

# City of Flint, Michigan

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



## Meeting Agenda - Final

Tuesday, December 18, 2018

5:00 PM

Committee Room

### LEGISLATIVE COMMITTEE

*Eva L. Worthing, Chairperson, Ward 9*

*Eric Mays, Ward 1*

*Santino J. Guerra, Ward 3*

*Jerri Winfrey-Carter, Ward 5*

*Monica Galloway, Ward 7*

*Maurice D. Davis, Ward 2*

*Kate Fields, Ward 4*

*Herbert J. Winfrey, Ward 6*

*Allan Griggs, Ward 8*

*Inez M. Brown, City Clerk*

## ROLL CALL

## CHANGES/ADDITIONS TO THE AGENDA

*Council shall vote on any changes to the agenda*

## SPECIAL ORDER

180514 Special Order/Medical Marihuana Ordinances

A Special Order as requested by Councilperson Worthing to discuss the city's Medical Marihuana ordinances.

## ORDINANCES

180523 Amendment/Ordinance/Chapter 2 (Administration)/Article VI (City Wide Advisory Council) [CWAC]

An ordinance to amend Chapter 2 (Administration), Article VI (City Wide Advisory Council), of the Code of the City of Flint by amending Sections 2-26 through 2-26.4, and adding new sections 2-26.5 (Conflicts of Interests) and 2-26.6 (Disqualification).

180628 Amendment/Ordinance/Chapter 46 (Utilities)/Article II (Water Supply & Sewage Disposal System)/Division 4 (Backflow Prevention)/Section 46-34 (Cross Connections -- Responsibilities)

An ordinance to amend the Code of the City of Flint by amending Chapter 46 (Utilities); Article II (Water Supply & Sewage Disposal System); Division 4 (Backflow Prevention); by amending Section 46-34 (Cross Connections -- Responsibilities)

## OLD, OUTSTANDING DISCUSSION ITEMS

170028 Referral/Tax Breaks/Home-Based Businesses

Referral by Councilperson Mays to ADMIN, re: He would like to know if the current Administration has considered or is working toward offering tax breaks to city residents with home-based businesses, as well as asks that the City Council consider creating specific legislation in this regard. [Referral Action Date: 1/09/2017 @ City Council Meeting.]

170386 Ordinance Drafts/Water Bills

Referral by Councilperson Mays to MAYOR/ADM/LAW/: He would like two ordinances drafted for the council to review: 1. water lien relief, and 2. a limit on how far the city can go back in trying to collect past due water bills that have been estimated. [Referral Action Date: 7/6/2017 @ Finance Committee Meeting.]

**180017** Discussion Item/Home Business Ordinance

Discussion item proposed by Councilperson Mays, re: He would like a discussion of the Home Business Ordinance on the next Legislative Agenda. [Referral Action Date: 1/3/2018 @ Governmental Operations Committee Meeting.]

**180304** Referral/CWAC/Ordinance/Discussion

Referral by Councilperson FIELDS to LEGAL/PLANNING & DEVELOPMENT, re: She would like a copy of the CWAC Ordinance and to have a discussion item about the CWAC on the Legislative Agenda. [Referral Action Date: 6/20/2018 @ Grants Committee Meeting.]

**180443** Discussion Item/Ordinance Amendment/Blight Infractions

Discussion Item as requested by Councilperson Mays, re: He would like to discuss the possibility of amending the City Code with regard to blight infractions in order to include a \$500 fine and possible jail time. [Referral Action Date: 8/27/2018 @ City Council Meeting.]

**180533** Referral/Lobbyists/Fee

A referral as requested by Councilperson Fields to LEGAL: She would like to legislation to require lobbyists to pay fees, as referenced in the new City of Flint Charter. [Referral Action Date: 10/3/2018 @ Finance Committee Meeting.]

**180534** Discussion Item/Parking on Lots

A discussion item as requested by Councilperson Mays: He would like to discuss parking on lots. [Referral Action Date: 10/3/2018 @ Finance Committee Meeting.]

**180576** Discussion Item/Recreational Marihuana

A discussion item as requested by Councilperson Mays, re: He would like to discuss the recreational marihuana. [Referral Action Date: 11/7/2018 @ Legislative Committee Meeting.]

**NEW BUSINESS****ADJOURNMENT**

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

An Ordinance to amend the City of Flint Code of Ordinances by amending Chapter 2, Article VI, City Wide Advisory Committee.

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

Sec. 1. That the Ordinances of the City of Flint shall be amended by amending Chapter 2, Article VI, City Wide Advisory Committee, by amending sections 2-26 through 2-26.4, such Article VI to read in its entirety as follows:

**ARTICLE VI. CITY WIDE ADVISORY COUNCIL COMMITTEE**

**§ 2-26 CREATED.**

There is hereby created a City Wide Advisory COMMITTEE (CWAC) to act in an advisory capacity to the City of Flint in connection with all community and economic development programs. A major purpose is to fulfill grant requirements for citizen input on the use of federal and state funds.

Among the major duties of the CWAC is to: 1) Adopt and utilize an objective review and ranking process of subrecipient applications; and 2) Review and rank all application for subrecipient entitlement and discretionary federal and state grant awards and contracts and make recommendations to City Council and the Mayor for funding allocations. ~~This it to include use of funds by all city of Flint Departments.~~ THE CWAC IS AN ADVISORY BODY AND CAN MAKE NO FINAL FUNDING DECISIONS.

**§2-26.1 COMPOSITION; APPOINTMENT AND REMOVAL OF MEMBERS.**

- (a) The CWAC shall, except as otherwise provided herein, consist of 11 members. There shall be one member from each of the nine wards of the City serving on the CWAC. City Councilpersons of each of the nine (9) wards shall appoint one (1) member. The Mayor shall appoint two (2) members to the CWAC.
- (b) A member of the CWAC shall be a registered voter and a resident of the ward in which he or she is appointed.
- ~~(e) Removal as a member of the CWAC shall be for cause upon recommendation of the City Council, MAYOR AND IN ACCORDANCE WITH SECTION 6-101(B)(3) OF THE FLINT CITY CHARTER. The failure to attend at least seven (7) meetings annually shall be a cause for removal.~~
- (d) Members of the CWAC shall serve until their term of appointment shall expire, unless prior thereto, they should die, resign, accept appointment as one of the "initial appointments" as provided in §2-26.2, or are removed as herein provided. Once the present term of a current member expires, he or she shall not serve on the CWAC beyond that term unless appointed as provided in §2-26.2.

**§2-26.2 Term of Members**

The terms of the initial appointments to the CWAC from each ward shall be as follows:

Three (3) members shall serve a term of three (3) years; Four (4) members

shall serve a term of two (2) years; and Four (4) members shall serve a term of one (1) year. The initial terms of the members from each ward shall be determined by lot. Following the terms of the initial appointments, all terms of appointment shall be for three (3) years, provided however, that an appointment to fill a vacancy during a term shall be for the unexpired balance of that term. For purposes of this section "initial appointments" shall mean the first eleven (11) members appointed to the CWAC following the adoption of this ordinance establishing an 11-member CWAC. All successor appointments shall be made in the same manner as provided for in §2-26.1. A member of the CWAC may be reappointed to succeed him/herself.

Except for initial appointments, the effective date of all appointments shall be June 1<sup>st</sup>. For the initial appointments, the effective date of each such appointment shall be the date of City Council approval of said initial appointments, provided said approval is on or before June 1<sup>st</sup>. Appointments made after June 1<sup>st</sup> shall be given retroactive effect to June 1. The term of an appointment shall expire on May 31<sup>st</sup> of the year in which the appointment would expire. Members, may continue to serve beyond the expiration of their term, until their reappointment, the appointment of a successor, or their removal, whichever should occur first.

### **§2-26.3 ORGANIZATIONS; TECHNICAL ASSISTANCE.**

The CWAC shall within thirty (30) days following the appointment of all members, organize, adopt a regular schedule of meetings, elect officers and

adopt such administrative procedures pursuant to §6-101 of the Flint City Charter as are necessary to accomplish the purposes mentioned in §2-26 hereof.

The Department of Planning and Development shall provide technical assistance to the CWAC in the performance of its duties.

### **§2-26.4 COMPENSATION OF MEMBERS**

Members of the CWAC shall serve without compensation from the City or from any trust, donation or legacy to the City for their services as such members, but this limitation shall not preclude a member or his firm from receiving compensation from the City under contract or otherwise, for services rendered outside his duties as a member of the CWAC.

### **§2-26.5 CONFLICTS OF INTERESTS**

ANY MEMBER OF THE CWAC WHO HAS A SUBSTANTIAL PERSONAL OR PRIVATE INTEREST IN ANY MATTER PROPOSED OR PENDING BEFORE THE CWAC MUST DISCLOSE THAT INTEREST PURSUANT TO THE ETHICS AND DISCLOSURE RULES SET FORTH IN THE CITY OF FLINT CHARTER SECTION 1-602(D)(1)-(3).

### **§2-26.6 DISQUALIFICATION**

ANY CWAC MEMBER WHO HAS A PERSONAL OR PRIVATE INTEREST IN AN ORGANIZATION AND/OR PARTY THAT IS REQUESTING FUNDING FROM THE CITY OF FLINT IS DISQUALIFIED

FROM VOTING ON A FUNDING  
RECOMMENDATION FOR THE  
IMMEDIATE FUNDING PERIOD  
UNDER REVIEW IN THAT SAME  
FUNDING CATEGORY.

**FOR THE CITY:**

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**Dr. Karen W. Weaver, Mayor**

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**Inez M. Brown, City Clerk**

**APPROVED AS TO FORM:**

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**Angela Wheeler, City Attorney**

 **DRAFT**

180628

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

An Ordinance to amend the Flint City Code of Ordinances by adopting Article II Division 4 Backflow Prevention; Chapter 46, Utilities; Section 46-34, Adoption- Cross Connection Policy and Manual.

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

**Sec. 34. That Section 46-34 of the Code of the City of Flint shall be amended as follows.**

**§46-34 CROSS-CONNECTIONS — RESPONSIBILITIES AND MANUAL.**

**THE CITY ADOPTS BY REFERENCE THE WATER SUPPLY CROSS CONNECTION RULES OF THE MICHIGAN DEPARTMENT OF ENVIRONMENTAL QUALITY BEING R 325.11401 TO R 325.11407 OF THE MICHIGAN ADMINISTRATIVE CODE.** It shall be the duty of the **DEPARTMENT OF PUBLIC WORKS DIRECTOR** or his or her designee to cause inspections to be made of all properties served by the public water supply where cross-connections are deemed possible. The frequency of inspections and reinspection shall be based on potential health hazards involved and shall be established by the **DEPARTMENT OF PUBLIC WORKS DIRECTOR** or his or her designee and approved by the Michigan Department of Environmental Quality. **THE DEPARTMENT OF PUBLIC WORKS DIRECTOR SHALL ESTABLISH A CROSS CONNECTION CONTROL PROGRAM POLICY PURSUANT TO THE MICHIGAN SAFE DRINKING WATER ACT AND THE MICHIGAN DEPARTMENT OF ENVIRONMENTAL QUALITY CROSS CONNECTION RULES MANUAL AND MAY BE AMENDED BY THE DEPARTMENT OF PUBLIC WORKS DIRECTOR FROM TIME TO TIME BY THE DEPARTMENT OF PUBLIC WORKS DIRECTOR OR HIS OR HER DESIGNEE AS REQUIRED BY LAW.** The **DEPARTMENT OF PUBLIC WORKS DIRECTOR** or his or her designee shall have the right to enter, at any reasonable time, any property served by connection to the public water system of the City for the purpose of inspecting the piping system or systems thereof for cross-connections. On request, the owner, lessee or occupants of any property so served shall furnish to the inspection agency any pertinent information regarding the piping system or systems on the property. The refusal of such information or refusal of access, when requested, shall

be deemed prima facie evidence of the presence of cross-connections. The **DEPARTMENT OF PUBLIC WORKS DIRECTOR** or his or her designee is authorized and directed to discontinue water service after reasonable notice to any property wherein any cross-connection or other violation of this section exists, and to take other precautionary measures deemed necessary to eliminate any danger of contamination of the City's potable water supply system. A person or business that fails to conform with any of the requirements thereof shall be assessed a fine not to exceed \$500.00 per day per device. Water service to such property shall not be restored until the illegal water connection or cross-connection has been eliminated. Potable water supply made available on the properties served by the public water supply shall be protected from possible contamination as specified by this section and by the State of Michigan Plumbing Code and §§ 46-43.1 through 46-43.7. Any water outlet which is not supplied by potable water system must be labeled in a conspicuous manner as "water unsafe for drinking." (Ord. 3630, passed 12-13-2004; Ord. 3712, passed 5-12-2008)

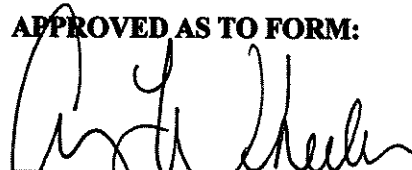
**Sec. 34. This ordinance shall become effective this \_\_\_ day of \_\_\_\_\_ 2018.**

Adopted this \_\_\_ day of \_\_\_\_\_ A.D., 2018.

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Karen W. Weaver, Mayor

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Inez M. Brown, City Clerk

APPROVED AS TO FORM:

  
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Angela Wheeler, City Attorney