court rejected Governor Whitmer's request to delay the effect of its decision to strike down the EPG. On Tuesday, October 13, 2020, Senate Bill 1108 passed, amending the Open Meetings Act to allow municipalities to hold electronic meetings before January 1, 2021 and retroactive to March 18, 2020. On Friday, October 16, 2020, Governor Whitmer signed into law Senate Bill 1108 amending the Open Meetings Act. On November 15, an order from the Michigan Department of Health and Human Services (DHHS) prohibits gatherings at non-residential venues beginning November 18. Therefore, pursuant to the amended Open Meetings Act and the DHHS order, the following meeting is scheduled electronically:

***Flint City Council Meeting
Monday, January 25, 2021, at 5:30 p.m.***

The public and media may listen to the meeting online by live stream at <https://www.youtube.com/watch?v=cW7OKDtzH80&pbjreload=101> or through Start Meeting Solution by dialing (617) 944-8177.

1. In order to speak during the **PUBLIC HEARING PERIOD** of the meeting by telephone, participants will also call (617) 944-8177:

- a. All callers will be queued and muted until the Public Hearing portion of the agenda;
- b. Public speakers will be unmuted in order and asked if they wish to address the City Council on THE SUBJECT OF THE PUBLIC HEARING SPECIFICALLY;
- c. Public speakers should state and spell their name for the record and will be allowed ten (10) minutes to speak during the public hearing;
- d. The speaker will be returned to mute after the 10 minutes have expired.

2. In order to speak during the **PUBLIC SPEAKING PERIOD** of the meeting by telephone, participants will also call (617) 944-8177:

- a. All callers will be queued and muted until the Public Speaking portion of the agenda;
- b. Public speakers will be unmuted in order and asked if they wish to address the City Council ON ANY SUBJECT;
- c. Public speakers should state and spell their name for the record and will be allowed three (3) minutes for public speaking;
- d. The speaker will be returned to mute after the 3 minutes have expired;
- e. After the telephonic public speakers are completed, emailed public comments will be read by the City Clerk. All emailed public comments will be timed for 3 minutes;
- f. Per Rules Governing Meetings of the Council (Rule 7.1 VII), there will only be one speaking opportunity per speaker.

Consequently, public participants who call in and speak during the public speaking period of the meeting WILL NOT have written comments as submitted read by the City Clerk.

3. The public may send public comments by email to CouncilPublicComment@cityofflint.com no later than 10 minutes prior to the meeting start time of 5:30 p.m.

4. Persons with disabilities may participate in the meeting by the above-mentioned means or by emailing a request for an accommodation to CouncilPublicComment@cityofflint.com, with the subject line Request for Accommodation, or by contacting the City Clerk at (810) 766-7418 to request accommodation - including but not limited to interpreters.

If there are any questions concerning this notice, please direct them to City Council Office at (810) 766-7418.

office at (810) 766-7418.

CALL TO ORDER

ROLL CALL

MEMBER REMOTE ANNOUNCEMENT

Pursuant to the newly revised Open Meetings Act, each Council member shall state that they are attending the meeting remotely and shall state where he or she is physically located (county or city and state).

MEMBER CONTACT INFORMATION

Eric Mays - (810) 922-4860; Maurice Davis - mdavis@cityofflint.com; Santino Guerra - sguerra@cityofflint.com; Kate Fields - kfields@cityofflint.com; Jerri Winfrey-Carter - jwinfrey-carter@cityofflint.com; Herbert Winfrey - (810) 691-7463; Monica Galloway - mgalloway@cityofflint.com; Allan Griggs - agriggs@cityofflint.com; Eva Worthing - eworthing@cityofflint.com.

PLEDGE OF ALLEGIANCE

PRAYER OR BLESSING

PROCEDURES ON CONDUCTING ELECTRONIC PUBLIC MEETINGS

All boards and commissions must adhere to all laws established under the Michigan Compiled Laws and in accordance with the revisions to the Open Meetings Act adopted in Senate Bill 1108, as passed on October 13, 2020, and signed into law on October 16, 2020.

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.

REQUESTS FOR CHANGES AND/OR ADDITIONS TO AGENDA

Council shall vote on any agenda changes.

PRESENTATION OF MINUTES

210028 Summary Minutes/Flint City Council/November 23, 2020

Summary Minutes of the Flint City Council regular ELECTRONIC PUBLIC MEETING held Monday, November 23, 2020 at 5:31 p.m.

210029 Summary Minutes/Flint City Council/November 30, 2020 (Recessed from

November 23, 2020)

Summary Minutes of the Flint City Council regular ELECTRONIC PUBLIC MEETING held Monday, November 30, 2020 (recessed from November 23, 2020), at 5:30 p.m.

210030 Summary Minutes/Flint City Council/December 3, 2020 (Recessed from November 23, 2020, and November 30, 2020)

Summary Minutes of the Flint City Council regular ELECTRONIC PUBLIC MEETING held Thursday, December 3, 2020 (recessed from November 23, 2020, and November 30, 2020), at 5:30 p.m.

210031 Summary Minutes/Special Flint City Council/December 10, 2020

Summary Minutes of the Flint City Council Special ELECTRONIC PUBLIC MEETING held Thursday, December 10, 2020 at 5:32 p.m.

SPECIAL ORDERS

210023 Special Order/Parliamentarian

A Special Order as requested by Councilperson Fields to discuss hiring a parliamentarian.

210024 Special Order/Budget-to-Actuals/Other Financial Matters

A Special Order as requested by Councilperson Fields to discuss budget-to-actuals and other financial matters.

210025 Special Order/Update/Water Litigation Settlement

A Special Order as requested by City Attorney Angela Wheeler to update the City Council on the Water Litigation Settlement.

210026 Special Order/Update/Zoning Ordinances

A Special Order as requested by City Attorney Angela Wheeler to update the City Council on zoning ordinances submitted by the Administration for approval by City Council.

210027 Special Order/Emergency Ordinances

A Special Order as requested by Councilperson Mays to discuss the city's emergency ordinances with Mayor Sheldon Neeley.

200500 Council Review/Rules Governing Meetings of the Council (RGMC)

Per the "Rules Governing Meetings of the Council", the Flint City Council shall review the "Rules Governing Meetings of the Council" (RGMC). [NOTE: RGMC

Rule No. 33.1 states that, "Every December, the City Council shall place an item on the Special Affairs Committee agenda for review of these rules." Because Special Affairs meetings are suspended indefinitely due to health concerns, it has been added to this agenda.] [NOTE: The "Rules Governing Meetings of the Council" were originally adopted by the City Council on May 10, 1976, with a 1st Amendment adopted May 24, 2010, a 2nd Amendment adopted on April 27, 2015, and a 3rd Amendment adopted June 12, 2017.]

PUBLIC HEARINGS

200518.6 Public Hearing/Comments on Draft Parks Master Plan

A public hearing to provide for comments on the Draft Parks Master Plan. [NOTE: The City of Flint Master Plan has set goals to provide and maintain a balanced and equitable system of parks and recreation for all citizens of the City of Flint. The city has engaged the community through a series of community meetings, planning meetings and visioning sessions, and as a result, has drafted an update to the city's 2013-2017 Parks and Recreation Plan.]

210016.6 Ordinance 210016

An ordinance to amend the Code of the City of Flint by amending Chapter 18, (Taxation; Funds; Purchasing); Article I, (In General); Section 18-4.1, (Service Charge in Lieu of Taxes for Housing Facilities for Certain Persons), by adding subsection (FF). [NOTE: The PILOT is for Orchard Manor Limited Dividend Housing Association, LLC, a Michigan Limited Liability Co. The annual service charge for the class of persons of low and moderate income shall be equal to four (4) percent of the annual shelter rents, exclusive of charges for gas, electricity, heat or other utilities furnished to the occupants.]

PUBLIC SPEAKING

COUNCIL RESPONSE

PETITIONS AND UNOFFICIAL COMMUNICATIONS

210032 Entire Tribunal Property Tax Petition/Michigan Tax Tribunal/Gharka LLC Flint Welcome LLC v. City of Flint/MOHR Docket No. 20-002862

Communication received January 4, 2021, re: Entire Tribunal Property Tax Petition filed with the Michigan Tax Tribunal by Gharka LLC Flint Welcome LLC regarding Parcel No. 41-17-482-034.

210033 State of Michigan/Governor's State of the State Address

Communication dated January 9, 2021, from State of Michigan re: Gov. Gretchen Whitmer will deliver her State of the State Address virtually at 7 p.m. January 27, 2021.

- 210034** Request for Hazard Mitigation Survey Participation/Genesee County Metropolitan Planning Commission (GCMPC)
- Memorandum dated January 11, 2021 from the Genesee County Metropolitan Planning Commission (GCMPC), re: Genesee and Lapeer Counties are updating their Hazard Mitigation Plans to determine what is important to each community.
- 210035** Public Notice/Genesee County Metropolitan Alliance (GCMA)/Transportation Plans
- Communication received January 15, 2021, from the Genesee County Metropolitan Alliance (GCMA), re: The GCMA will meet on Wednesday, January 27, 2021, at 7 p.m., via teleconference, to review and comment on Amendment No. 13 to the FY2020-2023 Transportation Improvement Program (TIP). A Public Hearing will also be held at that time on Amendment No. 1 to the Genesee County Long Range Transportation Plan.
- 210036** State of Michigan/Governor's COVID-19 Recovery Plan
- Communication dated January 20, 2021, from State of Michigan re: Gov. Gretchen Whitmer has announced the Michigan COVID Recovery Plan to grow Michigan's economy and help end the COVID-19 pandemic.
- 210038** Notification of Meeting Cancellation/Genesee Auto-Theft Investigation Network (GAIN)
- Notification of Meeting Cancellation received January 22, 2021, re: The regular GAIN Board of Trustees meeting scheduled for Monday, January 25, 2021, is cancelled.

COMMUNICATIONS (from Mayor and other City Officials)

- 210037** Communication/Resignation Letter/Brian Larkin/Chief of Staff
- Communication dated January 1, 2021, from Brian Larkin, Chief of Staff for Mayor Neeley, re: He is submitting his resignation, effective January 4, 2021.
- 210039** Traffic Engineering/Closure Permits
- Sidewalk, Lane and Street Closure permits (6) dated January 8, 2021, 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

RESOLUTIONS

200426.2 Approval/FY2021-FY2024 Vision, Mission, and Goals of the Strategic Plan

Resolution resolving that the City of Flint FY2021-FY2024 Vision, Mission, and Goals of the Strategic Plan are hereby approved as set forth in the attached document.

200493 Approval/Emergency Amended Rules Governing Meetings of the Flint City Council

Resolution resolving that the Flint City Council approves the attached amendments to the [Rules Governing Meetings of the Flint City Council], for 60 days, with immediate effect.

210040 Contract/Wade Trim/Construction Engineering Services/Robert T. Longway Rehabilitation

Resolution resolving that the proper city officials, upon City Council's approval, are to do all things necessary to enter into a contract with Wade Trim for qualified engineers for Robert T. Longway Rehabilitation Construction Engineering, as requested by Transportation, in an amount NOT-TO-EXCEED \$118,000.00 [Major Street Fund Acct. No. 202-441.702-801.000].

210041 Contract/Genesee County Health Department/Genesee Healthy Start Lead Expansion Grant

Resolution resolving that the appropriate city officials, upon City Council's approval, are authorized to do all things necessary to enter into a contract with the Genesee County Health Department, in an amount NOT-TO-EXCEED \$451,440.00, over the final 12-month grant period, July 1, 2020 until June 30, 2021. [NOTE: The City of Flint was awarded a grant to identify and provide health services to determined cohort children and families, and continued coordination of parent advisory groups of those impacted by the Flint Water Emergency by promoting the recovery of various health barriers.]

210042 Grant Agreement/Flint Police Foundation/Sub-Grantee/Enhanced and Integrated Blight Elimination and Community Policing Grant

Resolution resolving that the appropriate city officials, upon City Council's approval, are authorized to do all things necessary to enter into the Enhanced and Integrated Blight Elimination and Community Policing Grant Agreement, by and between the City of Flint and the Flint Police Foundation, to obtain funds in the amount of \$97,000.00, for the period of April 1, 2020 through March 31, 2021, AND, resolving that funds in the amount of \$97,000.00 available from this grant be recognized as received by the City of Flint, and that said appropriation be made to the City of Flint Grand Fund (296FD) to be used solely for the stated purposes as set forth in the Grant Agreement and related documents, as requested by Police. [NOTE: The Police Foundation was awarded the Enhanced and Integrated Blight Elimination and Community Policing grant to provide services to the citizens residing in City

of Flint neighborhoods. This grant includes increasing community involvement in blight elimination with the assistance of the City of Flint's Neighborhood Safety Officers.]

210043 Settlement/Norris v City of Flint/Genesee County Circuit Court/Case No. 19-112187

Resolution resolving that the City Administrator is hereby authorized to pay the case evaluation award in the matter of [Larrisa] Norris v City of Flint, Genesee County Circuit Court Case No. 19-112187, in the amount of \$45,000.00, in satisfaction of any and all claims arising out of said matter, with payment drawn from appropriated funds in the Litigation and Suits Line Item No. 677-266.200-956.300. [NOTE: An Executive Session was held on this matter on January 11, 2021.]

200518.1 Approval/Draft Parks Master Plan

Resolution resolving that the appropriate city officials are authorized to do all things necessary to adopt the five-year update to the Parks Master Plan. [NOTE: The City of Flint Master Plan has set goals to provide and maintain a balanced and equitable system of parks and recreation for all citizens of the City of Flint. The city has engaged the community through a series of community meetings, planning meetings and visioning sessions, and as a result, has drafted an update to the city's 2013-2017 Parks and Recreation Plan.]

LIQUOR LICENSES

INTRODUCTION AND FIRST READING OF ORDINANCES

210044 Ordinance/Chapter 50 (Zoning)/Article I (In General)

An ordinance to amend Chapter 50 (Zoning), Article I, (In General), of the Code of the City of Flint by repealing said Article and adopting Article I (Title, Purpose and Scope). [NOTE: This Chapter shall be known as the "Zoning Ordinance" of the City of Flint.]

210045 Ordinance/Chapter 50 (Zoning)/Article II (A-1 Single-Family Low Density District)

An ordinance to amend Chapter 50 (Zoning), Article II, (A-1 Single-Family Low Density District), of the Code of the City of Flint by repealing said Article and adopting Article II (Mapped Zone Districts).

210046 Ordinance/Chapter 50 (Zoning)/Article III (A-2 Single-Family Medium Density District)

An ordinance to amend Chapter 50 (Zoning), Article III, (A-2 Single-Family Medium Density District), of the Code of the City of Flint by repealing said Article and

adopting Article III (Residential Zone Districts).

210047 Ordinance/Chapter 50 (Zoning)/Article IV (B Two-Family District)

An ordinance to amend Chapter 50 (Zoning), Article IV, (B Two-Family District), of the Code of the City of Flint by repealing said Article and adopting Article IV (Commercial Zone Districts).

210048 Ordinance/Chapter 50 (Zoning)/Article V (C-1 Multifamily Walk-Up Apartment District)

An ordinance to amend Chapter 50 (Zoning), Article V, (C-1 Multifamily Walk-Up Apartment District), of the Code of the City of Flint by repealing said Article and adopting Article V (Employment Zone Districts).

210049 Ordinance/Chapter 50 (Zoning)/Article VI (C-2 Multifamily High Density Apartment District)

An ordinance to amend Chapter 50 (Zoning), Article VI, (C-2 Multifamily High Density Apartment District), of the Code of the City of Flint by repealing said Article and adopting Article VI (Institutional/Innovation Zoned Districts).

SECOND READING AND ENACTMENT OF ORDINANCES

210016 Amendment/Ordinance/Chapter 18 (Taxation; Funds; Purchasing)/Article I (In General)/Section 18-4.1 (Service Charge in Lieu of Taxes for Housing Facilities for Certain Persons)

The provisions of Chapter 18, (Taxation; Funds; Purchasing); Article I, (In General); Section 18-4.1, (Service Charge in Lieu of Taxes for Housing Facilities for Certain Persons) shall be amended by adding subsection (FF). [NOTE: The PILOT is for Orchard Manor Limited Dividend Housing Association, LLC, a Michigan Limited Liability Co. The annual service charge for the class of persons of low and moderate income shall be equal to four (4) percent of the annual shelter rents, exclusive of charges for gas, electricity, heat or other utilities furnished to the occupants.]

DISCUSSION ITEMS

200513 Discussion Item/Status/1702 Kenwood

A Discussion Item as requested by Councilperson Eric Mays to update City Council on the status of 1702 Kenwood.

ADDITIONAL DISCUSSION ITEMS

FINAL COUNCIL COMMENTS

ADJOURNMENT

210028

City of Flint, Michigan

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



Meeting Minutes - Draft

Monday, November 23, 2020

5:31 PM

ELECTRONIC PUBLIC MEETING

CITY COUNCIL

*Kate Fields, President, Ward 4
Maurice D. Davis, Vice President, Ward 2*

*Eric Mays, Ward 1
Jerri Winfrey-Carter, Ward 5
Monica Galloway, Ward 7*

*Santino J. Guerra, Ward 3
Herbert J. Winfrey, Ward 6
Allan Griggs, Ward 8*

Eva L. Worthing, Ward 9

Inez M. Brown, City Clerk

Davina Donahue, Deputy Clerk

SPECIAL PUBLIC NOTICE -- ELECTRONIC PUBLIC MEETING**CALL TO ORDER**

Council President Kate Fields called this meeting to order at 5:31 p.m.

ROLL CALL

Present: Councilperson: Councilperson Mays, Councilperson Davis, Councilperson Guerra, Councilperson Fields, Councilperson Winfrey-Carter, Winfrey, Councilperson Galloway, Councilperson Griggs and Councilperson Worthing

PLEDGE OF ALLEGIANCE

Councilperson Santino Guerra led the Pledge of Allegiance.

ORGANIZATION OF THE CITY COUNCIL (Other Officers and Committees)

Council President Kate Fields made the following committee appointments:

*Finance -- Santino Guerra
Governmental Operations -- Eva Worthing
Legislative (and Special Affairs) -- Maurice Davis
Grants -- Allan Griggs
Rules -- Eva Worthing*

REQUESTS FOR CHANGES AND/OR ADDITIONS TO AGENDA

Councilperson Worthing asked for a Special Order to discuss Resolution No. 200493 -- a resolution to approve an emergency amendment to City Council rules -- and to do both (the Special Order and the Resolution) first after the Executive Session. The request was approved 9-0. Councilperson Mays (based on a request from Deputy City Clerk Davina Donahue) asked that Add-On #2 (Setting a Public Hearing for Electronic Public Meetings) be included in the Master Resolution. The motion passed 9-0. Councilperson Galloway requested two Special Orders (Pierce Golf Course and Composting). Both were approved 9-0. Councilperson Mays asked for Public Speaking and Council Response to come after Agenda Changes. The motion passed 7-2 (No: Fields, Worthing). Councilperson Mays asked for a Special Order on COVID Emergency Rules and the opening/closing of City Hall after Public Comment/Council Response. The motion passed 7-2 (No: Fields, Worthing). Councilperson Mays asked to postpone the Executive Session on the Water Litigation Settlement, but to still have an Executive Session on the Workers' Compensation case. The motion passed 9-0. Councilperson Mays requested that the Water Litigation Settlement Resolution be moved to after the Executive Session and after Councilperson Worthing's Special Order on Council Rules. The motion passed 5-4 (No: Guerra, Fields, Griggs, Worthing). Councilperson Fields asked to move Special Order 200477 (Rehmann Robson Budget Amendment) to before Resolutions, and to vote on the Resolution right after the Special Order. The motion passed 9-0. Councilperson Galloway asked that prior to Resolutions, someone in the Administration give a breakdown of each Resolution, without being interrupted. The request passed 9-0. Councilperson Fields asked to move 200469 (a Special Order on Nuisances) to before Introduction and First Reading of Ordinances. The motion passed 9-0.

EXECUTIVE (CLOSED) SESSION

The Department of Law requested an Executive Session for the purpose of updating the City Council on Eulas VanPelt v City of Flint, Worker's Compensation Case No. W18001851. The vote to go into Executive Session was 9-0.

MOTION TO RECESS

Councilperson Worthing, with support from Councilperson Griggs, moved to recess this meeting until 5:30 p.m. Monday, November 30, 2020. The motion passed 6:3 (No: Mays, Guerra, Winfrey-Carter).

PRESENTATION OF MINUTES

200491 Summary Minutes/Flint City Council/November 9, 2020

Summary Minutes of the Flint City Council regular ELECTRONIC PUBLIC MEETING held Monday, November 9, 2020, at 5:31 p.m.

TABLED

200492 Summary Minutes/Flint City Council/November 12, 2020 (Recessed from November 9, 2020)

Summary Minutes of the Flint City Council regular ELECTRONIC PUBLIC MEETING held Monday, November 12, 2020 (recessed from November 9, 2020), at 5:30 p.m.

TABLED

PETITIONS AND UNOFFICIAL COMMUNICATIONS

200471 Notice of Public Hearing/Michigan Public Service Commission (MPSC)

Notice of Public Hearing received November 16, 2020, re: Michigan Public Service Commission (MPSC) notice of hearing for the electric customers of Consumers Energy Co., Case No. U-20802, to be held November 19, 2020, at 9:30 a.m., by Video/Teleconferencing.

TABLED

200472 Notification of Meeting Cancellation/Karegnondi Water Authority (KWA)

Notification of Meeting Cancellation received November 13, 2020, re: The Karegnondi Water Authority (KWA) Board meeting scheduled for November 16, 2020, is cancelled.

TABLED

200473 Agenda and Attachments/Karegnondi Water Authority (KWA) Meeting

Communication received November 12, 2020, re: An agenda and attachments

for the Karegnondi Water Authority (KWA) Meeting to be held at 9:45 a.m., November 16, 2020, at the Genesee County Water Treatment Plant.

TABLED

200474

Public Notice/Genesee County Metropolitan Alliance (GCMA)

Communication received November 6, 2020, from the Genesee County Metropolitan Alliance (GCMA), re: The GCMA will have a meeting on Wednesday, November 18, 2020, at 7 p.m., via teleconference, to review a proposed amendment to the FY2020-2023 Transportation Improvement Program (TIP).

TABLED

200475

Flyer/Genesee County Land Bank (GCLB)

Communication received November 13, 2019, re: Genesee County Land Bank received a grant from the C.S. Mott Foundation for demolition.

TABLED

COMMUNICATIONS (from Mayor and other City Officials)

200476

Traffic Engineering/Closure Permits

Sidewalk, Lane and Street Closure permits (6) dated November 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.

TABLED

APPOINTMENTS

200478

Appointment/Human Relations Commission/Ron Luczak/Ward 4

Resolution resolving that the Flint City Council approves the appointment of Ron Luczak (2801 North Averill Avenue, Flint, MI, 48506), to serve on the City of Flint Human Relations Commission for a two-year term, commencing October 27, 2020, and expiring October 28, 2022.

POSTPONED

RESOLUTIONS

200479

Budget Amendment/Transfer of Funds/City Council/Audit

Resolution resolving that the appropriate city officials are hereby authorized to do all things necessary to amend the City Council budget to transfer \$7,500.00 from the City Council's Equipment Account (101-101.100-977.000) to the City

Council's Professional Services Account (101-101.100-801.000), for auditing services, for an FY2020/2021 total of \$257,500.00, and an aggregate three-year total of \$708,500.00. [NOTE: On June 24, 2020, the City Council approved Resolution No. 200258 to enter into a three-year contract with Rehmann Robson for auditing services. Based on the fact that the city will be required to have four major programs (rather than three) tested in the Single Audit for the fiscal year ended June 30, 2020, an additional fee of \$7,500.00 is required.]

POSTPONED**200480** Contract/Lighthouse Group/General Liability & Terrorism Coverage

Resolution resolving that the appropriate city officials, upon City Council's approval, are authorized to enter into a contract with Lighthouse Group [formerly known as Lake Agency] to provide the City with its general liability and terrorism coverage, through the Old Republic Union Insurance Co., at a premium NOT-TO-EXCEED \$411,900.00 for a 12-month period beginning November 23, 2020 through November 23, 2021, as requested by Finance [Self Insurance Fund Acct. No. 677-174.851-955.000.]

POSTPONED**200481** City of Flint/Opt in/Pay as You Stay (PAYS) Program

Resolution resolving that the appropriate city officials are hereby authorized, upon City Council's approval, to do all things necessary to opt into the Pay as You Stay (PAYS) Program. [NOTE: Gov. Gretchen Whitmer signed House Bill 5124, Pay as You Stay (PAYS), which added new sub sections to MCL 211.78g of the General Property Tax Act (Act 206 of 1893 "GPTA"). The revision is meant to help struggling homeowners stay in their homes by providing affordable payment plans, as well as reducing the amount of delinquent taxes owed on their primary residence. The new law allows County Treasurers to implement a program for homeowners who are receiving a property tax exemption under MCL 211.7u. The local unit Treasurer must provide written notice of intent to participate along with an approved resolution to the Genesee County Treasurer's Office no later than December 1, 2020.]

POSTPONED**200482** Approval/City of Flint/Temporary Policy Prohibiting In-Person Work for Employees Based on Feasibility of Work Activities

Resolution resolving that the Flint City Council authorizes the City Administrator to do all things necessary to adopt the Temporary Policy Prohibiting In-Person Work for Employees Based on Feasibility of Work Activities. [NOTE: The city intends to follow all recommended health and safety guidelines to ensure a safe environment for employees and the public (due to COVID-19). Accordingly, the city desires to adopt the attached policy, effective immediately and until April 14, 2021. In the event the Michigan Occupational Safety and Health Administration (MIOSHA) emergency rules are extended, the policy will remain in effect until such date and subject to any amendments subsequently adopted.]

POSTPONED

- 200483** Setting a Public Hearing/Street Vacation/Decker Street Between Robert T. Longway Boulevard and Kearsley Street

Resolution resolving that a public hearing to consider the vacation of Decker Street between Robert T. Longway Boulevard and Kearsley Street, shall be held on the _____ day of _____, 2020, at 5:30 p.m. in City Council Chambers [or by Electronic Public Meeting], City Hall, 1101 S. Saginaw Street, Flint, AND, resolving that the City Clerk shall cause notice of such hearing to be published in an official paper of general circulation not less than fifteen (15) days prior to said hearing. [NOTE: The Ruth Mott Foundation's Applewood Master Plan calls for the construction of a welcome center... which will offer year-round education, conference and exhibit spaces open to the community and broader access to the archives and collection materials that are part of the foundation.]

POSTPONED

- 200484** Setting a Public Hearing/Street Vacation/Kearsley Street Between Walnut and Robert T. Longway Boulevard (1400 Kearsley Street)

Resolution resolving that a public hearing to consider the vacation of Kearsley Street between Walnut and Robert T. Longway Boulevard (1400 Kearsley Street), shall be held on the _____ day of _____, 2020, at 5:30 p.m. in City Council Chambers [or by Electronic Public Meeting], City Hall, 1101 S. Saginaw Street, Flint, AND, resolving that the City Clerk shall cause notice of such hearing to be published in an official paper of general circulation not less than fifteen (15) days prior to said hearing. [NOTE: The Ruth Mott Foundation's Applewood Master Plan calls for the construction of a welcome center... which will offer year-round education, conference and exhibit spaces open to the community and broader access to the archives and collection materials that are part of the foundation.]

POSTPONED

- 200485** Setting a Public Hearing/Street Vacation/Simpson Court Between 9th and 10th Streets

Resolution resolving that a public hearing to consider the vacation of Simpson Court between 9th and 10th Streets, shall be held on the _____ day of _____, 2020, at 5:30 p.m. in City Council Chambers [or by Electronic Public Meeting], City Hall, 1101 S. Saginaw Street, Flint, AND, resolving that the City Clerk shall cause notice of such hearing to be published in an official paper of general circulation not less than fifteen (15) days prior to said hearing. [NOTE: Genesee Health System is looking to build a 60,000-square building at the south corner of Saginaw and 9th streets, between 9th and 12th streets. They are looking to build the new facility due to the water crisis and the children and families affected. They also want to consolidate services that are currently offered in three buildings.]

POSTPONED**200486****Setting a Public Hearing/Street Vacation/1415 Beach Street Between 9th and 10th Streets**

Resolution resolving that a public hearing to consider the vacation of 1415 Beach Street between 9th and 10th streets, shall be held on the _____ day of _____, 2020, at 5:30 p.m. in City Council Chambers [or by Electronic Public Meeting], City Hall, 1101 S. Saginaw Street, Flint, AND, resolving that the City Clerk shall cause notice of such hearing to be published in an official paper of general circulation not less than fifteen (15) days prior to said hearing. [NOTE: Genesee Health System is looking to build a 60,000-square building at the south corner of Saginaw and 9th streets, between 9th and 12th streets. They are looking to build the new facility due to the water crisis and the children and families affected. They also want to consolidate services that are currently offered in three buildings.]

POSTPONED**200487****Settlement/Eulas VanPalt v City of Flint, Worker's Compensation No. W18001851**

Resolution resolving that the City Administrator, upon City Council's approval, authorizes settlement in the matter of Eulas VanPalt v City of Flint, Worker's Compensation No. W18001851, in the amount of \$38,357.43, in satisfaction of any and all claims arising out of said matter, with payment drawn from appropriated funds in the Litigation and Suits Line Item No. 677-266.200-956.300. [NOTE: An Executive Session was requested on this matter on November 23, 2020.]

POSTPONED**200488****Settlement/Flint Water Litigation**

Resolution resolving that the Flint City Council approves and consents to the city joining the settlement of Flint Water Litigation and authorizes the City Administrator to do all things necessary to settle the Flint Water Litigation matters by using funds provided by its insurer. [NOTE: Executive Session was requested in this matter on October 12, 2020, October 26, 2020, November 9, 2020 and November 23, 2020. Numerous Flint Water Litigation cases - lawsuits arising out of the City's use of the Flint River from 2014-2015 - have been filed in state and federal court, in which the City of Flint, former City officials, and/or City employees are among those named as defendants. Multiple other defendants have agreed to resolve, to the maximum extent possible, Flint Water Litigation claims against them, through a Settlement announced in August, 2020, the terms of which were made public on or about November 18, 2020. The City may resolve, to the maximum extent possible, the Flint Water Litigation claims against it, its former officials, and/or its former employees, by contributing to and joining in that Settlement. The City's excess liability insurance carrier has agreed to provide \$20 million as the City's contribution to the Settlement, which will resolve Flint Water Litigation claims against the City,

its former officials, and/or its former employees, at no cost to the City and its taxpayers. Although the City of Flint admits no liability, City Administrator Clyde Edwards and Law Department recommend using the funds provided by the City's excess liability insurance carrier to settle the Flint Water Litigation cases.]

POSTPONED

INTRODUCTION AND FIRST READING OF ORDINANCES

200489 Ordinance/Amendment/Chapter 31 (General Offenses)/Article I (In General)/Addition of Section 31-65 (Hours of the Sale of Liquor)

An ordinance to amend the Code of the City of Flint by amending Chapter 31 (General Offenses), Article I (In General), by the addition of Section 31-65 (Hours of the Sale of Liquor).

POSTPONED

200490 Amendment/Ordinance/Chapter 24 (Housing)/Article I (International Property Maintenance Code)/Addition of Section 24-5 (Landlords Removal and Disposal Process Regarding Evictions)

An ordinance to amend the Code of the City of Flint by amending Chapter 24 (Housing), Article I (International Property Maintenance Code), with the addition of Section 24-5 (Landlords Removal and Disposal Process Regarding Evictions).

POSTPONED

DISCUSSION ITEM

200442 Discussion Item/State of Emergency/Statewide and Locally

A Discussion Item as requested by Councilperson Mays, re: He would like to discuss the Supreme Court rulings on Gov. Whitmer's Executive Orders and how that relates to Flint.

POSTPONED

ADJOURNMENT

After a vote to recess until Monday, November 30, 2020, this meeting adjourned at 10:03 p.m.

Respectfully transcribed & submitted,

Janell Johnson. Administrative Secretary to City Council

210029

City of Flint, Michigan

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



Meeting Minutes - Draft

Monday, November 30, 2020

5:30 PM

***(Recessed from Monday, November 23, 2020)**

ELECTRONIC PUBLIC MEETING

CITY COUNCIL

*Kate Fields, President, Ward 4
Maurice D. Davis, Vice President, Ward 2*

*Eric Mays, Ward 1
Jerri Winfrey-Carter, Ward 5
Monica Galloway, Ward 7*

*Santino J. Guerra, Ward 3
Herbert J. Winfrey, Ward 6
Allan Griggs, Ward 8*

Eva L. Worthing, Ward 9

Inez M. Brown, City Clerk

Davina Donahue, Deputy Clerk

SPECIAL PUBLIC NOTICE -- ELECTRONIC PUBLIC MEETING**RETURN TO ORDER**

Council President Kate Fields returned this recessed meeting to order at 5:33 p.m.

ROLL CALL

Present: Councilperson: Councilperson Mays, Councilperson Davis, Councilperson Guerra, Councilperson Fields, Councilperson Winfrey-Carter, Winfrey, Councilperson Galloway, Councilperson Griggs and Councilperson Worthing

PRESENTATION OF MINUTES

200491 Summary Minutes/Flint City Council/November 9, 2020

Summary Minutes of the Flint City Council regular ELECTRONIC PUBLIC MEETING held Monday, November 9, 2020, at 5:31 p.m.

The motion was to approve both sets of minutes (200491 and 200492) with any corrections.

A motion was made by Councilperson Davis, seconded by Councilperson Griggs, that this matter be Placed on File. The motion carried by the following vote:

Aye: 8 - Councilperson Mays, Councilperson Davis, Councilperson Guerra, Councilperson Fields, Councilperson Winfrey, Councilperson Galloway, Councilperson Griggs and Councilperson Worthing

No: 1 - Councilperson Winfrey-Carter

200492 Summary Minutes/Flint City Council/November 12, 2020 (Recessed from November 9, 2020)

Summary Minutes of the Flint City Council regular ELECTRONIC PUBLIC MEETING held Monday, November 12, 2020 (recessed from November 9, 2020), at 5:30 p.m.

A motion was made by Councilperson Davis, seconded by Councilperson Griggs, that this matter be Placed on File. The motion carried by the following vote:

Aye: 8 - Councilperson Mays, Councilperson Davis, Councilperson Guerra, Councilperson Fields, Councilperson Winfrey, Councilperson Galloway, Councilperson Griggs and Councilperson Worthing

No: 1 - Councilperson Winfrey-Carter

SPECIAL ORDERS

200497 Special Order/Resolution/Emergency Amendment to Council Rules

A Special Order as requested by Councilperson Eva Worthing to discuss Resolution No. 200493 -- A resolution to approve emergency amendment to City Council rules.

Discussed

RESOLUTIONS

200493 Approval/Emergency Amended Rules Governing Meetings of the Flint City Council

Resolution resolving that the Flint City Council approves the attached amendments to the [Rules Governing Meetings of the Flint City Council], for 60 days, with immediate effect.

The motion was to table 200493 until the end of the agenda.

A motion was made by Councilperson Mays, seconded by Councilperson Winfrey-Carter, that this matter be TABLED. The motion carried by the following vote:

Aye: 5 - Councilperson Mays, Councilperson Davis, Councilperson Winfrey-Carter, Councilperson Winfrey and Councilperson Galloway

No: 4 - Councilperson Guerra, Councilperson Fields, Councilperson Griggs and Councilperson Worthing

SPECIAL ORDERS CONTINUED

200495 Special Order/Pierce Golf Course

A Special Order as requested by Councilperson Monica Galloway to discuss Pierce Golf Course and the status of the burned-out club house.

Discussed

200496 Special Order/Composting

A Special Order as requested by Councilperson Monica Galloway to discuss composting.

Discussed

PETITIONS AND UNOFFICIAL COMMUNICATIONS

200471 Notice of Public Hearing/Michigan Public Service Commission (MPSC)

Notice of Public Hearing received November 16, 2020, re: Michigan Public Service Commission (MPSC) notice of hearing for the electric customers of Consumers Energy Co., Case No. U-20802, to be held November 19, 2020, at 9:30 a.m., by Video/Teleconferencing.

This Matter was Placed on File on the Consent Agenda.

200472 Notification of Meeting Cancellation/Karegnondi Water Authority (KWA)

Notification of Meeting Cancellation received November 13, 2020, re: The Karegnondi Water Authority (KWA) Board meeting scheduled for November 16, 2020, is cancelled.

This Matter was Placed on File on the Consent Agenda.

200473

Agenda and Attachments/Karegnondi Water Authority (KWA) Meeting

Communication received November 12, 2020, re: An agenda and attachments for the Karegnondi Water Authority (KWA) Meeting to be held at 9:45 a.m., November 16, 2020, at the Genesee County Water Treatment Plant.

This Matter was Placed on File on the Consent Agenda.

200474

Public Notice/Genesee County Metropolitan Alliance (GCMA)

Communication received November 6, 2020, from the Genesee County Metropolitan Alliance (GCMA), re: The GCMA will have a meeting on Wednesday, November 18, 2020, at 7 p.m., via teleconference, to review a proposed amendment to the FY2020-2023 Transportation Improvement Program (TIP).

This Matter was Placed on File on the Consent Agenda.

200475

Flyer/Genesee County Land Bank (GCLB)

Communication received November 13, 2019, re: Genesee County Land Bank received a grant from the C.S. Mott Foundation for demolition.

This Matter was Placed on File on the Consent Agenda.

COMMUNICATIONS (from Mayor and other City Officials)

200476

Traffic Engineering/Closure Permits

Sidewalk, Lane and Street Closure permits (6) dated November 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.

This Matter was Placed on File on the Consent Agenda.

APPOINTMENTS

200478

Appointment/Human Relations Commission/Ron Luczak/Ward 4

Resolution resolving that the Flint City Council approves the appointment of Ron Luczak (2801 North Averill Avenue, Flint, MI, 48506), to serve on the City of Flint Human Relations Commission for a two-year term, commencing October 27, 2020, and expiring October 28, 2022.

A motion was made by Councilperson Griggs, seconded by Councilperson Worthing, that this matter be Approved. The motion carried by the following vote:

Aye: 8 - Councilperson Davis, Councilperson Guerra, Councilperson Fields, Councilperson Winfrey-Carter, Councilperson Winfrey, Councilperson Galloway, Councilperson Griggs and Councilperson Worthing

Abstain: 1 - Councilperson Mays

SPECIAL ORDERS CONTINUED

200477 Special Order/Need for Change Order/Rehmann Robson

A Special Order as requested by Council President Kate Fields to allow Doug Deeter, a Principal at Rehmann Robson, to discuss why the firm needs a change order to its contract with the city.

Discussed

RESOLUTIONS CONTINUED

200479 Budget Amendment/Transfer of Funds/City Council/Audit

Resolution resolving that the appropriate city officials are hereby authorized to do all things necessary to amend the City Council budget to transfer \$7,500.00 from the City Council's Equipment Account (101-101.100-977.000) to the City Council's Professional Services Account (101-101.100-801.000), for auditing services, for an FY2020/2021 total of \$257,500.00, and an aggregate three-year total of \$708,500.00. [NOTE: On June 24, 2020, the City Council approved Resolution No. 200258 to enter into a three-year contract with Rehmann Robson for auditing services. Based on the fact that the city will be required to have four major programs (rather than three) tested in the Single Audit for the fiscal year ended June 30, 2020, an additional fee of \$7,500.00 is required.]

A motion was made by Councilperson Galloway, seconded by Councilperson Winfrey, that this matter be Adopted. The motion carried by the following vote:

Aye: 9 - Councilperson Mays, Councilperson Davis, Councilperson Guerra, Councilperson Fields, Councilperson Winfrey-Carter, Councilperson Winfrey, Councilperson Galloway, Councilperson Griggs and Councilperson Worthing

ROLL CALL

Councilperson Worthing left at 10:26 p.m.

RESOLUTIONS CONTINUED

200480 Contract/Lighthouse Group/General Liability & Terrorism Coverage

Resolution resolving that the appropriate city officials, upon City Council's

approval, are authorized to enter into a contract with Lighthouse Group [formerly known as Lake Agency] to provide the City with its general liability and terrorism coverage, through the Old Republic Union Insurance Co., at a premium NOT-TO-EXCEED \$411,900.00 for a 12-month period beginning November 23, 2020 through November 23, 2021, as requested by Finance [Self Insurance Fund Acct. No. 677-174.851-955,000.]

This Matter was ADOPTED BY THE MASTER RESOLUTION on the Consent Agenda.

200481 City of Flint/Opt in/Pay as You Stay (PAYS) Program

Resolution resolving that the appropriate city officials are hereby authorized, upon City Council's approval, to do all things necessary to opt into the Pay as You Stay (PAYS) Program. [NOTE: Gov. Gretchen Whitmer signed House Bill 5124, Pay as You Stay (PAYS), which added new sub sections to MCL 211.78g of the General Property Tax Act (Act 206 of 1893 "GPTA"). The revision is meant to help struggling homeowners stay in their homes by providing affordable payment plans, as well as reducing the amount of delinquent taxes owed on their primary residence. The new law allows County Treasurers to implement a program for homeowners who are receiving a property tax exemption under MCL 211.7u. The local unit Treasurer must provide written notice of intent to participate along with an approved resolution to the Genesee County Treasurer's Office no later than December 1, 2020.]

SEPARATED FROM MASTER RESOLUTION

200482 Approval/City of Flint/Temporary Policy Prohibiting In-Person Work for Employees Based on Feasibility of Work Activities

Resolution resolving that the Flint City Council authorizes the City Administrator to do all things necessary to adopt the Temporary Policy Prohibiting In-Person Work for Employees Based on Feasibility of Work Activities. [NOTE: The city intends to follow all recommended health and safety guidelines to ensure a safe environment for employees and the public (due to COVID-19). Accordingly, the city desires to adopt the attached policy, effective immediately and until April 14, 2021. In the event the Michigan Occupational Safety and Health Administration (MIOSHA) emergency rules are extended, the policy will remain in effect until such date and subject to any amendments subsequently adopted.]

SEPARATED FROM MASTER RESOLUTION

200483 Setting a Public Hearing/Street Vacation/Decker Street Between Robert T. Longway Boulevard and Kearsley Street

Resolution resolving that a public hearing to consider the vacation of Decker Street between Robert T. Longway Boulevard and Kearsley Street, shall be held on the _____ day of _____, 2020, at 5:30 p.m. in City Council Chambers [or by Electronic Public Meeting], City Hall, 1101 S. Saginaw Street, Flint, AND, resolving that the City Clerk shall cause notice of such hearing to be published in an official paper of general circulation not less than fifteen (15) days

prior to said hearing. [NOTE: The Ruth Mott Foundation's Applewood Master Plan calls for the construction of a welcome center... which will offer year-round education, conference and exhibit spaces open to the community and broader access to the archives and collection materials that are part of the foundation.]

This Matter was ADOPTED BY THE MASTER RESOLUTION on the Consent Agenda.

200484

Setting a Public Hearing/Street Vacation/Kearsley Street Between Walnut and Robert T. Longway Boulevard (1400 Kearsley Street)

Resolution resolving that a public hearing to consider the vacation of Kearsley Street between Walnut and Robert T. Longway Boulevard (1400 Kearsley Street), shall be held on the _____ day of _____, 2020, at 5:30 p.m. in City Council Chambers [or by Electronic Public Meeting], City Hall, 1101 S. Saginaw Street, Flint, AND, resolving that the City Clerk shall cause notice of such hearing to be published in an official paper of general circulation not less than fifteen (15) days prior to said hearing. [NOTE: The Ruth Mott Foundation's Applewood Master Plan calls for the construction of a welcome center... which will offer year-round education, conference and exhibit spaces open to the community and broader access to the archives and collection materials that are part of the foundation.]

This Matter was ADOPTED BY THE MASTER RESOLUTION on the Consent Agenda.

200485

Setting a Public Hearing/Street Vacation/Simpson Court Between 9th and 10th Streets

Resolution resolving that a public hearing to consider the vacation of Simpson Court between 9th and 10th Streets, shall be held on the _____ day of _____, 2020, at 5:30 p.m. in City Council Chambers [or by Electronic Public Meeting], City Hall, 1101 S. Saginaw Street, Flint, AND, resolving that the City Clerk shall cause notice of such hearing to be published in an official paper of general circulation not less than fifteen (15) days prior to said hearing. [NOTE: Genesee Health System is looking to build a 60,000-square building at the south corner of Saginaw and 9th streets, between 9th and 12th streets. They are looking to build the new facility due to the water crisis and the children and families affected. They also want to consolidate services that are currently offered in three buildings.]

This Matter was ADOPTED BY THE MASTER RESOLUTION on the Consent Agenda.

200486

Setting a Public Hearing/Street Vacation/1415 Beach Street Between 9th and 10th Streets

Resolution resolving that a public hearing to consider the vacation of 1415 Beach Street between 9th and 10th streets, shall be held on the _____ day of _____, 2020, at 5:30 p.m. in City Council Chambers [or by Electronic Public Meeting], City Hall, 1101 S. Saginaw Street, Flint, AND, resolving that the City Clerk shall cause notice of such hearing to be published in an official paper

of general circulation not less than fifteen (15) days prior to said hearing. [NOTE: Genesee Health System is looking to build a 60,000-square building at the south corner of Saginaw and 9th streets, between 9th and 12th streets. They are looking to build the new facility due to the water crisis and the children and families affected. They also want to consolidate services that are currently offered in three buildings.]

This Matter was ADOPTED BY THE MASTER RESOLUTION on the Consent Agenda.

200487 Settlement/Eulas VanPalt v City of Flint, Worker's Compensation No. W18001851

Resolution resolving that the City Administrator, upon City Council's approval, authorizes settlement in the matter of Eulas VanPalt v City of Flint, Worker's Compensation No. W18001851, in the amount of \$38,357.43, in satisfaction of any and all claims arising out of said matter, with payment drawn from appropriated funds in the Litigation and Suits Line Item No. 677-266.200-956.300. [NOTE: An Executive Session was requested on this matter on November 23, 2020.]

This Matter was ADOPTED BY THE MASTER RESOLUTION on the Consent Agenda.

200494 Setting a Public Hearing/Adoption of City of Flint Board & Commission Procedures on Conducting Electronic Public Meetings

A public hearing on the adoption of City of Flint Board & Commission Procedures on Conducting Electronic Public Meetings will be held at 5:30 p.m. Monday, December 21, 2020, by Electronic Public Meeting.

This Matter was ADOPTED BY THE MASTER RESOLUTION on the Consent Agenda.

Passed The Consent Agenda

A motion was made by Councilperson Mays, seconded by Councilperson Griggs, including all the preceding items marked as having been adopted on a Consent Agenda. The motion carried by the following vote:

Aye: 8 - Councilperson Mays, Councilperson Davis, Councilperson Guerra, Councilperson Fields, Councilperson Winfrey-Carter, Councilperson Winfrey, Councilperson Galloway and Councilperson Griggs

Absent: 1 - Councilperson Worthing

SEPARATED FROM THE MASTER RESOLUTION

200481 City of Flint/Opt in/Pay as You Stay (PAYS) Program

Resolution resolving that the appropriate city officials are hereby authorized, upon City Council's approval, to do all things necessary to opt into the Pay as You Stay (PAYS) Program. [NOTE: Gov. Gretchen Whitmer signed House Bill 5124, Pay as You Stay (PAYS), which added new sub sections to MCL 211.78g of the General

Property Tax Act (Act 206 of 1893 "GPTA"). The revision is meant to help struggling homeowners stay in their homes by providing affordable payment plans, as well as reducing the amount of delinquent taxes owed on their primary residence. The new law allows County Treasurers to implement a program for homeowners who are receiving a property tax exemption under MCL 211.7u. The local unit Treasurer must provide written notice of intent to participate along with an approved resolution to the Genesee County Treasurer's Office no later than December 1, 2020.]

A motion was made by Councilperson Mays, seconded by Councilperson Griggs, that this matter be Adopted. The motion carried by the following vote:

Aye: 8 - Councilperson Mays, Councilperson Davis, Councilperson Guerra, Councilperson Fields, Councilperson Winfrey-Carter, Councilperson Winfrey, Councilperson Galloway and Councilperson Griggs

Absent: 1 - Councilperson Worthing

200482

Approval/City of Flint/Temporary Policy Prohibiting In-Person Work for Employees Based on Feasibility of Work Activities

Resolution resolving that the Flint City Council authorizes the City Administrator to do all things necessary to adopt the Temporary Policy Prohibiting In-Person Work for Employees Based on Feasibility of Work Activities. [NOTE: The city intends to follow all recommended health and safety guidelines to ensure a safe environment for employees and the public (due to COVID-19). Accordingly, the city desires to adopt the attached policy, effective immediately and until April 14, 2021. In the event the Michigan Occupational Safety and Health Administration (MIOSHA) emergency rules are extended, the policy will remain in effect until such date and subject to any amendments subsequently adopted.]

A motion was made by Councilperson Galloway, seconded by Councilperson Davis, that this matter be Adopted. The motion carried by the following vote:

Aye: 7 - Councilperson Davis, Councilperson Guerra, Councilperson Fields, Councilperson Winfrey-Carter, Councilperson Winfrey, Councilperson Galloway and Councilperson Griggs

Abstain: 1 - Councilperson Mays

Absent: 1 - Councilperson Worthing

SPECIAL ORDERS CONTINUED

200469

Special Order/Abatement/Nuisances

A Special Order as requested by Councilperson Davis to discuss nuisance abatement, and how to close businesses, like liquor stores and gas stations, that allow people to congregate and violence erupts.

Discussed

ROLL CALL

Council President Fields, with support from Councilperson Griggs, made a motion to recess the meeting until 12-14-20. The vote failed 1:7 (Yes: Fields). Ms. Fields then left the meeting at 12:15 a.m.

Present: Councilperson: Councilperson Mays, Councilperson Davis, Councilperson Guerra, Councilperson Winfrey-Carter, Winfrey, Councilperson Galloway and Councilperson Griggs

Absent: Councilperson: Councilperson Fields and Councilperson Worthing

INTRODUCTION AND FIRST READING OF ORDINANCES

200489 Ordinance/Amendment/Chapter 31 (General Offenses)/Article I (In General)/Addition of Section 31-65 (Hours of the Sale of Liquor)

An ordinance to amend the Code of the City of Flint by amending Chapter 31 (General Offenses), Article I (In General), by the addition of Section 31-65 (Hours of the Sale of Liquor).

A motion was made by Councilperson Winfrey-Carter, seconded by Councilperson Galloway, that this matter be POSTPONED for December 14, 2020. The motion carried by the following vote:

Aye: 5 - Councilperson Mays, Councilperson Davis, Councilperson Winfrey-Carter, Councilperson Winfrey and Councilperson Galloway

No: 2 - Councilperson Guerra and Councilperson Griggs

Absent: 2 - Councilperson Fields and Councilperson Worthing

200490 Amendment/Ordinance/Chapter 24 (Housing)/Article I (International Property Maintenance Code)/Addition of Section 24-5 (Landlords Removal and Disposal Process Regarding Evictions)

An ordinance to amend the Code of the City of Flint by amending Chapter 24 (Housing), Article I (International Property Maintenance Code), with the addition of Section 24-5 (Landlords Removal and Disposal Process Regarding Evictions).

A motion was made by Councilperson Mays, seconded by Councilperson Galloway, that this matter be POSTPONED for December 14, 2020. The motion carried by the following vote:

Aye: 7 - Councilperson Mays, Councilperson Davis, Councilperson Guerra, Councilperson Winfrey-Carter, Councilperson Winfrey, Councilperson Galloway and Councilperson Griggs

Absent: 2 - Councilperson Fields and Councilperson Worthing

DISCUSSION ITEM

200442 Discussion Item/State of Emergency/Statewide and Locally

A Discussion Item as requested by Councilperson Mays, re: He would like to discuss the Supreme Court rulings on Gov. Whitmer's Executive Orders and

how that relates to Flint.

DROPPED

RESOLUTIONS CONTINUED

200493 Approval/Emergency Amended Rules Governing Meetings of the Flint City Council

Resolution resolving that the Flint City Council approves the attached amendments to the [Rules Governing Meetings of the Flint City Council], for 60 days, with immediate effect.

TABLED

ADJOURNMENT

Councilperson Mays, with support from Councilperson Winfrey-Carter, made a motion to recess this meeting until 5:30 p.m. Thursday, December 3, 2020. The motion passed 5-1 (No: Worthing), and the meeting adjourned at 1:48 a.m.

Respectfully transcribed & submitted,

Janell Johnson, Administrative Secretary to City Council

210030

City of Flint, Michigan

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



Meeting Minutes - Draft

Thursday, December 3, 2020

5:30 PM

This is the second meeting recessed from the initial meeting date of November 23. The first meeting was recessed to November 30.

ELECTRONIC PUBLIC MEETING

CITY COUNCIL

***Kate Fields, President, Ward 4
Maurice D. Davis, Vice President, Ward 2***

***Eric Mays, Ward 1
Jerri Winfrey-Carter, Ward 5
Monica Galloway, Ward 7***

***Santino J. Guerra, Ward 3
Herbert J. Winfrey, Ward 6
Allan Griggs, Ward 8***

Eva L. Worthing, Ward 9

Inez M. Brown, City Clerk

Davina Donahue, Deputy Clerk

SPECIAL PUBLIC NOTICE -- ELECTRONIC PUBLIC MEETING**RETURN TO ORDER**

Council President Kate Fields returned this meeting to order at 5:32 p.m.

ROLL CALL

Present: Councilperson: Councilperson Mays, Councilperson Davis, Councilperson Fields, Councilperson Winfrey-Carter, Winfrey, Councilperson Galloway, Councilperson Griggs and Councilperson Worthing

Absent: Councilperson: Councilperson Guerra

MOTION

Councilperson Davis, with support from Councilperson Winfrey, made a motion to allow 10 minutes per round, with as many rounds as needed, and no interruptions during the 10 minutes, during discussion on 200498 (Water Litigation). The motion was amended by Councilperson Galloway, with support from Councilperson Davis, to include 10 minutes (in rounds) for attorneys to talk. The motion passed 8-0.

DISCUSSION ITEMS**200498 Discussion Item/Water Litigation**

Continued discussion between the City Council and the city's outside legal counsel on water litigation.

DROPPED

ROLL CALL

Councilpersons Fields and Worthing left the meeting at 9:08 p.m.

TABLED (POSTPONED) AGENDA ITEMS**200493 Approval/Emergency Amended Rules Governing Meetings of the Flint City Council**

Resolution resolving that the Flint City Council approves the attached amendments to the [Rules Governing Meetings of the Flint City Council], for 60 days, with immediate effect.

A motion was made by Councilperson Mays, seconded by Councilperson Galloway, that this matter be POSTPONED for December 14, 2020. The motion carried by the following vote:

Aye: 6 - Councilperson Mays, Councilperson Davis, Councilperson Winfrey-Carter, Councilperson Winfrey, Councilperson Galloway and Councilperson Griggs

Absent: 3 - Councilperson Guerra, Councilperson Fields and Councilperson Worthing

ADJOURNMENT

Councilperson Galloway, with support from Councilperson Griggs, made a motion to adjourn this meeting at 9:53 p.m. The motion passed 6-0.

Respectfully transcribed & submitted,

Janell Johnson. Administrative Secretary to City Council

210031

City of Flint, Michigan

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



Meeting Minutes - Draft

Thursday, December 10, 2020

5:32 PM

*

ELECTRONIC PUBLIC MEETING

SPECIAL CITY COUNCIL

*Kate Fields, President, Ward 4
Maurice D. Davis, Vice President, Ward 2*

*Eric Mays, Ward 1
Jerri Winfrey-Carter, Ward 5
Monica Galloway, Ward 7*

*Santino J. Guerra, Ward 3
Herbert J. Winfrey, Ward 6
Allan Griggs, Ward 8*

Eva L. Worthing, Ward 9

Inez M. Brown, City Clerk

Davina Donahue, Deputy Clerk

SPECIAL PUBLIC NOTICE -- ELECTRONIC PUBLIC MEETING**CALL TO ORDER**

Council President Kate Fields called the meeting to order at 5:32 p.m.

ROLL CALL**PLEDGE OF ALLEGIANCE**

Councilperson Monica Galloway led the Pledge of Allegiance.

REQUEST FOR CHANGES AND/OR ADDITIONS TO AGENDA

Councilperson Mays asked to add an item to General City Business on COVID-19, the city's State of Emergency and testing of employees. The motion passed 8-0. (Councilperson Winfrey had not yet arrived.) Councilperson Fields asked that prior to discussion on the water litigation, that the Councilpersons who asked for this meeting (Mays and Winfrey-Carter), and attorneys in the case talk about the purpose of the meeting. The motion passed 9-0.

MOTION

Councilperson Davis, with support from Councilperson Griggs, made a motion to allow 10 minutes per round, including questions and answers, with as many rounds as needed,, during discussion on 200498 (Water Litigation). Councilperson Griggs amended the motion, with support from Councilperson Davis, to include 10 minutes of "uninterrupted" discussions between council members and attorneys. Councilperson Griggs withdrew his amended motion, which passed 7-0, with Councilperson Mays abstaining. Before voting on the original motion, Councilperson Worthing made a motion, with support from Councilperson Griggs, to Call the Question. The motion failed 5-4 as it did not receive a 2/3 vote (No: Mays, Winfrey-Carter, Winfrey, Galloway). The original motion then passed 5-3 (No: Mays, Winfrey-Carter. Galloway).

PURPOSE OF MEETING

200499 Discussion Item/Water Litigation

Discussion item to allow for additional dialogue regarding water litigation.

DROPPED

ROLL CALL

Councilperson Griggs left around 7:50 p.m. Councilperson Fields left at 10:02 p.m. Councilperson Worthing left at 10:09 p.m.

Present: Councilperson Mays, Vice President Davis, Councilperson Guerra, Councilperson Winfrey-Carter, Councilperson Winfrey and President Galloway

Absent: Councilperson Fields, Councilperson Griggs and Councilperson Worthing

ADJOURNMENT

This Special Electronic City Council Meeting adjourned at 10:37 p.m. after a motion by Councilperson Mays and a second by Councilperson Griggs. The vote to adjourn was 5:1 (No: Mays).

Respectfully transcribed & submitted,

Janell Johnson, Administrative Secretary to City Council

RESOLUTION NO.: 200426.2

PRESENTED: DEC 14 2020

ADOPTED:

**RESOLUTION AUTHORIZING THE ADOPTION OF THE 2021-2024 VISION,
MISSION AND GOALS OF THE CITY OF FLINT STRATEGIC PLAN**

BY THE FLINT CITY COUNCIL:

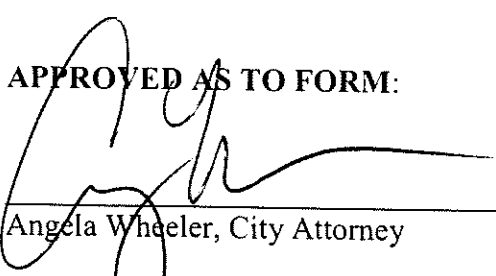
The Flint City Council recognizes that the development and implementation of a multi-year strategic plan is an essential component of developing a sustainable city government. The progress of the City of Flint is now defined by the steps it takes to achieve its stated vision, mission and goals. Flint city government is focused on enabling the City of Flint to become an attractive place to live, work, play, study and visit. In order to do this city government must become and remain financially stable and provide residents, businesses, students and visitors with an adequate level of municipal services. The city must also have the capacity to encourage and guide others in achieving its vision and goals. Achievement of the city's vision will be measured by the progress that is being made towards specific goals and objectives.

Ordinance 3855, Section 2-106, Development and Update of Strategic Plan, requires the City Council adoption of an update to the Strategic Plan in preparation of the biennial budget. Completion of the Vision, Mission and Goals is the initial step in the annual process.

The Mayor and City Council, working with city administration and staff, have created the City of Flint FY2021-2024 Vision, Mission and Goals of the Strategic Plan, attached hereto and made a part thereof.

IT IS RESOLVED that the City of Flint FY2021-2024 Vision, Mission and Goals of the Strategic Plan are hereby approved as set forth in the attached document.

APPROVED AS TO FORM:



Angela Wheeler, City Attorney

FOR THE CITY:

Sheldon Neeley, Mayor

APPROVED BY THE FLINT CITY COUNCIL:

Kate Fields, City Council President

CITY OF FLINT STRATEGIC PLAN

2019-2023

Setting a Sustainable Course for the City of Flint

The Vision for the City Government of Flint

A well-managed, financially stable, and accountable government focused on creating and maintaining a vibrant and growing community which will attract and retain residents, businesses, students, and visitors and improve our quality of life

The Mission of the City Government

To assure that residents, businesses, students and visitors in the City of Flint receive municipal services in a customer friendly, financially responsible, and equitable manner in order to insure equality of opportunity for all persons

The Goals

In order to operate per our Mission and realize our Vision, residents, businesses, students and visitors can expect that the City of Flint will:

1. The City will operate in an open and financially sustainable manner, including improving citizen access, focusing on measurable results, improving the City's financial position and eliminating accumulated deficits
2. The City will provide a highly trained and professional staff of elected leaders, appointed officials and employees
3. The City will provide for a safe, secure, healthy and clean environment in which to live, work, learn and play
4. The City will provide access to dependable, quality and sustainable water and sewer
5. The City will provide access to an adequate and well maintained transportation network for all modes of travel serving motorized, non-motorized, and pedestrian needs
6. The City will foster cooperation among business, non-profit, higher education, foundation partners, and residents to create a climate that supports economic development with a focus on small business and entrepreneurs in order to build local wealth and enhance the tax base
7. The City will seek partnerships with Local, State and Federal governmental partners, and other private entities in order to maximize efficiencies and resources in meeting its Mission
8. The City will promote the equal protection of the law for each person in accordance with fundamental human rights

CITY OF FLINT STRATEGIC PLAN

2021-2024

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7. The City will seek partnerships with Local, State and Federal governmental partners, and other private entities in order to maximize efficiencies and resources in meeting its Mission
8. The City will promote the equal protection of the law for each person in accordance with fundamental human rights. **THE CITY WILL ADOPT POLICIES AND ORDINANCES TO INSURE SAME.**
9. **THE CITY WILL ENSURE OPTIMUM PRACTICES IN ORDER TO PROMOTE GOVERNMENT TRANSPARENCY.**
10. **THE CITY WILL IMPROVE SYSTEMS MANAGEMENT PROCESSES TO ENSURE BETTER EFFECTIVENESS OF RECORDS MANAGEMENT, STORAGE AND ACCESS TO CITY DOCUMENTS – TO INCLUDE IMPROVEMENTS TO CITY TECHNOLOGY AND THE WEB SITE.**

FINANCIAL STABILITY ORDINANCES

Ordinance No.	Title
3854	Development and Update of Strategic Plan
3855	Development and Adoption of Biennial Budgets and Three Year Financial Forecasts
3856	Amendment of Adopted Budgets
3851	Fund Balance Policy
3853	Budget Stabilization Fund
3852	Other Post-Employment Benefits
3865	Purchasing Ordinance
3866	Amended Fund Balance Policy

140854.1

ORDINANCE NO. 3854

An Ordinance to amend the City of Flint 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. That the Ordinances of the City of Flint shall be amended by amending Chapter 2, Administration; Article XV, Department of Finance; by the addition of a new Section 2-106, Development and Update of Strategic Plan, 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 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 ORDER 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 RECOMMENDATIONS, TIME LINES, AND THE INFORMATION NECESSARY TO ENABLE CITY

COUNCIL TO ADOPT THE UPDATED PLAN IN A TIMELY MANNER.

3. 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.

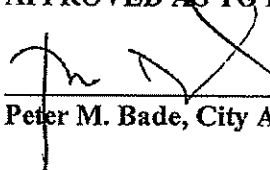
6. THE CITY ADMINISTRATOR AND MAYOR, IN CONCERT WITH CITY STAFF, SHALL CONSTRUCT RECOMMENDED BUDGETS THAT REFLECT THE VISION, MISSION, GOALS AND STRATEGIC OBJECTIVES OF THE STRATEGIC PLAN, AS WELL AS THE ANNUAL BUDGET PRIORITIES ADOPTED BY CITY COUNCIL.

Sec. 2. This Ordinance shall be immediately effective upon adoption.

Adopted this 1st day of

March, 2015 A.D.

APPROVED AS TO FORM:


Peter M. Bade, City Attorney

ENACT___ REFER___ FAIL___

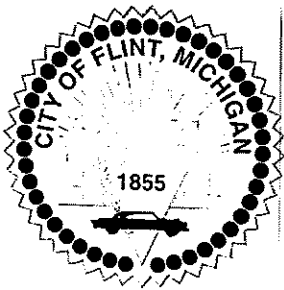
Darnell Earley , Emergency Manager

EM SUBMISSION NO.: _____

PRESENTED: _____

ADOPTED: _____

S:\Ordinance Files\Strategic Plan Ordinance Section 2.106 10.20.14.docx



PRESENTED: _____

200493

PRESENTED: _____

NOV 23 2020

ADOPTED: _____

RESOLUTION TO APPROVE EMERGENCY AMENDMENT TO COUNCIL RULES

BY THE CITY COUNCIL:

WHEREAS, the City Council adopted its last version of Rulings Governing Meetings of the Council ("Council Rules") on June 12, 2017, and that City Council's annual review of Council Rules takes place every December during the Special Affairs Committee agenda; and

WHEREAS, it has been impractical for City Council to hold Council Committee meetings during the COVID-19 Pandemic since it was deemed an unnecessary hardship to the City Council staff and put their health safety at risk; and

WHEREAS, it has been over three years since the previous amendment of City Council rules; and

WHEREAS, on October 9, 2019, the Rules Committee approved various amendments to the Council Rules, as proposed in the attached version of the Council Rules; and

WHEREAS, to have productive meetings during this pandemic it is of utmost importance to have the Council Rules include those amendments, on an emergency basis pursuant to Flint City Charter Section 1-801(H), for a period of 60 days.

THEREFORE, BE IT RESOLVED that the Flint City Council approves the attached amendments to the City Council rules for 60 days, with immediate effect.

APPROVED BY CITY COUNCIL:

Kate Fields, City Council President

APPROVED AS TO FORM:

Angela Wheeler, Chief Legal Officer

RULES GOVERNING MEETINGS OF THE COUNCIL

GENERAL

PREAMBLE

OPEN MEETINGS ACT (OMA)

FREEDOM OF INFORMATION ACT (FOIA)

- RULE 1 PARLIAMENTARY AUTHORITY
2 SUSPENSION AND AMENDMENT OF RULES

ORGANIZATION #1

- RULE 3 COUNCIL PRESIDENT; PRESIDING AT MEETINGS
4 APPOINTMENT OF COMMITTEES

ORGANIZATION #2

- 5 TIME AND PLACE OF MEETINGS AND SPECIAL MEETINGS
6 AGENDA FOR REGULAR MEETINGS OF COUNCIL; AGENDAS FOR
COMMITTEE MEETINGS
7 ORDER OF BUSINESS FOR REGULAR MEETINGS OF COUNCIL

ORGANIZATION #3

EXECUTIVE OR CLOSED SESSIONS

ACTION BY COUNCIL

- RULE 8 FORM OF ACTION; DIVISION OF QUESTION
9 VOTING; VOTING – ABSTAINING VOTES
10 INTRODUCTION AND ENACTMENT OF ORDINANCES

MOTIONS #1

- RULE 11 CONSIDERATION OF MOTIONS
12 SUPPORT FOR MOTIONS
13 MOTION TO ADJOURN
14 MOTION TO RECESS
15 MOTION TO POSTPONE TEMPORARILY (LAY ON THE TABLE)
16 MOTION TO VOTE IMMEDIATELY (PREVIOUS QUESTION OR CALL
THE QUESTION)
17 MOTION TO LIMIT OR EXTEND DEBATE

MOTIONS #2

- 18 MOTION TO POSTPONE DEFINITELY
- 19 MOTION TO REFER (COMMIT)
- 20 MOTION TO AMEND
- 21 MOTION TO POSTPONE INDEFINITELY
- 22 MOTION TO RECONSIDER
- 23 MOTION TO RESCIND
- 24 REQUEST TO WITHDRAW A MOTION

MOTIONS #3

- 25 INCIDENTAL MOTIONS – POINT OF ORDER
- 26 INCIDENTAL MOTIONS – POINT OF INFORMATION

PUBLIC PARTICIPATION AND MAINTENANCE OF ORDER

- RULE 27 MAINTENANCE OF ORDER AND DEBATE
- 28 RIGHT TO SPEAK IN DEBATE
- 29 PUBLIC MEETINGS AND PARTICIPATION BY PUBLIC

CONDUCT, ETHICS AND DISCIPLINARY ACTIONS

- RULE 30 GENERAL CONDUCT AND STANDARDS OF CONDUCT
- 31 ETHICS
- 32 DISCIPLINARY ACTIONS

REVIEW OF CITY COUNCIL RULES

- RULE 33 ANNUAL REVIEW OF CITY COUNCIL RULES

GENERAL

PREAMBLE

These are rules governing the orderly conduct of Flint City Council meetings in accordance with Robert's Rules of Order Newly Revised (1970 Major Revision) and certain laws.

OPEN MEETINGS ACT (OMA)

City Council meetings are subject to the Open Meetings Act, Public Act 267 of 1976, MCL 15.261 through 15.275.

FREEDOM OF INFORMATION ACT (FOIA)

All documents (i.e. agendas, minutes, attachments, transcripts, recordings) are subject to FOIA, unless subject to exemptions rule in FOIA.

PARLIAMENTARY AUTHORITY

- Rule 1.1 All matters of procedure not covered specifically by Council Rules, Federal, State, or Local law, shall be governed by Robert's Rules of Order Newly Revised (1970 Major Revision). If a conflict arises between Council Rules and Robert's Rules of Order, Council Rules take precedence.
- 1.2 The President or Chair (Presiding Officer) SHALL (is required to) decide all questions arising under these rules and general parliamentary practice, subject to appeal. While on all questions of order, and of interpretation of the rules, and of priority of business, it is the DUTY of the Chairman to first decide the question, it is the privilege of any member to "appeal from the decision." If the appeal is seconded, the Chairman states his decision, and that it has been appealed from, and then states the question thus: "Shall the decision of the Chair stand as the judgment of Council?" The Chairman can then, without leaving the chair, state the reasons for his decision, after which it is open to debate. No member is allowed to speak more than once except the presiding officer who may answer arguments against the decision or give additional reasons by speaking a second time at the close of debate. A majority or tie vote of the Councilmembers-elect sustains the decision of the chair. The appeal shall be determined by a majority of the Councilpersons-elect.
- 1.3 City Council can appoint a person of their choosing to be the Parliamentary Authority, but any Council member may make reference to either City

Council Rules, which take precedence over Robert's Rules, or reference to Robert's Rules when the issue is not covered in City Council Rules.

SUSPENSION AND AMENDMENT OF RULES

- Rule 2.1 The rules may be suspended on the vote of two-thirds of the Councilpersons-elect.
- 2.2 The rules may be amended in accordance with Section 1-801 of the Flint City Charter.

ORGANIZATION #1

COUNCIL PRESIDENT; PRESIDING AT MEETINGS

- Rule 3.1 The Council shall have a President and a Vice-President, each chosen by a majority of the Councilpersons-elect for a one year term which shall end on the second Monday in November.
- 3.2 The President shall preside at the meetings of the Council and, in the absence of the President, the Vice-President shall preside. If both the President and Vice-President are absent, a Chairperson from a Council Committee shall preside in the following order: Finance, Governmental Operations, Legislative, Grants.

COMMITTEES

- Rule 4.1 The President, unless otherwise directed by the Council, shall appoint all committee chairs and vice-chairs for a one-year term which shall end on the second Monday in November.
- 4.2 The standing committees of the Council are Finance, Governmental Operations, Legislative, Grants, And Special Affairs. The Council President may determine in which order they are addressed.
- 4.3 Finance Committee - Business conducted consists of all matters relating to City finances (e.g. spending, revenue, contracts, fees, budgets, audits, etc.). Finance Committee shall meet at 5:00 pm on the Wednesdays a week before regular Council meetings. [Note - see Rule 6.8A]

- 4.4 Legislative Committee - Business conducted consists of all matters relating to City legislation (e.g. ordinances, policies, etc.). Legislative Committee shall meet after Finance Committee. [Note - see Rule 6.8B]
- 4.5 Governmental Operations Committee - Business conducted consists of all matters relating to governmental function (e.g. multi-member bodies, policies and procedures, matters related to City government and City departments, etc.). Governmental Operations Committee shall meet after Legislative Committee. [Note - see Rule 6.8C]
- 4.6 Grants Committee - Business conducted consists of all matters relating to City grant programs and grant awards (e.g. applying for grants, accepting and monitoring of grants, federal and state grant monies, and local grant dollars, etc.). Grants Committee shall meet after Governmental Operations Committee. [Note - see Rule 6.8D]
- 4.7 Special Affairs Committee - Reserved for any standing committee agenda item needing additional discussion or information, as well as for any emergency agenda submission. Special Affairs Committee shall meet at 4:30 p.m. right before regular Council meetings on the 2nd and 4th Mondays of the month. [Note - see Rule 6.8E]
- 4.8 All standing committees of Council shall be comprised of all members of Council who are not under disciplinary actions/restrictions.
- 4.9 The President, at his/her own discretion, may create ad hoc committees and shall appoint these committees' chairs and members. The President shall determine the number of Council members comprising these committees.

ORGANIZATION #2

TIME AND PLACE OF MEETINGS AND SPECIAL MEETINGS

- Rule 5.1 All meetings of the City Council and all committees of the Council shall take place in the Council Chambers on the third floor of City Hall or at such other places as the Council may determine.
- 5.2 The regular meeting of the City Council is 5:30 p.m. on the second and fourth Monday of every month.

- 5.3 The Flint City Council may schedule other committee meetings as deemed necessary.
- 5.4 In the event of a call for a special meeting or a change in the time or place of a meeting, the Clerk shall be notified and shall see that each Councilperson and the public are informed as is required by the Open Meetings Act.
- 5.5 The Mayor shall be notified of all meetings of the City Council.

AGENDA FOR REGULAR MEETINGS OF COUNCIL

- Rule 6.1 Matters shall be placed on the agenda of any meeting of the City Council by action of the Council President or any presiding Chair of any committee of the Council, or at the request of the Mayor or Clerk, prior to the start of the meeting. After roll call, the presiding officer shall ask for "any additions or changes to the agenda". Agenda changes or additions need to be approved by the presiding officer.
- 6.2 Any agenda matters that require official Council action at the meeting for final adoption (i.e., resolutions, budget amendments, grant acceptances, etc.) must be accompanied by the appropriate documentation such as staff review reports, etc., and must be signed by the required signatories.
 - 6.3 The deadline for contacting staff for the purpose of adding matters to an agenda shall be by 12:00 pm (noon) on Thursdays.
 - 6.4 City Council agendas for regular and standing committees shall normally be available to Councilpersons on the Friday before the meeting.
 - 6.5 The presiding officer shall chose a person to lead the Pledge of Allegiance.
 - 6.6 Opening Ceremonies will consist of Pledge of Allegiance, a short prayer or blessing, and may include requests for moments of silence for deceased or ailing individuals.
 - 6.7 Spiritual leaders (of many faiths) will be invited and scheduled to offer a short prayer after the Pledge of Allegiance. The City Clerk will be responsible for making these arrangements.

AGENDAS FOR COMMITTEE MEETINGS

- 6.8 Items denoted with ** will only appear on a committee agenda if necessary. If there is no such matter to be addressed, then it will not appear on the agenda.
- 6.8a Finance Committee Agenda - Roll Call, **Closed Session [Executive Session], public comment, **Special Order, Resolutions, Discussion Items, Outstanding Discussion Items, Adjournment
- 6.8b Legislative Committee Agenda - Roll Call, Public Comment, **Resolutions, Ordinances, Discussion Items, Outstanding Discussion Items, Adjournment
- 6.8c Governmental Operations Committee Agenda - Roll Call, Public Comment, **Special Order, **Licenses, Resolutions, Appointments, Discussion Items, Outstanding Discussion Items, Adjournment
- 6.8d Grants Committee Agenda - Roll Call, Public Comment, Resolutions, Discussion Items, Outstanding Discussion Items, Adjournment
- 6.8e Special Affairs Agenda - Roll Call, **Closed Session [Executive Session], Public Comment, **Special Order, Resolutions, Appointments, Ordinances, Discussion Items, Additional Council Discussion, Adjournment
- 6.9 Rules 6.1, 6.2, 6.3 and 6.4 concerning regular Council meetings also apply here to Committee meetings. Section 31.12 of the Disorderly Persons Ordinance applies to all committee meetings.

ORDER OF BUSINESS FOR REGULAR MEETINGS OF COUNCIL

- Rule 7.1 The order of business at Regular Meetings of the City Council shall be as follows:
- I Call to Order, Roll Call and opening ceremonies
 - II Reading of Disorderly Persons Section
(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.)
 - III Request for Changes and/or Additions to Agenda
(Council shall vote to adopt any amended agenda.)

- IV Presentation of Minutes
(Council shall vote to accept minutes.)
- V Special Orders
(Any Councilperson may request permission for a Special Order, but it must first be approved by both the Council President, and Committee Chair if during a Committee meeting.)
- VI Public Hearings
(Council members may not speak during Public Hearings, nor may they make response comments to speakers. Public Hearing speakers are limited to a total of three [3] minutes.)
- VII Public Speaking
(Three [3] minutes per speaker. Only one speaking opportunity per speaker. Numbered slips will be provided prior to the start of a 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.)
- VIII Petitions and Unofficial Communications
- IX Official Communications – From Mayor and Other City Officials
- X Additional Communications
- XI Appointments
- XII Licenses
- XIII Resolutions
(A Council member who desires to speak in debate must obtain the floor by being recognized by the presiding Chair. In the debate, each member has the right to speak twice [for a maximum of five (5) minutes] on the same question on the same day, but cannot make a second speech on the same question so long as any member who has not spoken on that question desires the floor. A member who has spoken twice on a particular question on the same day has *exhausted his/her right to debate* that question for that day. A timer will be utilized. No "banking" of time or division of time for future use is allowed.

Council members may request to ask questions of Administrative staff, etc. During debate on any agenda item.

Guest speaker time allowed shall be determined by the presiding Chair and is not considered to be part of the limited debate time allocated to council members.

- XIV Liquor Licenses
- XV Introduction and First Reading of Ordinances
- XVI Second Reading and Enactment of Ordinances
- XVII Additional Discussion Items
- XVIII Final Council Comments
- XIV Adjournment

ORGANIZATION #3

EXECUTIVE OR CLOSED SESSIONS

(Refer to Open Meetings Act [OMA], Public Act 267 Of 1976, MCL 15.261 through 15.275, and The OMA Handbook By AG Bill Schuette.)

- 7.2 The Open Meetings Act provides exemptions to the rule that government body meetings must be open to the public.

Meeting in closed session – a public body may meet in a closed session only for one or more of the permitted purposes specified in Section 8 of the OMA.

The limited purposes include, among others:

(1) To consider the dismissal, suspension, or disciplining of, or to hear complaints or charges brought against, or to consider a periodic personnel evaluation of, a public officer, employee, staff member, or individual agent, if the named person requests a closed hearing.

(2) For strategy and negotiation sessions connected with the negotiation of a collective bargaining agreement if either negotiating party requests a closed hearing.

(3) To consider the purchase or lease of real property up to the time an option to purchase or lease that real property is obtained.

(4) To consult with its attorney regarding trial or settlement strategy in connection with specific pending litigation, but only if an open meeting would have a detrimental financial effect on the litigating or settlement position of the public body.

(5) To review and consider the contents of an application for employment or appointment to a public office if the candidate requests that the application remain confidential. However, all interviews by a public body for employment or appointment to a public office shall be held in an open meeting pursuant to this act.

(6) To consider material exempt from discussion or disclosure by state or federal statute. But note – a board is not permitted to go into closed session to discuss an attorney's oral opinion, as opposed to a written legal memorandum.

7.3 A closed session must be conducted during the course of an open meeting. Section 2(c) of the OMA defines "closed session" as "a meeting or part of a meeting of a public body that is closed to the public." Section 9(1) of the OMA provides that the minutes of an open meeting must include "the purpose or purposes for which a closed session is held."

7.4 Going into Closed Session [Executive Session] – Section 7(1) of the OMA sets out the procedure for calling a closed session: a 2/3 roll call vote of members elected or appointed and serving is required to call a closed session, except for the closed sessions permitted under Section 8(a), (b), (c), (g), (i), and (j). The roll call vote and the purpose or purposes for calling the closed session shall be entered into the minutes of the meeting at which the vote is taken. Thus, a public body may go into closed session only upon a motion duly made, seconded, and adopted by a 2/3 roll call vote of the members appointed and serving during an open meeting for the purpose of (1) considering the purchase or lease of real property, (2) consulting with their attorney, (3) considering an employment application, or (4) considering material exempt from disclosure under state or federal law. A majority vote is sufficient for going into closed session for the other OMA permitted purposes.

7.5 Leaving a Closed Session [Executive Session] – the OMA is silent as to how to leave a closed session. Suggested is for a motion to be made to end the closed session with a majority vote needed for approval. Admittedly, this is a decision made in a closed session, but it certainly isn't a decision that "effectuates or formulates public policy." When the public body has concluded its closed session, the open meeting minutes should state the time the public body reconvened in open session and, of course, any votes on matters discussed in the closed session must occur in an open meeting.

- 7.6 Decisions Must Be Made During an Open Meeting, Not the Closed Session [Executive Session] – section 3(2) of the OMA requires that "all decisions of a public body shall be made at a meeting open to the public." section 2(d) of the OMA defines "decision" to mean "a determination, action, vote, or disposition upon a motion, proposal, recommendation, resolution, order, ordinance, bill, or measure on which a vote by members of a public body is required and by which a public body effectuates or formulates public policy."
- 7.7 All matters discussed in closed session [executive session] and materials provided are privileged information and are not to be shared with any person(s) outside of the session.

ACTION BY COUNCIL

FORM OF ACTION BY COUNCIL; DIVISION OF QUESTION
(NOTE – THIS ACTION IS OFTEN UTILIZED BY COUNCIL FOR MASTER RESOLUTIONS AND SEPARATION OF SPECIFIC RESOLUTIONS)

- Rule 8.1 All official action of the Council as required by the City Charter shall be by ordinance or resolution, but decisions on parliamentary procedure may be made upon motion. Other action may be made upon motion, including decisions on parliamentary procedure.
- 8.2 No motion may be debated by the Council until it has been stated by the presiding officer and it must be reduced to writing if requested by the presiding officer or any Councilperson.
- 8.3 If a question before the Council is susceptible of division, it shall be divided on the demand of any Councilperson.

VOTING

- Rule 9.1 The determination of any question at a regular City Council meeting shall require a roll call vote.
- 9.2 The determination of any question at a committee meeting shall be upon call of the Chair for a vote. If there is an objection, a roll call vote shall be taken.
- 9.3 The voting on all roll calls shall be rotated so that the Councilperson representing the First Ward shall cast the first vote on the first roll call of any

meeting, the Councilperson from the Second Ward shall cast the first vote on the second roll call at any meeting, and so on throughout the meeting so that the first vote on a roll call shall be solicited from the succeeding Councilperson. Following the first vote on any roll call, the remaining Councilpersons shall be called in consecutive order until all nine Councilpersons have been afforded an opportunity to vote on any question.

- 9.4 A councilperson must be seated at his/her designated seating place in order to vote. Proxy votes are not allowed.
- 9.5 Interruption of Votes - interruptions during the taking of a vote are permitted only before any member has actually voted, unless, as sometimes occurs in ballot voting, other business is being transacted during voting or tabulating.
- 9.6 Rule Against Explanation by Members During Voting - a member has no right to "explain his vote" during voting, which would be the same as debate at such a time.
- 9.7 Changing One's Vote - a member has a right to change his vote up to the time the result is announced. After that s/he can make the change only by the unanimous consent of the assembly requested and granted, without debate, immediately following the chair's announcement of the result of the vote.
- 9.8 Abstaining Votes - to "abstain" means to not vote at all.
- 9.9 Abstaining from Voting on a Question of Direct Personal Interest - no member should vote on a question in which he/she has a direct personal or pecuniary interest not common to other members of the organization.
Voting on questions which affect oneself - the rule on abstaining from voting on a question of direct personal interest does not mean that a member should not vote for him/herself for an office or other position to which members generally are eligible, or should not vote when other members are included with him in a motion.

INTRODUCTION AND ENACTMENT OF ORDINANCES
(BOTH CITY COUNCIL AND THE LEGAL
DEPARTMENT MAY INTRODUCE AN ORDINANCE)

- Rule 10.1 Upon the introduction of any ordinance, the City Clerk shall proceed as directed in Section 3-302 of the Charter.

- 10.2 After a public hearing has been completed, any Councilperson may move the enactment of the ordinance.
- 10.3 If the ordinance is amended to the extent that there has been inadequate notice to the public of the content of the ordinance, it shall not be enacted until the procedures of Section 3-302 are complied with.
- 10.4 Every ordinance must state the date that it becomes effective. After the vote on the enactment of the ordinance, any Councilperson may move that it be given immediate effect upon publication, rather than the date stated. Any effective date earlier than thirty days after enactment requires a two-thirds vote of the Councilpersons-elect.
- 10.5 Every ordinance shall be submitted to the Chief Legal Officer (for correct format, not content) for review prior to enactment.

MOTIONS

CONSIDERATION OF MOTIONS

- Rule 11.1 When a question is under debate, the Chair will receive only the following motions:
- | | |
|---------|--|
| Rule 13 | to adjourn |
| Rule 14 | to recess |
| Rule 15 | to postpone temporarily (lay on the table) |
| Rule 16 | to vote immediately (previous question) |
| Rule 17 | to limit debate |
| Rule 18 | to postpone definitely |
| Rule 19 | to refer (commit) |
| Rule 20 | to amend |
| Rule 21 | to postpone indefinitely |
| Rule 22 | to reconsider |
| rule 23 | to rescind |
| rule 24 | to withdraw a motion |
| rule 25 | point of order |
| rule 26 | point of information |
- 11.2 If more than one of the above motions are made, they shall be considered in the order listed.

SUPPORT FOR MOTIONS

- Rule 12.1 No motion may be considered or debated unless it has the support of at least one other Councilperson and has been properly stated by the Chair.
- 12.2 Nominations need not be seconded.

MOTION TO ADJOURN

- Rule 13.1 A motion to adjourn is always in order. If it is made during the count of a vote, it will not be considered until after the vote is announced.
- 13.2 A motion to adjourn will be decided without debate. However, the issue of the time to reconvene may be debated if it is introduced by the maker of the motion or by amendment.

MOTION TO RECESS

- Rule 14.1 A motion to recess shall state the length of the recess and shall be decided without debate.
- 14.2 When a recess is taken during the pending of any question, the consideration of the question shall be resumed upon the reassembling of the Council.
- 14.3 The Chair may order a recess without objection.

MOTION TO POSTPONE TEMPORARILY (LAY ON THE TABLE)

- Rule 15.1 The Council may decide to postpone temporarily any matter pending before it. The motion may be referred to as a motion to lay on the table.
- 15.2 A decision to lay upon the table shall have the effect of postponing the question involved, all pending amendments, and other adhering motions.
- 15.3 If a decision is made to resume consideration of a matter or to take up from the table, it shall return in exactly the same form as when it was postponed temporarily. A motion to resume consideration must be made at the same meeting.
- 15.4 All matters postponed temporarily shall be considered at the meeting at which they were postponed. If the motion to take up from the table fails, the issue is considered to have failed.

- 15.5 A motion to postpone temporarily or to resume consideration shall be decided without debate.

MOTION TO VOTE IMMEDIATELY
(PREVIOUS QUESTION OR CALL THE QUESTION)

- Rule 16.1 Any Councilperson may move to vote immediately. If the motion is supported, debate will cease immediately. A two-thirds vote is required for the motion to carry. Failure to cease talking shall result in disciplinary action. Violators shall be removed from the meeting.
- 16.2 If the motion receives a majority of the votes of the Councilpersons-elect, in accordance with Section 3-204(a) of the Charter, the Council shall vote on the pending question or questions in their regular order.

MOTION TO LIMIT OR EXTEND DEBATE

- Rule 17.1 The Council may decide, by majority vote, to limit or determine the time that will be devoted to discussion of a pending motion or to modify or remove limitations already imposed on its decision. This may include a limit of time for each councilperson to speak to the issue. Failure to cease talking when a time limit has been reached shall result in disciplinary action. Violators shall be removed from the meeting.
- 17.2 If each councilperson has a limited time to speak, this time limit shall include any questions asked and/or answered per the councilpersons request.

MOTIONS #2

MOTION TO POSTPONE DEFINITELY

- Rule 18.1 The Council may decide to put off consideration of a pending main motion and to fix a definite time for its consideration.
- 18.2 The debate on the motion to postpone definitely shall be limited to the reasons for the postponement and the time the main motion shall be taken up.

MOTION TO REFER (COMMIT)

Rule 19.1 If a motion to refer a matter to a committee or other agency has been made, the Council shall proceed to decide the question of the referral.

19.2 There shall be no further debate on the merits of the main motion or amendments to the main motion until the referral motion is decided.

MOTION TO AMEND

Rule 20.1 A motion to amend must be germane to the main motion.

20.2 An amendment may be amended but an amendment to an amendment may not be amended.

MOTION TO POSTPONE INDEFINITELY

Rule 21.1 The Council may decide to prevent discussion or further discussion on a question by voting to postpone it indefinitely.

21.2 A motion that has been postponed indefinitely cannot come up again at the same meeting. If it is reintroduced at a later meeting, it shall be treated as a new motion.

MOTION TO RECONSIDER

Rule 22.1 A motion to reconsider any decision of the City Council may be made by any Councilperson that voted in the affirmative on the motion in question.

22.2 A motion to reconsider may be made at the same meeting or not later than the next succeeding regular meeting of the Council provided that notice has been given to the Council prior to the start of the meeting.

22.3 No question may be reconsidered more than once.

22.4 If a decision of the Council has gone into effect, the motion to reconsider shall not be in order.

MOTION TO RESCIND

Rule 23.1 Action to rescind, repeal or annul a previous action may be by resolution unless the previous action is an ordinance. Action to repeal a published ordinance may only be by ordinance regardless of whether the ordinance has gone into effect.

- 23.2 Notice of a motion to rescind a previous action must be given to the Clerk at least two days prior to the meeting at which the motion is to be made. However, the Council may vote by two-thirds of Councilpersons-elect to waive the notice.
- 23.3 Motions to rescind may be reconsidered regardless of whether the vote was affirmative or negative.

REQUEST TO WITHDRAW A MOTION

- Rule 24.1 Any Councilperson may withdraw his or her motion before it has been restated by the Chair and placed before the assembly. The Councilperson need not obtain concurrence of any other person.
- 24.2 After the motion has been placed before the assembly, it may only be withdrawn by majority consent of all Councilpersons present.
- 24.3 No request to withdraw a motion may be made after the vote on the motion has commenced.

MOTIONS #3

INCIDENTAL MOTIONS – POINT OF ORDER

- Rule 25.1 The purpose of a point of order is to correct a breach in the rules when the presiding officer does not correct it, or when the presiding officer makes a breach of the rules. **A POINT OF ORDER, REQUEST FOR INFORMATION, OR PARLIAMENTARY INQUIRY CANNOT INTERRUPT THE CHAIR OR ANOTHER MEMBER, WHO HAS BEEN PROPERLY RECOGNIZED TO SPEAK. THE CHAIR MAY STILL CALL MEMBERS TO ORDER.**
- 25.2 A point of order should not be used for minor infractions.
- 25.3 A point of order does not need a second, ~~can interrupt a speaker~~, is not debatable, and is decided by the chair.
- 25.4 A point of order cannot be ignored by the presiding officer. A ruling of "agreement - out of order" or "disagree - denied" must be given. All debate and/or talking shall cease immediately when a point of order is raised, in

order for the presiding officer to rule. Failure to cease talking shall result in disciplinary action. Violators shall be removed from the meeting.

- 25.5 Any two members have the right to *appeal* the presiding officer's decision on a point of order. This requires one member making (or taking) the appeal and another seconding (or supporting) it. Lack of support means the motion fails. If the motion is supported, the council body votes to decide the question. Members have no right to question the decision or ruling of the presiding officer unless they appeal from his/her decision.

- 25.6 **IN ORDER TO CALL FOR A POINT OF ORDER, A SPECIFIC RULE NUMBER MUST BE NOTED OR IT IS CONSIDERED AN ABUSE OF A POINT OF ORDER.**

INCIDENTAL MOTIONS - REQUEST FOR INFORMATION

- Rule 26.1 A request for information generally applies to information desired from a speaker. **A POINT OF ORDER, REQUEST FOR INFORMATION, OR PARLIAMENTARY INQUIRY CANNOT INTERRUPT THE CHAIR OR ANOTHER MEMBER, WHO HAS BEEN PROPERLY RECOGNIZED TO SPEAK. THE CHAIR MAY STILL CALL MEMBERS TO ORDER.**
- 26.2 Its purpose is to help one understand the process and the potential consequences of the next voting.
- 26.3 A request for information cannot be ignored by the presiding officer, but the presiding officer – upon hearing the request – may decide whether the request is legitimate, and can proceed, or whether the speaker is misleadingly utilizing this motion to secure the floor for other purposes. The presiding officer must rule with either "proceed" or "denied" if the information is desired of a councilperson who is speaking, the presiding officer must inquire if the member will yield for a question and the councilperson may decide whether or not to yield.
- 26.4 A request for-information can be given with a very short explanation, but using this tactic as an opportunity to gain the floor is not allowed. Multiple abuses of use of point of information is cause for disciplinary action.

PUBLIC PARTICIPATION AND MAINTENANCE OF ORDER

MAINTENANCE OF ORDER AND DEBATE
(THE PUBLIC AND CITY COUNCIL ARE BOTH SUBJECT TO THE DISORDERLY

PERSON-PERSONS ORDINANCE SECTION 31-10 AND THE GENERAL CODE OF CONDUCT. ADDITIONALLY, THE CHAIR OR PRESIDING OFFICER HAS A RESPONSIBILITY AND DUTY TO ENFORCE THESE RULES AND SANCTIONS FOR THE PURPOSE OF MAINTENANCE OF ORDER. ONLY THE CHAIR OR PRESIDING OFFICER MAY DETERMINE AND RULE ON WHO/WHAT IS IN OR OUT OF ORDER. VIOLATIONS OF THIS RULE SHALL RESULT IN REMOVAL FROM THE MEETING.)

- Rule 27.1 No councilpersons shall leave their seats while a motion is on the floor. No councilpersons shall leave a meeting of the council without first having obtained leave to do so from the president, presiding officer or committee chair. If a councilperson leaves a meeting without having obtained this permission, the presiding officer is to assume the councilperson has left the meeting and will not, cannot, return without the presiding officer's permission. A councilperson who has left a meeting may not vote without having first obtained the presiding officer's permission to return to the meeting.
- 27.2 When a member has been called to order, the Chair shall determine whether or not he or she is in order. Every question of order shall be decided by the Chair subject to an appeal to the Council by any member. If a member is called to order for words spoken, the exceptional words shall be immediately taken down in writing so that the presiding officer or Council may be better able to judge the matter.
- 27.3 During any portion of any meeting, council members may not engage in any type of argumentative discourse with members of the audience, at any time, for any reason. Any council member or audience member who engages in this behavior during a meeting shall be removed from the meeting.
- 27.4 Only the presiding officer may call an individual (or staff member, or department head, etc.) Up to the podium (and/or table) to speak. Other council members would have to petition the presiding officer to make this request.
- 27.5 **FOR AGENDA ITEMS, THERE WILL BE AN UNTIMED QUESTION AND ANSWER (Q&A) PERIOD FOR DEPARTMENT HEADS AND OTHERS, BUT NO DEBATE OR GENERAL COMMENTS WILL BE ALLOWED DURING THAT TIME.**

RIGHT TO SPEAK IN DEBATE

- Rule 28.1 Every Councilperson and every person granted the privilege of speaking to the Council shall address all remarks to members of the Council and shall not speak until recognized.
- 28.2 When two or more Councilmembers address the Chair at the same time, the Chair shall name the Councilperson who is first to speak.
- 28.3 **DISCUSSION OF ANY MATTER (RESOLUTION, SPECIAL ORDER, ETC) WILL BE LIMITED TO FIVE (5) MINUTES TOTAL, PER MEMBER, ON ANY GIVEN ITEM, WITH MEMBERS PERMITTED TO RESERVE PART OF THEIR TIME TO SPEAK A SECOND TIME. NO FURTHER BANKING OF TIME AND NO YIELDING OF TIME IS PERMITTED.**
- 28.4 **DISCUSSION OR DEBATE ON ANY AGENDA ITEM (RESOLUTION, ORDINANCE, ETC) CANNOT TAKE PLACE UNLESS THERE IS A MOTION ON THE FLOOR.**

PUBLIC MEETINGS AND PARTICIPATION BY PUBLIC

- Rule 29.1 All meetings of the Council shall be open to the public in accordance with law.
- 29.2 If a member of the public wishes to address the City Council, they may do so at the regular City Council meeting. He or she shall submit, prior to the start of the meeting, a statement in writing containing his or her name and address and the topic to be covered. A box will be placed at the entrance to the Council Chambers for the collection of the statements.
- 29.3 Members of the public shall have no more than 3 minutes per speaker during public comment. Only one speaking opportunity per speaker. Numbered speaker slips will be provided prior to the start of a meeting to those wishing to speak during this portion of the agenda. No additional speakers or slips will be accepted after the meeting begins. City council members may not also address council as a member of the public at this time. Speakers may not allocate or "donate" their allotted time to another person.
- 29.4 If a member of the public is addressing the Council at a scheduled public hearing, he or she shall stand to obtain recognition by the President at the opening of the hearing or at the conclusion of the remarks of the previous speaker.

- 29.5 Members of the public shall have no more than 10 minutes to address the City Council during a public hearing.
- 29.6 Any person while being heard at a Council meeting may be called to order by the President or any Councilperson for failure to be germane, for vulgarity, for personal attack of persons or institutions, or for speaking in excess of the allotted time.
- 29.7 Any person who is called to order shall thereupon yield the floor until the President shall have determined whether he or she is in order. Every question of order shall be decided by the President subject to an appeal by any Councilperson to the Council. If a person so engaged in presentation shall be determined by the Council to be out of order, that person shall not be permitted to continue at the same meeting except on special leave of the Council.
- 29.8 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.

CONDUCT, ETHICS AND DISCIPLINARY ACTIONS

GENERAL CONDUCT AND STANDARDS OF CONDUCT

- Rule 30.1 Every councilperson is subject to the established rules of general conduct and the standards of conduct.

ETHICS

- Rule 31.1 Every councilperson is subject to the established rules of the City of Flint ethics ordinance.

DISCIPLINARY ACTIONS

- Rule 32.1 Every councilperson is subject to the established rules and disciplinary actions for violations of rules and City ordinances.

REVIEW OF CITY COUNCIL RULES

ANNUAL REVIEW OF CITY COUNCIL RULES

- Rule 33.1 Every December, the City Council shall place an item on the Special Affairs Committee agenda for a review of these rules.
- 33.2 At his/her own discretion, the council president may at any time appoint a committee and its members to review and offer revisions of city council rules.
- 33.3 The rules may be revised upon a 2/3 majority vote of city council members, per the City Charter. All council members are subsequently and immediately subject to the approved rules.
- 33.4 It is the responsibility and duty of the council president, vice president and all committee chairs to ensure that these rules are adhered to, and to apply the recommended disciplinary actions if they are not. Failure to do so is itself a violation of the rules and subjects the violator to disciplinary actions.

Rules Originally Adopted: May 10, 1976

1st Amendment Adopted: May 24, 2010

2nd Amendment Adopted: April 27, 2015

3rd Amendment Adopted: June 12, 2017

4th Amendment Adopted: November 23, 2020



PROPOSAL# 21000546

210040

RESOLUTION NO.:

JAN 23 2021

PRESENTED:

ADOPTED:

BY THE CITY ADMINISTRATOR:

**RESOLUTION TO WADE TRIM, INC. FOR
ROBERT T. LONGWAY REHABILITATION CONSTRUCTION ENGINEERING (CE)**

The Finance Department – Division of Purchases & Supplies solicited proposals for qualified engineers for Robert T. Longway Rehabilitation Construction Engineering (CE), as requested by the Department of Transportation.

Wade Trim, 555 S. Saginaw Street, Suite 201, Flint, MI 48502, was selected from four (4) proposals for said requirements as the best qualified firm. Staff Review is attached for details.

Funding for said services will come from the following accounts for FY21 (07/01/20 – 06/30/21):

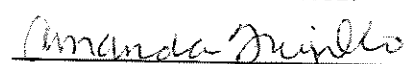
Account Number	Account Name	Amount
202-441.702-801.000	Major Street Fund	\$ 118,000.00
	FY21 GRAND TOTAL	\$118,000.00

IT IS RESOLVED, that the proper city officials are to do all things necessary to enter into a contract with Wade Trim for qualified engineers for Robert T. Longway Rehabilitation Construction Engineering (CE) in the amount not to exceed for FY21 (07/01/20 – 06/30/21) \$118,000.00.

APPROVED AS TO FORM:


Angela Wheeler, Chief Legal Officer

APPROVED AS TO FINANCE:


Amanda Trujillo, Acting Chief Financial Officer

FOR THE CITY OF FLINT:


Clyde Edwards, City Administrator

APPROVED BY CITY COUNCIL:


Kate Fields, City Council President

APPROVED AS TO PURCHASING:


Joyce A. McClane
Purchasing Manager



CITY OF FLINT

RESOLUTION STAFF REVIEW FORM

TODAY'S DATE: January 13, 2021

BID/PROPOSAL# 21-3960

AGENDA ITEM TITLE: Robert T. Longway Rehabilitation Construction Engineering (CE)

PREPARED BY Kathryn Neumann for John Daly

VENDOR NAME: Wade Trim, Inc.

BACKGROUND/SUMMARY OF PROPOSED ACTION:

The Purchasing Department received bids for Construction Engineering (CE) for overseeing the rehabilitation of Robert T. Longway, from Chavez to East Boulevard. This rehabilitation will include straightening out the lanes, resurfacing the road, concrete repairs and overlay, ADA sidewalk ramps and a 12" open-cut water main. The actual construction is an MDOT project and the construction company will be picked by MDOT through the bid process.

FINANCIAL IMPLICATIONS: There is money in the account listed below.

BUDGETED EXPENDITURE? YES ☒ NO ☐ IF NO, PLEASE EXPLAIN:

Dept.	Name of Account	Account Number	Grant Code	Amount
202	Major Street Fund	441.702-801.000		\$ 118,000.00
FY21 GRAND TOTAL				\$118,000.00

PRE-ENCUMBERED? YES ☒ NO ☐ **REQUISITION NO:** 21003960

ACCOUNTING APPROVAL: Kristie L. Troup **Date:** 1/13/21

WILL YOUR DEPARTMENT NEED A CONTRACT? YES ☒ NO ☐
(If yes, please indicate how many years for the contract)

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

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

DEPARTMENT HEAD SIGNATURE: John Daly
John Daly, Director of Transportation



SEALED PROPOSALS RECEIVED IN THE DIVISION OF PURCHASES & SUPPLIES
For Robert T. Longway Rehabilitation – CE Project
PROPOSAL #21000546

Approximate Annual Quantities – Not Guaranteed
Furnish as requested for the period 7/1/20 – 6/30/21

**Bidder #1: DLZ Michigan, Inc., (DLZ), 1425 Keystone Avenue
Lansing, MI 48911**

**Bidder #2: ROWE Professional Services Company, 540 S. Saginaw Street, Suite 200
Flint, MI 48502**

**Bidder #3: Spalding DeDecker Associates, Inc. DBA Spalding DeDecker, 905 South Blvd. E.
Rochester Hills, MI 48307**

**Bidder #4: Wade Trim, Inc., 555 S. Saginaw Street, Suite 201
Flint, MI 48502**

We are holding pricing until further notice.

A SPECIAL NOTE FROM THE PURCHASING DIVISION

Bid results posted are before evaluation team review and award recommendation.



**SEALED PROPOSALS RECEIVED IN THE DIVISION OF PURCHASES & SUPPLIES
For Robert T. Longway Rehabilitation – Construction Engineering Services
PROPOSAL #21000546**

Approximate Annual Quantities – Not Guaranteed
Furnish as requested for the period 7/1/20 – 6/30/21

FEE PROPOSAL

Wade Trim, Inc., 555 S. Saginaw Street, Suite 201, Flint, MI 48502

Fee Breakdown by Category	Fee
Task 001 Project Management & Contract Administration	\$ 14,000.00
Task 002 Progress Reporting & Website Maintenance	\$ 1,760.00
Task 003 Construction Inspection & Testing	\$ 89,160.00
Task 004 Survey & Staking	\$ 9,400.00
Task 005 Contract Closeout	\$ 3,680.00
Total Estimated Base Fee	\$118,000.00

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, applied overhead, direct costs, subconsultant costs, and applied fixed fee will be provided upon request, as necessary. Estimated Base Fee assumed for project duration of 12 weeks with inspection covering 60 hours per week as stated in RFP.

A SPECIAL NOTE FROM THE PURCHASING DIVISION

Bid results posted are before evaluation team review and award recommendation.



**WADE
TRIM**

Wade Trim, Inc.

555 S. Saginaw Street • Suite 201 • Flint, MI 48502

810.235.2555 • www.wadetrim.com

**Robert T. Longway Rehabilitation - Construction Engineering Services
Proposal #21000546
Fee Proposal
October 14, 2020**

CONSTRUCTION ENGINEERING SERVICES

Fee Breakdown by Category

**Task 001 Project Management & Contract Administration
Fee = \$14,000.00**

**Task 002 Progress Reporting & Website Maintenance
Fee = \$1760.00**

**Task 003 Construction Inspection & Testing
Fee = \$89,160.00**

**Task 004 Survey & Staking
Fee = \$9,400.00**

**Task 005 Contract Closeout
Fee = \$3680.00**

TOTAL ESTIMATED BASE FEE = \$118,000

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, applied overhead, direct costs, subconsultant costs, and applied fixed fee will be provided upon request, as necessary. Estimated Base Fee assumed for project duration of 12 weeks with inspection covering 60 hours per week as stated in RFP.



CITY OF FLINT

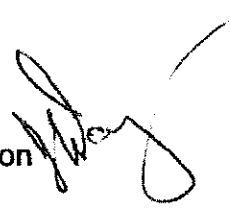
Department of Public Works & Utilities

Sheldon A. Neeley
Mayor

John H. Daly, III
Director of Transportation

January 13, 2021

TO: Joyce A. McClane
Purchasing Manager

FROM: John H. Daly
Director of Transportation 

SUBJECT: RECOMMENDATION – CE SERVICES FOR R.T. LONGWAY BLVD.,
PROPOSAL #21-546

I have carefully reviewed the proposals received for construction engineering services for the Robert T. Longway Blvd. rehabilitation. I am recommending the bidder with the highest score, Wade Trim, in the amount not to exceed \$118,000. Requisition 21-3960 has been pre-encumbered and the scoring sheet has been attached to the requisition.

If you have any questions or concerns, feel free to give me a call at ext. 2802.



RESOLUTION NO.: 210041
JAN 23 2021
PRESENTED: _____
ADOPTED: _____

RESOLUTION TO CITY COUNCIL FOR THE GENESEE HEALTHY START PROFESSIONAL SERVICES CONTRACT

BY THE CITY ADMINISTRATOR:

WHEREAS, in December 2020, the City of Flint was awarded grant for \$451,440.00, over a one-year period. The funding is allocated for the Genesee Healthy Start Professional Services Contract (Performance period July 1, 2020 – June 30, 2021);

WHEREAS, the primary strategy of Genesee Healthy Start Lead Expansion is to identify and provide health services to determined cohort children and families, and continued coordination of parent advisory group, of those impacted by the Flint Water Emergency by promoting the recovery of various health barriers through implementation of public health outreach and resident health management strategies.

WHEREAS, the Genesee County Health Department's mission is to improve the health of Genesee County residents by being proactive in preventing health disparities and by mitigating health related illnesses.

WHEREAS, the Genesee County Health Department is the established Genesee Healthy Start Lead Expansion implementation program manager as approved by the Health Resources Services Administration (HRSA), authorized work plan, with an established role as convener of the Genesee County Board of Health and a success record partnering with multiple community agencies to implement community-driven recovery strategies in response to the Flint Water Crisis.

WHEREAS, the Genesee County Health Department will enter a performance-based MOU over the duration of the grant program, providing program implementation, serve as the neutral convener of the Genesee Healthy Start Lead Expansion, and coordinate integration and collaboration with community-based partners.

IT IS RESOLVED that the appropriate City Officials are authorized to do all things necessary to enter into a contract with Genesee County Health Department in the amount not-to-exceed \$451,440.00 over the final 12 month grant period, July 1, 2020 until June 30, 2021.

Approved as to Form:



Angela Wheeler, Chief Legal Officer

Approved as to Finance:



Amanda Trujillo, Acting Finance Director



Clyde D. Edwards, City Administrator

Kate Fields, Council President

RESOLUTION STAFF REVIEW

Date: January 19, 2021

Agenda Item Title:

RESOLUTION TO CITY COUNCIL FOR THE GENESEE HEALTHY START PROFESSIONAL SERVICES CONTRACT.

Prepared by:

Billie Mitchell, Manager of Public Health

Background/Summary of Proposed Action:

The purpose of this resolution is to award a contract to the Genesee County Health Department for program implementation of the Genesee Healthy Start Lead Expansion grant

Included in this process:

- Lead the implementation of Genesee Healthy Start Lead Expansion grant in collaboration with the City of Flint's Office of Public Health.
- Assist with the integration of Genesee Healthy Start Lead Expansion health-based implementation programs by promoting collective impact work with cohort families to advance the project's goals and objectives.
- Continue coordination of the Parent Advisory Board.
- Oversee data collection and reporting from the collective of community-implemented programs and services.

Excluded from this process:

- No known exclusions

Financial Implications:

The \$451,440.00 will be encumbered from the Professional Services line in the Genesee Healthy Start Lead Expansion budget: 296-171.510-801.000; Grant Code FUSDHHS-18.

Budgeted Expenditure: Yes ___ No X **Please explain, if no: This increase in funds was approved by GCHD after the budget was adopted.**

Pre-encumbered: Yes ___ No X **Requisition #:** _____

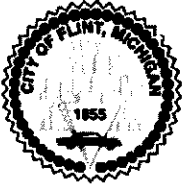
Other Implications: No other implications are known at this time.

Staff Recommendation:

Staff recommends approval of this resolution.

APPROVAL _____

Account Number & Grant Code	Account Name	Amount
GL# 296-171.510-801.00 Grant Code: FUSDHHS-18	Genesee Healthy Start Lead Expansion	\$451,440.00



RESOLUTION NO.:

210042

PRESENTED:

JAN 23 2021

ADOPTED:

Resolution entering into a grant agreement with the Flint Police Foundation as a sub-grantee to the Enhanced and Integrated Blight Elimination and Community Policing grant.

BY THE CITY ADMINISTRATOR:

The Police Foundation was awarded the Enhanced and Integrated Blight Elimination and Community Policing grant to provide services to the citizens residing in the City of Flint neighborhoods. This grant includes increasing community involvement in blight elimination with the assistance of the City of Flint's Neighborhood Safety Officers.

The Enhanced and Integrated Blight Elimination and Community Policing grant is a one year grant with the grant period April 01, 2020 through March 31, 2021. Total grant funding is \$210,000.00 with the City of Flint Police Departments portion being \$97,000.00 which will be used to cover existing Neighborhood Safety Officers (NSO's).

Accounts being used to set up the grant upon approval are: 296-315.704-702.000, 296-315.704-708.000, 296-315.704-709.000, 296-315.704-711.000, 296-315.704-716.100, 296-315.704-717.100, 296-315.704-718.000, 296-315.704-732.000, 296-315.704-733.000, 296-315.704-734.000, 296-315.704-735.000, 296-315.704-725.000 and 296-315.704-580.000 under the grant module account PRMF-BECP20.

THEREFORE BE IT RESOLVED, That the appropriate city officials are hereby authorized to do all things necessary to enter into the Enhanced and Integrated Blight Elimination and Community Policing Grant agreement by and between the City of Flint and the Flint Police Foundation, to obtain funds in the amount of \$97,000, for the period of April 1, 2020 through March 31, 2021.

BE IT FURTHER RESOLVED, That the funds in the amount of \$97,000.00 available from this grant, be recognized as received by the City of Flint, and that said appropriation be made to the City of Flint Grant Fund (296FD) to be used solely for the above stated purpose as set forth in the grant agreement and related documents.

APPROVED AS TO FORM:

Angela Wheeler

Angela Wheeler, Chief Legal Officer

APPROVED AS TO FINANCE:

Amanda Trujillo

Amanda Trujillo (Jan 14, 2021 07:47 EST)

Amanda Trujillo, Acting Chief Finance Officer

FOR THE CITY OF FLINT:

Clyde D. Edwards

Clyde D. Edwards (Jan 14, 2021 21:29 EST)

Clyde Edwards, City Administrator

APPROVED BY CITY COUNCIL:

Kate Fields, City Council President

RESOLUTION STAFF REVIEW FORM

DATE: 11/09/20

Agenda Item Title: Enhanced and Integrated Blight Elimination and Community Policing Grant

Prepared By: Rick Johnson, Police Financial Coordinator

Background/Summary of Proposed Action: The Police Foundation was awarded the Enhanced and Integrated Blight Elimination and Community Policing Grant to provide services to the citizens residing in the City of Flint. This provides services to the citizens residing in the City of Flint neighborhood. This grant includes increasing community involvement in blight elimination with the assistance of the City of Flint Neighborhood Safety Officers.

The Enhanced and Integrated Blight Elimination and Community Policing Grant is a one year grant with the grant period April 01, 2020 through March 31, 2021. Total grant funding is \$210,000.00 with the City of Flint Police Departments porting being \$97,000.00 which will be use to cover the existing Neighborhood Safety Officers wages and fringes

Financial Implications: Neighborhood Safety Officers wages and direct fringes will be fully refundable from the Grant.

Requested Expenditure: Yes ___ No X Please explain, if no: Requesting approval to enter into the grant agreement with the Flint Police Foundation and upon approval to have the Revenue and Appropriation set-up at that time.

Account #: Revenue: 296-315.704-580.000 PRMF-BECP20
Expenses: 296-315.704-702.000 PRMF-BECP20
296-315.704-708.000 PRMF-BECP20
296-315.704-709.000 PRMF-BECP20
296-315.704-711.000 PRMF-BECP20
296-315.704-716.100 PRMF-BECP20
296-315.704-717.100 PRMF-BECP20
296-315.704-718.000 PRMF-BECP20
296-315.704-732.000 PRMF-BECP20
296-315.704-733.000 PRMF-BECP20
296-315.704-734.000 PRMF-BECP20
296-315.704-735.000 PRMF-BECP20
296-315.704-725.000 PRMF-BECP20

mmf

Pre-encumbered: Yes ___ No X **Requisition #:**

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

Staff Recommendation: Recommend Approval

Staff Person: *Terence Green*
Terence Green, Chief of Police



February 25, 2020

Ruth Mott Foundation
APPLEWOOD

Mr. Max Chiddister
Executive Director
Flint Police Foundation
2125 Birchwood Ct
Traverse City, MI 49686

Dear Mr. Chiddister:

On behalf of the Board of Trustees of the Ruth Mott Foundation, it is my pleasure to inform you that a grant to Flint Police Foundation in the amount of \$210,000 has been approved for Enhanced and Integrated Blight Elimination and Community Policing. The grant period is 4/1/2020 to 3/31/2021.

Conditions

- An amount of \$140,000 will be paid upon receipt and approval of the prior final report due by 5/29/2020.
- Matching grant payments of up to \$70,000 total, with installments issued no more than once per quarter, will be paid based on adequate grant progress and receipt and approval of a fundraising report (due 30 days in advance of the expected payment date) indicating proof of 1:1 eligible matching funds from individual, corporate, foundation, or government agency donors. Eligible matching funds include those from new donors or increases from existing donors compared to the previous year. To be eligible, the funds used to achieve the match must be applied to this project.

Use of Funds

- The grantee agrees to use funds in accordance with the attached approved budget. The Ruth Mott Foundation must approve variances that exceed both \$1,000 and 20% over the budget line item amount 30 days in advance of the expenditure. Expenses related to any unapproved variances will be the responsibility of the grantee. Any unspent funds at the end of the grant period (over \$100) must be returned, so please talk with your program officer in advance if it appears funds may remain near the end of the grant. Grant period extensions should be requested 30 days in advance.
- The grantee warrants that funds will only be used for the purposes allowed by the IRS and other government agencies relating to grants from private foundations. No goods or services have been or will be provided to the Foundation or any of its trustees, officers, or family members.
- If the grantee's tax-exempt status changes or if funds are not used for the purposes described in your proposal, the Foundation reserves the right to have all remaining grant funds immediately returned. The Foundation also reserves the right to terminate the grant if the grantee is unable to carry out its purposes or breaches the terms of this grant agreement.

Communication

- The grantee will furnish to the Foundation any information concerning a change in the grantee's tax-exempt status. The Foundation will also be informed of any significant changes or updates regarding the program or the organization.
- The Foundation encourages grantees to make announcements of grants upon return of the signed commitment letter and to make mention of the Ruth Mott Foundation. However, we require the opportunity to read and approve in advance all publications, press releases, online communications, or other public announcements that make mention of the Ruth Mott Foundation and/or this grant award.

Reporting

- The grantee will provide a final report within one month of the end of the grant. Details of what should be included in the report are attached.

Please acknowledge your agreement with the terms of this letter by signing and returning a copy as soon as possible.

The Ruth Mott Foundation is proud to support your mission. Your program officer will continue to be available as a resource to you throughout the life of this grant. Thank you for your good work!

Sincerely,



Raquel Thueme
President

Accepted By

Name of President/CEO:

Mr. Max Chiddister

Signature President/CEO:

Date Signed:

Name of Board Chair:

Mr. Mike Buckel

Signature of Board Chair:

Date Signed:

2-25-2020

Attachments

- Reporting requirements
- Approved budget

Reporting Requirements

Interim Report Due Dates: 7/15/2020, 10/15/2020, and 12/15/2020

Final Report Due Date: 4/30/2021

You will be required to submit interim and final reports to the Foundation. The interim and final reports should include the items below:

- **A Narrative Report that includes the specific items listed in Section One below.**
- **A Financial Report showing how grant funds were spent compared to the approved budget. See Section Two below for specific requirements.**

Section One

The following items must be included in the narrative report:

- 1. An overview of the primary activities conducted during the program, including the number of property visits made by Neighborhood Service Officers (NSOs), the number of blight warnings made, citations issued, cases heard by the Administrative Hearings Bureau, the disposition of cases, and the amount of fees collected through the Administrative Hearings Bureau process.**
- 2. A summary of additional work done to implement the Comprehensive Code Enforcement Strategy and ensure the continued operability of the Flint Property Portal. Please include efforts to ensure coordination between the Flint Police Foundation and key partners, such as the City of Flint and Genesee County Land Bank.**
- 3. Grant outcomes including data reported through the Trus Impact platform. For reference, the outcomes for this grant are:
 - a. Improved property conditions***
 - b. Reduced crime (violent, property, and arson)*****
- 4. Key program observations and lessons learned for the future.**
- 5. A description of plans to sustain the program beyond the Ruth Mott Foundation's support and a summary of all fund development efforts. Please include an update on the Flint Police Foundation's efforts to increase revenue from other sources to ensure that at minimum one-third of its annual income is from public sources (as opposed to from private foundations).**

Section Two

The following items must be included in the financial report:

- a. Actual expenditures against the approved budget by line item for the reporting period. In the case of unspent funds, please explain the variance between the total funding received and the total approved budget.**
- b. Summary of all approved variances that occurred during the grant.**
- c. Summary of all cash and in-kind project support received during the reporting period. Please identify source, amount, and any relevant restrictions.**

Please contact your program officer if you have questions regarding your final report.

Total Project Budget



Organization: Flint Police Foundation					
Project Title: Enhanced and Integrated Blight Elimination and Community Policing					
Line Item	Explanation (include hours & rate for employees/contracted services)	Amount Requested from RMF	Amount Allocated	Amount Provided by Others*	Total Project Budget
NSOs	Wages and fringe benefits	\$ 97,000		\$ 180,000	\$ 479,000
Other Code Enforcement Administration	Wages, equipment, and professional services			\$ 430,000	\$ 430,000
Blight Elimination	Neighborhood cleanup support, demolition, emergency home repairs, owner-occupied rehabilitation			\$ 1,525,917	\$ 1,525,917
Community Policing to Support Blight Elimination	Choice Neighborhoods Safety Program			\$ 323,118	\$ 323,118
Increased Enforcement and Collections of Blight Violations	Support for administration and implementation of comprehensive code enforcement action plan	\$ 65,000			\$ 65,000
Flint Property Portal	Project enhancement, communication, engagement, management, and maintenance	\$ 15,000		\$ 70,000	\$ 85,000
Supplies	Office supplies for NSOs and supplies for community trainings			\$ 10,000	\$ 10,000
Data Analysis	Contract	\$ 30,000	\$ 202,000		\$ 30,000
FPF Administrative Cost		\$ 21,000	\$ 8,000		\$ 29,000
Total		\$ 228,000	\$ 210,000	\$ 2,510,935	\$ 2,977,935



RESOLUTION NO.:

210043

PRESENTED:

JAN 23 2021

ADOPTED:

**RESOLUTION APPROVING PAYMENT OF CASE EVALUATION AWARD IN
NORRIS V. CITY OF FLINT**

BY THE CITY ADMINISTRATOR:

Executive Session was held in this matter on January 11, 2020; and

All parties accepted the case evaluation award in this matter in the amount of \$45,000; and

Although the City of Flint admits no liability in the claims filed by Norris, the Department of Law recommends payment of the case evaluation award in this matter.

IT IS RESOLVED that the City Administrator is hereby authorized to pay the case evaluation award in the matter of *Norris v. City of Flint et al*, Genesee County Circuit Court Case No. 19-112187, in the amount of \$45,000, in satisfaction of any and all claims arising out of said matter. Payment shall be drawn from appropriated funds in the Litigation and Suits line item 677-266.200-956.300.

APPROVED AS TO FORM:

Angela Wheeler, Chief Legal Officer

APPROVED AS TO FINANCE:

Amanda Trujillo, Acting Finance Director

FOR THE CITY OF FLINT:

Clyde Edwards, City Administrator

APPROVED BY CITY COUNCIL:

Kate Fields, City Council President



CITY OF FLINT

RESOLUTION STAFF REVIEW FORM

TODAY'S DATE: 1/20/2021

BID/PROPOSAL# N/A

AGENDA ITEM TITLE: Resolution Approving Payment of Case Evaluation Award in Norris v City of Flint

PREPARED BY ACA William Kim, Department of Law
(Please type name and Department)

VENDOR NAME: N/A

BACKGROUND/SUMMARY OF PROPOSED ACTION:

Resolution authorizing payment of the case evaluation award in Norris v CoF, GCCC Case No. 19-112187, in the amount of \$45,000.00. City Council was briefed on this case during closed session on January 11, 2021.

FINANCIAL IMPLICATIONS: Payment shall be drawn from appropriated funds in the Litigation and Suits line item 677-266.200-956.300

BUDGETED EXPENDITURE? YES ☒ NO ☐ IF NO, PLEASE EXPLAIN:

WILL YOUR DEPARTMENT NEED A CONTRACT? YES ☐ NO ☒

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

DEPARTMENT HEAD SIGNATURE: _____

Angela Wheeler

(PLEASE TYPE NAME, TITLE)



RESOLUTION NO.:

200518.1

PRESENTED:

JAN 23 2021

ADOPTED:

**RESOLUTION RECOMMENDING ADOPTION OF THE 5-YEAR UPDATE TO THE
PARKS MASTER PLAN**

BY THE CITY ADMINISTRATOR:

WHEREAS, The City of Flint Master Plan has set goals to provide and maintain a balanced and equitable system of parks and recreation for all citizens of the City of Flint; and

WHEREAS, The City of Flint is dedicated to providing affordable, quality recreational facilities and programs to all citizens of the City of Flint; and

WHEREAS, The City of Flint has engaged the community many times through a series of community meetings, planning meetings, and visioning sessions through 2018-2019, and as a result of this community input has drafted an update to the City of Flint's 2013-2017 Parks and Recreation Plan; so

IT IS RESOLVED that appropriate City officials are authorized to do all things necessary to adopt the 5-Year Update to the Parks Master Plan.

APPROVED AS TO FORM:

Angela Wheeler
Chief Legal Officer

ADMINISTRATION:

Clyde Edwards
City Administrator

CITY COUNCIL:

Kate Fields
City Council President



CITY OF FLINT

(If yes, please indicate how many years for the contract)

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

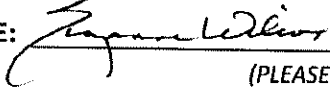
BUDGET YEAR 1

BUDGET YEAR 2

BUDGET YEAR 3

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

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

DEPARTMENT HEAD SIGNATURE:  Director Dept of Planning and Development
(PLEASE TYPE NAME, TITLE)

210044

ORDINANCE NO. _____

An Ordinance to amend the Flint City Code of Ordinances by amending Chapter 50, Zoning.

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 50, Zoning, Article I, In General, by repealing said Article and adopting Article I, Title, Purpose and Scope, which shall read in its entirety as follows:

ARTICLE 1 TITLE, PURPOSE AND SCOPE

§ 50-01. TITLE.

THIS CHAPTER SHALL BE KNOWN AS THE "ZONING ORDINANCE" OF THE CITY OF FLINT, MICHIGAN.

§ 50-02. AUTHORITY

THIS CHAPTER IS ENACTED PURSUANT TO THE AUTHORITY GRANTED BY THE MICHIGAN ZONING ENABLING ACT 12 OF THE PUBLIC ACTS OF 2008, AS AMENDED.

§ 50-03. PURPOSE AND INTENT

THIS CHAPTER IS NECESSARY TO PROMOTE THE PUBLIC HEALTH, SAFETY, MORALS AND GENERAL WELFARE OF THE CITY OF FLINT (CITY) AS WELL AS TO:

A. MEET THE NEEDS OF THE CITY'S CITIZENS FOR FOOD, FIBER, ENERGY AND OTHER NATURAL RESOURCES;

B. PROVIDE PLACES FOR RESIDENCE, RECREATION, INDUSTRY, TRADE, SERVICES, AND OTHER USES OF LAND;

C. ENSURE USES OF LAND ARE SITUATED IN APPROPRIATE LOCATIONS;

D. LIMIT INAPPROPRIATE OVERCROWDING OF LAND AND CONGESTION OF POPULATION, TRANSPORTATION SYSTEMS AND NETWORKS, AND OTHER PUBLIC FACILITIES;

E. FACILITATE ADEQUATE, EFFICIENT AND SUSTAINABLE PUBLIC INFRASTRUCTURE AND SYSTEMS FOR TRANSPORTATION, SANITARY AND STORM SEWAGE COLLECTION AND DISPOSAL, POTABLE WATER, RECREATION AND OTHER PUBLIC SERVICES AND AMENITIES FOR ALL OF FLINT;

F. PROMOTES THE SOCIALLY EQUITABLE DEVELOPMENT OF OUR BUILT AND NATURAL ENVIRONMENTS;

G. PROMOTE A BALANCED SUPPLY OF COMMERCIAL, INDUSTRIAL, INSTITUTIONAL AND TRANSPORTATION LAND USES THAT ARE COMPATIBLE WITH ADJACENT LAND USES AND HAVE GOOD ACCESS TO PUBLIC INFRASTRUCTURE;

H. PRESERVE THE OVERALL QUALITY OF LIFE FOR RESIDENTS AND VISITORS;

I. PROTECT THE CHARACTER

**AND QUALITY OF
ESTABLISHED RESIDENTIAL
NEIGHBORHOODS;**

- J. ALLOW FOR AND ADVANCE
INNOVATION IN NEW
RESIDENTIAL
DEVELOPMENT AND
REDEVELOPMENT THAT
MEETS THE DEMAND FOR
HOUSING WITH A GREATER
VARIETY IN THE TYPE AND
DESIGN OF DWELLINGS;**
- K. ALLOW FOR AND ADVANCE
INNOVATION IN INDUSTRY
AND COMMERCE IN A WAY
THAT IS COMPATIBLE WITH
EXISTING AND ANTICIPATED
FUTURE DEVELOPMENT;**
- L. MAINTAIN AND ENHANCE
ECONOMICALLY VIBRANT
AS WELL AS ATTRACTIVE
BUSINESS AND
COMMERCIAL AREAS;**
- M. IMPLEMENT THE THEMES,
POLICIES AND GOALS
CONTAINED IN OFFICIALLY
ADOPTED PLANS,
INCLUDING THE CITY OF
FLINT MASTER PLAN;**
- N. PROMOTE PEDESTRIAN,
BICYCLE AND PUBLIC
TRANSIT USE;**
- O. ENSURE ADEQUATE LIGHT,
AIR, PRIVACY, AND ACCESS
TO PROPERTY;**
- P. ENCOURAGE
ENVIRONMENTALLY
RESPONSIBLE
DEVELOPMENT PRACTICES;**
- Q. PROMOTE REHABILITATION
AND REUSE OF OLDER
BUILDINGS;**
- R. ESTABLISH CLEAR, FAIR
AND EFFICIENT**

**DEVELOPMENT REVIEW
AND APPROVAL
PROCEDURES; AND**

- S. ACCOMMODATE GROWTH
AND DEVELOPMENT THAT
COMPLIES WITH THE
PREVIOUSLY STATED
PURPOSES.**

§ 50-04. EFFECTIVE DATE

**THIS CHAPTER SHALL TAKE
EFFECT UPON PUBLICATION.**

§ 50-05. APPLICABILITY

**THIS CHAPTER IS APPLICABLE TO
ALL LAND LOCATED WITHIN THE
CITY. ZONING AFFECTS EVERY
BUILDING, STRUCTURE AND USE
AND EXTENDS VERTICALLY. NO
BUILDING OR STRUCTURE, OR PART
THEREOF, SHALL HEREAFTER BE
ERECTED, CONSTRUCTED,
ALTERED, MAINTAINED OR USED,
AND NO NEW USE OR CHANGE
SHALL BE MADE TO ANY BUILDING,
STRUCTURE OR LAND, OR PART
THEREOF, EXCEPT IN CONFORMITY
WITH THIS CHAPTER. ALL LANDS,
BUILDINGS, AND USES IN A ZONE
DISTRICT SHALL BE SUBJECT,
WHERE APPLICABLE, TO THE
PROVISIONS OF THIS CHAPTER.**

§ 50-06. VESTED RIGHTS

**NOTHING IN THIS CHAPTER SHALL
BE INTERPRETED OR CONSTRUED
TO GIVE RISE TO PERMANENT
VESTED RIGHTS IN THE
CONTINUATION OF ANY
PARTICULAR USE, DENSITY, ZONE
DISTRICT OR PERMISSIBLE
ACTIVITY THEREIN. ALL LAND,
BUILDINGS, STRUCTURES, USES AND**

DESIGNATIONS ARE HEREBY DECLARED TO BE SUBJECT TO SUCH SUBSEQUENT AMENDMENT, CHANGE OR MODIFICATION AS MAY BE NECESSARY FOR THE PRESERVATION OR PROTECTION OF THE PUBLIC HEALTH, SAFETY AND WELFARE.

§ 50-07. RELATIONSHIP TO THE CITY MASTER PLAN

THE ADMINISTRATION, ENFORCEMENT AND AMENDMENT OF THIS CHAPTER SHALL BE CONSISTENT WITH THE CITY MASTER PLAN, AND ANY ADOPTED AREA SPECIFIC PLANS. IN THE EVENT THIS CHAPTER BECOMES INCONSISTENT WITH THE AFOREMENTIONED PLANS, THEN THIS CHAPTER SHALL BE AMENDED WITHIN A REASONABLE TIME TO BECOME OR REMAIN CONSISTENT IN COMPLIANCE WITH STATE LAW.

§ 50-08. RELATIONSHIP TO OTHER LAWS AND AGREEMENTS

A. OTHER PUBLIC LAWS, ORDINANCES, REGULATIONS OR PERMITS. THIS CHAPTER IS INTENDED TO COMPLEMENT OTHER MUNICIPAL, STATE AND FEDERAL REGULATIONS THAT AFFECT LAND USE. WHERE CONDITIONS, STANDARDS OR REQUIREMENTS IMPOSED BY ANY PROVISION OF THIS CHAPTER ARE MORE RESTRICTIVE THAN COMPARABLE STANDARDS IMPOSED BY OTHER REGULATIONS, THE PROVISIONS OF THIS CHAPTER SHALL GOVERN.

B. PRIVATE AGREEMENTS. THIS CHAPTER IS NOT INTENDED TO REVOKE OR REPEAL ANY EASEMENT, COVENANT OR OTHER PRIVATE AGREEMENT; PROVIDED, HOWEVER, THAT WHERE THIS CHAPTER IMPOSES A GREATER RESTRICTION OR IMPOSES HIGHER STANDARDS OR REQUIREMENTS, THE PROVISIONS OF THIS CHAPTER SHALL CONTROL. NOTHING IN THIS CHAPTER SHALL MODIFY OR REPEAL ANY PRIVATE COVENANT OR DEED RESTRICTION, BUT SUCH COVENANT OR RESTRICTION SHALL NOT EXCUSE ANY FAILURE TO COMPLY WITH THIS CHAPTER. THE CITY SHALL NOT BE OBLIGATED TO ENFORCE THE PROVISIONS OF ANY EASEMENTS, COVENANTS, OR AGREEMENTS BETWEEN PRIVATE PARTIES.

§ 50-09. CONFLICTS BETWEEN CHAPTER STANDARDS

IN CASES WHERE TWO OR MORE STANDARDS IN THIS CHAPTER CONFLICT WITH ONE ANOTHER, THE MORE RESTRICTIVE STANDARD SHALL NOT NECESSARILY CONTROL. RATHER, THE DIRECTOR OF PLANNING AND DEVELOPMENT, OR HIS/HER DESIGNEE, SHALL DETERMINE WHICH STANDARD CONTROLS BASED ON THE DEGREE TO WHICH A PARTICULAR STANDARD RESULTS IN:

A. GREATER CONSISTENCY WITH THE GOALS AND OBJECTIVES CONTAINED

WITHIN THE ADOPTED CITY
MASTER PLAN;

- B. MORE SUPPORTIVE OF THE
PURPOSES OF THIS CHAPTER
AS DESCRIBED IN SECTION
50.1.03.
- C. INCREASED COMPATIBILITY
WITH ADJACENT
DEVELOPMENT AND
SURROUNDING COMMUNITY
CHARACTER;
- D. ENHANCED
ENVIRONMENTAL QUALITY
AND NATURAL RESOURCES
PROTECTION;
- E. GREATER PROTECTION AND
PRESERVATION OF
HISTORIC AND CULTURAL
RESOURCES; AND
- F. HIGHER QUALITY OF
BUILDING FORM, DESIGN
AND/OR ARCHITECTURE.

**§ 50-10. HEADINGS AND
ILLUSTRATIONS**

HEADINGS AND ILLUSTRATIONS
ARE PROVIDED FOR CONVENIENCE
AND REFERENCE ONLY AND DO NOT
DEFINE OR LIMIT THE SCOPE OF
ANY PROVISION OF THIS CHAPTER.
IN THE CASE OF ANY DIFFERENCE
OF MEANING OR IMPLICATION
BETWEEN THE TEXT OF THIS
CHAPTER AND ANY HEADING,
DRAWING, TABLE, FIGURE, OR
ILLUSTRATION, THE TEXT SHALL
GOVERN.

§ 50-11. SEVERABILITY

- A. IF ANY COURT OF
COMPETENT JURISDICTION
INVALIDATES ANY
PROVISION OF THIS
CHAPTER, THEN SUCH

JUDGMENT SHALL NOT
AFFECT THE VALIDITY AND
CONTINUED ENFORCEMENT
OF ANY OTHER PROVISION
OF THIS CHAPTER.

- B. IF ANY COURT OF
COMPETENT JURISDICTION
INVALIDATES THE
APPLICATION OF ANY
PROVISION OF THIS
CHAPTER TO A PARTICULAR
PROPERTY, STRUCTURE, OR
SITUATION, THEN SUCH
JUDGMENT SHALL NOT
AFFECT THE APPLICATION
OF THAT PROVISION TO ANY
OTHER BUILDING,
STRUCTURE, OR SITUATION
NOT SPECIFICALLY
INCLUDED IN THAT
JUDGMENT.

- C. IF ANY COURT OF
COMPETENT JURISDICTION
JUDGES INVALID ANY
CONDITION ATTACHED TO
THE APPROVAL OF A
DEVELOPMENT REVIEW
APPLICATION, THEN SUCH
JUDGMENT SHALL NOT
AFFECT ANY OTHER
CONDITIONS OR
REQUIREMENTS ATTACHED
TO THE SAME APPROVAL
THAT ARE NOT
SPECIFICALLY INCLUDED IN
THAT JUDGMENT.

- D. WHENEVER A CONDITION
OR LIMITATION IS
INCLUDED IN AN
ADMINISTRATIVE ACTION
AUTHORIZING
REGULATORY ACTIVITY,
THEN IT SHALL BE
CONCLUSIVELY PRESUMED
THAT THE AUTHORIZING
OFFICER, COMMISSION, OR
BOARD CONSIDERED SUCH
CONDITION OR LIMITATION
NECESSARY TO CARRY OUT
THE SPIRIT AND INTENT OF

THIS CHAPTER, AND THAT THE OFFICER, COMMISSION, OR BOARD WOULD NOT HAVE GRANTED THE AUTHORIZATION TO WHICH THE CONDITION OR LIMITATION PERTAINED EXCEPT IN BELIEF THAT THE CONDITION OR LIMITATION WAS LAWFUL.

§ 50-12. TRANSITIONAL PROVISIONS

THE PURPOSE OF TRANSITIONAL PROVISIONS IS TO RESOLVE THE STATUS OF PROPERTIES WITH PENDING APPLICATIONS OR RECENT APPROVALS AND PROPERTIES WITH OUTSTANDING VIOLATIONS PRIOR TO THE EFFECTIVE DATE OF THIS CHAPTER.

A. PROCESSING OF APPLICATIONS. APPLICATIONS, RE-APPLICATIONS OR REQUESTS THAT WERE SUBMITTED IN COMPLETE FORM AND ARE PENDING APPROVAL BEFORE [INSERT ADOPTION DATE OF NEW CODE], SHALL BE GOVERNED EXCLUSIVELY BY THE PREVIOUS CHAPTER ORIGINALLY ENACTED ON [INSERT ADOPTION DATE OF CURRENT ORDINANCE] (KNOWN AS "PREVIOUS CHAPTER") UNTIL [INSERT ADOPTION DATE OF NEW CODE], AND ON THAT DATE AND THEREAFTER EXCLUSIVELY BY THIS CHAPTER. ALL DEVELOPMENT APPLICATIONS, RE-APPLICATIONS OR REQUESTS SUBMITTED ON OR AFTER [INSERT ADOPTION DATE OF NEW

CODE], SHALL BE SUBJECT TO AND REVIEWED WHOLLY UNDER THE TERMS OF THIS CHAPTER.

B. APPROVED PROJECT. ANY BUILDING, DEVELOPMENT OR STRUCTURE FOR WHICH A FINAL BUILDING PERMIT WAS ISSUED BEFORE [INSERT ADOPTION DATE OF NEW CODE] MAY BE COMPLETED IN CONFORMANCE WITH THE ISSUED BUILDING PERMIT AND OTHER APPLICABLE PERMITS AND CONDITIONS, EVEN IF SUCH BUILDING, DEVELOPMENT OR STRUCTURE DOES NOT FULLY COMPLY WITH PROVISIONS OF THIS CHAPTER. IF CONSTRUCTION IS NOT COMMENCED AND DILIGENTLY PURSUED WITHIN THE TIME ALLOWED UNDER THE ORIGINAL PERMIT OR ANY EXTENSION GRANTED, THEN THE BUILDING, DEVELOPMENT OR STRUCTURE MUST BE CONSTRUCTED, COMPLETED AND OCCUPIED ONLY IN STRICT COMPLIANCE WITH THE STANDARDS OF THIS CHAPTER.

C. VIOLATION CONTINUES. ANY VIOLATION IN EXISTENCE PRIOR TO THE EFFECTIVE DATE OF THIS CHAPTER SHALL CONTINUE TO BE A VIOLATION UNDER THIS CHAPTER AND BE SUBJECT TO PENALTIES AND ENFORCEMENT. HOWEVER, IF THE USE, DEVELOPMENT, CONSTRUCTION OR OTHER ACTIVITY THAT WAS A VIOLATION PRIOR TO THE EFFECTIVE DATE OF THIS

CHAPTER COMPLIES WITH THE EXPRESS TERMS OF THIS CHAPTER, ENFORCEMENT ACTION SHALL CEASE, EXCEPT TO THE EXTENT OF COLLECTING PENALTIES FOR VIOLATIONS THAT OCCURRED BEFORE THE EFFECTIVE DATE OF THIS CHAPTER. THE ADOPTION OF THIS CHAPTER DOES NOT AFFECT NOR PREVENT ANY PENDING OR FUTURE PROSECUTION OF, OR ACTION TO ABATE, VIOLATIONS THAT OCCURRED BEFORE THE EFFECTIVE DATE OF THIS CHAPTER.

- D. NONCONFORMITY. ANY NONCONFORMITY IN EXISTENCE PRIOR TO THE EFFECTIVE DATE ON THIS CHAPTER SHALL ALSO BE A NONCONFORMITY UNDER THIS CHAPTER, AS LONG AS THE SITUATION THAT RESULTED IN THE NONCONFORMING STATUS CONTINUES TO EXIST. IF, HOWEVER, A NONCONFORMING SITUATION IN EXISTENCE PRIOR TO THE EFFECTIVE DATE ON THIS CHAPTER BECOMES CONFORMING BECAUSE OF THE ADOPTION OF THIS CHAPTER, OR ANY SUBSEQUENT AMENDMENT, THEN THE SITUATION SHALL NO LONGER BE CONSIDERED A NONCONFORMITY. A SITUATION THAT DID NOT CONSTITUTE A NONCONFORMING SITUATION PRIOR TO THE EFFECTIVE DATE OF THIS CHAPTER DOES NOT ACHIEVE NONCONFORMING STATUS UNDER THIS

CHAPTER MERELY BY REPEAL OF THE PREVIOUS CHAPTER.

E. EXISTING USE.

1. WHEN A USE CLASSIFIED AS A SPECIAL LAND USE UNDER THIS CHAPTER EXISTED AS AN APPROVED CONDITIONAL USE OR PERMITTED USE PRIOR TO THE EFFECTIVE DATE OF THIS CHAPTER, SUCH USE SHALL BE CONSIDERED A LEGAL SPECIAL LAND USE EXCEPT AS OTHERWISE EXPRESSLY PROVIDED IN THIS SECTION.
2. WHEN ANY AMENDMENT TO THIS CHAPTER ALTERED THE CLASSIFICATION OF A PERMITTED USE TO A SPECIAL LAND USE, ANY USE LEGALLY ESTABLISHED BEFORE SUCH AMENDMENT SHALL BE CONSIDERED A LEGAL SPECIAL LAND USE ON AND AFTER THE EFFECTIVE DATE OF SUCH AMENDMENT.
3. A LAWFULLY ESTABLISHED,

EXISTING USE
THAT IS NOT
ALLOWED AS A
SPECIAL LAND USE
OR A PERMITTED
USE IN THE ZONE
DISTRICT IN WHICH
THE USE IS NOW
LOCATED SHALL
BE CONSIDERED A
NONCONFORMING
USE AND SHALL BE
SUBJECT TO ALL
APPLICABLE
REGULATIONS.

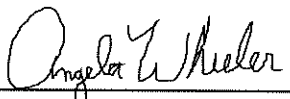
Sec. 2. The ordinances in this
Article shall become effective upon
publication.

Adopted this _____ day of
_____, 2021, A.D.

Sheldon A. Neeley, Mayor

Inez M. Brown, City Clerk

APPROVED AS TO FORM:



Angela Wheeler, Chief Legal Officer

S:\Ordinance Review\1.19.21_ARTICLE 1 TITLE,
PURPOSE AND SCOPE pc approved.docx

210045

ORDINANCE NO. _____

An Ordinance to amend the Flint City Code of Ordinances by amending Chapter 50, Zoning.

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 50, Zoning, Article II, A-1 Single-Family Low Density District, by repealing said Article and adopting Article II, Mapped Zone Districts, which shall read in its entirety as follows:

ARTICLE 2 MAPPED ZONE DISTRICTS

§ 50-13. PURPOSE AND INTENT

THIS ARTICLE ESTABLISHES SEVENTEEN (17) ZONING DISTRICTS THAT CORRESPOND TO DEVELOPMENT REGULATIONS INCLUDED THROUGHOUT THIS CHAPTER. DEVELOPMENT REGULATIONS DESCRIBED IN THIS ARTICLE OR SUBSEQUENT ARTICLES SHALL BE APPLIED TO THE ZONING DISTRICT(S) IDENTIFIED AS APPLICABLE FOR THAT REGULATION. IN INSTANCES WHERE A REGULATION IS NOT DESCRIBED AS APPLICABLE TO ONE OR MORE SPECIFIC ZONING DISTRICTS, IT SHALL BE APPLICABLE TO DEVELOPMENT IN ALL ZONING DISTRICTS.

§ 50-14. ZONE DISTRICTS

THE CITY OF FLINT IS HEREBY DIVIDED INTO THE FOLLOWING ZONING DISTRICTS:

Chapter 50-14. Zoning Districts		
Abbre	Zone District Name	§
Residential Zoning Districts		
GN-1	Green Neighborhood-Low Density	50-16
GN-2	Green Neighborhood-Medium Density	50-17
TN-1	Traditional Neighborhood – Low Density	50-18
TN-2	Traditional Neighborhood – Medium Density	50-19
MR-1	Mixed-Residential – Low Density	50-20
MR-2	Mixed-Residential – Medium Density	50-21
MR-3	Mixed-Residential – High Density	50-22
Commercial Zoning Districts		
NC	Neighborhood Center	50-23
CC	City Corridor	50-24
DE	Downtown – Edge	50-25
DC	Downtown – Core	50-26
Employment Districts		
CE	Commerce and Employment	50-27
PC	Production Center	50-28
GI-2	Green Innovation – High Intensity	50-29
Institutional/Innovation Districts		
IC	Institutional Campus	50-30
UC	University Core	50-31
GI-1	Green Innovation – Medium Intensity	50-32
Open Space Districts		
OS	Open Space	50-33

§ 50-15. ZONING MAP

A. BOUNDARIES. THE BOUNDARIES OF THESE CLASSIFICATIONS ARE HEREBY ESTABLISHED AS SHOWN ON A MAP ENTITLED "THE ZONING MAP OF THE CITY OF FLINT, MICHIGAN," WHICH IS INCORPORATED INTO AND MADE A PART OF THIS CHAPTER AND WHICH IS MAINTAINED BY THE DEPARTMENT OF PLANNING AND DEVELOPMENT.

B. INTERPRETATION OF BOUNDARIES. WHERE UNCERTAINTY EXISTS REGARDING THE BOUNDARIES OF A ZONE DISTRICT AS SHOWN ON THE OFFICIAL ZONING MAP, THE FOLLOWING RULES SHALL APPLY:

1. BOUNDARIES INDICATED AS

APPROXIMATELY
FOLLOWING THE
CENTERLINES OF
STREETS,
HIGHWAYS OR
ALLEYS SHALL BE
CONSTRUED TO
FOLLOW THOSE
CENTERLINES;

2. BOUNDARIES
INDICATED AS
APPROXIMATELY
FOLLOWING
PLATTED LOT
LINES SHALL BE
CONSTRUED AS
FOLLOWING THE
LOT LINES;

3. BOUNDARIES
INDICATED AS
APPROXIMATELY
FOLLOWING CITY
LIMITS SHALL BE
CONSTRUED AS
FOLLOWING CITY
LIMITS; AND

4. BOUNDARIES
INDICATED AS
FOLLOWING
SHORELINES
SHALL BE
CONSTRUED AS
FOLLOWING THE
SHORELINE, AND IN
THE EVENT OF
CHANGE IN
SHORELINE SHALL
BE CONSTRUED AS
MOVING WITH THE
SHORELINE.

5. IN
CIRCUMSTANCES
NOT COVERED BY
SUBSECTIONS B.1.
THROUGH B.4.
ABOVE, THE
DIRECTOR OF

PLANNING AND
DEVELOPMENT, OR
HIS/HER DESIGNEE,
SHALL INTERPRET
A ZONE DISTRICT
BOUNDARY AFTER
REVIEW OF THE
FOLLOWING:

I. LOT LINE AND
ZONE DISTRICT
PLACEMENT;

II. EXISTING LAND
USES;

III. STAFF MEMOS,
MINUTES AND
OTHER
INFORMATION
WHEN THE
DESIGNATION
WAS MADE; AND

IV. HISTORICAL
CONTEXT IN
THE
UNDERSTANDIN
G AND
TREATMENT OF
DISTRICT LINES.

C. WHERE CHANGES ARE
MADE IN A ZONE DISTRICT,
THOSE CHANGES SHALL BE
ENTERED ON THE OFFICIAL
ZONING MAP PROMPTLY
AFTER THE AMENDMENT TO
THIS CHAPTER HAS BEEN
APPROVED BY THE CITY
COUNCIL.

D. IN ANY CASE WHERE A
PROPERTY HAS NOT BEEN
SPECIFICALLY INCLUDED
WITHIN A ZONE DISTRICT, IT
IS HEREBY DECLARED TO BE
IN THE GN-1 (GREEN
NEIGHBORHOOD - LOW
DENSITY) DISTRICT.
PROVIDED, HOWEVER, THAT
WHERE PROPERTY
ANNEXED TO THE CITY HAS

BEEN RESTRICTED BY
PREVIOUS ZONING
REGULATIONS OF THE
FORMER MUNICIPALITY,
THOSE PROVISIONS SHALL
APPLY PENDING THE
ADOPTION OF CITY ZONING
REGULATIONS FOR THE
PROPERTY.

Sec. 2. The ordinances in this
Article shall become effective upon
publication.

Adopted this _____ day of
_____, 2021, A.D.

Sheldon A. Neeley, Mayor

Inez M. Brown, City Clerk

APPROVED AS TO FORM:



Angela Wheeler, Chief Legal Officer

S:\Ordinance Review\1.19.21_ARTICLE 2 MAPPED ZONE
DISTRICTS pc approved.docx

210046

ORDINANCE NO. _____

An Ordinance to amend the Flint City Code of Ordinances by amending Chapter 50, Zoning.

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 50, Zoning, Article III, A-2 Single-Family Medium Density District, by repealing said Article and adopting Article III, Residential Zone Districts, which shall read in its entirety as follows:

ARTICLE 3 RESIDENTIAL ZONE DISTRICTS

§ 50-16. GN-1 GREEN NEIGHBORHOOD-LOW DENSITY: PURPOSE AND INTENT

THE GN-1 GREEN NEIGHBORHOOD-LOW DENSITY DISTRICT IS INTENDED TO PROVIDE FOR THE INTEGRATION OF THE SIGNIFICANT AMOUNT OF LAND DEDICATED TO GREEN USES INCLUDING COMMUNITY GARDENS, SMALL-SCALE URBAN AGRICULTURE, AND SMALL OPEN SPACE AREAS. POCKETS OF TRADITIONAL SINGLE-FAMILY HOUSING MAY EXIST THROUGHOUT THE DISTRICT, INCLUDING SINGLE-FAMILY HOMES AND ESTATES THAT SIT ON LARGER LOTS CREATED BY ASSEMBLING TYPICALLY SIZED RESIDENTIAL LOTS IN THE DISTRICT.

§ 50-17. GN-2 GREEN NEIGHBORHOOD-MEDIUM DENSITY: PURPOSE AND INTENT

THE GN-2 GREEN NEIGHBORHOOD-MEDIUM DENSITY DISTRICT IS INTENDED TO ACCOMMODATE EXISTING RESIDENTIAL DEVELOPMENT ON EXISTING TYPICALLY SIZED LOTS, WHILE ALSO PROVIDING FOR THE INTEGRATION OF GREEN USES INCLUDING COMMUNITY GARDENS, SMALL-SCALE URBAN AGRICULTURE, AND SMALL OPEN SPACE AREAS. INDIVIDUAL RESIDENTIAL LOTS CAN BE CONSOLIDATED TO CREATE LARGER LOTS, OR REDEVELOPED WITH HOUSING THAT IS APPROPRIATE FOR THE SURROUNDING CONTEXT.

§ 50-18. TN-1 TRADITIONAL NEIGHBORHOOD-LOW DENSITY: PURPOSE AND INTENT

THE TN-1 TRADITIONAL NEIGHBORHOOD-LOW DENSITY DISTRICT IS INTENDED TO ACCOMMODATE LOW DENSITY NEIGHBORHOODS WHERE SINGLE-FAMILY HOMES ARE LOCATED UPON LARGER LOTS THAN IS TYPICAL OF THE DEVELOPMENT THAT PREDOMINATES IN THE COMMUNITY'S OTHER SINGLE-FAMILY NEIGHBORHOODS. VARIOUS NON-RESIDENTIAL USES THAT COMPLEMENT THE TRADITIONAL NEIGHBORHOOD INCLUDING SCHOOLS, COMMUNITY CENTERS, RELIGIOUS INSTITUTIONS, AND PARKS ARE PERMITTED ON A LIMITED SCALE.

**§ 50-19. TN-2 TRADITIONAL
NEIGHBORHOOD-MEDIUM
DENSITY: PURPOSE AND INTENT**

THE TN-2 TRADITIONAL NEIGHBORHOOD-MEDIUM DENSITY DISTRICT IS INTENDED TO ACCOMMODATE NEIGHBORHOODS OF MODERATE DENSITY, WHERE SINGLE-FAMILY HOMES ARE LOCATED UPON LOTS COMPARABLE IN DIMENSION TO THOSE TYPICALLY FOUND IN THE COMMUNITY'S OLDER ESTABLISHED NEIGHBORHOODS. SINGLE-FAMILY HOMES ARE THE PREDOMINANT USE, BUT TWO-FAMILY AND SINGLE-FAMILY ATTACHED DEVELOPMENT IS ALSO PERMITTED. VARIOUS NON-RESIDENTIAL USES THAT COMPLEMENT THE TRADITIONAL NEIGHBORHOOD INCLUDING SCHOOLS, COMMUNITY CENTERS, RELIGIOUS INSTITUTIONS, AND PARKS ARE PERMITTED ON A LIMITED SCALE.

**§ 50-20. MR-1 MIXED RESIDENTIAL-
LOW DENSITY: PURPOSE AND
INTENT**

THE MR-1 MIXED RESIDENTIAL-LOW DENSITY DISTRICT IS INTENDED TO ACCOMMODATE NEIGHBORHOODS WITH SMALL-LOT SINGLE-FAMILY DETACHED HOUSING, DUPLEXES, OR TOWNHOUSES. VARIOUS NON-RESIDENTIAL USES THAT COMPLEMENT THE TRADITIONAL NEIGHBORHOOD INCLUDING SCHOOLS, COMMUNITY CENTERS, RELIGIOUS INSTITUTIONS, AND

PARKS ARE PERMITTED ON A LIMITED BASIS.

**§ 50-21. MR-2 MIXED RESIDENTIAL-
MEDIUM DENSITY: PURPOSE AND
INTENT**

THE MR-2 MIXED RESIDENTIAL-MEDIUM DENSITY DISTRICT IS INTENDED TO ACCOMMODATE A HIGHER DENSITY DEVELOPMENT PRIMARILY CONSISTING OF ONE OR TWO-STORY MULTI-FAMILY STRUCTURES. IN MANY CASES, THIS MAY INCLUDE MULTI-FAMILY DEVELOPMENTS WITH SEVERAL STRUCTURES MAKING UP A "CAMPUS" WITH INTERNAL CIRCULATION, COMMON OPEN SPACE, AND OTHER SHARED AMENITIES. LIMITED COMMERCIAL USES MAY BE PERMITTED THAT SUPPORT THE DAY-TO-DAY NEEDS OF RESIDENTS. VARIOUS NON-RESIDENTIAL USES THAT COMPLEMENT THE MIXED RESIDENTIAL NEIGHBORHOOD INCLUDING SCHOOLS, COMMUNITY CENTERS, RELIGIOUS INSTITUTIONS, AND PARKS ARE PERMITTED ON A LIMITED SCALE.

**§ 50-22. MR-3 MIXED RESIDENTIAL-
HIGH DENSITY: PURPOSE AND
INTENT**

THE MR-3 MIXED RESIDENTIAL-HIGH DENSITY DISTRICT IS INTENDED TO ACCOMMODATE NEIGHBORHOODS OF THE HIGHEST DENSITY WITHIN THE COMMUNITY. MIXED-USE, MULTI-FAMILY STRUCTURES OF THREE OR MORE STORIES ARE THE PRIMARY USE. THIS DISTRICT IS CONCENTRATED IN AREAS SURROUNDING THE

DOWNTOWN AND IN AREAS WITH SIGNIFICANT ACCESS TO ALTERNATIVE MODES OF TRANSPORTATION AND TRANSIT-ORIENTED DEVELOPMENT IS ENCOURAGED. THIS DISTRICT CAN ALSO SERVE AS A TRANSITION BETWEEN LESS INTENSE RESIDENTIAL DEVELOPMENT AND MORE INTENSE COMMERCIAL AND EMPLOYMENT DISTRICTS. THESE AREAS MAY INCLUDE SMALLER RETAILERS AND SERVICE PROVIDERS THAT CLUSTER AT KEY INTERSECTIONS IN THE DISTRICT OR LOCATE ON THE GROUND FLOOR WITHIN MORE PROMINENT MULTI-FAMILY BUILDINGS. VARIOUS NON-RESIDENTIAL USES THAT COMPLEMENT THE MIXED RESIDENTIAL NEIGHBORHOOD INCLUDING SCHOOLS, COMMUNITY CENTERS, RELIGIOUS INSTITUTIONS, AND PARKS ARE PERMITTED ON A LIMITED SCALE.

§ 50-23. PERMITTED USES

ARTICLE 16 DEFINITIONS SHALL BE REFERRED TO FOR CLARITY ON THE USES AS LISTED.

A. LAND USES. USES ARE ALLOWED IN RESIDENTIAL ZONE DISTRICTS IN ACCORDANCE WITH TABLE 50.3.08. USES: RESIDENTIAL ZONE DISTRICTS. THE FOLLOWING KEY IS TO BE USED IN CONJUNCTION WITH THE USE TABLE.

1. PERMITTED USES. USES PERMITTED BY RIGHT IN THE ZONE DISTRICT, SUBJECT TO

COMPLIANCE WITH ALL OTHER APPLICABLE REQUIREMENTS OF THIS CHAPTER. THESE USES ARE IDENTIFIED WITH A "P."

2. SPECIAL LAND USES. USES WHICH MAY BE ALLOWED SUBJECT TO REVIEW AND APPROVAL BY THE PLANNING COMMISSION IN ACCORDANCE WITH ARTICLE 17 AND WITH ALL OTHER APPLICABLE REQUIREMENTS OF THIS CHAPTER. THESE USES ARE IDENTIFIED WITH AN "S."

3. ADDITIONALLY REGULATED USES. USES WHICH MAY BE ALLOWED SUBJECT TO REVIEW AND APPROVAL BY THE PLANNING COMMISSION IN ACCORDANCE WITH ARTICLE 17 AND WITH ALL OTHER APPLICABLE REQUIREMENTS OF THIS CHAPTER, INCLUDING LIMITING CONDITIONS SPECIFIED IN ARTICLE 9. THESE

USES ARE IDENTIFIED WITH "ARU".

4. ACCESSORY USES. USES WHICH ARE PERMITTED BY RIGHT, ASSUMING THEY ARE NOT THE PRIMARY USE ON THE SIGHT AND THAT THEY ARE IN COMPLIANCE WITH ALL OTHER APPLICABLE REQUIREMENTS OF THIS CHAPTER. THESE USES ARE IDENTIFIED WITH AN "A."

5. USES NOT ALLOWED. A CELL WHICH IS LEFT BLANK INDICATES THAT THE LISTED USE IS NOT ALLOWED IN THAT ZONE DISTRICT.

6. USE REGULATIONS. MANY ALLOWED USES, WHETHER PERMITTED BY RIGHT OR AS A SPECIAL LAND USE, ARE SUBJECT TO COMPLIANCE WITH ARTICLE 9.

7. UNLISTED USES. IN GENERAL UNLISTED USES ARE PROHIBITED. HOWEVER, IF AN APPLICATION IS SUBMITTED FOR A USE NOT LISTED, THE ZONING

COORDINATOR SHALL MAKE A DETERMINATION AS TO THE PROPER ZONE DISTRICT AND USE CLASSIFICATION FOR THE NEW OR UNLISTED USE. IF THE UNLISTED USE IS SIMILAR TO AN EXISTING PERMITTED USE IN THE SAME ZONE DISTRICT AND FITS THE INTENT OF THE ZONE DISTRICT, THE ZONING COORDINATOR MAY DETERMINE THAT THE UNLISTED USE IS PERMITTED.

8. PARKING STANDARDS. PARKING REQUIREMENTS ARE LOCATED IN ARTICLE 12 PARKING, LOADING AND CIRCULATION.

9. LEVEL OF REVIEW FOR MIXED-USE PROJECTS. THE LEVEL OF REVIEW FOR A PROJECT WITH MULTIPLE USES BEING DEVELOPED SIMULTANEOUSLY SHALL BE THE SAME AS THE HIGHEST LEVEL OF REVIEW OF THE INDIVIDUAL USES.

ATTACHMENT:
TABLE 50-23 (EXHIBIT 1)

**§ 50-24. SITE, BUILDING
PLACEMENT, AND BULK
STANDARDS**

**SITE DIMENSIONS TABLE. ALL
DEVELOPMENT IN RESIDENTIAL
ZONE DISTRICTS MUST COMPLY
WITH THE REQUIREMENTS IN
TABLES 50.3.09A-D AND DIAGRAMS
50.3.09A-D UNLESS OTHERWISE
EXPRESSLY STATED.**

ATTACHMENTS:

**TABLE 50-24A (EXHIBIT 2);
DIAGRAM 50-24A (EXHIBIT 3);
TABLE 50-24B (EXHIBIT 4);
DIAGRAM 50-24B (EXHIBIT 5);
TABLE 50-24C (EXHIBIT 6);
DIAGRAM 50-24C (EXHIBIT 7);
TABLE 50-24D (EXHIBIT 8);
DIAGRAM 50-24D (EXHIBIT 9)**

**§ 50-25. GENERAL RESIDENTIAL
ZONING DISTRICT REQUIREMENTS**

A. MATERIALS.

- 1. BUILDING
MATERIALS.
DURABLE
BUILDING
MATERIALS,
SIMPLE
CONFIGURATIONS
AND SOLID
CRAFTSMANSHIP
ARE REQUIRED.**

- I. WALLS
VISIBLE
FROM
PUBLIC
STREETS,
EXCLUSIVE
OF WALL**

**AREAS
DEVOTED TO
TRANSPAREN
CY, SHALL BE
CONSTRUCTE
D OF
MATERIALS
THAT ARE
DURABLE
AND
CONSISTENT
WITH
SURROUNDIN
G
COMMUNITY
CHARACTER.
EXTERIOR
INSULATED
FINISHING
SYSTEMS
(EIFS) AND
OTHER
FINISHES
THAT ARE
SUSCEPTIBLE
TO DAMAGE
ARE
PERMITTED
FOR
ACCENTS
ONLY.**

- 2. ROOFING
MATERIALS SHALL
BE THOSE USED
AND INSTALLED IN
A MANNER
CUSTOMARY FOR
RESIDENTIAL
CONSTRUCTION,
SHALL BE
COMPATIBLE IN
CHARACTER AND
SCALE WITH THE
RESIDENTIAL
STRUCTURE ON
WHICH IT IS BEING
INSTALLED, SHALL
BE INSTALLED**

ACCORDING TO THE MANUFACTURER'S SPECIFICATIONS, SHALL HAVE NO VISIBLE FASTENERS, AND SHALL BE UNIFORM IN TYPE AND APPEARANCE WITHIN EACH UNINTERRUPTED ROOF PLANE. REPAIRS SHALL BE COMPLETED WITH MATERIALS SIMILAR IN COLOR AND APPEARANCE TO THE EXISTING MATERIALS.

B. FAÇADE VARIATION. THE FOLLOWING REQUIREMENTS SHALL APPLY TO MULTIPLE-FAMILY DWELLINGS OR NON-RESIDENTIAL BUILDINGS IN TN AND MR ZONE DISTRICTS.

1. UNINTERRUPTED FAÇADE. THE MAXIMUM LINEAR LENGTH OF AN UNINTERRUPTED BUILDING FAÇADE FACING A PUBLIC STREET AND/OR PARK SHALL BE THIRTY (30) FEET. BUILDING WALL OFFSETS (PROJECTIONS AND RECESSES), CORNICES, VARYING BUILDING MATERIALS OR PILASTERS SHALL BE USED TO BREAK

UP THE MASS OF A SINGLE BUILDING.

2. ADMINISTRATIVE DEPARTURES. ADMINISTRATIVE DEPARTURES MAY BE GRANTED BY THE ZONING COORDINATOR FOR:

- I. AN ADDITION OF UP TO FIVE (5) FEET OF THE THIRTY (30) FOOT REQUIREMENT MAY BE APPROVED, DEPENDING ON ACTUAL BUILDING DESIGN, ENTRANCE PLACEMENT, AND OTHER FACTORS THAT MAKE THE THIRTY (30) FOOT REQUIREMENT IMPRACTICAL; OR
- II. OTHER METHODS TO PROVIDE ADEQUAT

E
ARTICULA
TION,
PROVIDED
THAT THE
VISUAL
EFFECT
OF
ARTICULA
TION IS
MAINTAIN
ED.
EXAMPLE
S OF
ACCEPTA
BLE
VARIATIO
NS MAY
INCLUDE
ARCHITEC
TURAL OR
ARTISTIC
DETAILS
OR
FEATURES
, A
VARIATIO
N IN
COLOR OR
MATERIA
LS AND
ENHANCE
D
ORNAMEN
TATION
AROUND
BUILDING
ENTRANC
EWAYS.

C. BUILDING ORIENTATION.

1. ORIENTATION.
RESIDENTIAL
STRUCTURES
SHALL BE
ORIENTED
TOWARD THE
PUBLIC STREET. IN

THE CASE OF
HOUSING
DEVELOPMENTS
WITH SEVERAL
RESIDENTIAL
STRUCTURES,
RESIDENTIAL
STRUCTURES CAN
BE ORIENTED
TOWARD
INTERNAL OPEN
SPACES OR OTHER
ON-SITE RESIDENT
AMENITIES, AS
APPROVED BY THE
ZONING
COORDINATOR.

2. INTERIOR LOTS.
FOR INTERIOR
LOTS, THE
PRIMARY
BUILDING
ENTRANCE SHALL
BE LOCATED IN
THE FRONT
FAÇADE PARALLEL
TO THE STREET OR
URBAN OPEN
SPACE.
3. CORNER LOTS. FOR
CORNER LOTS, THE
PRIMARY
ENTRANCE SHALL
FACE THE STREET
FROM WHICH THE
STRUCTURE
DERIVES ITS
STREET ADDRESS.
4. ADMINISTRATIVE
DEPARTURE.
ALTERNATIVE
ORIENTATIONS
MAY BE
CONSIDERED BY
THE ZONING
COORDINATOR IN
CASES WHERE

SUCH
ALTERNATIVE
ORIENTATIONS
ARE CONSISTENT
WITH EXISTING
ADJACENT
DEVELOPMENT.

D. CONVERSION OF NON-RESIDENTIAL BUILDINGS. THE CONVERSION OF ANY NON-RESIDENTIAL BUILDING INTO A RESIDENTIAL STRUCTURE, OR AN EXISTING RESIDENTIAL BUILDING INTO A STRUCTURE CONTAINING MORE HOUSING UNITS THAN ITS CURRENT USE, IS ONLY PERMITTED WHEN THE PROPOSED STRUCTURE AND NUMBER OF DWELLING UNITS MEETS THE REQUIREMENTS OF THIS CHAPTER, OR IS OTHERWISE APPROVED ACCORDING TO THE PROVISIONS OF THIS CHAPTER. SEE ARTICLE 9: USE REGULATIONS.

E. STATE-LICENSED RESIDENTIAL FACILITIES. A "STATE-LICENSED RESIDENTIAL FACILITY," AS DEFINED BY ACT 28, OF THE PUBLIC ACTS OF 1977, BEING MSA 5.2933(2), AS AMENDED, WHICH PROVIDES SUPERVISION OR CARE OR BOTH TO SIX OR LESS PERSONS SHALL BE CONSIDERED A RESIDENTIAL USE OF PROPERTY FOR THE PURPOSES OF THIS CHAPTER. IT SHALL BE A PERMITTED USE IN ALL RESIDENTIAL ZONES, INCLUDING THOSE FOR SINGLE-FAMILY DWELLINGS AND SHALL NOT BE SUBJECT TO

SPECIAL LAND USE OR CONDITIONAL USE PERMITS OR PROCEDURES DIFFERENT FROM THOSE REQUIRED FOR OTHER DWELLINGS OF SIMILAR DENSITY IN THE SAME ZONE; PROVIDED, THAT SUCH USES, WITH THE EXCEPTION OF "FOSTER FAMILY HOMES," AS DEFINED IN ACT 116 OF THE PUBLIC ACTS OF 1973, BEING MCLA §§ 722.111 THROUGH 722.128, AND MSA §§ 25.358(11), AS AMENDED, AS PROHIBITED, WITHIN A 1,500 FOOT RADIUS OF EACH OTHER. AND PROVIDED FURTHER, THAT THE FACILITIES WHICH PROVIDE THE CARE TO MORE THAN SIX PERSONS AND ARE OTHERWISE PERMITTED IN ANY RESIDENTIAL DISTRICT ARE ALSO PROHIBITED WITHIN A 1,500 FOOT RADIUS OF EACH OTHER.

F. EXPRESSION LINE (EL).

1. A HORIZONTAL LINE ON THE FAÇADE KNOWN AS THE EXPRESSION LINE (EL) SHALL DISTINGUISH THE BASE OF THE BUILDING FROM THE REMAINDER TO ENHANCE THE PEDESTRIAN ENVIRONMENT. THE EL SHALL BE CREATED BY A CHANGE IN MATERIAL, A CHANGE IN DESIGN, OR BY A CONTINUOUS SETBACK, RECESS,

OR PROJECTION ABOVE OR BELOW THE EXPRESSION LINE. SUCH ELEMENTS AS CORNICES, BELT COURSES, CORBELLING, MOLDING, STRINGCOURSES, ORNAMENTATION, AND CHANGES IN MATERIAL OR COLOR OR OTHER SCULPTURING OF THE BASE, ARE APPROPRIATE DESIGN ELEMENTS FOR ELS.

2. IF APPLICABLE, THE HEIGHT OF THE EXPRESSION LINE SHALL BE RELATED TO THE PREVAILING SCALE OF DEVELOPMENT IN THE AREA. A CHANGE OF SCALE MAY REQUIRE A TRANSITIONAL DESIGN ELEMENT BETWEEN EXISTING AND PROPOSED FEATURES.

ATTACHMENT:
DIAGRAM 50-25F (EXHIBIT 10)

G. TRANSPARENCY.

1. APPLICABILITY.

- I. THE MINIMUM TRANSPARENCY REQUIREMENT SHALL APPLY TO ALL SIDES OF A BUILDING

THAT ABUT AN URBAN OPEN SPACE OR PUBLIC RIGHT-OF-WAY. TRANSPARENCY REQUIREMENTS SHALL NOT APPLY TO SIDES WHICH ABUT AN ALLEY.

- II. WINDOWS FOR BUILDING SIDES (NON-FRONT) SHALL BE CONCENTRATED TOWARD THE FRONT EDGE OF THE BUILDING, IN LOCATIONS MOST VISIBLE FROM AN URBAN OPEN SPACE OR PUBLIC RIGHT-OF-WAY.

2. WINDOWS AND DISPLAYS.

- I. GROUND LEVEL STOREFRONT TRANSPARENCY SHALL BE HORIZONTALLY ORIENTED OVERALL, DIVIDED INTO VERTICAL SEGMENTS.

- II. PRODUCT DISPLAY WINDOWS SHALL BE INTERNALLY LIT.

- III. INTERIOR DISPLAYS

SHALL BE SET
BACK A
MINIMUM OF
ONE (1) FOOT
FROM THE
WINDOW AND
SHALL NOT
COVER MORE
THAN FIFTY
(50) PERCENT
OF THE
WINDOW
OPENING.

IV. NO WINDOW
COVERING OR
SCREENING
SHALL COVER
MORE THAN
TWENTY-FIVE
(25) PERCENT
OF WINDOWS
OR DOORS
THAT ARE
USED TO
MEET
TRANSPAREN
CY
REQUIREMEN
TS.

3. PERCENTAGE OF
REQUIRED
TRANSPARENCY

I. GROUND-
FLOOR
TRANSPAREN
CY
PERCENTAGE
S MUST BE
APPLIED
BETWEEN
TWO (2) FEET
AND EIGHT (8)
FEET FROM
THE GROUND.
THE AREA OF
WINDOWS IN
DOORS MAY

COUNT
TOWARDS
THE
TRANSPAREN
CY
PERCENTAGE.

II. STRUCTURES
IN THE MR-2
AND MR-3
DISTRICTS
SHALL
COMPLY
WITH TABLE
50-25G BELOW
WITH
REGARDS TO
THE AMOUNT
OF
TRANSPAREN
T MATERIALS
THAT IS
REQUIRED
FOR GROUND-
FLOOR AND
UPPER FLOOR
FACADES.
WINDOWS
MUST BE
CLEAR AND
ALLOW
VIEWS OF THE
INDOOR
SPACE OR
DISPLAY
AREAS.

ATTACHMENTS:

TABLE 50-25G (EXHIBIT 11)

DIAGRAM 50-25G (EXHIBIT 12)

Sec. 2. The ordinances in this
Article shall become effective upon
publication.

Adopted this _____ day of
_____, 2021, A.D.

Sheldon A. Neeley, Mayor

Inez M. Brown, City Clerk

APPROVED AS TO FORM:



Angela Wheeler, Chief Legal Officer

S:\Ordinance Review\1.19.21_ARTICLE 3 RESIDENTIAL
ZONE DISTRICTS pc approved.docx

§ 50-23. Permitted Uses

Table 50-23 (Exhibit 1):

Table 50-23. Uses: Residential Zone Districts								
	GN-1	GN-2	TN-1	TN-2	MR-1	MR-2	MR-3	Reference
RESIDENTIAL								
Household Living								
Single-Family Detached Dwelling	P	P	P	P	P	S		50-59
Two-Family Dwelling (duplex)	S	S	S	S	P	P		50-85
Single-Family Attached Dwelling		S		S	P	P	P	50-85
Multi-Family Dwelling (all floors)					S	P	P	50-104
Multi-Family Dwelling (above first floor)						P	P	50-104
Manufactured Housing Communities				S				50-102
Accessory Dwelling Unit	A	A	A	A	A	A		50-79
Mixed-Use						P	P	
Group Living								
State Licensed Residential Facility (1-6 residents)	P	P	P	P	P	P		
Convalescent or Nursing Home					S	S	S	
Boarding House	S	S	S	S	S	S		50-112
Transitional or Emergency Shelter						S	S	50-119
Residential Rehab Center (1-6)	S	S	S	S	S			50-111
Residential Rehab Center (7-20)						S	S	50-111
Adult Foster Care Family Home (1-6)	P	P	P	P	P	P		50-81
Adult Foster Care Small Group Home (1-6)	P	P	P	P	P	P		
Adult Foster Care Small Group Home (7-12)	S	S	S	S	S	P	P	50-81
Adult Foster Care Large Group Home (13-20)							P	50-81
RECREATIONAL								
Community Center	P	P	P	P	P	P	S	
AGRICULTURAL								
Aquaculture	A	A	A	A	A			50-84
Aquaponics	A	A	A	A	A			50-84
Produce Stand	A	A	A	A	A	A	A	50-109
Farmers' Market (Temporary)						P	P	50-118
Greenhouse	A	A	A	A	A	A	A	50-98
Hoophouse	A	A		A				50-100
Hydroponics	A	A	A	A	A	A		
Apiary/Beekeeping	A	A	A	A	A	A		50-88
Chicken Keeping	A	A		A				50-89
Urban Agriculture	P	P		P				50-120
Community Garden	P	P	P	P	A	A	A	50-91
INSTITUTIONAL AND CULTURAL								
Religious								
Place of Worship	S	S	S	S	S	P		
Cemetery	P	S		S				
Government and Educational								
Elementary/Middle School	P	P		P	P	S	S	
High School	P	P		S	S	S	S	
College or University or Vocational Training							P	
Other Governmental Use or Facility					P	P	P	
Other Institutional, and Cultural								
Social Service Facility (w/o residential care)	(In MR-2 and MR-3: permitted only as part of a mixed-use development)			S	S	P	P	
Civil or Charitable Organization				S	S	P	P	
Art Gallery					S	P	P	

		GN-1	GN-2	TN-1	TN-2	MR-1	MR-2	MR-3	Reference
	with residential units and only on the ground floor)								
Library			P		P	P	P	P	
Museum						S	P	P	
COMMERCIAL									
Temporary Lodging									
Bed and Breakfast			S	S	S	S	P		50-87
Hotel								S	
Offices									
Financial Services	(In MR-2: permitted only as part of a mixed-use development with residential units and only on the ground floor)						P	P	
Physician or Dentist Office or Medical Clinic							P	P	
General or Professional Office							P	P	
Copying, Mailing, Courier Services, Parcel Receiving, Shipping Station							P	P	
Film Production, Photography, Radio, TV Studio							P	P	
Live/Work Unit			S				P	S	50-101
Personal Service Establishments									
Personal Service Establishments	(In MR-2: permitted only as part of a mixed-use development with residential units and only on the ground floor)						P	P	
Gym or Fitness Center							P	P	
Residential Day Care Services									
Adult Day Care or Day Services Center								S	50-81
Group Day Care Home								S	
Child Care Center	(In MR-2: Special Land Use only as part of a mixed-use development with residential units and only on the ground floor)		S	S	S	S	S	P	50-90
Retail and Service									
Restaurant without Alcohol	(In MR-2: permitted only as part of a mixed-use development with residential units and only on the ground floor)						P	P	
Retail Sales, General							P	P	
Grocery Store							P	P	
Convenience Store							P	P	50-83
Commercial Art Gallery								P	

Article III – Attachments

		GN-1	GN-2	TN-1	TN-2	MR-1	MR-2	MR-3	Reference
Restaurant with Alcohol	(In MR-2: Special Land Use permitted only as part of a mixed-use development with residential units and only on the ground floor)						S	S	50-83
Bar, Tavern, Taproom, or Tasting Room							S	S	50-83
Brewpub							S	S	50-83
Craft Winery/Distillery							S	S	50-83
Instruction Studio							S	P	
Catering Business								P	
Automotive Services									
Vehicle Fuel Station (without vehicle repair, may include 1,000 sq. ft. convenience-store)								S	50-121
Entertainment and Hospitality									
Bowling Alley, Skating Rink							S	S	
Dance Club, Night Club								S	50-94
Entertainment, Live (Not including ARUs)							S	S	
INDUSTRIAL									
Transportation									
Stand Alone Parking, Surface Lots						S	S		
Utilities									
Electrical Substations and Private Utilities		S	S	S	S	S	S	S	50-93
Wireless Communication Facilities – Collocated on Existing Towers		P	P	P	P	P	P	P	50-126
Small-Scale Solar Energy Production		A	A	A	A	A	A	A	50-117
Small-Scale Wind Energy Production		A	A	A	A	A	A	A	50-125
Additionally Regulated Uses									
Tattoo Establishment								ARU	50-80

§ 50-24. Site, Building Placement, and Bulk Standards*

*All development in Residential Zone Districts must comply with the requirements in Tables 50-24A-D and Diagrams 50-24A-D unless otherwise expressly stated.

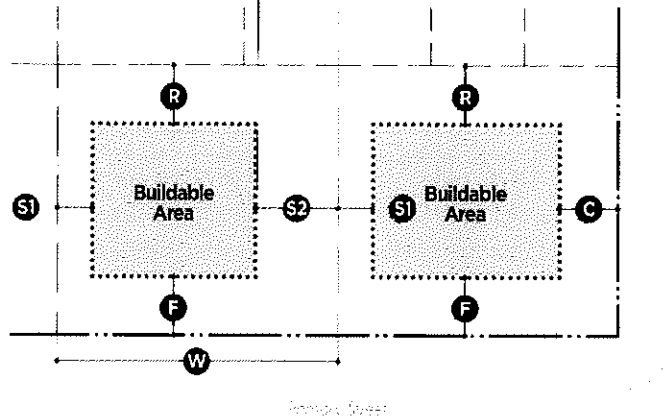
Table 50-24A (Exhibit 2):

Table 50-24A. Bulk and Site Standards: GN Districts										
District	Max. Height	Lot Area			Max. Impervious Lot Coverage	Min. Front Setback (F)	Min. Corner Side Setback (C)	Min. Interior Side Setback		Min. Rear Setback (R)
		Min. Lot Width (W)	Min. Lot Area	Min. Lot Area Per Dwelling Unit				Width of Smaller Side Yard (S1)	Aggregate Width of Both Side Yards (S1+S2)	
GN-1	2-1/2 stories /35'	120', unless a non-residential use, then 80'	13,500 sq. ft., unless a non-residential use, then 8,000 sq. ft.	15,000 sq. ft.	30%, unless a non-residential use, then 80%	25', or consistent with the average front setback of residential structures on the same block	15'	15'	50'	25'
GN-2	2-1/2 stories /35'	40', unless a non-residential use, then 80'	4,500 sq. ft., unless a non-residential use, then 8,000 sq. ft.	5,000 sq. ft.	60%, unless a non-residential use, then 80%	25', or consistent with the average front setback of residential structures on the same block	10', unless a non-residential use, then 15'	5', unless a non-residential use, then 10'	15', unless a non-residential use, then 25'	25', unless a non-residential use abutting another non-residential use, then 10'

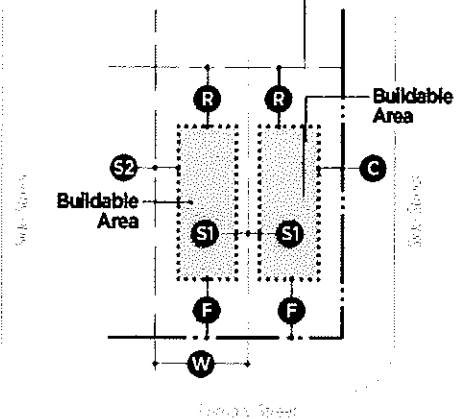
Diagram 50-24A (Exhibit 3):

Residential Zone Bulk Standards

GN-1, GN-2 Districts



GN-1



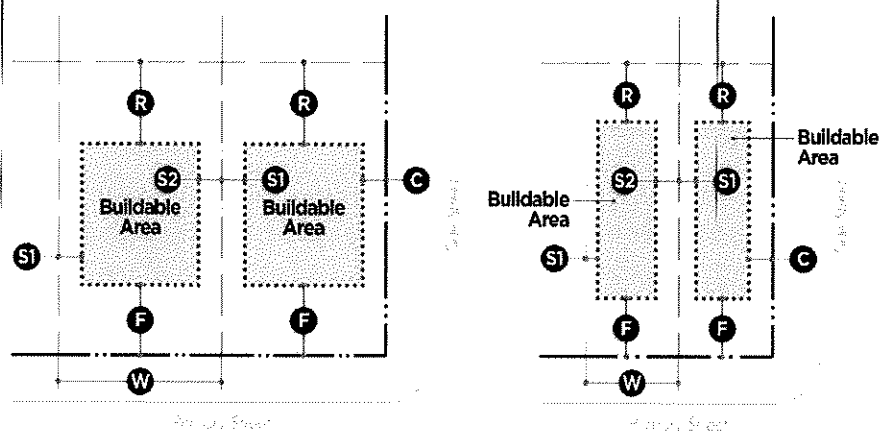
GN-2

Table 50-24B (Exhibit 4):

Table 50-24B. Bulk and Site Standards: TN Districts										
District	Max. Height	Lot Area			Max Impervious Lot Coverage	Min. Front Setback (F)	Min. Corner Side Setback (C)	Min. Interior Side Setback		Min. Rear Setback (R)
		Min. Lot Width (W)	Min. Lot Area	Min. Lot Area Per Dwelling Unit				Width of Smaller Side Yard (S1)	Aggregate Width of Both Side Yards (S1+S2)	
TN-1	2½ stories /35'	70'	9,000 sq. ft.	4,500 sq. ft.	45%	30'	15'	10'	20'	35'
TN-2	2½ stories /35'	40'	4,500 sq. ft.	2,250 sq. ft.	60%	20'	10'	5'	15'	25'

Diagram 50-24B (Exhibit 5):

Residential Zone Bulk Standards
TN-1, TN-2 Districts



TN-1

TN-2

Table 50-24C (Exhibit 6):

Table 50-24C. Bulk and Site Standards: MR-1 District										
District	Max. Height	Lot Area			Max. Impervious Lot Coverage	Min. Front Setback (F)	Min. Corner Side Setback (C)	Min. Interior Side Setback		Min. Rear Setback (R)
		Min. Lot Width (W)	Min. Lot Area	Min. Lot Area Per Dwelling Unit				Width of Smaller Side Yard (S1)	Aggregate Width of Both Side Yards (S1+S2)	
MR-1										
Detached Single-Family or Two-family Dwelling	2½ stories /35'	25'	3,000 sq. ft.	1,500 sq. ft.	70%	20'	5'	2'	7'	25'
Attached Residential	2½ stories /35'	18'	1,500 sq. ft.	1,500 sq. ft.	70%	20'	5'	0'	0"	25'

Diagram 50-24C (Exhibit 7):

Residential Zone Bulk Standards
MR-1 Districts

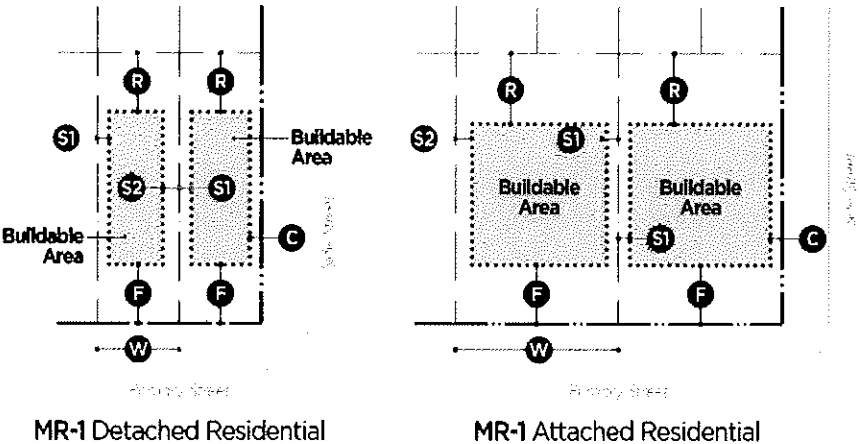
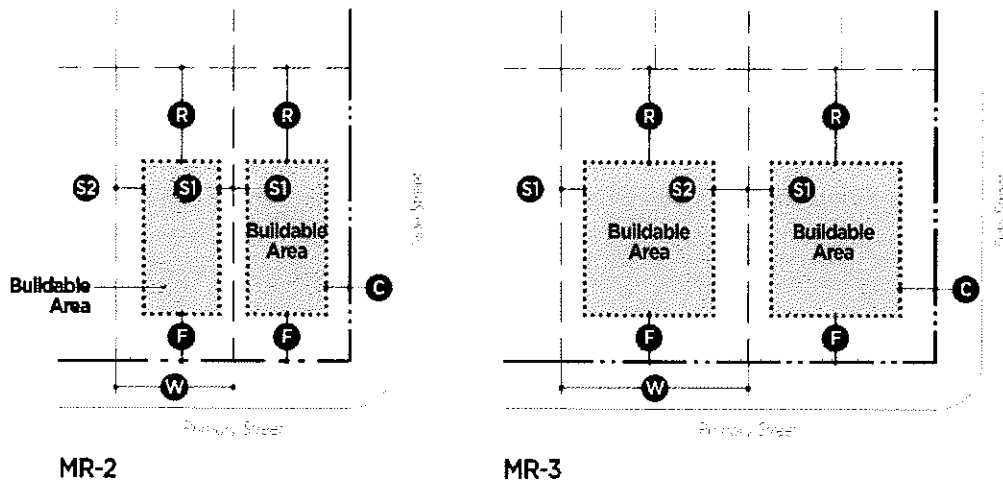


Table 50-24D (Exhibit 8):

Table 50-24D. Bulk Site Standards: MR-2 and MR-3 Districts											
District	Height		Lot Area			Max. Impervious Lot Coverage	Front /Setback (F)	Min. Corner Side Setback (C)	Min. Interior Side Setback		Min. Rear Set-back (R)
			Min. Lot Width (W)	Min. Lot Area	Min. Lot Area per Dwelling Unit				Width of Smaller Side Yard (S1)	Aggregate width of Both Side Yards (S1+S2)	
MR-2											
Detached Single-Family or Two-Family	Max. 2 ½ stories/35'		30'	3,000 sq. ft.	1,500 sq. ft.	80%	10' min. w/ ground floor residential, 20' max. 0' min. w/ ground floor commercial, 10' max.	5' residential, 0' w/ground floor commercial	2'	5'	20'
Attached Housing	Max. 4 stories/45'		20'	1,500 sq. ft.					0'	5'	20'
Multifamily/ Mixed use			20'	2,000 sq. ft.	1,000 sq. ft.				0'	5'	20'
MR-3	Max. 100'	Min. 2 stories	40'	10,000 sq. ft.	800 sq. ft. per efficiency or one bedroom apartment; 1,000 sq. ft. per two or more bedroom apartment	90%	0' min., 15' max.	10' residential, 0' w/ ground floor commercial	0'	0'	20'

Diagram 50-24D (Exhibit 9):

Residential Zone Bulk Standards MR-2, MR-3 Districts



§ 50-25. General Residential Zoning District Requirements

Diagram § 50-25F (Exhibit 10):

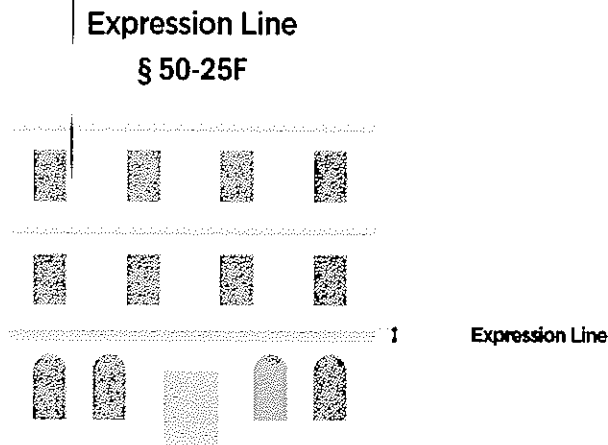


Table § 50-25G (Exhibit 11):

Table 50-25G Façade Transparency in MR-2 and MR-3 Districts		
	Commercial Use	Residential Use
Ground-floor	70%	40%
Upper floors	30%	30%

Diagram 50-25G (Exhibit 12):

