

City of Flint, Michigan

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



Meeting Agenda - Final

Monday, February 8, 2021

5:30 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**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 he 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, February 8, 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=NIGwHg1Xe38> 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.

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 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

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

REQUEST FOR CHANGES AND/OR ADDITIONS TO AGENDA

Council shall vote on any agenda changes.

EXECUTIVE (CLOSED) SESSION

The Department of Law requests Executive Session for the purpose of discussing the settlement for the AT&T damage claim for 825 Fremont Street.

PRESENTATION OF MINUTES

210072 Summary Minutes/Flint City Council/December 14, 2020

Summary Minutes of the Flint City Council ELECTRONIC PUBLIC MEETING

held Monday, December 14, 2020 at 5:31 p.m.

210073 Summary Minutes/Flint City Council/December 17, 2020 (Recessed from December 14, 2020)

Summary Minutes of the Flint City Council ELECTRONIC PUBLIC MEETING held Thursday, December 17, 2020 at 5:33 p.m. (This meeting was recessed from Monday, December 14, 2020.)

210074 Summary Minutes/Flint City Council/December 21, 2020

Summary Minutes of the Flint City Council ELECTRONIC PUBLIC MEETING held Monday, December 21, 2020 at 5:34 p.m.

SPECIAL ORDERS

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.]

210066 Special Order/Water Settlement/Registering and Opting Out

A Special Order as requested by Councilperson Mays to discuss whether residents can register to join the water settlement and then later opt out.

210067 Special Order/City of Flint Home Improvement Program

A Special Order as requested by Council President Fields to the city's new Home Improvement Program.

210068 Special Order/Dates/Times/Training Sessions

A Special Order as requested by Council President Fields to decide on times and dates when council members can meet for training programs on Decorum in Debate and Dilatory Motions.

210069 Special Order/COVID/COVID in City Hall

A Special Order as requested by Council President Fields to decide COVID and COVID in City Hall with Mayor Sheldon Neeley and Dr. Lawrence Reynolds.

210070 Special Order/Hatch Act

A Special Order as requested by Council President Fields to discuss the Hatch Act of 1939, which prohibits some forms of political activity.

PUBLIC HEARINGS**200074.6 Public Hearing/Ordinance No. 200074**

A public hearing for Ordinance No. 2000074, an ordinance to amend the Code of the City of Flint by amending Chapter 50 (Zoning), Article XXXII (Medical Marihuana Facilities), Section 50-183 (Medical Marihuana Facilities Opt-In Ordinance). [NOTE: Ordinance to become effective immediately upon adoption.]

200075.6 Public Hearing/Ordinance No. 200075

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

200076.6 Public Hearing/Ordinance No. 200076

A public hearing for Ordinance No. 200076, an ordinance to amend Chapter 50 (Zoning), Article XXIX, (Special Regulated Uses), of the Code of the City of Flint by amending §50-161 (Purpose), §50-163 (Locational Standards - Relationship to Similar Uses), §50-164 (Locational Standards - Relationship to Residential Area and Other Uses), and §50-169 (Zoning Districts Requirements for Special Regulated Uses) in light of the amendments to Special Regulated Uses "E", "F" and "G" set forth in Chapter 50 (Zoning), Section 50-183 (Marihuana Facilities Opt-In Ordinance). [NOTE: Ordinance to become effective immediately upon adoption.]

PUBLIC SPEAKING**COUNCIL RESPONSE****PETITIONS AND UNOFFICIAL COMMUNICATIONS****210075 Michigan Department of Health and Human Services (MDHHS)/COVID-19 Update**

Flyer dated February 4, 2021, from the Michigan Department of Health and Human Services (MDHHS): An update on statewide COVID data.

- 210076** Communication/Great Lakes Water Authority (GLWA)Public Hearing/Proposed FY2022 Wholesale Water Service Charges
- Communication dated January 22, 2021, from the Great Lakes Water Authority (GLWA), re: A Public Hearing for the proposed FY2022 wholesale water service charges is scheduled for 2 p.m. Wednesday, February 24, 2021, via Zoom Telephonic Meeting. The toll-free numbers to call are (877) 853-5247 or (888) 788-0099. The meeting ID is 896 0276 4695.
- 210077** Notice of Public Hearing/Michigan Public Service Commission (MPSC)
- Notice of Public Hearing received February 1, 2021, re: Michigan Public Service Commission (MPSC) notice of hearing for the gas customers of Consumers Energy Co., Case No. U-20814, to be held February 11, 2021, at 10 a.m., by Video/Teleconferencing.

COMMUNICATIONS (from Mayor and other City Officials)

- 210078** Traffic Engineering/Closure Permits
- Sidewalk, Lane and Street Closure permits (3) dated February 4, 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

- 210053** Appointment/Human Relations Commission/Charis Lee/Ward 3
- Resolution resolving that the Flint City Council approves the appointment of Charis Lee (1133 Fairfax Street, Flint, MI, 48505), to serve on the City of Flint Human Relations Commission for a two-year term, commencing October 27, 2020, and expiring October 28, 2022.
- 210054** Appointment/Human Relations Commission/Raynetta P. Speed/Ward 1
- Resolution resolving that the Flint City Council approves the appointment of Raynetta P. Speed (650 East Bishop Avenue, Flint, MI, 48505), to serve on the City of Flint Human Relations Commission for a two-year term, commencing October 27, 2020, and expiring October 28, 2022.
- 210065** Appointment/Ethics & Accountability Board/Linda Thompson
- Resolution resolving that 6th Ward Flint City Councilperson Herbert J. Winfrey hereby appoints Linda Thompson (3013 Barth Street, Flint, MI 48504) to the fill the unexpired four-year term of Delores Langston on Ethics and Accountability Board, commencing February 8, 2021, and expiring June 25, 2022. [By way of background, Ms. Thompson is replacing Delores Langston, who resigned effective

December 31, 2020.]

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.
- 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.]
- 210055** Weinstein Electric Co./Additional Funding/Brivo Access Control System
- Resolution resolving that the proper city officials, upon City Council's approval, are to do all things necessary to issue a purchase order to Weinstein Electric Co. for additional funding for the Brivo Access Control System, in an amount NOT-TO-EXCEED \$26,066.00, and a revised aggregate amount of \$171,733.00, as requested by Finance [Building Additions & Improvements Fund Acct. No. 282-301.734-976.000.] [NOTE: The new system will lock all exterior doors and some interior doors that can only be opened with an access card reader.]
- 210056** Contract/August Construction Services/50/50 Sidewalk Replacement Program
- Resolution resolving that the proper city officials, upon City Council's approval, are to do all things necessary to enter into a contract with August Construction Services for additional 50/50 sidewalk replacement, and to replace sidewalks that are damaged due to city trees, as requested by Transportation, in an amount NOT-TO-EXCEED \$80,000.00, and a revised aggregate amount of \$154,000.00 [Major Street Fund Acct. No. 202-449.213-801.000 = \$10,000.00 and Local Street Fund Acct. No. 203-449.213-801.000 = \$70,000.00.]
- 210057** Settlement Agreement/Michigan Bell Telephone Co. D/B/A AT&T v City of Flint Water Department
- Resolution resolving that the City Administrator is hereby authorized to pay the settlement offer in the matter of Michigan Bell Telephone Co. d/b/a AT&T v City of Flint Water Department, in the amount of \$5247.63, 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 February 8, 2021.]

210058

Grant Acceptance/Revenue & Expenditure Appropriation/Charles Stewart Mott Foundation/Development/Federal Emergency Management Agency (FEMA) Letter of Map Revision

Resolution resolving that the appropriate city officials, upon City Council's approval, are authorized to do all things necessary to accept the grant funds set forth in the grant agreement of C.S. Mott Grant No. G-2020-07311, in the amount of \$300,000.00, to appropriate revenue and expenditure amounts, and to make the grant funds available from October 1, 2020 through September 30, 2021. [NOTE: The C.S. Mott Foundation has awarded the city a grant to revise Flood Insurance Rate maps and request a Letter of Map Revision, which is a requirement by FEMA for the City of Flint and is necessary to complete the Flint Riverfront Restoration Project.]

210059

Contract/CTI Contractor Services, LLC/Lead-Based Paint Hazard Control/Healthy Homes Program

Resolution resolving that the proper city officials, upon City Council approval, are to do all things necessary to enter into a contract with CTI Contractor Services, LLC for lead-based paint hazard control/healthy homes program, as requested by the Public Health Office, in an amount NOT-TO-EXCEED \$185,000.00 Grants Professional Services Acct. No. 296-7171.530-801.000.] [NOTE: CTI Contractor Services, LLC will address all interior and exterior lead-based paint hazards.]

210060

Recognition/Clark Commons II LDHA, LLC/Owner-Entity/Loan Holder/Choice Neighborhoods Phase 2 Mixed-Income Development Project/Norstar Development USA, L.P.

Resolution resolving that the appropriate city officials recognize Clark Commons II LDHA, LLC as the owner-entity and loan holder for Choice Neighborhoods Phase 2 housing development associated with Norstar Development USA, L.P., and that appropriate city officials are authorized to do all things necessary to enter into the above contracts with Norstar Development USA, L.P. [NOTE: According to the Staff Review, The Choice Neighborhoods Implementation Grant and the corresponding name recognition for Choice and HOME funds will allow the city to further implement many strategies identified in the Master Plan and will specifically "create multi-income housing by integrating public and affordable housing into new developments."]

210061

Grant Acceptance/Revenue & Expenditure Appropriation/Charles Stewart Mott Foundation/Re-Establishment/Human Relations Commission

Resolution resolving that the appropriate city officials, upon City Council's approval, are authorized to do all things necessary to accept the grant funds set forth in the grant agreement of C.S. Mott Grant No. G-2020-07308, in the amount of \$250,000.00, to appropriate revenue and expenditure amounts, and to make the grant funds available from November 1, 2020 through October 31, 2021. [NOTE:

The C.S. Mott Foundation has awarded the city a grant for staffing, consulting, planning and re-establishment of the Human Relations Commission.]

210062**Guidelines/Granting of Hardship Exemptions from Property Taxes**

Resolution resolving that to be eligible for consideration of a hardship exemption pursuant to MCL 211.7u in the City of Flint that a person must be the owner and must occupy the property as a homestead, as defined, for which the exemption is requested; file a completed and notarized application; submit copies of federal and state income tax returns for all persons that resided in the homestead, including property tax credit forms and/or Statement of Benefits paid from the Michigan Department of Social Services or Social Security Administration; and meet City of Flint poverty income standards, AND, resolving that the applicant and all qualifying persons that resided in the home must have an annual adjusted income less than the Federal Poverty Guidelines, AND, resolving that the applicant's asset level, excluding the homestead, may not exceed \$10,000.00, regardless of income level, AND, resolving that the applicant may not have ownership interest in any real estate other than the homestead, nor shall anyone else living outside of the household have interest in this homestead and (the applicant) must own the home for at least one calendar year, AND, resolving that a hardship exemption may be granted for only one year at a time, AND, resolving that the City of Flint Board of Review shall request identification of the applicant and/or proof of ownership of the homestead under consideration for hardship exemption, AND, resolving that the board of review may request from the applicant any supporting documents which may be utilized in determining a hardship exemption request, AND, resolving that the completed hardship exemption application must be filed after January 1, but before the day prior to the last day of the board of review in the year for which exemption is sought, AND, resolving that the board of review shall administer an oath wherein the applicant testifies as to the accuracy of the information provided, AND, resolving that the board of review may deviate from the established policy and guidelines only for substantial and compelling reasons, and that the applicant will be notified in writing the reasons for deviating from the policy and guidelines for hardship exemption, AND, resolving that to conform with the provisions of Public Act 390 of 1994, this resolution is hereby given immediate effect, as requested by Assessments.

210063**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 _____, 2021, 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.]

210064

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.]

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

200074 Ordinance/Chapter 50 (Zoning)/Article XXXI (Medical Marihuana Facilities Opt-In Ordinance)/Section 50-183 (Medical Marihuana Facilities Opt-In Ordinance)

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

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

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

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

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

DISCUSSION ITEMS

210071 Discussion Item/Jefferson School

A discussion item as requested by Councilperson Mays to talk about Jefferson School, 5306 North Street.

ADDITIONAL DISCUSSION ITEMS

FINAL COUNCIL COMMENTS

ADJOURNMENT

210072

City of Flint, Michigan

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



Meeting Minutes - Draft

Monday, December 14, 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

City 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 Eric Mays led the Pledge of Allegiance.

REQUESTS FOR CHANGES AND/OR ADDITIONS TO AGENDA

Councilperson Worthing asked to postpone Special Order 200500 and Resolution 200493 (Emergency Rules for City Council) until December 21, 2020. The motion passed 9-0. Councilperson Mays requested that the Special Order on Water Litigation (2005040) be discussed right after Agenda Changes. The vote was 9-0. Councilperson Mays made a motion to have Public Speaking/Council Response after the Special Order on Water Litigation. The motion passed 8-0 (Councilperson Worthing was absent for this vote). Councilperson Mays asked to add a discussion on 1702 Kenwood to Additional Discussion Items. The vote was 5-4 (No: Guerra, Fields, Griggs, Worthing). Councilperson Galloway made a motion to move Resolution No. 200488 (Water Litigation) after Public Speaking/Council Response. The motion passed 9-0. Councilperson Mays asked to have 10 to 12 minutes of discussion on Resolution No. 200488 (Water Litigation) prior to voting on it. The vote was 5-4 (No: Guerra Fields, Griggs, Worthing). Councilperson Fields asked to move the other Special Orders (200503 and 200505) to above Discussion Items. The vote was 9-0.

MOTIONS

Councilperson Worthing, with support from Councilperson Griggs, made a motion to allow 10 minutes of discussion in rounds, with as many rounds as needed, and no interruptions during those 10 minutes. Councilperson Galloway, with support from Councilperson Guerra, made a motion to Call the Question. The motion, which needed a 2/3 vote, failed 5-4 (No: Mays, Davis, Fields, Winfrey). Councilperson Galloway, with support from Councilperson Davis, made a substitute motion to temporarily suspend Council Rules 25.4 and 26.3. The motion passed 8-1 (No: Mays). The original motion (10 minutes of discussion in rounds) passed 5-4 (No: Mays, Davis, Winfrey-Carter, Galloway).

SPECIAL ORDERS

200504 Special Order/Water Litigation

A Special Order as requested by Council President Fields to allow for additional dialogue regarding water litigation.

Presented

MOTION TO RECESS

After Public Speaking/Council Response, Councilperson Winfrey, with support from Councilperson Galloway, made a motion to recess this meeting until 5:30 p.m. Thursday, December 17, 2020. The motion passed 7-2 (No: Davis, Guerra).

RESOLUTIONS**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

EXECUTIVE (CLOSED) SESSION

This Executive Session was postponed to December 17, 2020.

PUBLIC HEARINGS

All three Public Hearings were postponed to December 17, 2020.

200426.6 Public Hearing/FY2021-FY2024 Vision, Mission, and Goals of the Strategic Plan

A public hearing on the City of Flint FY2021-FY2024 Vision, Mission, and Goals of the Strategic Plan. The plan shall state the City of Flint's goals, prioritized objectives and measures for success for the next fiscal year. The City Council shall utilize the City of Flint's Comprehensive Plan, input from the Mayor and input from the public in updating the strategic plan.

200468.6 Public Hearing/Alley Vacation/1415-1419 North Dort Highway

Resolution resolving that a public hearing to consider the vacation of the public alley located at 1415-1419 North Dort Highway, Flint (Parcel Nos. 41-08-239-008, 41-08-239-009, 41-08-239-001 and 41-08-239-002), including the entire 15-foot alleyway along the street address of 1415 to 1419 North Dort Highway, including the portion of the alleyway from there towards its terminus at Missouri Street, shall be held on the 14th day of December, 2020, at 5:30 p.m. via Electronic Public Meeting. [NOTE: The applicant intends to construct a retail pharmacy location with drive-through services and a contiguous parking for customers' use. To undertake the requisite construction, an existing structure must be demolished and excavation of soil is required before new construction can commence. There is an existing 15-foot alleyway (public) which must be vacated.]

200461.6 Ordinance 200461

An ordinance to amend the Code of the City of Flint by amending Chapter 35, (Personnel), Article V (Working Conditions) by amending Section 35-89 (Holidays). [NOTE: Amendment adds Juneteenth to the list of holidays.]

RESOLUTIONS CONTINUED

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.

POSTPONED

200468.1 Approval/Alley Vacation/1415 to 1419 North Dort Highway

Resolution resolving that 1415 to 1419 North Dort Highway, Flint (Parcel Nos. 41-08-239-008, 41-08-239-009, 41-08-239-001 and 41-08-239-002), including the entire 15-foot alleyway along the street address of 1415 to 1419 North Dort Highway, including the portion of the alleyway from there towards its terminus at Missouri Street, is hereby vacated and discontinued forever as a public street, alley or public ground, and the same is hereby placed on the assessment rolls for the purpose of taxation; AND, resolving that the City Clerk shall, within 30 days of this action, record a certified copy of this resolution with the Register of Deeds for Genesee County and forward a certified copy of said resolution to the State Treasurer. [NOTE: The applicant intends to construct a retail pharmacy location with drive-through services and a contiguous parking for customers' use. To undertake the requisite construction, an existing structure must be demolished and excavation of soil is required before new construction can commence. There is an existing 15-foot alleyway (public) which must be vacated.]

POSTPONED

200506 Contract/Tetra Tech/Engineering Services/Primary Clarifier Improvements/

Battery B Grit Removal

Resolution resolving that the proper city officials, upon City Council's approval, are to do all things necessary to enter into a contract with Tetra Tech for qualified engineers for best qualified firm for Proposal No. 21000556-Primary Clarifier Improvements and Proposal No. 21000566 as the best qualified firm for Battery B Grit Removal, as requested by Water Pollution Control, in an amount NOT-TO-EXCEED \$1,362,600.00 [State Revolving Fund Acct. No. To Be Determined.]

POSTPONED**200507 Contract/Hubbell, Roth & Clark, Inc./Engineering Services/Secondary Clarifier Improvements**

Resolution resolving that the proper city officials, upon City Council's approval, are to do all things necessary to enter into a contract with Hubbell, Roth & Clark, Inc. for qualified engineers for secondary Clarifier improvements -- engineering services, as requested by Water Pollution Control, in an amount NOT-TO-EXCEED \$436,000.00 [State Revolving Fund Acct. No. To Be Determined.]

POSTPONED**200508 Contract/Wade Trim/Engineering Services/Third Avenue Pumping Station Improvements**

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 Third Avenue Pumping Station improvements, as requested by Water Pollution Control, in an amount NOT-TO-EXCEED \$965,000.00 [State Revolving Fund Acct. No. To Be Determined.]

POSTPONED**200509 Contract/Environmental Testing & Consulting/Lead Inspection/Risk Assessment/HUD Lead-Based Paint Hazard Control Program**

Resolution authorizing the proper city officials, upon City Council's approval, to do all things necessary to enter into a contract with Environmental Testing & Consulting for lead inspection/risk assessment for the U.S. Department of Housing and Urban Development's (HUD) Lead-Based Paint Hazard Control Program, as requested by the Chief Resilience Officer, in an amount NOT-TO-EXCEED \$106,800.00 [HUD Grant Professional Services Acct. No. 296-171.530-801.000 [NOTE: The primary strategy of the Lead-Based Paint Hazard Control Program focuses on elimination of lead hazards in 70 eligible housing units.]

POSTPONED**200510 CO#2/Contract/CDM Smith/Resident Project Representative Services/Construction Engineering Services**

Resolution authorizing the proper city officials, upon City Council's approval, to enter into change order #2 with CDM Smith for additional Resident Project Representative (RPR) services and Construction Engineering (CE) services, for an additional contract amount of \$428,947.00, in an amount NOT-TO-EXCEED \$95,586.00, and a total contract price NOT-TO-EXCEED \$1,020,833.00, with disbursement of Water Infrastructure Improvements for the Nation (WIIN) funding from the Department of Environment, Great Lakes and Energy (EGLE), as requested by DPW [WIIN Acct. No. 496-553.000-801.054.]
[Enter body here.]

POSTPONED

- 200511** Grant Acceptance/State of Michigan/Genesee County Community Action Resource Department (GCCARD)

Resolution resolving that the appropriate city officials, upon City Council's approval, are authorized to do all things necessary to accept grant funding from the State of Michigan through sub-recipient GCCARD, in the amount of \$1,869,272.61, as requested by Finance. [NOTE: Gov. Gretchen Whitmer signed House Bill 690 on July 1, 2020, appropriating funding for Water Utility Assistance to residential water and waste water customers with new arrearages starting March 1, 2020. GCCARD identified qualified delinquent Flint water and sewer accounts eligible for the program. The delinquent accounts eligible for the program totaled \$1,869,272.61.

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

- 200512** Ordinance/Amendment/Chapter 12 (Business and Occupations Generally/

Article XVI (Medical Marihuana Facilities)/Addition of Section 12-96 (Sixty Day Emergency Opt In to Related Recreational Marihuana Facilities, Elimination of License Cap, to Extend that Section by Sixty (60) Days)

An ordinance to amend the Code of Ordinances for the City of Flint by amending Chapter 12 (Business and Occupations Generally), Article XVI (Medical Marihuana Facilities), Section 12-96 (Sixty Day Emergency Opt In to Related Recreational Marihuana Facilities, Elimination of License Cap, to Extend that Section by Sixty (60) Days.) [NOTE: This is the seventh and supplemental extension of sixty days Emergency Opt-In to Related Recreational Marihuana Facilities; Elimination of License Cap.]

POSTPONED

SECOND READING AND ENACTMENT OF ORDINANCES

200461 Amendment/Chapter 35 (Personnel)/Article V (Working Conditions)/Amendment of Section 35-89 (Holidays)

An ordinance to amend the Code of the City of Flint by amending Chapter 35, (Personnel), Article V (Working Conditions) by amending Section 35-89 (Holidays). [NOTE: Amendment adds Juneteenth to the list of holidays.]

POSTPONED

SPECIAL ORDERS CONTINUED

These Special Orders were postponed to December 17, 2020.

200503 Special Order/COVID-19 in City Hall

A Special Order as requested by Councilperson Mays, re: He would like to discuss COVID-19 and the 55 city employees who have tested positive for the virus.

200505 Special Order/Pierce Golf Course

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

DISCUSSION ITEMS

200501 Marihuana Ordinances

A discussion item as requested by the City Attorney to discuss the city's permanent marihuana ordinances.

POSTPONED

200502 Discussion Item/State of Emergency

A Discussion Item as requested by Councilperson Mays, re: He would like to discuss the current State of Emergency and the Mayor's failure to expediently convene a meeting with City Council.

POSTPONED

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.

POSTPONED

ADJOURNMENT

After the motion to recess passed, the meeting adjourned at 11:54 p.m.

Respectfully transcribed & submitted,

Janell Johnson. Administrative Secretary to City Council

210073

City of Flint, Michigan

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



Meeting Minutes - Draft

Thursday, December 17, 2020

5:33 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

City Council President Kate Fields called this 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

MOTIONS

Councilperson Winfrey, with support from Councilperson Worthing, made a motion to suspend the rules (no motion has to be on the floor before discussion starts) on Resolution No. 200488 (Water Litigation Settlement). The motion passed 8-1 (No: Guerra). Councilperson Worthing, with support from Councilperson Galloway, made a motion for City Council to hire its own attorney for all water litigation issues, and that the hiring is expedited by the City Attorney once the City Council has identified one. The motion passed 6-3 (No: Davis, Guerra, Griggs). Councilperson Worthing, with support from Councilperson Winfrey, made a motion to have the City Council's attorney file a response to the proposed water litigation settlement and/or raise any other objections or concerns that the Council has regarding this settlement. The motion passed 8-1 (No: Davis).

MOTION

Councilperson Worthing, with support from Councilperson Davis, made a motion to end discussion on the water litigation settlement and vote on the actual resolution (200488) and the companion resolution that was added onto tonight's agenda. The motion passed 6-3 (No: Mays, Winfrey-Carter, Galloway).

RESOLUTIONS

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.]

Adopted

Substituted

A motion was made by Councilperson Mays, seconded by Councilperson Winfrey-Carter, that this matter be POSTPONED for December 21, 2020. The motion failed by the following vote:

Aye: 4 - Councilperson Mays, Councilperson Winfrey-Carter, Councilperson Winfrey and Councilperson Galloway

No: 5 - Councilperson Davis, Councilperson Guerra, Councilperson Fields, Councilperson Griggs and Councilperson Worthing

MOTIONS

Councilperson Mays, with support from Councilperson Davis, made a motion to suspend the rules as it relates to discussion on the Companion Resolution to the Water Litigation Settlement (200488). Councilperson Davis then asked to withdraw his support for suspending the rules. He received support from Councilperson Griggs. The vote was 9-0. Councilperson Mays made another motion, with support from Councilperson Winfrey-Carter, to suspend the rules as it relates to discussion on the Companion Resolution to the Water Litigation Settlement (200488). The motion failed 4-5 (No: Guerra, Fields, Galloway, Griggs, Worthing). Councilperson Galloway then made a motion to reconsider Resolution No. 200488 (water litigation settlement), with support from Councilperson Winfrey. The vote was 8-1 (No: Guerra).

RESOLUTIONS CONTINUED

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.]

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

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

No: 1 - Councilperson Guerra

A motion was made by Councilperson Mays, seconded by Councilperson Winfrey-Carter, that this matter be POSTPONED for December 21, 2020. The motion carried by the following vote:

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

No: 1 - Councilperson Guerra

EXECUTIVE (CLOSED) SESSION

The Department of Law requested an Executive Session for the purpose of updating the City Council on Wells v City of Flint, Case No. 2:18-cv-12755. The vote to go into Executive Session was 8-0 (Absent: Fields).

ROLL CALL

Councilperson Worthing left at approximately 9 p.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

PUBLIC HEARINGS

200426.6 Public Hearing/FY2021-FY2024 Vision, Mission, and Goals of the Strategic Plan

A public hearing on the City of Flint FY2021-FY2024 Vision, Mission, and Goals of the Strategic Plan. The plan shall state the City of Flint's goals, prioritized objectives and measures for success for the next fiscal year. The City Council shall utilize the City of Flint's Comprehensive Plan, input from the Mayor and input from the public in updating the strategic plan.

HEARING HELD

200468.6 Public Hearing/Alley Vacation/1415-1419 North Dort Highway

Resolution resolving that a public hearing to consider the vacation of the public

alley located at 1415-1419 North Dort Highway, Flint (Parcel Nos. 41-08-239-008, 41-08-239-009, 41-08-239-001 and 41-08-239-002), including the entire 15-foot alleyway along the street address of 1415 to 1419 North Dort Highway, including the portion of the alleyway from there towards its terminus at Missouri Street, shall be held on the 14th day of December, 2020, at 5:30 p.m. via Electronic Public Meeting. [NOTE: The applicant intends to construct a retail pharmacy location with drive-through services and a contiguous parking for customers' use. To undertake the requisite construction, an existing structure must be demolished and excavation of soil is required before new construction can commence. There is an existing 15-foot alleyway (public) which must be vacated.]

HEARING HELD

200461.6 Ordinance 200461

An ordinance to amend the Code of the City of Flint by amending Chapter 35, (Personnel), Article V (Working Conditions) by amending Section 35-89 (Holidays). [NOTE: Amendment adds Juneteenth to the list of holidays.]

HEARING HELD

MOTION TO RECESS

Councilperson Mays, with support from Councilperson Griggs, moved to postpone remaining agenda items (resolutions, ordinances, special orders and discussion items) to the December 21, 2020, agenda. The motion passed 6-0 (Absent: Guerra, Galloway, Worthing).

RESOLUTIONS CONTINUED

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.

POSTPONED

200468.1 Approval/Alley Vacation/1415 to 1419 North Dort Highway

Resolution resolving that 1415 to 1419 North Dort Highway, Flint (Parcel Nos. 41-08-239-008, 41-08-239-009, 41-08-239-001 and 41-08-239-002), including the entire 15-foot alleyway along the street address of 1415 to 1419 North Dort Highway, including the portion of the alleyway from there towards its terminus at Missouri Street, is hereby vacated and discontinued forever as a public street, alley or public ground, and the same is hereby placed on the assessment rolls for the purpose of taxation; AND, resolving that the City Clerk shall, within 30 days of this action, record a certified copy of this resolution with the Register of Deeds for Genesee County and forward a certified copy of said resolution to the State Treasurer. [NOTE: The applicant intends to construct a retail pharmacy location with drive-through services and a contiguous parking for customers' use. To

undertake the requisite construction, an existing structure must be demolished and excavation of soil is required before new construction can commence. There is an existing 15-foot alleyway (public) which must be vacated.]

POSTPONED**200506** Contract/Tetra Tech/Engineering Services/Primary Clarifier Improvements/Battery B Grit Removal

Resolution resolving that the proper city officials, upon City Council's approval, are to do all things necessary to enter into a contract with Tetra Tech for qualified engineers for best qualified firm for Proposal No. 21000556-Primary Clarifier Improvements and Proposal No. 21000566 as the best qualified firm for Battery B Grit Removal, as requested by Water Pollution Control, in an amount NOT-TO-EXCEED \$1,362,600.00 [State Revolving Fund Acct. No. To Be Determined.]

POSTPONED**200507** Contract/Hubbell, Roth & Clark, Inc./Engineering Services/Secondary Clarifier Improvements

Resolution resolving that the proper city officials, upon City Council's approval, are to do all things necessary to enter into a contract with Hubbell, Roth & Clark, Inc. for qualified engineers for secondary Clarifier improvements -- engineering services, as requested by Water Pollution Control, in an amount NOT-TO-EXCEED \$436,000.00 [State Revolving Fund Acct. No. To Be Determined.]

POSTPONED**200508** Contract/Wade Trim/Engineering Services/Third Avenue Pumping Station Improvements

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 Third Avenue Pumping Station improvements, as requested by Water Pollution Control, in an amount NOT-TO-EXCEED \$965,000.00 [State Revolving Fund Acct. No. To Be Determined.]

POSTPONED**200509** Contract/Environmental Testing & Consulting/Lead Inspection/Risk Assessment/HUD Lead-Based Paint Hazard Control Program

Resolution authorizing the proper city officials, upon City Council's approval, to do all things necessary to enter into a contract with Environmental Testing & Consulting for lead inspection/risk assessment for the U.S. Department of Housing and Urban Development's (HUD) Lead-Based Paint Hazard Control Program, as requested by the Chief Resilience Officer, in an amount NOT-TO-EXCEED \$106,800.00 [HUD Grant Professional Services Acct. No. 296-171.530-801.000]

[NOTE: The primary strategy of the Lead-Based Paint Hazard Control Program focuses on elimination of lead hazards in 70 eligible housing units.]

POSTPONED**200510**

CO#2/Contract/CDM Smith/Resident Project Representative Services/Construction Engineering Services

Resolution authorizing the proper city officials, upon City Council's approval, to enter into change order #2 with CDM Smith for additional Resident Project Representative (RPR) services and Construction Engineering (CE) services, for an additional contract amount of \$428,947.00, in an amount NOT-TO-EXCEED \$95,586.00, and a total contract price NOT-TO-EXCEED \$1,020,833.00, with disbursement of Water Infrastructure Improvements for the Nation (WIIN) funding from the Department of Environment, Great Lakes and Energy (EGLE), as requested by DPW [WIIN Acct. No. 496-553.000-801.054.]
[Enter body here.]

POSTPONED**200511**

Grant Acceptance/State of Michigan/Genesee County Community Action Resource Department (GCCARD)

Resolution resolving that the appropriate city officials, upon City Council's approval, are authorized to do all things necessary to accept grant funding from the State of Michigan through sub-recipient GCCARD, in the amount of \$1,869,272.61, as requested by Finance. [NOTE: Gov. Gretchen Whitmer signed House Bill 690 on July 1, 2020, appropriating funding for Water Utility Assistance to residential water and waste water customers with new arrearages starting March 1, 2020. GCCARD identified qualified delinquent Flint water and sewer accounts eligible for the program. The delinquent accounts eligible for the program totaled \$1,869,272.61.

POSTPONED**200519**

Settlement Agreement/Companion Resolution/Concerns Expressed by City Council/Flint Water Litigation

Resolution resolving that these are the concerns of the Flint City Council regarding the Settlement Agreement resolving the Flint Water Litigation, and that the members of the City Council may, at their discretion, submit to the applicable Court or Courts these concerns along with any other concerns that individual City Council members may have. [NOTE: The City Council, on behalf of their constituents, the residents of the City of Flint, expresses the following concerns regarding the Settlement Agreement:

- 1) That the State of Michigan is contributing insufficient funds to the Settlement Agreement;
- 2) That the proof of injury requirements in the Settlement Agreement may be unduly burdensome on some residents of the City of Flint
- 3) That the Settlement Agreement should more explicitly cover payment of water bills by the residents of the City of Flint.

- 4) That the Settlement Agreement should allocate Settlement Funds to cover claims for payment of water bills in an amount not less than 2%.
- 5) That the City Council would prefer an additional two months to consider and deliberate regarding the Settlement Agreement and conduct additional consultations.]

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

- 200512** Ordinance/Amendment/Chapter 12 (Business and Occupations Generally)/Article XVI (Medical Marihuana Facilities)/Addition of Section 12-96 (Sixty Day Emergency Opt In to Related Recreational Marihuana Facilities, Elimination of License Cap, to Extend that Section by Sixty (60) Days)

An ordinance to amend the Code of Ordinances for the City of Flint by amending Chapter 12 (Business and Occupations Generally), Article XVI (Medical Marihuana Facilities), Section 12-96 (Sixty Day Emergency Opt In to Related Recreational Marihuana Facilities, Elimination of License Cap, to Extend that Section by Sixty (60) Days.) [NOTE: This is the seventh and supplemental extension of sixty days Emergency Opt-In to Related Recreational Marihuana Facilities; Elimination of License Cap.]

POSTPONED

SECOND READING AND ENACTMENT OF ORDINANCES

- 200461** Amendment/Chapter 35 (Personnel)/Article V (Working Conditions)/Amendment of Section 35-89 (Holidays)

An ordinance to amend the Code of the City of Flint by amending Chapter 35,

(Personnel), Article V (Working Conditions) by amending Section 35-89 (Holidays).
[NOTE: Amendment adds Juneteenth to the list of holidays.]

POSTPONED

SPECIAL ORDERS

Both Special Orders, 200503 and 200505, were postponed to the December 21, 2020, agenda.

200503 Special Order/COVID-19 in City Hall

A Special Order as requested by Councilperson Mays, re: He would like to discuss COVID-19 and the 55 city employees who have tested positive for the virus.

200505 Special Order/Pierce Golf Course

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

DISCUSSION ITEMS

200501 Marihuana Ordinances

A discussion item as requested by the City Attorney to discuss the city's permanent marihuana ordinances.

POSTPONED

200502 Discussion Item/State of Emergency

A Discussion Item as requested by Councilperson Mays, re: He would like to discuss the current State of Emergency and the Mayor's failure to expediently convene a meeting with City Council.

POSTPONED

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.

POSTPONED

ADJOURNMENT

Councilperson Mays, with support from Councilperson Winfrey, made a motion to adjourn. The vote was 5-0 (Absent: Guerra, Galloway, Griggs, Worthing). The meeting adjourned at 10:35 p.m.

Respectfully transcribed & submitted,

Janell Johnson, Administrative Secretary to City Council

210074

City of Flint, Michigan

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



Meeting Minutes - Draft

Monday, December 21, 2020

5:34 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

City Council President Kate Fields called the meeting to order at 5:34 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 Monica Galloway led the Pledge of Allegiance.

REQUESTS FOR CHANGES OR ADDITIONS TO AGENDA

Councilperson Fields asked for a discussion with attorneys from Mika Meyers, PLC, after Changes or Additions to Agenda. The motion passed 8-0 (Absent for this vote: Guerra). Councilperson Fields made a motion to have Public Speaking/Council Response after the discussion with the attorneys. The motion passed 9-0. Councilperson Fields asked to have the Add-On Resolution (a Budget Amendment for Elections) added to the Master Resolution. The vote was 9-0. Councilperson Fields made a motion to postpone Special Order 200500 (Emergency Rules), and Special Order 200503 (COVID-19 in City Hall) to January 11, 2021. The motion passed 9-0. Councilperson Fields made a motion to postpone Special Order 200505 (Pierce Golf Course) to January 11, 2021. The vote was 9-0. Councilperson Fields asked to postpone Resolution No. 200493 (Emergency Rules) and Resolution No. 200516 (a Budget Amendment for Tree Removal Services) until January 11, 2021. The motion passed 9-0. Councilperson Fields made a motion to postpone the Introduction and First Reading of Ordinances 200074, 200075 and 200076 (Marihuana) until January 11, 2021. The vote was 8-1 (No: Mays). Councilperson Fields made motions to postpone the Introduction and First Reading of Ordinances 200489 (Hours of the Sale of Liquor) and 200490 (Landlords Removal and Disposal Process regarding Evictions) until January 11, 2021. The votes were 8:1 (No: Griggs), and 6:3 (No: Davis, Guerra, Galloway), respectively. Councilperson Fields asked to discuss Resolutions 200488 (Water Litigation Settlement) and the Companion Resolution (200519) immediately after Public Speaking/Council Response. The motion passed 9-0. Councilperson Fields initially made a motion to postpone all discussion items. Councilperson Griggs then made a motion, with support from Councilperson Davis, to remove Discussion Item 200513 from the vote. Councilperson Davis then made a motion to withdraw support for the previous motion. The vote to withdraw passed 8-1 (No: Griggs). The discussion items were then postponed (until January 11, 2021) separately, with the following votes: Discussion Item 200501 (Marihuana), 8-1 (No: Guerra); Discussion Item 200502 (State of Emergency), 6-3 (No: Mays, Winfrey-Carter, Galloway); and Discussion Item 200513, 6-3 (No: Mays, Winfrey-Carter, Griggs). Councilperson Fields made a motion to postpone (indefinitely) Public Hearings 200483.6 (Vacation of Decker Street) and 200484.6 (Vacation of Kearsley Street) at the request of the Administration. The vote was 9-0.

MOTION -- CITY COUNCIL ATTORNEY

Councilperson Mays, with support from Councilperson Guerra, asked City Attorney Angela Wheeler to have a discussion with Rick Wilson of Mika Meyers, PLC about retaining Mr.

Wilson as the City Council's attorney. The motion passed 7-2 (No: Davis, Griggs).

MOTION

Councilperson Mays, with support from Councilperson Winfrey-Carter, asked to suspend the five-minute rule for discussion of Resolution No. 200519 (the Companion Resolution to the Water Litigation Settlement). The motion failed 4-5 (No: Davis, Guerra, Fields, Griggs, Worthing).

RESOLUTIONS

200519 Settlement Agreement/Companion Resolution/Concerns Expressed by City Council/Flint Water Litigation

Resolution resolving that these are the concerns of the Flint City Council regarding the Settlement Agreement resolving the Flint Water Litigation, and that the members of the City Council may, at their discretion, submit to the applicable Court or Courts these concerns along with any other concerns that individual City Council members may have. [NOTE: The City Council, on behalf of their constituents, the residents of the City of Flint, expresses the following concerns regarding the Settlement Agreement:

- 1) That the State of Michigan is contributing insufficient funds to the Settlement Agreement;
- 2) That the proof of injury requirements in the Settlement Agreement may be unduly burdensome on some residents of the City of Flint
- 3) That the Settlement Agreement should more explicitly cover payment of water bills by the residents of the City of Flint.
- 4) That the Settlement Agreement should allocate Settlement Funds to cover claims for payment of water bills in an amount not less than 2%.
- 5) That the City Council would prefer an additional two months to consider and deliberate regarding the Settlement Agreement and conduct additional consultations.]

The motion was to amend the resolution to include unpaid water liens and to close with the paragraph on the third version of the Companion Resolution submitted by Law.

A motion was made by Councilperson Worthing, seconded by Councilperson Guerra, that this matter be Amended. The motion failed by the following vote:

Aye: 4 - Councilperson Guerra, Councilperson Fields, Councilperson Winfrey and Councilperson Worthing

No: 4 - Councilperson Davis, Councilperson Winfrey-Carter, Councilperson Galloway and Councilperson Griggs

Abstain: 1 - Councilperson Mays

MOTION

Councilperson Mays, with support from Councilperson Winfrey-Carter, made a motion to suspend the rules for this discussion (on 200519 -- the Companion Resolution to 200488 -- Water Litigation Settlement). The motion failed 4-5 (No: Davis, Guerra, Fields, Griggs, Worthing).

200519

Settlement Agreement/Companion Resolution/Concerns Expressed by City Council/Flint Water Litigation

Resolution resolving that these are the concerns of the Flint City Council regarding the Settlement Agreement resolving the Flint Water Litigation, and that the members of the City Council may, at their discretion, submit to the applicable Court or Courts these concerns along with any other concerns that individual City Council members may have. [NOTE: The City Council, on behalf of their constituents, the residents of the City of Flint, expresses the following concerns regarding the Settlement Agreement:

- 1) That the State of Michigan is contributing insufficient funds to the Settlement Agreement;
- 2) That the proof of injury requirements in the Settlement Agreement may be unduly burdensome on some residents of the City of Flint
- 3) That the Settlement Agreement should more explicitly cover payment of water bills by the residents of the City of Flint.
- 4) That the Settlement Agreement should allocate Settlement Funds to cover claims for payment of water bills in an amount not less than 2%.
- 5) That the City Council would prefer an additional two months to consider and deliberate regarding the Settlement Agreement and conduct additional consultations.]

The motion was to amend Resolution 200519 to include the last paragraph of the third version of the Companion Resolution prepared by the City Attorney's office, which reads "these are the concerns of the Flint City Council regarding the proposed settlement and that the Law Department is requested to notify the applicable Court or Courts of this resolution." The motion passed 6-2 (No: Winfrey-Carter, Griggs) (Abstention: Mays).

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

Aye: 6 - Councilperson Davis, Councilperson Guerra, Councilperson Fields, Councilperson Winfrey, Councilperson Galloway and Councilperson Worthing

No: 2 - Councilperson Winfrey-Carter and Councilperson Griggs

Abstain: 1 - Councilperson Mays

200519.1

Amendment/Settlement Agreement/Companion Resolution/Concerns Expressed by City Council/Flint Water Litigation

Amended resolution resolving that these are the concerns of the Flint City Council regarding the Settlement Agreement resolving the Flint Water Litigation, and that the members of the City Council may, at their discretion, submit to the applicable Court or Courts these concerns along with any other concerns that individual City Council members may have. [NOTE: The City Council, on behalf of their constituents, the residents of the City of Flint, expresses the following concerns regarding the Settlement Agreement:

- 1) That the State of Michigan is contributing insufficient funds to the Settlement Agreement;
- 2) That the proof of injury requirements in the Settlement Agreement may be unduly burdensome on some residents of the City of Flint

3) That the Settlement Agreement should more explicitly cover payment of water bills by the residents of the City of Flint.

4) That the Settlement Agreement should allocate Settlement Funds to cover claims for payment of water bills in an amount not less than 2%.

5) That the City Council would prefer an additional two months to consider and deliberate regarding the Settlement Agreement and conduct additional consultations.] [NOTE: Resolution amended to include the third paragraph in the third version submitted by the City Attorney's Office, which states that "these are the concerns of the Flint City Council regarding the proposed settlement and that the Law Department is requested to notify the applicable Court or Courts of this resolution."]

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

Aye: 6 - Councilperson Davis, Councilperson Guerra, Councilperson Fields, Councilperson Winfrey, Councilperson Galloway and Councilperson Worthing

No: 2 - Councilperson Winfrey-Carter and Councilperson Griggs

Abstain: 1 - Councilperson Mays

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.]

The motion was to amend 200488 to include 200519.1.

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

Aye: 5 - Councilperson Davis, Councilperson Guerra, Councilperson Fields, Councilperson Winfrey and Councilperson Worthing

No: 3 - Councilperson Winfrey-Carter, Councilperson Galloway and Councilperson Griggs

Abstain: 1 - Councilperson Mays

MOTION

Councilperson Mays, with support from Councilperson Winfrey-Carter, made a motion to suspend the rules for this discussion (on 200488 -- Water Litigation Settlement). The motion failed 4-5 (No: Davis, Guerra, Fields, Griggs, Worthing).

200488.1 Amendment/Settlement/Flint Water Litigation

Amended 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.] [NOTE: This resolution was amended to include the Companion Resolution, 200519.1.]

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

Aye: 6 - Councilperson Davis, Councilperson Guerra, Councilperson Fields, Councilperson Winfrey, Councilperson Griggs and Councilperson Worthing

No: 1 - Councilperson Winfrey-Carter

Abstain: 2 - Councilperson Mays and Councilperson Galloway

SPECIAL ORDERS

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.]

POSTPONED**200503** Special Order/COVID-19 in City Hall

A Special Order as requested by Councilperson Mays, re: He would like to discuss COVID-19 and the 55 city employees who have tested positive for the virus.

This Special Order was postponed to 1-11-21.

200505 Special Order/Pierce Golf Course

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

This Special Order was postponed to 1-11-21.

PUBLIC HEARINGS**200494.6** 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.

HEARING HELD**200483.6** Public Hearing/Street Vacation/Decker Street Between Robert T. Longway Boulevard and Kearsley Street

A public hearing to consider the vacation of Decker Street between Robert T. Longway Boulevard and Kearsley Street. [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 Public Hearing was postponed indefinitely at the request of the Administration.

200484.6 Public Hearing/Street Vacation/Kearsley Street Between Walnut and Robert T. Longway Boulevard (1400 Kearsley Street)

A public hearing to consider the vacation of Kearsley Street between Walnut

and Robert T. Longway Boulevard (1400 Kearsley Street). [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 Public Hearing was postponed indefinitely at the request of the Administration.

200485.6 Public Hearing/Street Vacation/Simpson Court Between 9th and 10th Streets

A public hearing to consider the vacation of Simpson Court between 9th and 10th Streets. [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.]

HEARING HELD

200486.6 Public Hearing/Street Vacation/1415 Beach Street Between 9th and 10th Streets

A public hearing to consider the vacation of 1415 Beach Street between 9th and 10th streets. [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.]

HEARING HELD

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.

SEPARATED FROM MASTER RESOLUTION

200468.1 Approval/Alley Vacation/1415 to 1419 North Dort Highway

Resolution resolving that 1415 to 1419 North Dort Highway, Flint (Parcel Nos. 41-08-239-008, 41-08-239-009, 41-08-239-001 and 41-08-239-002), including the entire 15-foot alleyway along the street address of 1415 to 1419 North Dort Highway, including the portion of the alleyway from there towards its terminus at Missouri Street, is hereby vacated and discontinued forever as a public street, alley or public ground, and the same is hereby placed on the assessment rolls for the purpose of taxation; AND, resolving that the City Clerk shall, within 30 days of this action, record a certified copy of this resolution with the Register of Deeds for Genesee County and forward a certified copy of said resolution to the State

Treasurer. [NOTE: The applicant intends to construct a retail pharmacy location with drive-through services and a contiguous parking for customers' use. To undertake the requisite construction, an existing structure must be demolished and excavation of soil is required before new construction can commence. There is an existing 15-foot alleyway (public) which must be vacated.]

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

200485.1

Approval/Street Vacation/Simpson Court Between 9th and 10th Streets

Resolution resolving that Simpson Court between 9th and 10th Streets is hereby vacated and discontinued forever as a public street, alley or public ground, and the same is hereby placed on the assessment rolls for the purpose of taxation; AND, resolving that the City Clerk shall, within 30 days of this action, record a certified copy of this resolution with the Register of Deeds for Genesee County and forward a certified copy of said resolution to the State Treasurer. [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.

200486.1

Approval/Street Vacation/1415 Beach Street Between 9th and 10th Streets

Resolution resolving that 1415 Beach Street between 9th and 10th streets is hereby vacated and discontinued forever as a public street, alley or public ground, and the same is hereby placed on the assessment rolls for the purpose of taxation; AND, resolving that the City Clerk shall, within 30 days of this action, record a certified copy of this resolution with the Register of Deeds for Genesee County and forward a certified copy of said resolution to the State Treasurer. [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.

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.

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

- 200494.1** Approval/Adoption of City of Flint Board & Commission Procedures on Conducting Electronic Public Meetings
- Resolution resolving that the Flint City Council hereby adopts the City of Flint Board & Commission Procedures on Conducting Electronic Public Meetings.
- This Matter was ADOPTED BY THE MASTER RESOLUTION on the Consent Agenda.**
- 200506** Contract/Tetra Tech/Engineering Services/Primary Clarifier Improvements/Battery B Grit Removal
- Resolution resolving that the proper city officials, upon City Council's approval, are to do all things necessary to enter into a contract with Tetra Tech for qualified engineers for best qualified firm for Proposal No. 21000556-Primary Clarifier Improvements and Proposal No. 21000566 as the best qualified firm for Battery B Grit Removal, as requested by Water Pollution Control, in an amount NOT-TO-EXCEED \$1,362,600.00 [State Revolving Fund Acct. No. To Be Determined.]
- This Matter was ADOPTED BY THE MASTER RESOLUTION on the Consent Agenda.**
- 200507** Contract/Hubbell, Roth & Clark, Inc./Engineering Services/Secondary Clarifier Improvements
- Resolution resolving that the proper city officials, upon City Council's approval, are to do all things necessary to enter into a contract with Hubbell, Roth & Clark, Inc. for qualified engineers for secondary Clarifier improvements -- engineering services, as requested by Water Pollution Control, in an amount NOT-TO-EXCEED \$436,000.00 [State Revolving Fund Acct. No. To Be Determined.]
- This Matter was ADOPTED BY THE MASTER RESOLUTION on the Consent Agenda.**
- 200508** Contract/Wade Trim/Engineering Services/Third Avenue Pumping Station Improvements
- 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 Third Avenue Pumping Station improvements, as requested by Water Pollution Control, in an amount NOT-TO-EXCEED \$965,000.00 [State Revolving Fund Acct. No. To Be Determined.]
- This Matter was ADOPTED BY THE MASTER RESOLUTION on the Consent Agenda.**
- 200509** Contract/Environmental Testing & Consulting/Lead Inspection/Risk Assessment/HUD Lead-Based Paint Hazard Control Program
- Resolution authorizing the proper city officials, upon City Council's approval, to

do all things necessary to enter into a contract with Environmental Testing & Consulting for lead inspection/risk assessment for the U.S. Department of Housing and Urban Development's (HUD) Lead-Based Paint Hazard Control Program, as requested by the Chief Resilience Officer, in an amount NOT-TO-EXCEED \$106,800.00 [HUD Grant Professional Services Acct. No. 296-171.530-801.000 [NOTE: The primary strategy of the Lead-Based Paint Hazard Control Program focuses on elimination of lead hazards in 70 eligible housing units.]

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

200510 CO#2/Contract/CDM Smith/Resident Project Representative Services/Construction Engineering Services

Resolution authorizing the proper city officials, upon City Council's approval, to enter into change order #2 with CDM Smith for additional Resident Project Representative (RPR) services and Construction Engineering (CE) services, for an additional contract amount of \$428,947.00, in an amount NOT-TO-EXCEED \$95,586.00, and a total contract price NOT-TO-EXCEED \$1,020,833.00, with disbursement of Water Infrastructure Improvements for the Nation (WIIN) funding from the Department of Environment, Great Lakes and Energy (EGLE), as requested by DPW [WIIN Acct. No. 496-553.000-801.054.] [Enter body here.]

SEPARATED FROM MASTER RESOLUTION

200511 Grant Acceptance/State of Michigan/Genesee County Community Action Resource Department (GCCARD)

Resolution resolving that the appropriate city officials, upon City Council's approval, are authorized to do all things necessary to accept grant funding from the State of Michigan through sub-recipient GCCARD, in the amount of \$1,869,272.61, as requested by Finance. [NOTE: Gov. Gretchen Whitmer signed House Bill 690 on July 1, 2020, appropriating funding for Water Utility Assistance to residential water and waste water customers with new arrearages starting March 1, 2020. GCCARD identified qualified delinquent Flint water and sewer accounts eligible for the program. The delinquent accounts eligible for the program totaled \$1,869,272.61.

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

200514 CO#1/Contract/Flint Housing Commission/Budget Amendment/Transfer of Funds/City of Flint/U.S. Department of Housing and Urban Development (HUD)/Choice Neighborhoods Planning Grant

Resolution resolving that the appropriate City of Flint officials are authorized to do all things necessary, including budget amendments, to process a change order to increase Contract 19-035B with the Flint Housing Commission by \$41,580.00 in FHUD18CHOICE Acct. No. 296-691.405-502.000 (revenue) and FHUD18CHOICE Acct. No. 296-691.405-502.100 (expense), for a revised total contract amount of

\$456,170.03, as requested by Planning and Development. [NOTE: The city was awarded grant funding from the U.S. Department of Housing and Urban Development (HUD) Choice Neighborhoods Planning Grant. The grant is for the implementation of the Imagine Flint South Flint Community Plan Choice Neighborhoods Initiative. The budget revision allows the city to move administrative funds to the management improvements line item to pay for security costs at Atherton East.]

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

200515

Budget Amendment/Transfer of Funds/Street Lighting Fund Balance/Decorative Street Lights

Resolution resolving that the appropriate city officials, upon City Council's approval, are authorized to do all things necessary to transfer from Street Lighting Fund Balance the amount of \$190,000.00 to Street Lighting Professional Services Account, as requested by Planning and Development [Street Lighting Fund Balance Acct. No. 219-000.000-390.000 and Street Lighting Professional Services Acct. No. 219-443.206-801.000.] [NOTE: There are several decorative street lights that need to be replaced in the City of Flint, for which funds were not budgeted.]

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

200516

Budget Amendment/Transfer of Funds/Tree Removal Work/Other Park Services

Resolution resolving that the appropriate city officials, upon City Council's approval, are authorized to do all things necessary to transfer from Park/Recreation Fund Balance the amount of \$40,000.00 to the Parks/Forestry Administration Professional Services Account for Fiscal Year 2021, as requested by Planning and Development [Parks/Recreation Fund Balance Acct. No. 208-000.000-390.000 and Parks/Forestry Professional Services Acct. No. 208-752.102-801.000.]

This Matter was SEPARATED FROM MASTER RESOLUTION on the Consent Agenda.

200517

Approval/City of Flint/Disability Access Plan

Resolution resolving that the Flint City Council agrees to adopt the Disability Access Plan. [NOTE: The policy is to address compliance with the non-discrimination requirements of Environmental Protection Agency (EPA) External Civil Rights Compliance Office (ECRO).]

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

200518

Setting a Public Hearing/Comments on Draft Parks Master Plan

Resolution resolving that a public hearing to provide for comments on the Draft

Parks Master Plan shall be held on the 25th day of January, 2021, at 5:30 p.m. in City Council Chambers, 1101 S. Saginaw Street, Flint (or by electronic public meeting), 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.

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

200520

Budget Amendment/Transfer of Funds/Addition of a Grantor/Verity Central System/Counting Absentee Ballots

Resolution resolving that the City Clerk's office can now pay Verity Central Systems \$72,000.00 from a Center for Tech and Civic Life grant (City Clerk Election Acct. No. 296-262.713-977.000) and \$25,215.00 from the City Clerk's budget (Election Acct. No. 101-262.100-930.262), AND, resolving that the abovementioned payments will place the ownership of the Verity Central System under the City of Flint. [NOTE: The cost of the Verity Central System is \$127,215.00, minus a \$30,000 grant from the State of Michigan.]

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

Passed The Consent Agenda

A motion was made by Councilperson Davis, 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 Griggs and Councilperson Worthing

Absent: 1 - Councilperson Galloway

ROLL CALL

Councilperson Galloway left about 1:38 a.m.

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

Absent: Councilperson: Councilperson Galloway

SEPARATED FROM THE MASTER RESOLUTION

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.

A motion was made by Councilperson Mays, seconded by Councilperson Griggs, that this matter be POSTPONED for January 11, 2021. The motion carried by the following vote:

Aye: 5 - Councilperson Mays, Councilperson Winfrey-Carter, Councilperson Winfrey, Councilperson Griggs and Councilperson Worthing

No: 3 - Councilperson Davis, Councilperson Guerra and Councilperson Fields

Absent: 1 - Councilperson Galloway

200510

CO#2/Contract/CDM Smith/Resident Project Representative Services/Construction Engineering Services

Resolution authorizing the proper city officials, upon City Council's approval, to enter into change order #2 with CDM Smith for additional Resident Project Representative (RPR) services and Construction Engineering (CE) services, for an additional contract amount of \$428,947.00, in an amount NOT-TO-EXCEED \$95,586.00, and a total contract price NOT-TO-EXCEED \$1,020,833.00, with disbursement of Water Infrastructure Improvements for the Nation (WIIN) funding from the Department of Environment, Great Lakes and Energy (EGLE), as requested by DPW [WIIN Acct. No. 496-553.000-801.054.]
[Enter body here.]

A motion was made by Councilperson Davis, 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 Griggs and Councilperson Worthing

Absent: 1 - Councilperson Galloway

200516

Budget Amendment/Transfer of Funds/Tree Removal Work/Other Park Services

Resolution resolving that the appropriate city officials, upon City Council's approval, are authorized to do all things necessary to transfer from Park/Recreation Fund Balance the amount of \$40,000.00 to the Parks/Forestry Administration Professional Services Account for Fiscal Year 2021, as requested by Planning and Development [Parks/Recreation Fund Balance Acct. No. 208-000.000-390.000 and Parks/Forestry Professional Services Acct. No. 208-752.102-801.000.]

A motion was made by Councilperson Fields that this matter be POSTPONED for January 11, 2021. 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

Councilpersons Fields and Worthing left at 2:08 a.m.

INTRODUCTION AND FIRST READING OF ORDINANCES

- 200074** Ordinance/Chapter 50 (Zoning)/Article XXXI (Medical Marihuana Facilities Opt In Ordinance)/Section 50-183 (Medical Marihuana Facilities Opt In Ordinance)

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

A motion was made by Councilperson Fields that this matter be POSTPONED for January 11, 2021. 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

No: 1 - Councilperson Mays

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

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

A motion was made by Councilperson Fields that this matter be POSTPONED for January 11, 2021. 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

No: 1 - Councilperson Mays

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

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

A motion was made by Councilperson Fields that this matter be POSTPONED for January 11, 2021. 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

No: 1 - Councilperson Mays

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 Fields that this matter be POSTPONED for January 11, 2021. 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 Worthing

No: 1 - Councilperson Griggs

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 Fields that this matter be POSTPONED for January 11, 2021. The motion carried by the following vote:

Aye: 6 - Councilperson Mays, Councilperson Fields, Councilperson Winfrey-Carter, Councilperson Winfrey, Councilperson Griggs and Councilperson Worthing

No: 3 - Councilperson Davis, Councilperson Guerra and Councilperson Galloway

200512

Ordinance/Amendment/Chapter 12 (Business and Occupations Generally)/Article XVI (Medical Marihuana Facilities)/Addition of Section 12-96 (Sixty Day Emergency Opt In to Related Recreational Marihuana Facilities, Elimination of License Cap, to Extend that Section by Sixty (60) Days)

An ordinance to amend the Code of Ordinances for the City of Flint by amending Chapter 12 (Business and Occupations Generally), Article XVI (Medical Marihuana Facilities), Section 12-96 (Sixty Day Emergency Opt In to Related Recreational Marihuana Facilities, Elimination of License Cap, to Extend that Section by Sixty (60) Days.) [NOTE: This is the seventh and supplemental extension of sixty days Emergency Opt-In to Related Recreational Marihuana Facilities; Elimination of License Cap.]

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

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

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

SECOND READING AND ENACTMENT OF ORDINANCES

200461 Amendment/Chapter 35 (Personnel)/Article V (Working Conditions)/Amendment of Section 35-89 (Holidays)

An ordinance to amend the Code of the City of Flint by amending Chapter 35, (Personnel), Article V (Working Conditions) by amending Section 35-89 (Holidays). [NOTE: Amendment adds Juneteenth to the list of holidays.]

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

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

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

DISCUSSION ITEMS

200501 Marihuana Ordinances

A discussion item as requested by the City Attorney to discuss the city's permanent marihuana ordinances.

A motion was made by Councilperson Fields that this matter be POSTPONED for January 11, 2021. The motion carried by the following vote:

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

No: 1 - Councilperson Guerra

200502 Discussion Item/State of Emergency

A Discussion Item as requested by Councilperson Mays, re: He would like to discuss the current State of Emergency and the Mayor's failure to expediently convene a meeting with City Council.

A motion was made by Councilperson Fields that this matter be POSTPONED for January 11, 2021. The motion carried by the following vote:

Aye: 6 - Councilperson Davis, Councilperson Guerra, Councilperson Fields, Councilperson Winfrey, Councilperson Griggs and Councilperson Worthing

No: 3 - Councilperson Mays, Councilperson Winfrey-Carter and Councilperson Galloway

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.

A motion was made by Councilperson Fields that this matter be POSTPONED for January 11, 2021. The motion carried by the following vote:

Aye: 6 - Councilperson Davis, Councilperson Guerra, Councilperson Fields, Councilperson Winfrey, Councilperson Galloway and Councilperson Worthing

No: 3 - Councilperson Mays, Councilperson Winfrey-Carter and Councilperson Griggs

ADJOURNMENT

Councilperson Mays, with support from Councilperson Griggs, made a motion to adjourn. The vote was 6-0 (Absent: Fields, Galloway, Worthing). The meeting adjourned at 2:40 a.m.

Respectfully transcribed & submitted,

Janell Johnson, Administrative Secretary to City Council

RESOLUTION: 210053

PRESENTED: 2-8-21

ADOPTED:

**Resolution Approving the Appointment of Charis Lee to the
Human Relations Commission**

BY THE CLERK:

Per the City Charter that went into effect on Jan. 1, 2018, the Human Relations Commission shall be comprised of nine members, one from each ward in the City of Flint; and

Each Council member shall appoint one resident of his or her ward to serve on the Commission, which aims to assist in the elimination of prejudice, hate and discrimination and promote equality in the treatment of all residents; and

3rd Ward Councilman Santino Guerra recommends the appointment of Charis Lee (1133 Fairfax Street, Flint, MI, 48505) to the Human Relations Commission.

THEREFORE, BE IT RESOLVED, that the Flint City Council approves the appointment of Charis Lee to the Human Relations Commission, for a two-year term that begins October 27, 2020, and ends on October 28, 2022.

APPROVED AS TO FORM:

APPROVED BY FLINT CITY COUNCIL:

Angela Wheeler, Chief Legal Officer

Kate Fields, City Council President



Charis Lee is a native of Flint, Michigan and graduated from Carman-Ainsworth High School. In her senior year Charis joined the United States Army Reserve earning a Human Resources Certification before enrolling at Michigan State University “MSU”. Charis attended MSU in East Lansing, Michigan where she earned a bachelor’s degree in International Relations with a Specialization in Peace and Justice Affairs from James Madison College. While earning her degree, Charis worked in financial services and continued serving as a Human Resources professional in the Army Reserves until she was honorably discharged.

After earning her degree, Charis provided business solutions for several corporations in Michigan and Texas. Subsequently, Charis earned a Juris Doctor with *cum laude* honors from Thurgood Marshall School of Law in Houston, Texas. While in law school, Charis was a judicial clerk at the Equal Employment Opportunity Commission “EEOC” and held corporate legal internships with Altair Engineering, Inc. in Troy, Michigan and USAA, Inc. in San Antonio, Texas.

Upon graduation from Law School, Charis provided advice and training on labor and employment issues, was a member of the corporate arbitration team and served as Arbitration Lead for the Marietta site. Charis most notably served as Chief Negotiator for the 2019 IAM Security Guards Agreement which was accepted and ratified. While working for Lockheed, Charis represented several pro-bono clients in civil and criminal matters.

Charis relocated back to her home town of Flint, Michigan in October, 2018. She accepted an Attorney-Advisor (Assistant Director) position at Michigan State University College of Law and was influential in the career and professional development of the next generation of lawyers. In August 2019, Charis founded the Flint Professional Development Institute which helps residents of the Flint area with professional development, charitable giving, and other life skills. In January, 2020 Charis ran for the 34th House District State Representative seat which serves the Flint Area.

Currently, Charis is the Assistant Director of Labor Relations and Legal Services at the Michigan Association of School Boards and a member of the following organizations:

Bethlehem Temple Church located at 301 MLK Blvd Flint, MI;

Flint Professional Development Institute, Founder and Executive Director;

Women's Center of Greater Lansing, Board of Directors;

Boys and Girls Club (Flint), Board of Directors;

Young Democrats of Genesee County, Vice Chair;

Genesee County Black Caucus, Secretary;

Women Lawyers Association of Michigan;

Black Women Lawyers Association;

MVS Bar Association (Flint Minority Bar Association);

Flint NAACP;

Girl Scout Troop 77017, Troop Leader.

RESOLUTION: 210054

PRESENTED: 2-8-21

ADOPTED:

**Resolution Approving the Appointment of Raynetta P. Speed to
the Human Relations Commission**

BY THE CLERK:

Per the City Charter that went into effect on Jan. 1, 2018, the Human Relations Commission shall be comprised of nine members, one from each ward in the City of Flint; and

Each Council member shall appoint one resident of his or her ward to serve on the Commission, which aims to assist in the elimination of prejudice, hate and discrimination and promote equality in the treatment of all residents; and

1st Ward Councilman Eric Mays recommends the appointment of Raynetta P. Speed (650 East Bishop Avenue, Flint, MI, 48505) to the Human Relations Commission.

THEREFORE, BE IT RESOLVED, that the Flint City Council approves the appointment of Raynetta P. Speed to the Human Relations Commission, for a two-year term that begins October 27, 2020, and ends on October 28, 2022.

APPROVED AS TO FORM:

APPROVED BY FLINT CITY COUNCIL:

Angela Wheeler, Chief Legal Officer

Kate Fields, City Council President

RAYNETTA P. SPEED

Committed to excellence. Dedicated to progress. A lifetime of successful public service.

650 East Bishop Avenue Flint, Michigan 48505 | (810) 785-5564 | RaynettaSpeed@sbcglobal.net

ABOUT ME

As a lifelong member of the Genesee County community, I have successfully worked to create and nurture relationships at the grassroots level. I have achieved this by helping to organize community initiatives to solve problems, support youth, and improve the quality of life throughout the City of Flint and Genesee County, in the district I had the pleasure of serving for 12 years as a Genesee County Commissioner.

EDUCATION

Mott Community College

Associate Degree,
General Studies

PROFESSIONAL DEVELOPMENT

Leadership Development in
Interethnic Relationships

The Leadership Flint Program

COMMUNITY CONNECTIONS

I have worked closely with more than 18 Block Clubs and Associations in addition to more than 14 Faith Based Organizations to help make a positive impact in our community.

LEADERSHIP EXPERIENCE

Genesee County Land Bank | 2009 – Present

Community Relations Manager

Develops strategies and programs designed to represent the Genesee County Land Bank Authority favorably and make positive contributions to the community. Guides the development and implementation of marketing and communication efforts designed to advocate for Land Bank program and improve the perception of the organization in the community. Works in coordination with appropriate staff, consultants, and partners to create and manage programs that engage and support the community. Develops and expands relationships with community leaders, religious organizations, partners, and media representatives. Represents the organizations at events. Serve as a liaison between residents, churches, community organizations and Genesee County Land Bank. Provides input into grant applications and ensures that they are responsive to resident concerns.

Genesee County Board of Commissioners | 1996 - 2008

Commissioner, District 1

Elected to the Genesee County Board of Commissioners to represent the residents of District 1, including the City of Flint, Mt. Morris Township, and Genesee Township.

Genesee County Parks and Recreation Commission | 1997 - 2008

Commissioner

Responsible for policy development and fiscal oversight of the largest county parks system in the State of Michigan.

Genesee County Board of Commissioners | 2005, 2006, 2007

Vice-Chair

Selected by Genesee County Board of Commissioners to represent Genesee County in the absence of the Board Chair at official functions including public meetings.

Genesee County Board of Commissioners | 2001, 2004, 2008

Chair | Joint Governmental Operations and Finance Committee

The Governmental Operations Committee created new positions, re-established eliminated positions, and reclassified existing positions. The committee also processed contracts for assigned departments, grant applications and acceptances for assigned departments that do not require a match. Managed issues involving taxes other than the county tax rates, and proposed changes to the retirement ordinance and was responsible for oversight of 20 departments.

PROMOTING PARTNERSHIPS

Initiated the African American Heritage Collaborative – Genesee County, Michigan

Established a community coalition including private and public partners from the area's 3 major hospitals, public mental health care providers, as well as educational, governmental, and cultural institutions. Responsible for fundraising to bring nationally recognized leaders and educational programs to the greater Flint and Genesee County community to inspire local youth, create community harmony and generate scholarships to support local students.

Initiated the Genesee County Government Black History Month Program Genesee County, Michigan

Established an annual program to educate Genesee County government employees about the accomplishments and contributions of African American people throughout the history of the United States. This program celebrated its 10th anniversary in February 2008.

Genesee County Community Mental Health Board of Directors

Chair | 2003, 2004, 2007

Responsible for presiding over all board and special board meeting and as ex officio member to all committees and over Executive Committee; appointed each committee chair. Responsible for representing Board at functions such as the legislative breakfast and accrediting body surveys and planned the agenda for educational seminars and retreats.

Cranbrook Cooperative Effort Chair | 2000

Lead the effort for the \$1.2 million renovation of the Cranbrook housing project.

Genesee County Metropolitan Planning Commission | 1992 – 1997

Responsible for policy development and fiscal oversight of regional planning efforts coordinated by the Genesee County Metropolitan Planning Commission.

COMMUNITY LEADERSHIP

The New McCree Theatre | 2004 – 2008

President

Served as the titular head and motivational leader of the organization. Responsible for chairing both the board of directors and executive committee meetings. Assigned board members to various committees. Provided oversight to the board's committees to ensure accountability. Assisted in developing general policies for the organization.

Community Advocates Supporting, Encouraging Youth (CASEY) | 2007

Spearheaded the establishment of CASEY to enhance the educational environment of Northwestern High School students through the presence of concerned volunteer community members to actively engaged with students and staff.

Greater Beecher Business District | 2003

Spearheaded the Greater Beecher Business District to bring together a group of like-minded professionals committed to creating a safe, cohesive environment for promoting and sustaining economic growth for diverse community-oriented businesses in the Beecher Metropolitan District.

Delphi Corporation | 1973 - 2004

Employed for 30 years in multiple plant operational positions and held an active membership with UAW 651.

References available upon request.

RESOLUTION: 210065

PRESENTED: 2-8-21

ADOPTED:

**RESOLUTION OF APPOINTMENT
TO THE ETHICS & ACCOUNTABILITY BOARD**

BY THE CITY COUNCIL:

WHEREAS, Delores Langston resigned her position on the Ethics & Accountability Board, effective December 31, 2020; and

WHEREAS, 6th Ward Councilman Herbert Winfrey recommends the appointment of Linda Thompson (3013 Barth Street, Flint, MI 48504) to fill Ms. Langston's unexpired term.

THEREFORE, BE IT RESOLVED that the Flint City Council approves the appointment of Linda Thompson to serve Ms. Langston's remaining four-year term on the Ethics and Accountability Board, commencing February 8, 2021, and expiring June 25, 2022.

APPROVED AS TO FORM:

Angela Wheeler, Chief Legal Officer

APPROVED BY FLINT CITY COUNCIL:

LINDA THOMPSON

3013 Barth St.
Flint, MI 48504
(810)233-4699
Lthom2885@gmail.com

Education

Ed. D., Curriculum & Instruction/ Minor Educational Leadership, Wayne State University, Detroit, MI. Program began in Winter 2002. Course work suspended upon becoming Superintendent Spring 2007.

M.A. Educational Leadership, Eastern Michigan University, Ypsilanti, MI 1986

B.S. Ed., Special Education, University of Michigan, Ann Arbor, MI 1977

Michigan Continuing Teaching Certificate

Experience

Flint Community Schools

Superintendent of Community Education 2007-2013

- Responsible for 15,366 student enrollment
- 36 schools
- \$222,785,829 annual budget

Accomplishments:

- Successfully executed a 10 year Sinking fund millage campaign
- Managed building improvements and construction projects
- Developed a Strategic Plan
- Improved graduation rate
- The last 2 years, all graduating seniors were accepted to higher education, the military, or employed.

Executive Director of School Transition 2006-2007

- Responsible for supervision of Maintenance and Operations, Transportation, Purchasing and Warehouse.
- Responsible for supervision of Management Information Systems.
- Responsible for facilities evaluation and future use plan of building infrastructure.
- Responsible for 425 Staff FTE (Full Time Equivalent).
- Budget total for 4 departments - \$29 million dollars.



RESOLUTION NO.: 210041

PRESENTED: JAN 25 2021

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.

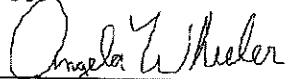
WHEREAS, the Genesee County Health Department's mission is to improve the health of Genesee County residents by being proactive in preventing health disparities and by mitigating health related illnesses.

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.

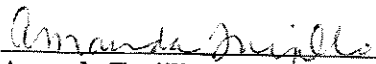
IT IS RESOLVED that the appropriate City Officials are authorized to do all things necessary to enter into a contract with Genesee County Health Department in the amount not-to-exceed \$451,440.00 over the final 12 month grant period, July 1, 2020 until June 30, 2021.

Approved as to Form:


Angela Wheeler, Chief Legal Officer


Clyde B. Edwards, City Administrator

Approved as to Finance:


Amanda Trujillo, Acting Finance Director


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

AMENDMENT NO. 2
TO PROFESSIONAL SERVICES CONTRACT

This Amendment is effective July 1, 2020 to June 30, 2021, and is between Genesee County, Michigan, a Michigan municipal corporation whose principal place of business is located at 1101 Beach Street, Flint, Michigan 48502 (the "County"), and **City of Flint**, whose principal place of business is located at 1101 S. Saginaw St, Flint, MI 48502 (the "Contractor") (the Contractor and the County together, the "Parties").

WHEREAS, the Parties executed a Professional Services Contract effective April 1, 2018 (the "Agreement"), pursuant to which the Contractor would provide assistance identifying and providing health services to determined cohort children, and continued coordination of parent advisory group;

WHEREAS, the Genesee County Board of Commissioners authorized the original Healthy Start Lead Expansion Professional Services Contract by Resolution # 18-189; and

WHEREAS, the Parties wish to amend the Agreement to extend the term for an additional one year period, from July 1, 2020 through June 30, 2021.

NOW THEREFORE, the Parties agree as follows:

1. Total budget for additional year of **\$451,440.00** (see Exhibit B, Budget, attached to this amendment).
2. Description of the Service is amended to accurately reflect Grant Year 4 Goals and Objectives.
3. Financial Status Report is amended to reflect the budget modification (see Exhibit D.3, Financial Status Report, attached to this amendment).
4. All other terms of the agreement remain unchanged and in full effect.
5. Execution of this Amendment is authorized by Resolution # 2020-852 issued by the Genesee County Board of Commissioners.

CITY OF FLINT

COUNTY OF GENESEE

By: _____
Sheldon Neeley
Mayor, City of Flint

Date: _____

By: _____
Martin Cousineau
Martin Cousineau
Board of County Commissioners

Date: _____

Partner Agency: City of Flint

DETAILED BUDGET FOR NEXT BUDGET
PERIOD--DIRECT COSTS ONLYFROM
7/1/2020THROUGH
6/30/2021GRANT NUMBER
U62MC31100

PERSONNEL (Applicant organization only)

%

DOLLAR AMOUNT REQUESTED (omit cents)

NAME	ROLE ON PROJECT	TYPE APPT. (MONTHS)	EFFORT ON PROJ.	SALARY REQUESTED	FRINGE BENEFITS	TOTALS
Lottie Ferguson	Chief Resilience Officer	12	10%	\$ 7,400.00	\$ 2,200.00	9,600
Billie Mitchell	Manager of Public Health	12	90%	\$ 50,400.00	\$20,500.00	70,900
Chay Linseman	Grants & Finance Coordinator	12	33%	\$ 20,000.00	\$ 5,000.00	25,000
Latrese Brown	Lead Health & Recovery Navigator	12	100%	\$ 36,400.00	\$12,500.00	48,900
Juanita (Connie) Steller	Clerical Support	12	75%	\$ 35,000.00	\$13,500.00	48,500
Jasmine Burrell	Health & Recovery Navigator	12	100%	\$ 30,000.00	\$12,500.00	42,500
TBD	Health & Recovery Navigator	12	100%	\$ 30,000.00	\$12,500.00	42,500
TBD	Health & Recovery Navigator	12	100%	\$ 30,000.00	\$12,500.00	42,500
SUBTOTALS----->				\$ 239,200.00	\$91,200.00	330,400

CONTRACTUAL COSTS

Data & Reporting Contractor

Contractual & Client Support

22000
32500
54500

EQUIPMENT (Itemized)

Equipment

5000

SUPPLIES (Itemize by category)

Supplies

5000

Postage

500

5500

OTHER

Printing & Publishing

2500

2500

PATIENT Care COSTS

ALTERATIONS AND RENOVATIONS (Itemize by category)

OTHER EXPENSES (Itemize by category)

Education, Training and Conferences

10000

Travel & Mileage Reimbursement (Navigators Only)

2500

12500

SUBTOTAL DIRECT COSTS FOR NEXT BUDGET PERIOD

\$410,400.00

CONSORTIUM/CONTRACTUAL COSTS

DIRECT COSTS

\$410,400.00

FACILITIES AND ADMINISTRATION COSTS

\$ 41,040.00

TOTAL DIRECT COSTS FOR NEXT BUDGET PERIOD ----->

\$451,440

City of Flint Public Health Workplan

Updated September 2020

Goal	Action(s)	Staff Responsible	Associated Grant	Timeline
Identify families in the cohort of Flint residents who have been affected by lead exposure by the public water supply and refer recommended services to minimize developmental delays	<ul style="list-style-type: none"> Attend partner events where residents can get access to resources. Host events where residents can get access to resources Create engagement opportunities for residents at places target populations organically visit or assemble Assist families with pre-enrollment for Flint Registry 	Public Health Manager^ Lead Public Health Navigator Public Health Navigators	GCHD	Ongoing, monthly reporting required
Provide Medicaid eligible families of the cohort with direct enrollment assistance, with some focus on special populations (Deaf & Latinx)	<ul style="list-style-type: none"> Record referrals in Healthy Start Database Follow up with families until program enrollment is approved or denied If program enrollment is denied, suggest alternative resources Obtain training and credentials to access system for enrollment 	Lead Public Health Navigator Public Health Navigators Public Health Clerk	GCHD	Ongoing, monthly reporting required
Provide WIC eligible families of the cohort education and direct enrollment assistance, with	<ul style="list-style-type: none"> Record referrals in Healthy Start Database 	Lead Public Health Navigator Public Health Navigators Public Health Clerk	GCHD	Ongoing, monthly reporting required

some focus on special populations	<ul style="list-style-type: none"> Follow up with families until program enrollment is approved or denied If program enrollment is denied, suggest alternative resources 				
Provide families of the cohort referrals to other programs and services that they express interest in and are eligible for, with some focus on special populations	<ul style="list-style-type: none"> Record referrals in Healthy Start Database Follow up with families until program enrollment is approved or denied If program enrollment is denied, suggest alternative resources 	Public Health Manager^ Lead Public Health Navigator Public Health Navigators Public Health Clerk^	GCHD		Ongoing, monthly reporting required
Refer adults with cohort children to Flint Water Targeted Case Management Program, with some focus on special populations	<ul style="list-style-type: none"> Record referrals in Healthy Start Database Follow up with families until program enrollment is approved or denied If program enrollment is denied, suggest alternative resources Additional follow-up required on Flint Water Targeted Case Management Program 	Public Health Manager^ Lead Public Health Navigator Public Health Navigators Public Health Clerk^	GCHD		Ongoing, monthly reporting required

	(Training & Access)			
Refer cohort families to Children's Health Access Program (CHAP), with some focus on special populations	<ul style="list-style-type: none"> Record referrals in Healthy Start Database Follow up with families until program enrollment is approved or denied If program enrollment is denied, suggest alternative resources 	Public Health Manager [^] Lead Public Health Navigator Public Health Navigators	GCHD	Ongoing, monthly reporting required
Attend community meetings to gather input and share information about Lead Elimination/Reduction resources	<ul style="list-style-type: none"> Compile a list of pertinent community meetings Assign meetings to appropriate staff 	Chief Resilience Officer Public Health Manager Lead Public Health Navigator	GCHD	Ongoing 30 days to compile list
Attend outreach and networking events to gather input and share information about Flint Registry	<ul style="list-style-type: none"> Compile a list of pertinent outreach and networking events Track resident contacts/referrals 	Public Health Manager Lead Public Health Navigator Public Health Navigators	GCHD	Ongoing 30 days to compile list
Attend outreach and networking events to gather input and share information about local lead elimination/reduction resources	<ul style="list-style-type: none"> Compile a list of pertinent outreach and networking events Track resident contact/referrals 	Public Health Manager Lead Public Health Navigator Public Health Navigators	GCHD	Ongoing 30 days to compile list

[^]Not a primary responsibility; available as necessary



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