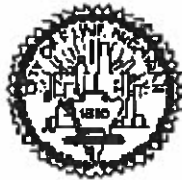


City of Flint, Michigan

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



Meeting Agenda - Final

Monday, February 17, 2020

5:00 PM

Council Chambers

SPECIAL CITY COUNCIL

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

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

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

Eva L. Worthing, Ward 9

Inez M. Brown, City Clerk

Davina Donahue, Deputy Clerk

This Special City Council meeting was called by Mayor Sheldon A. Neeley to complete designated City business from the February 10, 2020 City Council meeting as described: Resolutions No. 200001, 200061, 200066, 200067, 200068, 200069, and 200070; Introduction [and] First Reading of Ordinances No. 200074, 200075, and 200076; and Second Reading and Adoption of Ordinance[s] No. 200012.1.

CALL TO ORDER

ROLL CALL

PLEDGE OF ALLEGIANCE

READING OF DISORDERLY PERSONS CITY CODE SUBSECTION

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

PUBLIC SPEAKING

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

COUNCIL RESPONSE

Per the amended Rules Governing Meetings of the Council (as adopted by the City Council on Monday, June 12, 2017), Councilpersons may respond to any public speaker, but only one response and only when all public speakers have been heard. Individual council response is limited to two minutes and is subject to all rules of decorum and discipline.

RESOLUTIONS

200001 Contract Name Change/Golder Associates (Formerly Engineering & Environmental Solutions)/Bray Road Dump Site/Environmental Site Assessment

Resolution resolving that the proper city officials, upon City Council's approval, do all things necessary to authorize ongoing work being completed by Engineering and Environmental Solutions be transferred to Golder Associates, in an amount NOT-TO-EXCEED \$36,450.00, as requested by the Department of Public Works [Water Fund Acct. No. 591-536.100-801.000.] [NOTE: The City of Flint entered into a contract with Engineering and Environmental

Solutions for Bray Road dump site/environmental site assessment, in an amount NOT-TO-EXCEED \$72,890.00. Engineering and Environmental Solutions recently joined Golder Associates, and the same personnel will continue to work on this project.]

*[**NOTE: Reso No. 200001, a Resolution Authorizing Ongoing Work Being Completed by Engineering & Environmental Solutions at the Bray Road Site for Remedial Investigations Be Transferred to Golder Associates, was FAILED by the City Council on January 27, 2020. It was included on the February 10, 2020 City Council agenda for Council's reconsideration, however, the Council chose not to take any action at that time. The resolution is included on this Special City Council agenda as it was specifically named as a part of the mayor's public notice for this meeting.]*

200061 Easement/Right-of-Way/City of Columbiaville/Replacement of Second Street Bridge Over Flint River

Resolution resolving that the City Administrator is hereby authorized to do all [things] necessary to enter into an Easement and Right-of-Way for mutual benefits. [NOTE: The City of Columbiaville desires to obtain a permanent Easement and Right-of-Way to replace the Second Street bridge over the Flint River and reconstruct the approach roadway. An Easement and Right-of-Way grant secured for the project will remove the existing bridge, construct the proposed bridge, grade side slopes with riprap and place a drainage culvert with end section adjoining to the following properties: 043-433-006-00, 043-433-008-00 and the north side of the road/bridge through Holloway Reservoir (no tax ID available.)

200066 Contract/LiquiForce/Storm and Sewer Re-lining Services

Resolution resolving that the proper City Officials are authorized to enter into a contract with LiquiForce for Storm and Sewer Re-lining services for an additional two (2) years, as requested by Utilities/Water Service Center (WSC), extending the expiration [to honor their pricing agreement] to June 30, 2021, in an amount NOT-TO-EXCEED \$2,300,000.00.

200067 Purchase Order/AIS Construction/Three (3) Backhoe Tractors/One (1) Front End Loader/Lease-Purchase

Resolution authorizing the proper City Officials to issue a purchase order to AIS Construction for three (3) Backhoe Tractors and one (1) Front End Loader for five (5) years lease/purchase, in an annual amount NOT-TO-EXCEED \$82,687.47, as requested by Utilities [Acct. No. 661-451.100-940.000].

200068 Grant Award/Cities of Service/Community Engagement Activities/Budget Amendment/Revenue and Appropriations

Resolution resolving that the appropriate City Officials are authorized to do all things necessary to process a budget amendment recognizing grant revenue and corresponding appropriations of funds under Grant Code OCOS-ENG19, Fund 296 and Department 691.406, in the amount of \$75,000.00. [NOTE: The City was awarded Engaged Cities funding from the Cities of Service, allowing the City of Flint to build on its work engaging Flint residents in an effort to

improve property conditions across the city.]

- 200069** Charitable Gaming License/State of Michigan Lottery Charitable Gaming Division/Genesee County Youth Organization

Resolution resolving that the Genesee County Youth Organization is recognized as a non-profit organization operating in the City of Flint for the purpose of obtaining a charitable gaming license, as issued by the State of Michigan Lottery Charitable Gaming Division, relative to conducting a Mardi Gras Party Raffle at Riverfront Banquet Center, 1 Riverfront Plaza, Flint, Michigan, 48502, [on February 25, 2020], with prices for the raffle at \$5.00 per drawing, as allowed by Act 382 of the Public Acts of 1972, as amended.

- 200070** Setting a Hearing Date/City of Flint/Board of Review/Revised General Rules

Resolution resolving that a public hearing to consider the REVISED General Rules of the Board of Review be held on the _____ day of _____, [2020] at 5:30 p.m. in the City Council Chambers, Flint City Hall, 1101 S. Saginaw Street, Flint, Michigan, 48502, with notice of such hearing published in an official paper of general circulation not less than ten (10) days prior to said hearing, AND, resolving that property owners and any other taxpayer or resident of the city of Flint may appear and be heard, as requested by the Board of Review.

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.]

- 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).

SECOND READING AND ADOPTION OF ORDINANCES

200012.1 Amendment/Chapter 28 (Motor Vehicles & Traffic)/Article VII (Parking Meters)/Sections 28-110.1 (Downtown Development Authority District; Enforcement; Metering in Designated Areas; Special Considerations)

Amendment to an ordinance to amend the Code of the City of Flint by amendment of portions of Chapter 28 (Motor Vehicles and Traffic), Article VII (Parking Meters), by amending Section 28-110.1 (Downtown Development Authority District; Enforcement/ Metering in Designated Areas; Special Considerations) to allow residents to park in one space for up to four hours as long as the time is paid for. [NOTE: Ordinance amended to change hours to 8 a.m. to 5 p.m. as reflected on downtown signs.]

*[**NOTE: A Public Hearing for Ord No. 200012.1 was held on Monday, February 10, 2020.]*

FINAL COUNCIL COMMENTS

ADJOURNMENT

FAILED
(1.27.2020)

RESOLUTION NO.: 200001

PRESENTED: 1-8-20

ADOPTED: _____

**RESOLUTION AUTHORIZING ONGOING WORK BEING COMPLETED
BY ENGINEERING & ENVIRONMENTAL SOLUTIONS AT THE BRAY
ROAD SITE FOR REMEDIAL INVESTIGATIONS BE TRANSFERRED
TO GOLDER ASSOCIATES**

BY THE MAYOR:


WHEREAS, the City of Flint, Department of Public Works, through the City of Flint's bidding process in 2014 sought qualified consultants and engineering firms to provide necessary engineering support and analysis assistance as required by the MDEQ- Michigan Department of Environment Quality (now known as EGLE- Michigan Department of Environment, Great Lakes, and Energy) consent order 115-01-14, Section II. Engineering & Environmental Solutions was selected as the lowest bidder and entered into a contract with the City of Flint; and

WHEREAS, ongoing work at the Bray Road site is required to complete the remedial investigation consistent with the tasks requested by MDEQ now known as EGLE; and

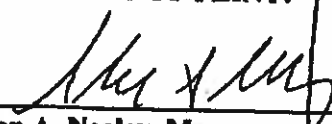
WHEREAS, Engineering & Environmental Solutions recently joined Golder Associates, and the same personnel will continue to work on this project with Golder Associates in an amount not to exceed \$36,450.00.

THEREFORE BE IT RESOLVED, that the appropriate City Officials do all things necessary to authorize ongoing work being completed by Engineering & Environmental Solutions be transferred to Golder Associates in an amount not to exceed \$36,450.00. Funds are available from account 591-536.100-801.000.

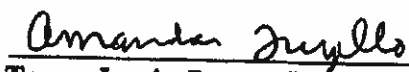
APPROVED AS TO FORM:


Angela Wheeler, Chief Legal Officer

FOR THE CITY OF FLINT:


Sheldon A. Neeley, Mayor

APPROVED AS TO FINANCE:


Tamar Lewis, Deputy Finance Director
Amanda Trujillo Acting

APPROVED BY CITY COUNCIL:

Monica Galloway, City Council President

RESOLUTION STAFF REVIEW

Date: December 4, 2019

Agenda Item Title: Resolution Authorizing Ongoing Work Being Completed by Engineering & Environmental Solutions, at the Bray Road Site For Remedial Investigations be Transferred to Golder Associates

Prepared by: Yolanda Gray, DPW Administration Accounting Supervisor, on behalf of Mark Adas, City Engineer

Background/Summary of Proposed Action : the City of Flint, Department of Public Works, through the City of Flint's bidding process in 2014 sought qualified consultants and engineering firms to provide necessary engineering support and analysis assistance as required by the MDEQ- Michigan Department of Environment Quality (now known as EGLE- Michigan Department of Environment, Great Lakes, and Energy) consent order 115-01-14, Section II. Engineering & Environmental Solutions was selected as the lowest bidder and entered into a contract with the City of Flint. Environmental & Engineering has joined Golder Associates and the same personnel is continuing ongoing work required by the MDEQ consent order 115-01-14. Authorization for ongoing work is being requested to be transferred to Golder Associates at an amount not to exceed \$36,450.00. Funding is available in account 591-536.100-801.000.

Financial Implications: Funding is budgeted in account 591-536.100-801.000 

Pre-encumbered?: Yes ☒ No ☐ Requisition: 190002649 

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

Staff Recommendation: Recommend Approval ☐

Staff Person: 
(Dept Head or other authorized staff)

Resolution Routing

TO: Resolution Signatories
FROM: UTILITIES-DPW
SUBJECT: RESOLUTIONs FOR APPROVAL

This RESOLUTION have been forwarded to you for your respective review and approval.

Date recorded: December 6, 2019
~~December 4, 2019~~ No. 19-8179

** All documents should be reviewed within three (3) working days after receipt by your office.

Contractor:

Golder Associates

Resolution Content:

Resolution Authorizing Ongoing Work

Being Completed by Engineering & Environmental Solutions

at Bray Road Site be Transferred to Golder Associates

The attached resolution is submitted to the Legal Dept. for approval as to form only:

The Legal Department reviewed this RESOLUTION, as to form and by signing this form approves as to **FORM ONLY**.

Review and Approval:

	<u>IN</u>	<u>OUT</u>	<u>APPROVAL</u>
1. City Attorney (Form Only)	<u>12/6/19</u>	<u>12/16/19</u>	<u>[Signature]</u>
2. Finance	<u>12/6/19</u>	<u>12/16/19</u>	<u>[Signature]</u>
3 Mayor	_____	_____	_____

Please call Yolanda Gray @ ext.3503 for pick up Thank You.

RESOLUTION NO.:

200061

PRESENTED:

2-5-20

ADOPTED:

**RESOLUTION TO APPROVE PERMANENT EASEMENT AND RIGHT OF WAY
REPLACING SECOND STREET BRIDGE OVER FLINT RIVER**

BY THE CITY ADMINISTRATOR:

WHEREAS, The City of Columbiaville desires to obtain a permanent easement and Right -of-Way from the City of Flint. The purpose of the Easement and Right-of-Way is to replace the Second Street bridge over the Flint River and reconstructing the approach roadway.

WHEREAS, The value of using the property to Permanent Easement and Right -of-Way Grants and the value of completing the proposed work appear to be offsetting. The Permanent Easement and Right-of-Way Grants secured for the following list of properties is to remove the existing bridge, construct the proposed bridge, grade side slopes with riprap, and place a drainage culvert with end section adjoining to the listed properties:

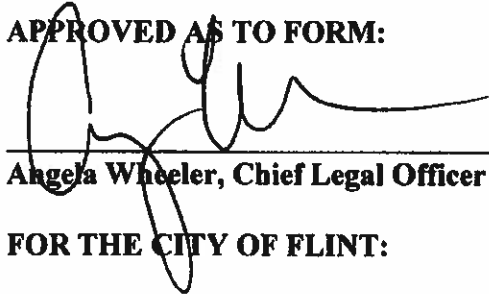
043-433-006-00 City of Flint

043-433-008-00-City of Flint

North side of road/bridge through Holloway Reservoir (no tax ID Available) – City of Flint

IT IS RESOLVED that the City Administrator is hereby authorized to do all this necessary to enter into this Easement and Right-of-Way for mutual benefits.

APPROVED AS TO FORM:



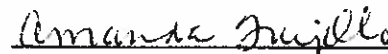
Angela Wheeler, Chief Legal Officer

FOR THE CITY OF FLINT:



Clyde Edwards, City Administrator

APPROVED AS TO FINANCE:



Amanda Trujillo, Acting Finance Director

APPROVED BY CITY COUNCIL:



Monica Galloway, City Council President



January 23, 2020

Ms. Angela Wheeler, City Attorney
City of Flint
1101 S. Saginaw Street – 3rd Floor
Flint, MI 48502

RE: Columbiaville Second Street Bridge Easement

Dear Angela:

We have reviewed the request from Rowe Engineering for the Columbiaville Second Street bridge easements. We recommend granting this easement based on our knowledge of the system and the information provided from your e-mail dated January 22, 2020.

The plans and documents reviewed, indicating the easements as proposed, will have no impact on the existing public utility operations.

It should be noted that the documents indicate there are no utilities in the areas requested for easement and right of way.

If you have any questions, feel free to contact us at 616.588.2900 or pgaldes@fveng.com.

Sincerely,

F&V OPERATIONS AND RESOURCE MANAGEMENT, INC.


Paul R. Galdes, P.E.
Vice President



OFFICE MEMORANDUM

DATE: 11/20/2019
TO: Second Street bridge over the Flint River Project
FROM: Denise Baker, Village Clerk
SUBJECT: Mutual Benefit

The Permanent Easement and Right-of-Way Grants, has been reviewed and there does not appear to be any resulting damages.

The value of using the property to Permanent Easement and Right-of-Way Grants and the value of completing the proposed work appear to be offsetting. Therefore, the Permanent Easement and Right-of-Way Grants should be for mutual benefits.

Type of Proposed Work: Replacing the Second Street bridge over the Flint River and reconstructing the approach roadway. The Permanent Easement and Right-of-Way Grants secured for the following list of properties is to remove the existing bridge, construct the proposed bridge, grade side slopes with riprap, and place a drainage culvert with end section adjoining to the listed properties.

Property Tax ID:

043-433-006-00 – City of Flint

043-433-008-00 – City of Flint

North side of road/bridge through Holloway Reservoir (no tax ID available) – City of Flint

PERMANENT EASEMENT AND RIGHT-OF-WAY GRANT

KNOW ALL MEN BY THESE PRESENTS: City of Flint party of the first part, whose address is 1101 Saginaw Street, Flint, MI 48502, for and in consideration of the sum of zero (\$0.00) dollars and other good and valuable consideration paid to them by Village of Columbiaville, party of the second part, whose address is 4605 Pine Street, Columbiaville, MI 48421, does hereby grant, convey and release to the said party of the second part, a permanent easement and right-of-way in which to construct, operate, maintain, repair and/or replace the bridge, riprap, and/or culvert over, across, under and through the following parcels of land situated in the Village of Columbiaville, Lapeer County, Michigan and described as:

Parcel No: 043-433-006-00 (Attachment A)

In a private easement and right-of-way, thereof, which is to be located approximately as follows:

Part of the Northeast 1/4 of Section 33, Town 9 North, Range 9 East, Village of Columbiaville, Lapeer County, Michigan, described as beginning at a point which is the following three (3) courses from the from the North 1/4 corner of said section, 1) N87°34'22"E, along the North line of said section, 596.70 feet to the intersection of said North line and the Southerly right of way line of Columbiaville Road (2nd Street) and 2) along said right of way line 335.27 feet along the arc of a non-tangent curve to the right, having a radius of 649.21 feet, a delta angle of 29°35'22" and a chord bearing and distance of S64°56'54"E, 331.56 feet and 3) S49°43'06"E, along said right of way line, 126.70 feet; thence S40°16'54"W, perpendicular to said right of way line, 22.00 feet; thence S49°43'06"E, parallel with said right of way line, 125.00 feet; thence N40°16'54"E, perpendicular to said right of way line, 22.00 feet to a point on said right of way line; thence N49°43'06"W, along said right of way line, 125.00 feet to the point of beginning.

Parcel No: 043-433-008-00 (Attachment B)

In a private easement and right-of-way, thereof, which is to be located approximately as follows:

Part of the Northeast 1/4 of Section 33, Town 9 North, Range 9 East, Village of Columbiaville, Lapeer County, Michigan, described as beginning at a point which is the following three (3) courses from the from the North 1/4 corner of said section, 1) N87°34'22"E, along the North line of said section, 596.70 feet to the intersection of said North line and the Southerly right of way line of Columbiaville Road (2nd Street) and 2) along said right of way line 335.27 feet along the arc of a non-tangent curve to the right, having a radius of 649.21 feet, a delta angle of 29°35'22" and a chord bearing and distance of S64°56'54"E, 331.56 feet and 3) S49°43'06"E, along said right of way line, 333.52 feet; thence S40°16'54"W, perpendicular to said right of way line, 11.42 feet; thence S49°43'06"E, 58.13 feet; thence N42°08'31"E, perpendicular to said right of way line, 15.00 feet to a point on said right of way line; thence N47°51'39"W, along said right of way line, 27.42 feet; thence S42°13'25"W, along said right of way line, 4.46 feet; thence N49°43'06"W, along said right of way line, 31.06 feet to the point of beginning.

Parcel No: 043-433-008-00 (Attachment C)

In a private easement and right-of-way, thereof, which is to be located approximately as follows:

Part of the Northeast 1/4 of Section 33, Town 9 North, Range 9 East, Village of Columbiaville, Lapeer County, Michigan, described as beginning at a point which is the following five (5) courses from the from the North 1/4 corner of said section, 1) N87°34'22"E, along the North line of said section, 596.70 feet to the intersection of said North line and the Southerly right of way line of Columbiaville Road (2nd Street) and 2) along said right of way line 335.27 feet along the arc of a non-tangent curve to the right, having a radius of 649.21 feet, a delta angle of 29°35'22" and a chord bearing and distance of S64°56'54"E, 331.56 feet and 3) S49°43'06"E, along said right of way line, 364.58 feet and 4) N42°13'25"E, along said right of way line, 4.46 feet and 5) S47°51'39"E, along said right of way line, 144.00 feet; thence continuing S47°51'39"E, along said right of way line, 20.00 feet to the Northeastern most corner of tax parcel number 043-433-008-00; thence S42°13'24"W, along the Easterly line of said tax parcel, 25.00 feet; thence N47°51'39"W, parallel with said right of way line, 20.00 feet; thence N42°13'24"E, 25.00 feet to the point of beginning.

Parcel No: City of Flint (Attachment D)

In a private easement and right-of-way, thereof, which is to be located approximately as follows:

Part of the Northeast 1/4 of Section 33 and the Southeast 1/4 of Section 28, Town 9 North, Range 9 East, Village of Columbiaville, Lapeer County, Michigan, described as beginning at the intersection of the North line of said Section 33 and the Northerly right of way line of Columbiaville Road (2nd Street), which is N87°34'22"E, along said North section line, 786.37 feet from the North 1/4 corner of said Section 33; thence along said right of way line 15.17 feet along the arc of a non-tangent curve to the left, having a radius of 715.21 feet, a delta angle of 01°12'56" and a chord bearing and distance of N65°21'23"W, 15.17 feet; thence N24°02'10"E, 10.00 feet; thence 200.41 feet along the arc of a curve to the right, being

parallel with said right of way line, having a radius of 725.21 feet, a delta angle of 15°50'02" and a chord bearing and distance of S58°02'49"W, 199.78 feet; thence S49°43'06"E, parallel with said right of way line, 56.78 feet; thence N40°16'54"E, perpendicular to said right of way line, 11.00 feet; thence S49°43'06"E, parallel with said right of way line, 235.00 feet; thence S40°16'54"W, perpendicular to said right of way line, 21.00 feet to a point on said right of way line; thence N49°43'06"W, along said right of way line, 291.74 feet; thence 182.44 feet along said right of way line and along the arc of a curve to the left, having a radius of 715.21 feet, a delta angle of 14°36'56" and chord bearing and distance of N57°26'27"W, 181.95 feet to the point of beginning.

and to enter upon sufficient land adjacent to said easement and right-of-way for the purpose of the construction, repair and/or replacement thereof. This conveyance includes a release of any and all claims for damage arising from or incidental to the exercise of any of the foregoing powers, except that if the said premises shall be disturbed by reason of the exercise of any of the foregoing powers, then said premises shall be restored to its original condition by the party of the second part and except that any existing buildings, structures or fences, the removal or demolition of which shall be removed or demolished at the expense of the party of the second part. This instrument shall be binding upon and inure to the benefit of the parties, hereto, their representatives, successors, and assigns.

IN WITNESS WHEREOF, the part _____ of the first part herunto affixed _____ signature(s) this ____ day of _____ AD, 20__.

In the presence of:

_____	_____ (L.S.)
_____	_____ (L.S.)
_____	_____ (L.S.)
_____	_____ (L.S.)

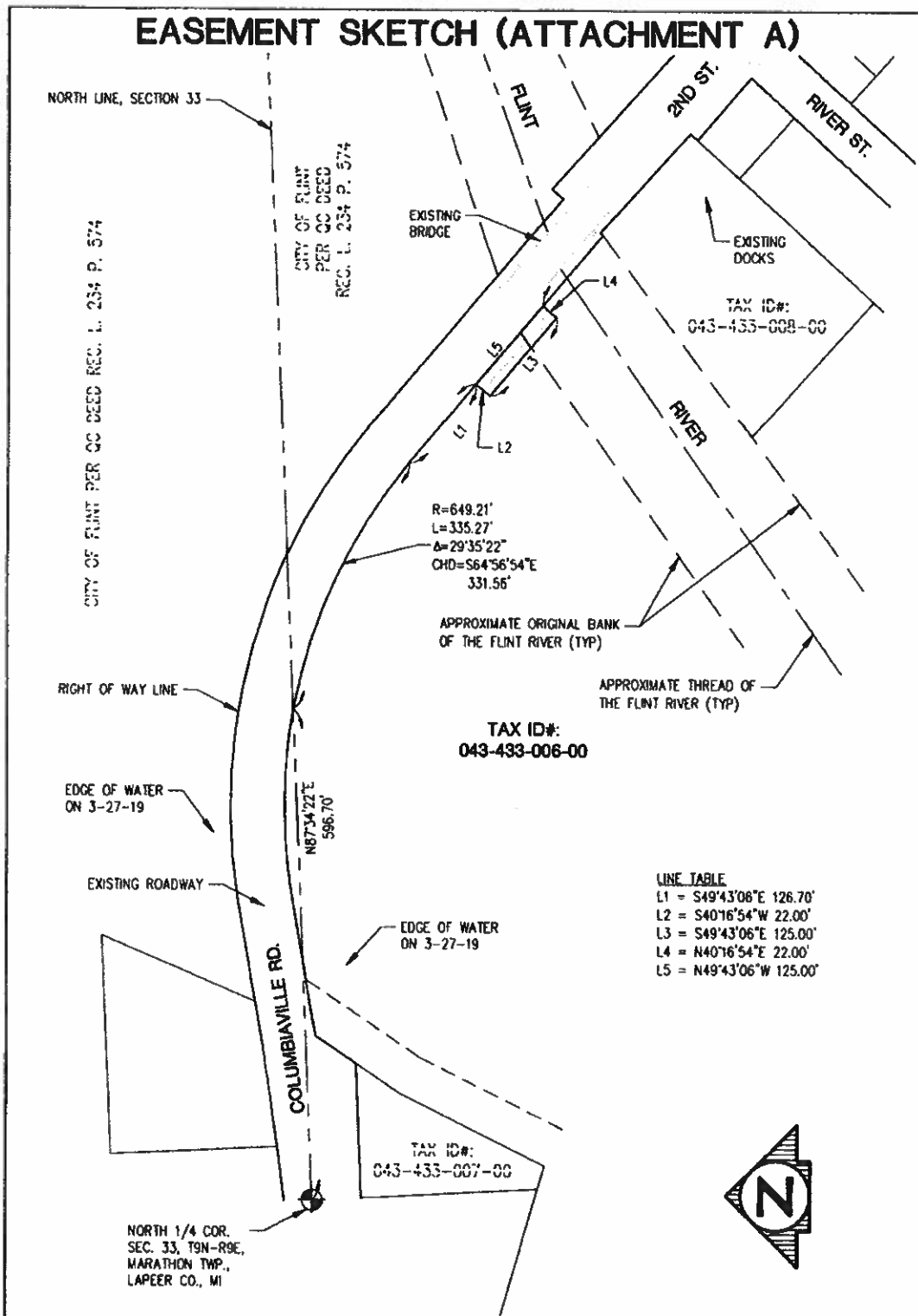
STATE OF MICHIGAN)
COUNTY OF GENESEE)SS

On this ____ day of _____, 20__, before me, notary public, in and for said County, personally appeared _____ to me known to be the person(s) described in and who executed the same as his/her/their free act and deed.

PREPARED BY:
ROWE Professional Services Company
540 S. Saginaw Street, Suite 200
Flint, MI 48502

Notary Public, _____ County, MI
My commission expires:

EASEMENT SKETCH (ATTACHMENT A)



LINE TABLE

L1	=	S49°43'08"E	126.70'
L2	=	S40°16'54"W	22.00'
L3	=	S49°43'06"E	125.00'
L4	=	N40°16'54"E	22.00'
L5	=	N49°43'06"W	125.00'



VILLAGE OF COLUMBIANVILLE

SECTION 33 T9N - R9E VILLAGE OF COLUMBIANVILLE
LAPEER COUNTY, MICHIGAN



**ROWE PROFESSIONAL
SERVICES COMPANY**

The Rowe Building
640 S. Saginaw St., Suite 200
Flint, MI 48502

O: (810) 341-7500
F: (810) 341-7573
www.rowepsc.com

FIELD: N/A

DRAWN: MAC

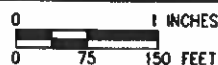
CHECKED: JUF

DATE: 11-13-19

REVISED:

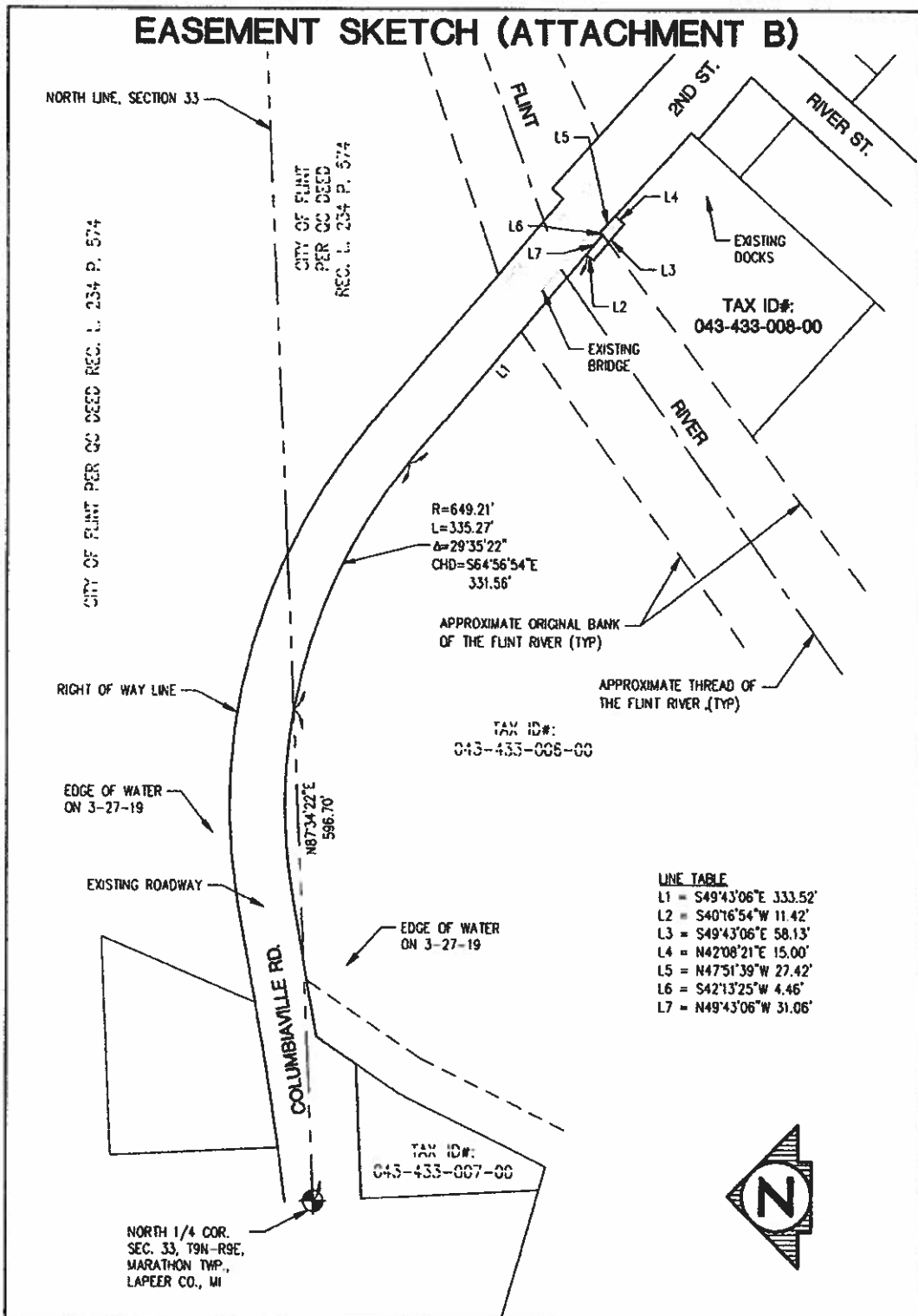
SHEET: 1 OF 1

SCALE: 1" = 150'



JOB NO.: 19C0047

EASEMENT SKETCH (ATTACHMENT B)



VILLAGE OF COLUMBIAVILLE

SECTION 33 T9N - R9E VILLAGE OF COLUMBIAVILLE
LAPEER COUNTY, MICHIGAN



ROWE PROFESSIONAL SERVICES COMPANY

The Rowe Building
540 S. Saginaw St., Suite 200
Flint, MI 48502

O: (810) 341-7500
F: (810) 341-7573
www.rowepsc.com

FIELD: N/A

DRAWN: MAC

CHECKED: J&F

DATE: 11-13-19

REVISED:

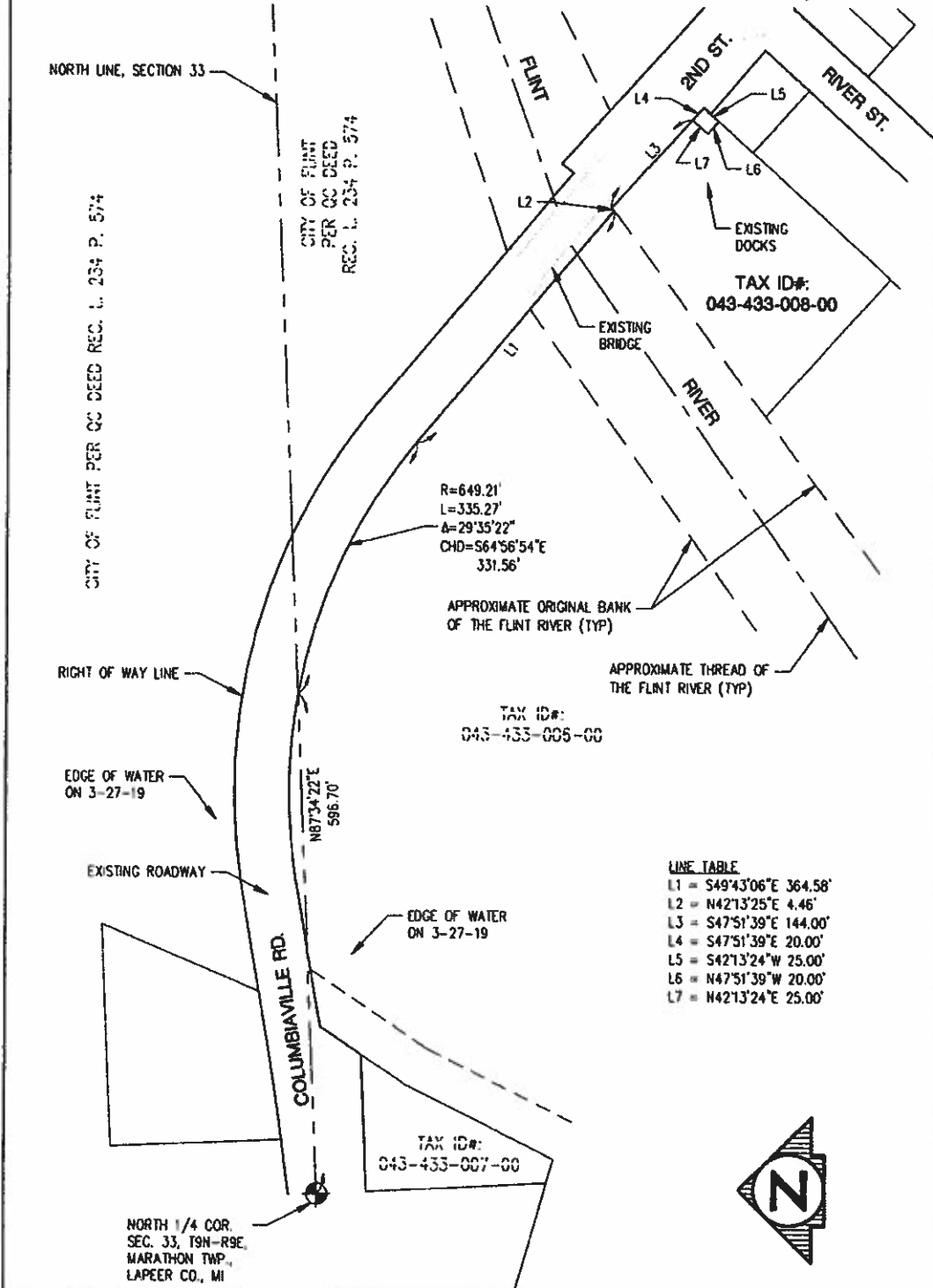
SHEET: 1 OF 1

SCALE: 1" = 150'

0 1 INCHES
0 75 150 FEET

JOB NO.: 19C0047

EASEMENT SKETCH (ATTACHMENT C)



LINE TABLE

L1	=	S49°43'06"E	364.58'
L2	=	N42°13'25"E	4.46'
L3	=	S47°51'39"E	144.00'
L4	=	S47°51'39"E	20.00'
L5	=	S42°13'24"W	25.00'
L6	=	N47°51'39"W	20.00'
L7	=	N42°13'24"E	25.00'



VILLAGE OF COLUMBIAVILLE

SECTION 33 T9N - R9E VILLAGE OF COLUMBIAVILLE
LAPEER COUNTY, MICHIGAN



ROWE PROFESSIONAL SERVICES COMPANY

The Rowe Building
540 S. Saginaw St., Suite 200
Flint, MI 48502

O: (810) 341-7500
F: (810) 341-7573
www.rowepsc.com

FIELD: N/A

DRAWN: MAC

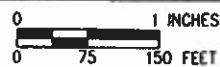
CHECKED: JUF

DATE: 11-13-19

REVISED:

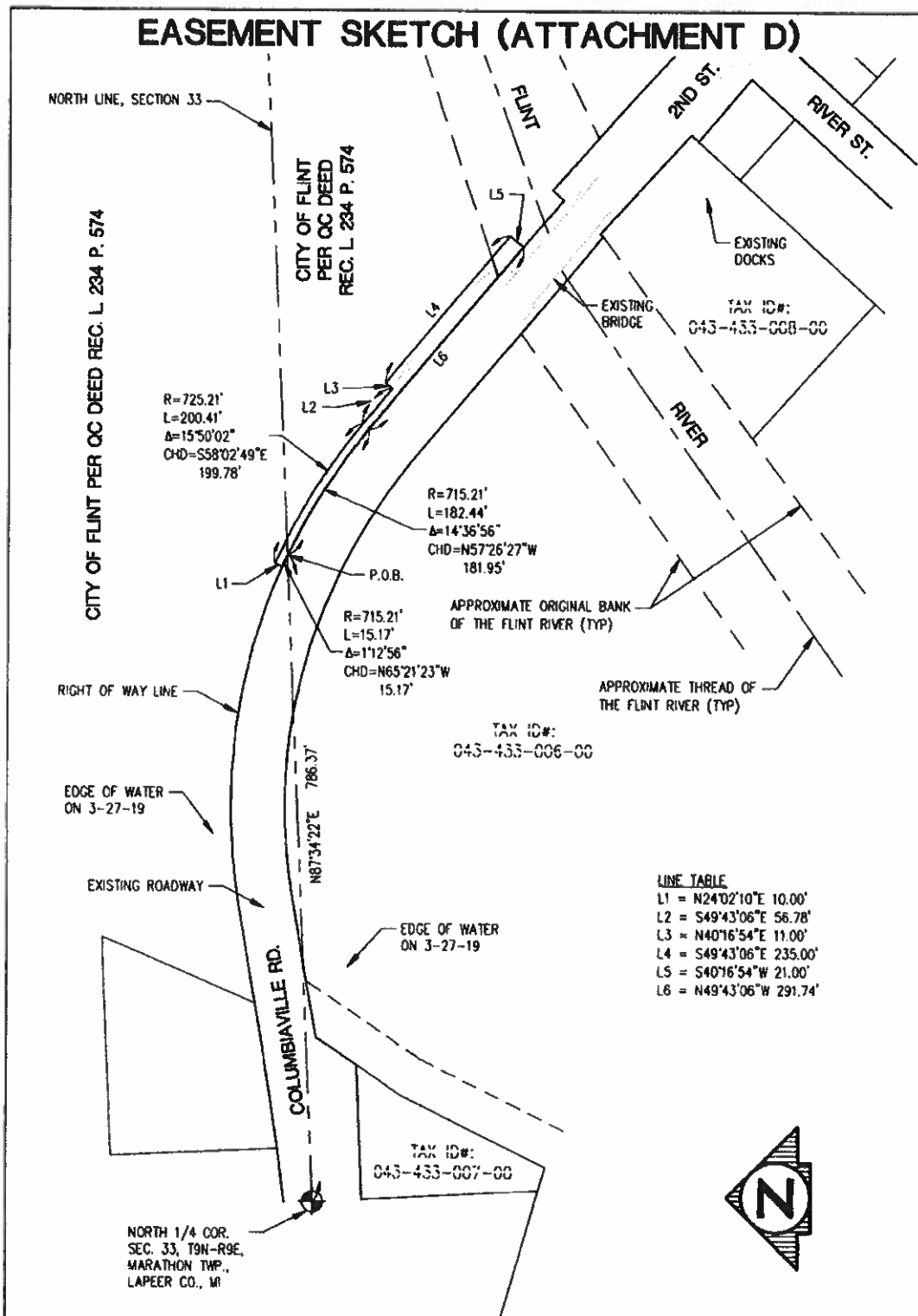
SHEET: 1 OF 1

SCALE: 1" = 150'



JOB NO.: 19C0047

EASEMENT SKETCH (ATTACHMENT D)



VILLAGE OF COLUMBIAVILLE SECTION 33 T9N - R9E VILLAGE OF COLUMBIAVILLE LAPEER COUNTY, MICHIGAN		FIELD: N/A DRAWN: MAC CHECKED: JJF DATE: 11-13-19 REVISED: SHEET: 1 OF 1 SCALE: 1" = 150' 0 75 150 FEET
ROWE PROFESSIONAL SERVICES COMPANY The Rowe Building 540 S. Saginaw St., Suite 200 Flint, MI 48502 O: (810) 341-7500 F: (810) 341-7573 www.rowepsc.com		JOB NO.: 19C0047

STATE OF MICHIGAN
SS
COUNTY OF GENESEE

On this 11th day of April in the year one thousand nine hundred and fifty one, before me a Notary Public in and for said County, personally appeared Abraham Toome and Habet Toome, his wife, to me known to be the same persons described in the within instrument and who executed the within instrument by their respective marks, each of said persons being unable to write, and they did acknowledge the execution and did affix each of their marks as their free act and deed.

My Commission expires:
December 14, A.D., 1972

Evelyn L. Parks
Evelyn L. Parks
Notary Public Genesee County, Michigan

QUIT CLAIM DEED

Edgar Worvie, et al

To

The City of Flint

Received for Record the 1st day of May
1951 at 2:05 o'clock P.M.

Lenna Kevener, Register of Deeds

THIS INDENTURE, made the 11th day of April, in the year of our Lord one thousand nine hundred and fifty-one.

BETWEEN Edgar Worvie and Lucy M. Worvie, his wife, Frank L. Worvie and Esther L. Worvie, his wife, and Lubner W. Worvie and Margaret S. Worvie, his wife, parties of the first part, and The CITY OF FLINT, a Municipal Corporation, party of the second part, WITNESSETH, That the said parties of the first part, for and in consideration of the sum of ONE DOLLAR AND OTHER GOOD AND VALUABLE CONSIDERATION, to them in hand paid by the said party of the second part, the receipt whereof is hereby confessed and acknowledged, do by these presents grant, bargain, sell, remise, release and forever QUITCLAIM unto the said party of the second part, and to its successors and assigns, Forever, all that certain piece or parcel of land situated in the Township of Marquette, in Lapeer County, and State of Michigan, and described as follows:

All that part of the following parcels of land: the Southeast $\frac{1}{4}$ of Section 25 lying West of the Michigan Central Railroad and north of the Flint River; the West $\frac{1}{4}$ of the Northeast $\frac{1}{4}$ of Section 33 lying West of the Flint River; the North $\frac{1}{4}$ of the West $\frac{1}{4}$ of the Southeast $\frac{1}{4}$ of Section 33 lying West of the Flint River; the East $\frac{1}{4}$ of the Northwest $\frac{1}{4}$ of Section 33; and the North $\frac{1}{4}$ of the Northeast $\frac{1}{4}$ of the Southwest $\frac{1}{4}$ of Section 33, all being in T9N, R9E described as: commencing at the intersection of the South line of the North $\frac{1}{4}$ of the Northeast $\frac{1}{4}$ of the Southwest $\frac{1}{4}$ of said Section 33 with the Flint River for a point of beginning; thence westerly along said south line to a point lying 51 feet West of the 760 contour line, U.S.G.S. Datum; thence northerly along a line lying 67 feet West of and parallel to the said 760 contour line to the southwesterly line of the Michigan Central Railroad right of way; thence Southeasterly along the said right of way to the Flint River; thence Southerly along the Flint River to the point of beginning.
Also that part of the North $\frac{1}{4}$ of the Northeast $\frac{1}{4}$ of the Southwest $\frac{1}{4}$ of Section 33, T9N, R9E, lying South of the Flint River.
Also that part of the Northeast $\frac{1}{4}$ of Section 33, T9N, R9E, lying West of the Flint River.

The intent of this conveyance being to convey and add all interest the grantors herein may have in and to the above described property as vendees under land contract or otherwise.

Together with all and singular the hereditaments and accoutrements therunto belonging or in anywise appertaining: To Have and To Hold the said premises to the said party of the second part, and to its successors and assigns, to the sole and only proper use, benefit and behoof of the said party of the second part, its successors and assigns, Forever.

IN WITNESS WHEREOF, the said parties of the first have hereunto set their hands and seals the day and year first above written.

Signed, Sealed and Delivered in Presence of

Ford Kennedy
Ford Kennedy

Evelyn L. Parks
Evelyn L. Parks

Edgar Worvie (SEAL)
Edgar Worvie

Lucy M. Worvie (SEAL)
Lucy M. Worvie

Frank L. Worvie (SEAL)
Frank L. Worvie

Eather L. Worvie (SEAL)
Eather L. Worvie

Luther W. Worvie (SEAL)
Luther W. Worvie

Margaret S. Worvie (SEAL)
Margaret S. Worvie

STATE OF MICHIGAN ss
COUNTY OF GENESEE

On this 17th day of April, A.D., 1951, in the year of our Lord one thousand nine hundred and fifty-one, before me a Notary Public in and for said County, personally appeared Edgar Worvie and Lucy M. Worvie, his wife, Frank L. Worvie and Eather L. Worvie, his wife, and Luther W. Worvie and Margaret S. Worvie, his wife, to me known to be the same persons described in and who executed the withininstrument, who have acknowledged the same to be their free act and deed.

Evelyn L. Parks
Evelyn L. Parks
Notary Public Genesee County, Michigan

My Commission expires:
December 15, A.D., 1952

A F F I D A V I T

of

Silas W. Miller

Received for Record the 4th day of May 1951
at 3:30 o'clock P.M.

Leona Heverer, Register of Deeds

AFFIDAVIT AFFECTING TITLE TO LAND IN THE VILLAGE OF ELBA, LAPEER COUNTY,
MICHIGAN, DESCRIBED AS:

Lot 1, Block 4, Village of Elba, according to the recorded plat thereof,
Elba Township, Lapeer County, Michigan.

STATE OF MICHIGAN ss
County of Lapeer

Silas Miller, now residing in Davison, Michigan, being duly sworn, deposes and says that he knew and was acquainted with Margulis D. Heath and Nancy Heath, his wife, the grantees in Warranty Deed, recorded in Liber 131 of Deeds, page 557. That Nancy Heath and this deponent's wife's mother were cousins. Deponent knows that Margulis D. Heath died on or about February 5, 1926, and that thereafter, on August 18, 1928, his widow, Nancy Heath, married Ernest Brokaw. Deponent further says that Nancy Heath, after she married Ernest Brokaw, died in Flint, Michigan, on June 11, 1935. Deponent further says that Nancy D. Brokaw, the grantor in Warranty deed recorded in Liber 167 of Deeds, page 632, and Nancy D. Brokaw, one of the grantees in Warranty deed recorded in Liber 167 of Deeds, page 633, Lapeer County Records, and Nancy Heath, one of the grantees in Warranty Deed recorded in Liber 131 of Deeds, page 557, were one and the same person.

Silas W. Miller
Silas W. Miller

Subscribed and sworn to before me this 4th day of May A.D. 1951

My commission expires April 20, 1953

John G. Libbers
John G. Libbers
Notary Public, Lapeer County, Michigan

Proposal #20000563)
Contract Renewal

SUBMISSION NO.: 200066

PRESENTED: 2-10-2020

ADOPTED: _____

RESOLUTION TO LIQUIFORCE FOR STORM AND SEWER RE-LINING

BY THE MAYOR:


RESOLUTION

On April 12, 2017, the Proper City Officials were authorized to enter into a contract with LiquiForce Services (USA), Inc., 28529 Goddard Rd., Romulus, Michigan for Storm and Sewer Re-lining services as requested by Utilities/Water Service Center; and

The Department of Purchases & Supplies has received a request from the Water Service Center (DPW Department) for an additional year of Storm and Sewer Re-lining services and LiquiForce has agreed to honor their pricing agreement for up to an additional 2 years thus extending expiration to June 30, 2021. Funding for said services will come from the following account: 590-540.300-801.000 (\$2,300,000.00); and


IT IS RESOLVED, that the proper City Officials are hereby authorized to do all things necessary to enter into a contract with LiquiForce for Storm and Sewer Re-lining services up to an additional 2 years thus extending expiration to June 30, 2021, in an amount not to exceed \$2,300,000.00 (Sewer Fund) budget.

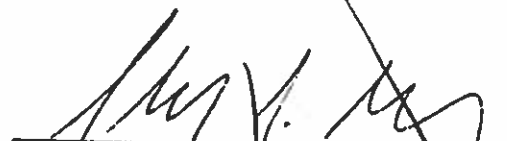
APPROVED


Joyce G. McClane
Purchasing Manager


Amanda Trujillo
Acting Chief Financial Officer

APPROVED AS TO FORM:


Angela Wheeler
Chief Legal Officer


Sheldon A. Neeley, Mayor

CITY COUNCIL:

Monica Galloway, Council President



RESOLUTION STAFF REVIEW

DATE: 11-13-19

Agenda Item Title: Sewer Relining – Sewer System

Prepared By: Cheri Priest, WSC Administrative Manager

Background/Summary of Proposed Action: The Sewer Department is requesting a contract be issued to Liquiforce for sewer relining. This process is used to line sewers that are broken. The relining eliminates the cost of excavating the broken sewer line and replacing the pipe. The existing pipe is lined, making it virtually a new line while also eliminating the need for costly excavations.

Financial Implications: Adequate funding has been allocated in the listed account.

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

Account No.: 590-540.300-801-000 \$2,300,000.00 

Pre-encumbered? Yes ☒ No ☐ Requisition # 190002614

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

Staff Recommendation: Recommend Approval

Staff Person:



Robert Bincsik, Director of Public Works



January 21, 2019

City of Flint
3310 E. Court St.
Flint MI 48506

Attn: Mr. Rob Blncsik
Re: Request for Contract Extension

As previously discussed, we have enjoyed the business relationship that we have developed with you and your staff over the past few years. We are very proud of the successes we have had while working together. Due to this positive experience, we are offering to extend our current Agreement (Sewer Lining Services) for upto an additional 2 years thus extending the expiration to June 30, 2021. We will continue to offer the same level of professionalism along with the high quality products you have recieved from us in the past.

We offer to maintain our prices as listed in the Agreement. We anticipate our offer will be to the City's satisfaction and look forward to continuing to work together in the future.

If you have any questions please feel free to contact me directly.

Sincerely,

John Thompson

Technical Representative



September 20, 2019

City of Flint
3310 E. Court St.
Flint MI 48506

Attn: Mr. Rob Blincsik
Re: Request for Contract Extension

As previously discussed, we have enjoyed the business relationship that we have developed with you and your staff over the past few years. We are very proud of the successes we have had while working together. Due to this positive experience, we are offering to extend our current Agreement (Sewer Lining Services) for upto an additional 2 years thus extending the expiration to June 30, 2021. We will continue to offer the same level of professionalism along with the high quality products you have recieved from us in the past.

We offer to maintain our original bid prices as listed in the Agreement. We anticipate our offer will be to the City's satisfaction and look forward to continuing to work together in the future.

If you have any questions please feel free to contact me directly.

Sincerely,

John Thompson

Technical Representative

WSC

Contract # 17-024

CITY OF FLINT MICHIGAN



LiquiForce Services (USA) Inc.

Sewer Relining Services

FY 17 590-540.300-801.000 \$500,000.00

FY 18 590-540.300-801.000 \$2,000,000.00

CONTRACT

170105

(Proposal #17000562)

SUBMISSION NO.: CA 3522017
PRESENTED: 2-16-17
ADOPTED: RTAB 4-12-17

RESOLUTION TO LIQUIFORCE FOR STORM AND SEWER RE-LINING

BY THE MAYOR:

RESOLUTION

The Department of Purchases & Supplies has solicited a proposal for storm and sewer re-lining services for the period ending June 30, 2018 as requested by Utilities/Water Service Center; and

LiquiForce Services (USA), Inc., 28529 Goddard Rd., Romulus, Michigan was the low bidder from two proposals that were received for said requirements. Funding for said services will come from account 590-540.300-801.000 (\$500,000 FY17); and

IT IS RESOLVED, that the Proper City Officials, upon City Council's approval, are hereby authorized to enter into a contract with LiquiForce Services (USA), Inc. for storm and sewer re-lining for the period ending June 30, 2018, in an amount not to exceed \$2,500,000.00. (Sewer Fund) \$2,000,000 pending FY18 budget

APPROVED PURCHASING DEPT.:


Derrick Jacob, Purchasing Manager

APPROVED AS TO FINANCE:


David L. Sabada, Chief Financial Officer

APPROVED AS TO FORM:


Angela Wheeler
Interim Chief Legal Officer

CITY COUNCIL:


Kerry Nelson, Council President

RECEIVERSHIP TRANSITION ADVISORY BOARD:

PRESENTED TO CITY COUNCIL:

2-27-2017

ADOPTED BY CITY COUNCIL:

2-27-2017

ADOPTED BY THE RECEIVERSHIP
TRANSITION ADVISORY BOARD
APRIL 12, 2017

(MIDEAL CONTRACT#071B7700090)

SUBMISSION NO.:

PRESENTED:

2-10-2020

ADOPTED:

**RESOLUTION TO AIS CONSTRUCTION EQUIPMENT FOR
THREE BACKHOE TRACTORS AND ONE FRONT END LOADER**

BY THE MAYOR:

RESOLUTION

As part of the replacement plan for FY20, the Fleet Department is requesting the issuance of a purchase order to lease/purchase sewer cleaning vehicles - three (3) Backhoe Tractors and one (1) Front End Loader from the MIDEal vendor, AIS Construction Equipment from MIDEal Contract #071B7700090; and

The sewer cleaning vehicles will be utilized by Water Pollution Control, Street Maintenance and the Water and Sewer Departments. The departments have requested these as replacements for existing leased equipment with expiring leases. The lease/purchase term is for five (5) years with an annual payment of \$82,687.47. Funding for said services will come from the following account: 661-451.100-940.000: FY19/20 (\$82,687.47); FY20/21 (\$82,687.47); FY21/22 (\$82,687.47); FY22/23 (\$82,687.47); FY23/24 (\$82,687.47) pending future budget approvals.

IT IS RESOLVED, that the Proper City Officials are hereby authorized to approve the issuance of a purchase order for three (3) Backhoe Tractors and one (1) Front End Loader for five years lease/purchase through AIS Construction Equipment in an amount not to exceed annually of \$82,687.47.

APPROVED


Joyce A. McClane
Purchasing Manager


Amanda Trujillo
Acting Chief Financial Officer

APPROVED AS TO FORM:


Angela Wheeler
Chief Legal Officer


Sheldon A. Neeley, Mayor

CITY COUNCIL:


Monica Galloway, Council President





BID/PROPOSAL RESOLUTION STAFF REVIEW

CITY OF FLINT, Office of Purchases & Supplies

TODAY'S DATE: 12/17/2019

AGENDA ITEM TITLE: Lease of Sewer Cleaning Vehicles BID/PROPOSAL#

*Just entered
1/27/20*

DO YOU EXPECT THIS PURCHASE ORDER WILL CONVERT TO A CONTRACT? ☒ YES ☐ NO

PREPARED BY: Mike Rule, Fleet Maintenance
(PLEASE TYPE NAME, TITLE, DEPARTMENT)

BACKGROUND/SUMMARY OF PROPOSED ACTION: The Fleet Department is requesting a purchase order for (5) year leases of (3) backhoe tractors and (1) front end loader that will be utilized by WPC, Street Maintenance and the Water and Sewer departments. The departments have requested these as replacements for existing leased equipment with expiring leases.

FINANCIAL IMPLICATIONS:

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

ACCOUNT NO: 661-451-100-940-000

AMOUNT: \$ 82,687.47

ACCOUNT NO: AMOUNT: \$

ACCOUNT NO: AMOUNT: \$

ACCOUNT NO: AMOUNT: \$

ACCOUNT NO: AMOUNT: \$

ACCOUNT NO: AMOUNT: \$

ACCOUNT NO: AMOUNT: \$

ACCOUNT NO: AMOUNT: \$

PRE-ENCUMBERED? YES ☒ NO ☐ REQUISITION NO: 200002771

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

STAFF RECOMMENDATION: (PLEASE SELECT): APPROVED

STAFF PERSON SIGNATURE: *Michael Rule*
(PLEASE TYPE NAME, TITLE) Michael Rule, Fleet Manager

For Purchasing Use Only: PO/CONTRACT# _____ DATE RECEIVED: _____



GRAND RAPIDS
600 AIS Drive Southwest
Grand Rapids, MI 49548
Telephone: (616) 538-2400

LANSING
3600 North Grand River Avenue
Lansing, MI 48906
Telephone: (617) 321-8000

SAGINAW
4800 AIS Drive
Bridgeport, MI 49722
Telephone: (989) 777-0090

RICHMOND
65809 Gratiot Avenue
Lenox, MI 48050
Telephone: (586) 727-7311

TRAVERSE CITY
8300 M-72 East
Williamsburg, MI 49690
Telephone: (231) 267-9513

WEST DETROIT
56555 Pontiac Trail
New Hudson, MI 48165
Telephone: (248) 437-8121

Mr. Mike Rule
City of Flint
Transportation/Fleet Maintenance
702 West 12th Street
Flint, MI 48503

January 14, 2020

STREETS

Re: State of Michigan MiDeal Pricing for New John Deere 544L Wheel Loader

Dear Mr. Rule:

AIS Construction Equipment/JDE Equipment Company is pleased to provide you with the following pricing for a new 544L Wheel Loader for your upcoming needs. The pricing shown is current MiDeal State Contract # 071B7700090 Pricing and as such will be firm until such time as there is a manufacturer list price increase.

New John Deere 544L Wheel Loader with specifications as outlined on the attached Equipment Details page:

	List Price:	\$249,706.00
	Less State Contract 36.5% Discount:	<u>(\$ 91,143.00)</u>
	Sub-Total for Machine:	\$158,563.00
Plus:	AIS Construction Equipment:	
	PDI:	\$ 1,586.00
	Delivery:	\$ 250.00
	Multi-Purpose Loader Bucket:	\$ 16,250.00
	Installation:	<u>\$ 1,200.00</u>
	Net Total:	\$177,849.00

Lease Program: 5 Year Governmental Operating Lease (1000 HPY):
5 Annual Payments of \$26,442.59 Each
Then return or purchase for \$78,220.32.00

Please let me know if you have any questions or need any additional information.
We look forward to continuing to assist you with your heavy construction equipment needs.

Sincerely,

Chris Robinson
Governmental Sales Manager



Equipment Details

Prepared For: City of Flint

Dealership: CHRIS ROBINSON
 AIS CONSTRUCTION EQUIPMENT
 56555 Pontiac Trail
 New Hudson, MI 48165
 Phone: 2484378121

Date January 14, 2020

Offer Expires: 6/30/2020

All amounts are displayed in USD

544L WHEEL LOADER

Code	Description	Qty	List Price
7580DW	544L WHEEL LOADER		

Required Items:

Options

2605	English Decals and Manuals	1	
1010	Standard Wheel Loader	1	
0924	John Deere PowerTech Engine John Deere PowerTech PVS 6.8L meets EPA FT4 and EU Stage IV Emissions (186 Net Peak hp) Turbocharged Wet Sleeve Cylinder Liners Automatic Glow Plugs Programmable Auto-Idle and Auto-Shutdown Selected Idle Adjustment from 900-1250 RPM Starter Protection 4 Valves/Cylinder Cooled Exhaust Gas Recirculation Automatic Derating for Exceeded System Temperatures Electronically Controlled HPCR Fuel Delivery System, B20 Biodiesel Compatible Electrical Fuel Priming System Serpentine Drive Belt with Automatic Tensioner Under Hood Dual Element Air Cleaner with Restriction Indicator Under Hood Exhaust Filter and Catalysts with Curved Exhaust Stack Automatic Exhaust Filter Regeneration Dual-Stage Fuel Filter and Water Separator 500 Hour Vertical Spin-on Oil Filter Cartridge Type Oil Crankcase Filter Automatic Engine Cool-down Timer Remote Start Battery Terminals	1	
1510	Standard Hydraulic Fan Hydraulically driven fan with proportional fan speed control based on cooling demands to save fuel and reduce noise.	1	
1410	Standard Engine Air Intake System Does not include centrifugal precleaner	1	

1/14/2020

<https://configurator.deere.com/servlet/com.deere.u90947.eproducts.view.servlets.CartServlet?userAction=customerCopy&historicalPricing...>

1310	Flat Black Curved Stack	1
1610	Standard Fuel Filter with Water Separator and Standard Fuel Fill	1
1210	100 amp Alternator For use with code 2708 8 Amp/12 V Power Converter.	1
	Not Available with Premium Cab code 1910	
2708	8 Amp Converter Not Available with Premium Cab code 1910	1
7120	Halogen Work and Drive Lights LED Front Turn/Marker & Rear Turn/Brake Lights	1
1110	5-Speed Powershift Transmission	1
3049	High Traction - Front & Rear Hydraulically Locking Differential Axles	1
3120	Manual Axle Differential Lock	1
2020	High Lift Z-BAR Parallel Lift Linkage	1
	Adds 11.4 inches (290 mm) height to bucket hinge pin, fully raised over standard linkage. Rated tipping load and lift capacity will be lower than unit equipped with the standard boom.	
2360	Joystick Controls Provides a single lever (joystick) control for the boom and the bucket. Optional 3rd and 4th functions are controlled with proportional thumb rollers integrated in the joystick handle. Includes FNR switch integrated into the joystick control lever.	1
2403	Three Function Hydraulics Controls Boom and Bucket and adds an auxiliary function and boom lines.	1
1970	Hydrau Hydraulic Fluid	1
2510	Ride Control Code 9410 Transmission and Bottom Guards are recommended in applications where underside is vulnerable.	1
1905	Standard Cab The following options are only available on the standard cab: 1210 100 amp Alternator 1934 5 inch (127mm) Display Monitor 2220 Deluxe Seat 2708 8 amp Voltage Converter 8250 No Rear Camera or Radar Object Detection System 8310 Standard Exterior Mirrors OR 8320 Heated Exterior Mirrors 8360 Standard radio OR 8380 No radio Allows lowest cost configuration. The following options are NOT available in the standard cab configuration: 8370 Premium Radio 8350 Remote Powered and Heated Exterior Mirrors	1
8450	Cab with Air A/C Charge	1
2220	Deluxe Seat, Cloth with Air Suspension Fabric Covered Seat with Back Rest Extension Includes Lumbar Adjustment and Air Suspension with Full Damping Capability.	1
	Not Available with Premium Cab code 1910	

1/14/2020

<https://configurator.deere.com/servlet/com.deere.u90947.eproducts.view.servlets.CartServlet?userAction=customerCopy&historicalPricing...>

1940	7 inch Monitor	1
8310	Standard Exterior Mirrors Not Available with Premium Cab code 1910	1
8380	No Radio Requires Standard Cab	1
8240	Rear Camera	1
8298	No Strobe Beacon or Left Beacon Bracket	1
5610	Left Side Steps Only	1
2120	Steering Wheel Only	1
2870	No Payload Scale with Cycle Counter Z-Bar and High Lift Linkage models will be shipped payload scale ready. A payload scale whole good field kit may be added at a later time to install the L2180 Payload Scale.	1
170C	JDLINK Ultimate 5 Year Subscription Includes JDLINK hardware: integrated cab wiring harness, antenna, modular telematics gateway (MTG), and now includes all Ultimate Connectivity features - Wireless Data Transfer (WDT) enabling automatic data transfer from TimberMatic and Waratah H16 Measuring Systems to TimberManager and MyJohnDeere, supporting TimberOffice 5 Software. Additionally, Ultimate now includes Limited Internet features supporting optional ForestSight Solutions such as advance mapping systems and Remote Display Access (RDA) features supported by TeamViewer applications. JDLINK utilizes cellular and satellite technology infrastructure that is outside the control of John Deere. Changes to that infrastructure may require customers to purchase compatible JDLINK hardware to restore functionality. Includes 5 year subscription. Annual subscription renewal required after 5 years for continued functionality. JDLINK customer account must be created to access JDLINK Ultimate data. Go to www.StellarSupport.com to renew or update JDLINK subscriptions. Use of this service, and all rights and obligations of John Deere and the Customer (as identified in the applicable agreement), are governed by the terms and conditions outlined in the applicable Services and Software agreements available at www.JohnDeere.com/Agreements . If these terms and conditions are not agreeable do not proceed and do not use the service.	1
5530	Standard Front Fenders Includes standard width front fenders, left side steps, as well as both left and right side platforms. Fender width is narrower than tire by design to be less susceptible to damage if tire brushes against objects from the side.	1
4932	No Brand Preference	1
8565	Field Bucket Ready: Pins Only Pins are shipped with the machine. The pins provided are designed and intended for use in installing Deere designed field installed pin-on buckets. Use of the pins to attach any other buckets, couplers, or other attachments may or may not be acceptable, and must be reviewed on a case by case basis to determine if they provide adequate pin engagement and pin retention.	1
8960	No Bucket	1
8890	No Bucket Edge or Teeth Required when ordering code 8960 No Bucket	1

1/14/2020

<https://configurator.deere.com/servlet/com.deere.u90947.eproducts.view.servlets.CartServlet?userAction=customerCopy&historicalPricing=false&sale...>

5840	No Fork Frame	1
5940	No Tires Required when ordering code 5840 No Fork Frame	1
8220	Rear Hitch and Counterweight	1
Optional Items:		
9015	Engine Block Heater Recommend for cold starts below -10 degrees F (-23 C)	1
9707	20.5R25 1 STAR L2 NO BRAND PREFERRED RADIAL TIRES WITH 3 PC RIMS	1

Configuration Total:**\$249,706.00****Summary****Equipment Totals (Includes "Other Charges")**

544L WHEEL LOADER

Qty	Each	Extended
1	\$249,706.00	\$249,706.00
Total Equipment Group Price:		\$249,706.00

Additional Charges

MIDeal State Contract 36.5% Discount:	+/-	(\$91,143.00)
PDI:	+/-	\$1,586.00
Delivery:	+/-	\$250.00
Multi-Purpose Loader Bucket:	+/-	\$16,250.00
Installation:	+/-	\$1,200.00
Total Additional Charges:		(\$71,857.00)

Total Delivered Price:

1

\$177,849.00

Manufacturer's Suggested List Price shown. Retail prices may vary by dealer. Unless stated otherwise, taxes, freight, setup, delivery and other dealer specific charges not included in the pricing. Options noted with 'Net Item Charge' will have additional costs. Pricing and specifications subject to change without notice. Special program pricing may be available on certain models. Ask dealer for details. Prices shown are in U.S. dollars and valid only in the U.S.

DE1100-S 1/07/2020 14:35:39
 COMPANY - 20 AIS CONSTRUCTION EQ

DEPARTMENTAL INCOME SUMMARY *** PRELIMINARY ***
 DIVISION - 01 AIS/DCA/CDC DEPARTMENT - 7L7 AGGREGATE SERVICE

PAGE 70
 PERIOD: 12/31/19

	BUDGET	ACTUAL	LAST YR ACT	BUDGET	ACTUAL	LAST YR ACT	VARIANCE
	MONTHLY	MONTHLY	MONTHLY	YEAR TO DATE	YEAR TO DATE	YEAR TO DATE	
TOTAL SALES	98390.00-	178510.13-	93147.80-	98390.00-	96884.86-	1068918.38-	83174.86-
TOTAL COST OF SALES	44997.00	120408.19	10187.20	44997.00	413140.21	480003.76	8167.23
GROSS MARGIN	53393.00-	58101.94-	52760.60-	53393.00-	55570.65-	588914.62-	75007.63-
TOTAL OPERATING EXPENSES	27313.30	25186.00	13273.52	27313.30	206501.34	277460.36	39315.66-
OPERATING INCOME	26080.00-	32915.94-	39487.08-	26080.00-	34920.31-	311454.26-	114323.29-
TOTAL NON-OPERATING INC	26.5	18.4	42.3	26.5	36.0	29.1	6497.91-
TLT NON-OPERATING EXPENSE	530.00	254.20	212.18	530.00	5148.59	4767.62	378.59
COST CTR 7L7 NET INCOME	25550.00-	32661.74-	39274.90-	25550.00-	350382.61-	306687.04-	120432.61-
	25.9	18.2	42.1	25.9	36.1	28.6	

RESOLUTION NO.: _____

PRESENTED: 3-10-2020

ADOPTED: _____

RESOLUTION TO ACCEPT A \$75,000 AWARD FROM CITIES OF SERVICE IN SUPPORT OF COMMUNITY ENGAGEMENT ACTIVITIES AND BUDGET AMENDMENT AUTHORIZATION TO RECOGNIZE REVENUE AND APPROPRIATE FUNDS

BY THE MAYOR:

WHEREAS, The City was awarded Engaged Cities funding from the Cities of Service in the amount of \$75,000.00; and

WHEREAS, This award will allow the City of Flint to build on its work engaging Flint residents in the effort to improve property conditions across the city; and

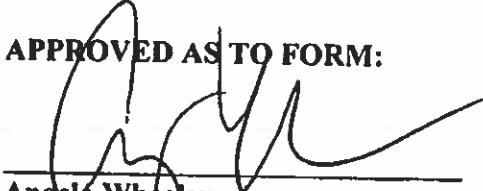
WHEREAS, This program is an effort led by the City of Flint Planning and Development Department in support of the Flint Property Portal and other community engagement efforts;

IT IS RESOLVED that appropriate City Officials are authorized to do all things necessary to process a budget amendment recognizing grant revenue and corresponding appropriations of funds under grant code OCOS-ENGCI9, Fund 296 and Department 691.406 in the amount of \$75,000.00.

APPROVED AS TO FINANCE:


Amanda Trujillo
Acting Finance Director

APPROVED AS TO FORM:


Angela Wheeler
Chief Legal Officer

ADMINISTRATION:

Sheldon Neeley
Mayor

CITY COUNCIL:

Monica Galloway
City Council President



BUDGET AMENDMENT STAFF REVIEW FORM

DATE: January 23, 2020

Agenda Item Title: RESOLUTION TO ACCEPT A \$75,000 AWARD FROM CITIES OF SERVICE IN SUPPORT OF COMMUNITY ENGAGEMENT ACTIVITIES AND BUDGET AMENDMENT AUTHORIZATION TO RECOGNIZE REVENUE AND APPROPRIATE FUNDS

Prepared By: Michael Lawlor, Urban Designer for Suzanne Wilcox, Director

Background/Summary of Proposed Action:

The Cities of Service - Engaged Cities Award recognizes cities and leaders who have actively engaged their residents to implement solutions to critical public problems. Flint is one of three cities across the Americas and Europe to receive the award this year, in recognition of the Department of Planning & Development's work to implement the Flint Property Portal in collaboration with the Genesee County Land Bank Authority.

The Flint Property Portal is an online tool and mobile app that collects and displays citizen-generated data on property conditions across Flint. The Portal allows residents to improve and maintain blighted and vacant properties and enables City staff to obtain and allocate resources to remediate blight in the city.

This award will allow the City of Flint to build on its work engaging Flint residents in the effort to improve property conditions across the city.

The resolution allows the City of Flint to access the \$75,000.00 and establish said funding in appropriate General Ledger and Grant Accounts.

Financial Implications:

This award leverages existing funds throughout the community, and delivers no impact to the City's General Fund accounts.

Budgeted Expenditure: Yes ___ No X Please explain, if no:

Pre-encumbered: Yes ___ No X

Account No.: To be appropriated by Finance under grant code OCOS-ENG19, Fund 296 and Department 691.406.

Accounting Signature: 

Staff Recommendations:

The Director of Department of Planning and Development recommends approval of this budget amendment.


Suzanne Wilcox, Director of Planning and Development

RESOLUTION REVIEW FORM

FROM: P&D, Planning & Zoning
Division

DATE
NO.

January 23, 2020

20-1010

Law Office Login #

**RESOLUTION TO ACCEPT A \$75,000 AWARD FROM CITIES OF SERVICE IN SUPPORT OF COMMUNITY
ENGAGEMENT ACTIVITIES AND BUDGET AMENDMENT AUTHORIZATION TO RECOGNIZE REVENUE
AND APPROPRIATE FUNDS**

RESOLUTION NAME:

Date in: 1/23/2020

1. RESOLUTION REVIEW - P&D / Planning & Zoning

The attached RESOLUTION is approved by the P&D Director. By signing, the Director approves this resolution to be processed for signatures.

By: Suzanne Wilcox
Director

DATE: 1/23/20
(Date)

Date in:

2. RESOLUTION REVIEW - LAW DEPARTMENT

The attached RESOLUTION is submitted to the Legal Department for Approval as to FORM ONLY.
The Legal Department has reviewed the RESOLUTION as to Form on 1/23/2020 and by signing
(Date)

By: Angela Wheeler
Chief Legal Officer

DATE: 1/23/2020

Date in:

3. RESOLUTION REVIEW - FINANCE

The attached RESOLUTION is submitted to the FINANCE Department for approval as to **FINANCE COMPLIANCE**:
The Finance Department reviewed this RESOLUTION, on 1/31/2020 and by signing
this form approves as to FINANCE COMPLIANCE. (Date)

By: Amanda Trujillo
Acting Finance Director

DATE: 1/31/2020

If you have
any questions
about this,
please contact
Michael Lawler
x. 3035

200069

RESOLUTION NO.: _____

PRESENTED: 2-10-2020

ADOPTED: _____

**RESOLUTION RECOGNIZING GENESEE COUNTY YOUTH ORGANIZATION., AS A
NONPROFIT ORGANIZATION OPERATING IN THE CITY OF FLINT FOR THE
PURPOSE OF OBTAINING A CHARITABLE GAMING LICENSE, ISSUED BY THE
MICHIGAN LOTTERY CHARITABLE GAMING ORGANIZATION**

BY THE MAYOR:

WHEREAS, Genesee County Youth Organization., a non-profit organization, is dedicated to empowering youth and families to change crisis into success through counseling, shelter and promotion of independent living skills.

WHEREAS, The City of Flint, being the local governing body with authority to grant local charitable gaming licenses that also conform to requirements set forth by the State of Michigan, and Genesee County Youth Organization., a non-profit organization, having made proper application for a Charitable Gaming License to conduct a Mardi Gras Party Raffle at Riverfront Banquet Center, 1 Riverfront Plaza Flint, MI 48502 prices for raffle are \$5.00 per drawing. This resolution is submitted in accordance with the qualification process pursuant to the State of Michigan, Bureau of State Lottery, as allowed by Act 382 of the Public Acts of 1972, as amended.

NOW THEREFORE BE IT RESOLVED, that Genesee County Youth Organization, is recognized as a non-profit organization operating in the City of Flint for the purpose of obtaining a charitable gaming license, issued by the State of Michigan Lottery Charitable Gaming Division, relative to conducting charity and fundraising events, as allowed by Act 382 of the Public acts of 1972, as amended.

APPROVED AS TO FORM:

FOR THE CITY OF FLINT:



Angela Wheeler, City Attorney

Sheldon A. Neeley, Mayor

APPROVED BY CITY COUNCIL:

Monica Galloway, City Council President



Documentation Needed for Preparation of Charitable Gaming License Resolution

Full name of organization requesting Charitable Gaming Resolution

Genesee County Youth Corporation

Mission Statement

Empowering youth and families to change crisis into success through counseling, shelter and the promotion of independent living skills

Date(s) of event and type of event

Tuesday, February 25, 2020 – Mardi Gras Party

Location of event: Name of hall, address

Riverfront Banquet Center
1 Riverfront Plaza
Flint, MI 48502

Tax Exemption Letter

Attached

How much lottery tickets will cost

Raffle tickets sold during the evening of the event will be \$5.00 per drawing. There will be multiple drawings that happen throughout the evening.

There will also be a silent auction during the evening.

**Return all to Victoria Cooper, Senior Litigation Assistant
City Attorney's Office**

Telephone: 766-7146

Internal Revenue Service
District Director

RECEIVED AUG 06 1980

Department of the Treasury

Date:

AUG 4 1980

Employer Identification Number:

38-2299753

Accounting Period Ending:

September 30

Form 990 Required: ☒ Yes ☐ No

Person to Contact:

A. Newman

Contact Telephone Number:

313-226-7330

(not toll free)

DET:80-631

Genesee County Youth Corporation
1020 Oak Street
Flint, Michigan 48503

Dear Applicant:

Based on information supplied, and assuming your operations will be as stated in your application for recognition of exemption, we have determined you are exempt from Federal income tax under section 501(c)(3) of the Internal Revenue Code.

We have further determined that you are not a private foundation within the meaning of section 509(a) of the Code, because you are an organization described in section 509(a)(1)&170(b)(1)(A)(vi).

If your sources of support, or your purposes, character, or method of operation change, please let us know so we can consider the effect of the change on your exempt status and foundation status. Also, you should inform us of all changes in your name or address.

Generally, you are not liable for social security (FICA) taxes unless you file a waiver of exemption certificate as provided in the Federal Insurance Contributions Act. If you have paid FICA taxes without filing the waiver, you should contact us. You are not liable for the tax imposed under the Federal Unemployment Tax Act (FUTA).

Since you are not a private foundation, you are not subject to the excise taxes under Chapter 42 of the Code. However, you are not automatically exempt from other Federal excise taxes. If you have any questions about excise, employment, or other Federal taxes, please let us know.

Donors may deduct contributions to you as provided in section 170 of the Code. Bequests, legacies, devises, transfers, or gifts to you or for your use are deductible for Federal estate and gift tax purposes if they meet the applicable provisions of sections 2055, 2106, and 2522 of the Code.

The box checked in the heading of this letter shows whether you must file Form 990, Return of Organization Exempt from Income tax. If Yes is checked, you are required to file Form 990 only if your gross receipts each year are normally more than \$10,000. If a return is required, it must be filed by the 15th day of the fifth month after the end of your annual accounting period. The law imposes a penalty of \$10 a day, up to a maximum of \$5,000, when a return is filed late, unless there is reasonable cause for the delay.

You are not required to file Federal income tax returns unless you are subject to the tax on unrelated business income under section 511 of the Code. If you are subject to this tax, you must file an income tax return on Form 990-T. In this letter, we are not determining whether any of your present or proposed activities are unrelated trade or business as defined in section 513 of the Code.

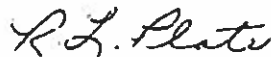
You need an employer identification number even if you have no employees.

If an employer identification number was not entered on your application, a number will be assigned to you and you will be advised of it. Please use that number on all returns you file and in all correspondence with the Internal Revenue Service.

Because this letter could help resolve any questions about your exempt status and foundation status, you should keep it in your permanent records.

If you have any questions, please contact the person whose name and telephone number are shown in the heading of this letter.

Sincerely yours,



R. L. Plate
District Director

200070

Resolution No.: _____

Presented: 2-10-2020

Adopted: _____

Resolution Setting Hearing Date to Approve Change in The General Rules of the Board of Review

By the Mayor:

The Board of Review is requesting the adoption of the revised General Rules of the Board of Review.

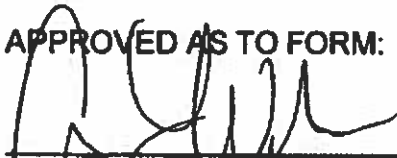
Before acting upon the request, the City of Flint, pursuant to Sec. 11801, as amended, shall afford an opportunity for a hearing on the establishment of the General Rules of the Board of Review, at which time the owners and any other taxpayer or resident of the City of Flint may appear and be heard.

IT IS RESOLVED, That such a hearing to consider the revised General Rules of the Board of Review to be held on the _____ day of _____ at 5:30 p.m. in the City Council Chamber of Flint City Hall, 1101 S. Saginaw Street, Flint, Michigan, and the notice of such hearing be published in an official paper of general circulation not less than ten (10) days prior to said hearing.

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

APPROVED AS TO FORM:

ADMINISTRATION



Angela Wheeler, Chief Legal Officer

Sheldon Neely, Mayor

CITY COUNCIL

Monica Galloway, President



RESOLUTION STAFF REVIEW

DATE: 2/3/2020

Agenda Item Title: General Rules for the Board of Review

Prepared By: Stacey Kaake

Background/Summary of Proposed Action:

The Board of Review requested in December of 2018 to review their general rules. The last time their General Rules were reviewed was in 1987. In March, the Board of Review convened and went over their rules line by line. They wanted to make appealing by letter easier for residents by removing the requirement for the letter to be notarized. They also want to include the members are expected to attend all meetings, with an exception given to emergencies. The language was also updated to reflect changes in the law and changes in procedure put forth by the State Tax Commission, which reflects in the AMAR.

Financial Implications :

None.

Budgeted Expenditure? No Please explain if no: No, this is a change in the General Rules followed by the Board of Review.

Account No.:

Pre-encumbered? No Requisition #

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

Staff Recommendation: Approval

Staff Person: Stacey Kaake
Stacey Kaake, Assessor

Approval: Amanda Trujillo
Amanda Trujillo, Interim Director of Finance

**CITY OF FLINT, MICHIGAN
BOARD OF REVIEW**

GENERAL RULES

(By authority conferred on the Board of Review by Section 7-202-D and Section 1-801 of the Charter of the City of Flint, Michigan and the Flint City Code Section 18-5.2)

PART 1. GENERAL PROVISIONS

R 7-202.1 Definitions

Rule 1. As used in these rules:

(a). "General Property Tax Act" means Act 206 of the Public Acts of 1893, as amended, being Sections 211.1 to 211.137 of the Michigan Compiled Laws.

(b). "Taxation of Lessors or Users of Tax-Exempt Real Property" means Act 189 of the Public Acts of 1953, as amended, being Sections 211.181 and 211.182 of the Michigan Compiled Laws.

(c). "Industrial Facilities Tax Certificate" means Act 198 of the Public Acts of 1974, as amended, being Sections 207.551 to 207.571 of the Michigan Compiled Laws.

(d). "Commercial Facilities Tax Certificate" means Act 255 of the Public Acts of 1978, as amended, being Sections 207.651 to 207.668 of the Michigan Compiled Laws.

(e). "Board" means the Board of Review as provided for in Section 7-202 of the Charter of the City of Flint.

(f). "Assessment Roll" means the Assessment Roll [including all of the rolls involved with properties subject to the acts listed in Rules 1(a), 1(b), 1(c), and 1(d)] for the real and personal property of the City of Flint for the then current year as certified by the City Assessor and delivered to the Board of Review at its first meeting for review.

(g). "Property Description Number" means the Real Estate Index Number or Permanent Parcel Identification Number assigned to each parcel of real property as provided for in Section 211.25a M.C.L. or in the case of personal property, and Specific Tax Roll properties that number assigned by the Division of Assessments to each personal property assessment and to each specific tax assessment.

(h). "Clerk" means the City Clerk or the representative of the City Clerk.

BOARD OF REVIEW

R 7-202.2 Organization

Rule 2.

(a). Each year, at its first meeting, the Board of Review shall elect a chairman. The chairman shall appoint a chairman pro-temore.

(b). The chairman shall appoint three (3) committees of the Board and designate that member who shall be Chairman of the committee to which the member is appointed. Generally, there shall be no transfer of a member or members to another committee. However, the Board, in its creation, may reorganize the three (3) committees in justifying circumstances. Each committee of three (3) members will hear protests and recommend its decision to the Board for final disposition.

(c). The chairman will notify the mayor, when in the opinion of the majority of the Board, non-attendance of a member becomes neglect of duties and grounds for removal from office. Removal from office shall be for cause upon recommendation of the mayor and approval of the city council. (City Code Section 18-5.1)

R 7-202.3 Time of Meeting

Rule 3.

(a). The Board shall meet on the days, during the time, and in the location prescribed by ordinance and proceed in compliance with the General Property Tax Act to review the Assessed Rolls for: the General Property Tax Act, the Taxation of Lessors or Users of Tax-Exempt Property, Industrial Facilities Tax Certificates, and Commercial Facilities Tax Certificates.

(b). Notice of date, time, and place of meeting of the Board of Review shall be given by the City Clerk at least one (1) week prior to such meeting by publication in a daily newspaper of general circulation. Such notice shall appear in three (3) successive issues of the newspaper.

PART 2. PROCEDURE IN GENERAL

R 7-202.4 Hearing Procedure

Rule 4. Complaints to the Board may be heard by a committee referred to in Rule 2, however, any action to resolve the complaint must be in the form of a committee recommendation to the entire Board. The final decision of the entire Board requires approval of the majority of members present.

MAY 6, 1987 BOARD OF REVIEW RULES AMENDED MAY 18, 1988

**CITY OF FLINT, MICHIGAN
BOARD OF REVIEW**

R 7-202.5 Filing of Forms

Rule 5.

(a). Complaints shall be in writing on forms prescribed by the Board and Subscribed to under oath. The Board may, however, in its discretion, review unsworn complaints in extenuating circumstances.

(b). Any resident or nonresident property owner is authorized to file his or her complaint before the board of review by notarized letter without a personal appearance by the owner or his or her agent. (City Code Section 18-5.4)

(c). Upon filing of a sworn complaint, the Board shall assign an individual complaint number and enter into a log the property description number, the name of the owner, the address of the property, and the complaint number assigned.

(d). Complaints presented to the Board without adequate factual data upon which to render a decision will be denied for lack of information.

(e). A separate complaint form shall be filed for each property description number.

R 7-202.6 Representation

Rule 6.

(a). Complaints may be submitted by a property owner in his or her own behalf or by such other representative as the owner may appoint.

(b). Where the complaint is not signed by the owner or by an attorney at law on behalf of the owner, the Board shall require:

- (1). The owner's authorized representative to provide a notarized written statement of authorization for the current year signed by the owner; or
- (2). The owner's attorney to provide a currently dated appearance form indicating that said attorney is appearing on behalf of the owner.

**CITY OF FLINT, MICHIGAN
BOARD OF REVIEW**

The Board may, however, in its discretion, permit the appearance without a notarized written statement of authorization when, based on facts presented to the Board, it is satisfied that to require such notarized written statement would cause undue burden on the owner or deny the owner due process of law.

(c). A corporation, unincorporated association, or unit of government may be represented by an authorized officer or employee. An estate or trust may be represented by a fiduciary. A person shall state in the complaint his or her name, address, and telephone number.

(d). All parties appearing before the Board shall conduct themselves with decorum.

R 7-202.7 Board of Review Minutes

Rule 7. The Clerk shall keep minutes on complaints filed which shall state the name of the property owner, the name of the representative or agent if any, the address of the property, the date, the property description number, the assessed valuation of the property protested to, and subsequently the Board's final action.

R 7-202.8 Completion of Review of Assessment Roll

Rule 8. Upon completion of its review of the Assessment Roll the Board shall direct its Chairman and Clerk to endorse the Assessment Roll for the current year.

R 7-202.9 Notice of Board of Review Action

Rule 9. The Clerk shall notify each complainant in writing, not later than the First Monday in June, of the Board's action and the right of further appeal to the Michigan tax tribunal.

R 7-202.10 Appeals

Rule 10. Any appeal of the value or exemption decision of the Board shall be made in accordance with Act 186, of the Public Acts of 1973, as amended, to the Michigan Tax Tribunal. Appeals of decisions by the Board regarding classification shall be made to the State Tax Commission within 30 days of adjournment of the Board of Review.

MAY 6, 1987 BOARD OF REVIEW RULES AMENDED MAY 18, 1988

City of Flint, Michigan
Board of Review

GENERAL RULES

By authority conferred on the Board of Review by Sec. 7-202-D and Sec. 1-801 of the Charter of the City of Flint, Michigan and the Flint City Code Sec. 18-5.2

Part 1: General Provisions

R 7-202.1 Definitions

Rule 1 As used in these rules:

- (a). "General Property Tax Act" means Act 206 of the Public Acts of 1893, as amended, being Sections 211.1 to 211.155 of the Michigan Compiled Laws (MCL).
- (b). "Taxation of Lessors or Users of Tax-Exempt Real Property" means Public Act 189 of 1953, as amended, being Sections 211.181 and 211.182 of the MCL.
- (c). "Industrial Facilities Tax Certificate" means Public Act 198 of 1974, as amended, being Sections 207.551 to 207.571 of the MCL.
- (d). "Commercial Facilities Tax Exemption Certificate" means Public Act 255 of 1978, as amended, being Sections 207.551 to 207.668 of the MCL.
- (e). "Obsolete Property Rehabilitation Act (OPRA)" means Public Act 146 of 2000, as amended, being Sections 125.2781 to 125.2797 of the MCL.
- (f). "Commercial Rehabilitation Act (CRA)" means Public Act 210 of 2005, as amended, being Sections 207.841 to 207.856 of the MCL.
- (g). "Land Bank Fast Track Act" means Public Act 147 of 2003, being section 124.751 to 124.774 of the MCL.

(h) Any future tax abatement passed by the State Legislation and signed by the Governor of this State.

(i). "Board" means the Board of Review as provided for in Section 7-202 of the Charter of the City of Flint.

(j). "Assessment Roll" means the Electronic Assessment Roll (including all of the rolls involved with properties subject to the acts listed in Rules 1(c) to 1(h) for the real and personal property of the City of Flint for the then current year as certified by the City Assessor and delivered to the Board at its first meeting for review.

(k). "Real Estate Index Number System" means a permanent number assigned to each parcel of real property as provided for in Section 211.25a MCL or, in the case of personal property, Act and Specific Tax Roll properties, that number assigned by the Division of Assessments to each personal property assessment and to each specific tax assessment.

(i). "Clerk" means the City Clerk or the representative of the City Clerk.

R 7-202.2 Organization

Rule 2

(a). Each year, at its first meeting, the Board shall elect a chairperson, by means of nomination by the members or by self-nomination.

(b). Each year, at its first meeting, the Board shall elect a Vice-chairperson, by means of nomination by the members or by self-nomination

(c). The Chairperson shall appoint three (3) committees of three (3) of the board. Those members shall designate one member who shall serve as chair of the committee. Generally, there shall be no transfer of a member or members to another committee. However, the Board, in its discretion, may reorganize the three (3) committees in extenuating circumstances. Each committee of three (3) members will hear protests and make an independent decision, with majority agreeing upon the decision.

(d). The Chairperson will notify the Mayor, when, in the opinion of the majority of the Board, finds grounds for removal of a member due to any of the following: nonattendance, disruptive or unethical behavior. A recommendation of

removal shall be submitted in writing, to the Mayor and then approval of the City Council for the removal of the member.

(d). All members of the Board shall be expected to attend all meetings, with an exception given to emergencies.

(f) All members shall be afforded educational opportunities and shall be required to attend. If an emergency precludes a member from attending an educational meeting/class, he/she must contact the Assessor to request another meeting/class.

R 7-202.3 Time of Meeting

Rule 3

(a). During the March meetings, the Board shall meet on the days, during the time and in the location prescribed by ordinance 18-5.3, and proceed in compliance with the General Property Tax Act to review the Assessment Rolls for: the General Property Tax Act, the Taxation of Lessors or Users of Tax-Exempt Property and all Specific tax rolls.

(b). Notice of date, time and place of meeting of the March Board of Review shall be given by the City Clerk "at least one week prior to the meeting in a generally circulated newspaper serving the area in three (3) successive issues. If a newspaper is not available, the notice shall be posted in five (5) conspicuous places in the Township" per MCL 211.29(6).

(c) The Board shall also meet the Tuesday following the third Monday in July and the Tuesday following the second Monday in December in accordance and for the purpose stated in 211.53b MCL.

(d) At the beginning of each meeting a roll call shall occur.

(e) There shall be a time at the beginning of the meeting for public comment.

Part 2. Procedure in General

R 7-202.4 Hearing Procedure

Rule 4 Petitioners to the Board may be heard by a committee referred to in Rule 2. The committee will make an independent decision regarding the evidence presented to them with majority in agreement.

R 7-202.5

Rule 5 Filing of Petitions/Affidavits

(a). Petitions shall be done in writing on forms prescribed by the State Tax Commission.

(b). Any resident or nonresident property owner is authorized to file his/her Petition before the board of review in letter format without a personal appearance by said owner or his/her agent (City Code Section 18-5.4)

(c). Upon filing of a Petition, the Board, or its designee, shall assign an individual petition number and enter into the log the Property Identification Number, the owner's name, property address and petition number assigned.

(d). Petitions presented to the Board without adequate factual data upon which to render a decision will be denied for lack of information.

(e). A separate petition shall be filed for each property identification number.

(f). During July/December Board of Review, a Principle Residence Exemption or Request to Rescind Principle Residence Exemption Affidavits shall be considered a request from the owner of the property to review for prior years when the required documentation to establish they occupied the home is presented with the Affidavit.

R 7-202.6 Representation

Rule 6.

(a). Petition may be submitted by a property owner on his or her own behalf or by such other representative as the owner may appoint.

(b). Where the Petition is not signed by the owner or by an attorney at law on behalf of the owner, the Board shall require:

- 1). The owner's authorized representative to provide a **notarized** written statement of authorization for the current year signed by the owner; OR
- 2). The owner's attorney may provide a currently dated appearance form indicating that said attorney is appearing on behalf of the owner; OR
- 3). A representative, with Power of Estate or Power of Attorney, stating they have power over the real parcel on the Petition.

The Board may, however, in its discretion, permit an appearance without a notarized written statement of authorization when, based on facts presented to the Board, it is satisfied that to require such notarized written statement would cause undue burden on the owner or deny the owner due process of the law.

(c). A corporation, unincorporated association or unit of government may be represented by an authorized officer or employee. An estate or trust may be represented by a fiduciary. A person shall state on the Petition his/her name, address and telephone number. They shall have a notarized written statement stating they have authority.

(d). All parties appearing before the Board shall conduct themselves with proper decorum.

R 7-202.7 Board of Review Minutes

Rule 7.

The Clerk, or their designee, shall keep minutes on each Petition filed which shall state the name of the property owner, the name of the representative or agent, if any, the address of the property, the date of appearance, the property identification number, the assessed valuation of the property under protest and the subsequent final action of the committee.

R 7-202.8 Completion of the Review of the Assessment Roll

Rule 8.

(a) Upon completion of its review of the Assessment Roll, a majority of the Board of Review shall sign a certificate. The certificate shall be approved by the State Tax Commission and one shall be prepared for the Ad Valorem and each Specific Roll.

(b) The Chairperson and Clerk shall attach its certification thereto that it has been reviewed and approved by the Board of Review and that it is the assessment roll for the City of Flint in the year in which it has been approved. Such certificate shall be signed by the Chairperson and the City Clerk and may be in the following form: The Board of Review of the City of Flint certifies that the foregoing roll is the assessment Roll of the City of Flint for the Year 20__ as approved by said Board.

R 7-202.9 Notice of Board of Review Action

Rule 9.

The Board's designee shall notify each petitioner or his/her agent or designee in writing, not later than the first Monday in May, of the Board's action and the right to further appeal to the Michigan Tax Tribunal.

R 7-202.10 Appeals

Rule 10.

(a) Any appeal of the value or exemption decision of the Board, shall be made in accordance with Act 186 of Public Acts of 1973, as amended, to the Michigan Tax Tribunal.

(b) Appeals of decision by the Board regarding classification shall be made to the State Tax Commission within 30 days of adjournment of the Board of Review.

200074

RECOMMENDED BY PLANNING COMMISSION 02.04.2020

ORDINANCE NO. _____

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

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

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

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

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

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

A. Uses subject to these controls are as follows:

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

i. Medical Marihuana Provisioning Centers

ii. RETAIL FACILITIES

iii. COMMERCIAL MARIHUANA SECURE TRANSPORT FACILITIES

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

i. Commercial Medical Marihuana Growing Centers

ii. Commercial Medical Marihuana Processing Center

iii. COMMERCIAL MARIHUANA SAFETY COMPLIANCE FACILITIES

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

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

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

B. Definitions:

For the purposes of this chapter:

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

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

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

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

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

class c licensed grower
**OR AN EXCESS
GROWER.**

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

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

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

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

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

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

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

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

- i. The Processing Center must be located in a

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

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

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

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

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

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

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

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

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

is not a Provisioning Center for purposes of this Ordinance.

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

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

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

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

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

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

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

25. State - The State of Michigan.

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

- i. Class A - 500 marihuana plants.
- ii. Class B - 1,000 marihuana plants.
- iii. Class C - 1,500 marihuana plants.

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

INCLUDING FOR AN EXCESS GROWER LICENSE.

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

i. A grower.

ii. AN EXCESS GROWER.

iii. A processor.

iv. A secure transporter (facility).

v. A provisioning center.

vi. A safety compliance facility.

vii. A RETAIL FACILITY.

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

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

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

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

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

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

C. License Allocation and Annual Fees

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

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

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

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

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

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

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

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

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

4. ~~Merit Review Process:~~

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

- a. ~~Application Window:~~

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

- b. ~~Blind Review:~~

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

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

~~e. Scoring Panel.~~

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

~~d. Factors for Scoring.~~

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

~~the State of Michigan for licensure.~~

~~e. Determination of Order.~~

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

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

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

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

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

D. Operation Without License Prohibited

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

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

E. License Application Submission

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

- (2) An application for a Medical Marihuana Facility license required by this Ordinance shall contain the following:

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

- ii. If the applicant is an individual, the applicant's name, date of birth, physical address, copy of government issued photo identification, email address, and one or more phone numbers, including emergency contact information;
- iii. If the applicant is not an individual, the names, dates of birth, physical addresses, copy of government issued photo identification, email addresses, and one or more phone numbers of each stakeholder of the applicant, including designation of the highest ranking stakeholder as an emergency contact person and contact information for the emergency contact person, articles of incorporation, assumed name registration documents, Internal Revenue Service SS-4 EIN confirmation letter, and a copy of the operating agreement of the applicant, if a limited liability company, a copy of the partnership agreement, if a partnership, or a copy of the by-laws or shareholder agreement, if a corporation;
- iv. The name and address of the proposed Medical

Marihuana Facility and any additional contact information deemed necessary and requested by the City;

- v. For the applicant, for each Stakeholder of the applicant, an affirmation under oath as to whether they are at least 18 years of age and have never been indicted for, charged with, arrest for, or convicted or pled guilty or nolo contendere to, forfeited bail concerning, or had expunged any criminal offense under the laws of any jurisdiction, either felony or controlled-substance-related misdemeanor not including traffic violations, regardless of whether the offense has been expunged, pardoned, reversed on appeal or otherwise, including the date, name and location of the court, arresting agency, and prosecuting agency, the case caption, the docket number, the offense, the disposition, and the location and length of incarceration;
- vi. An affirmation under oath that the applicant, before hiring a prospective agent or employee of the applicant, and after, the holder of a license shall conduct a background

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

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

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

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

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

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

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

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

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

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

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

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

- xiii. A floor plan of the Medical Marihuana

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

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

the proposed Medical Marihuana Facility;

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

in the sewerage system is prohibited;

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

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

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

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

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

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

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

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

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

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

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

(4) No application shall be approved unless:

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

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

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

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

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

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

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

zoning code and the terms outlined herein.

- (2) Past criminal convictions of the applicant or stakeholder will be evaluated. Convictions involving any of the following listed below, but not limited to, may result in denial of the application.
- i. Gambling;
 - ii. Prostitution;
 - iii. Weapons;
 - iv. Violence;
 - v. Tax evasion;
 - vi. Fraudulent activity; and
 - vii. Serious moral turpitude.
- (3) The Planning Commission shall consider the community impact of the proposed regulated use, including but not limited to the number of jobs created, the number of jobs that will be created specifically for City of Flint residents, and the overall impact on the character and growth of the surrounding neighborhood.
- (4) Further grounds for denial of the application may include a felony or misdemeanor of such nature that it may impair the ability of the applicant or stakeholder to operate a licensed business in a safe and competent manner.
- (5) The Planning Commission, in evaluating a license application, may consider whether the applicant or stakeholder has filed, or had filed against it, a

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

- (6) The Planning Commission, in evaluating a license application, may consider whether the applicant or stakeholder has a history of noncompliance with any regulatory requirements in this state or any other jurisdiction as grounds for denial.
- (7) The Planning Commission may further impose any conditions or limitations upon the establishment, location, construction, maintenance or operations of regulated use as may in its judgment be necessary for the protection of the public interest. Any evidence and guarantee may be required as proof that the conditions stipulated in connection therewith will be fulfilled.
- (8) IF AN APPLICANT WHO ALREADY HOLDS AN SRU UNDER THIS SECTION SEEKS A RELATED RECREATIONAL MARIJUANA LICENSE PURSUANT TO THE MRTMA ON THE SAME SITE OF THAT EXISTING SRU, WITH NO MODIFICATION TO PREVIOUSLY APPROVED SITE PLANS OR FLOOR PLANS, AND THAT APPLICANT MAINTAINS A VALID AND RELATED MMFLA LICENSE WITH THE STATE OF MICHIGAN AND THE CITY OF FLINT, THAT APPLICATION MAY BE ADMINISTRATIVELY

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

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

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

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

The following minimum standards for Growing Centers shall apply

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

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

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

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

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

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

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

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

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

- (9) The dispensing of ~~Medical~~ Marihuana at the Growing Facility shall be prohibited;
- i. If co-located with a Group "E" Special Regulated Use, Provisioning Center **OR RETAILER**, the structure must be a minimum of 9,000 square feet, **IN A SINGLE BUILDING OR CUMULATIVELY IN A COLLECTION OF BUILDINGS**, and must be separated by walls, and accessible via separate entrances pursuant to state building code.
 - ii. On such a co-located site, the dispensing of ~~Medical~~ Marihuana must only be in the area designated specifically as the Provisioning Center **OR RETAILER**.
- (10) All persons working in direct contact with Marihuana shall conform to hygienic practices while on duty, including but not limited to:
- i. Maintaining adequate personal cleanliness;
 - ii. Washing hands thoroughly in adequate hand-washing areas before starting work and at any other time when the hands may have become soiled or contaminated;
 - iii. Refraining from having direct contact with Marihuana if the person has or may have an illness, open lesion, including boils, sores or infected wounds, or any other abnormal source of microbial contamination, until the condition is corrected.
- (11) Litter and waste shall be properly removed and the operating systems for waste disposal shall be maintained in an adequate manner so that they do not constitute a source of contamination in the areas where Marijuana is exposed.
- (12) Floors, walls and ceilings shall be constructed in such a manner that they may be adequately cleaned and kept clean and in good repair;
- (13) There shall be adequate screening or other protection against the entry or pests. Rubbish shall be disposed of so as to minimize the development of odor and minimize the potential for the waste development of odor and minimize the potential for waste becoming and attractant, harborage or breeding places for pests;
- (14) Any buildings, fixtures and other facilities shall be maintained in a sanitary condition;
- (15) Each Grower Facility shall provide its occupants with adequate and readily accessible toilet facilities that are

maintained in a sanitary condition and good repair;

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

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

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

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

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

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

The following minimum standards for Processing Centers shall apply:

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

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

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

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

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

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

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

- (18) Processor Facility shall be free from infestation by insects, rodents, birds, or vermin or any kind;
- (19) Processor Facility shall produce no products other than useable Marihuana intended for human consumption.
- (20) The Center must be located in a structure that is a minimum of 3,000 square feet. The building may be split among multiple state licensed growers and processors, given that there are walls or partitions erected between them and approved by BSI officials, pursuant to state building code.
- (21) A Growing Center shall provide only wholesale products for the use at other Medical Marihuana Provisioning Centers **OR RETAILERS.**

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

The following minimum standards for Secure Transporter shall apply

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

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

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

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

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

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

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

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

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

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

vi. All marihuana stored within the facility shall be stored within Enclosed Locked Facilities in accordance with the MMMA as amended.

vii. All persons working in direct contact with marihuana being stored by a secure transporter

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

1. Maintaining adequate personal cleanliness;

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

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

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

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

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

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

and presented to a law enforcement officer upon request;

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

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

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

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

The following minimum standards for Safety Compliance facilities shall apply

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

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

receptacles, or equipment in which the records are stored;

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

i. To inspect and examine all premises of Medical Marihuana Facilities;

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

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

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

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

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

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

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

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

limitations, for the following purposes:

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

L. MINIMUM OPERATING STANDARDS OF

**MARIJUANA
MICROBUSINESSES**

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

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

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

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

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

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

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

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

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

THE HOLDER OF
THE LICENSE OR
ANY OF THE
MANAGERIAL
EMPLOYEES OR
EMPLOYEES FAILS
TO COOPERATE
WITH AN
INVESTIGATION,
IMPOUND, SEIZE,
ASSUME PHYSICAL
CONTROL OF, OR
SUMMARILY
REMOVE FROM THE
PREMISES ALL
BOOKS, LEDGERS,
DOCUMENTS,
WRITINGS,
PHOTOCOPIES,
CORRESPONDENCE,
RECORDS, AND
VIDEOTAPES,
INCLUDING
ELECTRONICALLY
STORED RECORDS,
MONEY
RECEPTACLES, OR
EQUIPMENT IN
WHICH THE
RECORDS ARE
STORED;

- iii. TO INSPECT THE
PERSON, AND
INSPECT OR
EXAMINE
PERSONAL EFFECTS
PRESENT IN A
MARIHUANA
FACILITY, OF ANY
HOLDER OF STATE
OPERATING
LICENSE WHILE
THAT PERSON IS
PRESENT IN A
MARIHUANA
FACILITY;

iv. TO INVESTIGATE
ALLEGED
VIOLATIONS OF
THE MMMA, AND
THE MEDICAL
MARIHUANA
FACILITIES
LICENSING ACT,
THE MRTMA OR
APPLICABLE STATE
LAWS.

- (13) THE
MICROBUSINESS SHALL
COMPLY AT ALL TIMES
AND IN ALL
CIRCUMSTANCES WITH
THE MICHIGAN MEDICAL
MARIHUANA ACT, THE
MEDICAL MARIHUANA
FACILITIES LICENSING
ACT, , THE MRTMA, AND
THE GENERAL RULES OF
THE DEPARTMENT OF
LICENSING AND
REGULATORY AFFAIRS,
AS THEY MAY BE
AMENDED FROM TIME TO
TIME;

- (14) ANY
MICROBUSINESS SHALL
MAINTAIN A LOG BOOK
AND/OR DATABASE
INDICATING THE
NUMBER OF MARIHUANA
PLANTS THEREIN. EACH
MARIHUANA PLANT WILL
BE TAGGED AS REQUIRED
BY THE MMMA AND
MEDICAL MARIHUANA
FACILITIES LICENSING
ACT;

- (15) ALL NECESSARY
BUILDING, ELECTRICAL
PLUMBING AND
MECHANICAL PERMITS
SHALL BE OBTAINED FOR

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

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

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

i. MAINTAINING
ADEQUATE
PERSONAL
CLEANLINESS;

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

HAVE BECOME
SOILED OR
CONTAMINATED;

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

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

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

(20) THERE SHALL BE
ADEQUATE SCREENING
OR OTHER PROTECTION

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

- (21) ANY BUILDINGS, FIXTURES AND OTHER FACILITIES SHALL BE MAINTAINED IN A SANITARY CONDITION;
- (22) EACH MICROBUSINESS FACILITY SHALL PROVIDE ITS OCCUPANTS WITH ADEQUATE AND READILY ACCESSIBLE TOILET FACILITIES THAT ARE MAINTAINED IN A SANITARY CONDITION AND GOOD REPAIR;
- (23) MARIHUANA THAT CAN SUPPORT THE RAPID GROWTH OF UNDESIRABLE MICROORGANISMS SHALL BE HELD IN A MANNER THAT PREVENTS THE GROWTH OF THESE MICROORGANISMS;
- (24) MICROBUSINESSES SHALL BE FREE FROM INFESTATION BY INSECTS, RODENTS, BIRDS, OR VERMIN OR ANY KIND;

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

M. Location of Group "E" Special Regulated Uses

- (1) Group "E" Special Regulated Uses shall be limited to the "D-5", "D-6", "E", "F", & "G" zoning districts. ~~For these Special Regulated Uses there shall be no other accessory uses permitted within the same facility other than those associated with the Provisioning of Medical Marijuana to registered patients.~~
- (2) Group "E" Special Regulated Uses. An application to establish a Group "E" Special Regulated Use shall not be approved if there is already in existence four or more Group "A" or Group "E" Special Regulated Uses within 2,000 feet of the boundaries of the site of the proposed regulated use.
- (3) Group "E" Special Regulated Use. An application to establish a Group "E" Special Regulated Use shall not be approved if the proposed location is within 1,000 feet of a Pre-K through 12 school, or within 500 feet from a dedicated public park (except for the trail, known as the flint river trail/iron belle trail, itself, where the principal use of the park space is for the flint river trail) or place of worship; or if the proposed location is within 300 feet of a residential property or residentially zoned district,

**UNLESS OTHERWISE
EXEMPTED BY CITY
CODE.**

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

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

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

**EXEMPTED BY CITY
CODE.**

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

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

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

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

P. Denial and Revocation

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

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

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

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

iii. Commission of fraud or misrepresentation or the making of a false statement by the Applicant or any stakeholder of the Applicant while engaging in any activity for which this Ordinance requires a license;

iv. Sufficient evidence that the Applicant(s) lack, or have failed to demonstrate, the requisite professionalism and/or business experience required to assure strict adherence to this Ordinance and the rules and regulations governing the Medical Marihuana Program, **THE MMFLA, AND/OR THE MRTMA**, in the State of Michigan;

v. The ~~Medical~~-Marihuana Facility is determined by the City of Flint to have become a public nuisance;

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

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

Q. RESIDENT-INITIATED

**HEARINGS; Penalties; Temporary
Suspension of a License; Seizure and
Forfeiture**

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

i. THE COMPLAINANT
AND THE LICENSEE,
AS RESPONDENT

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

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

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

SECTION Q OF THIS ORDINANCE.

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

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

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

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

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

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

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

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

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

R. Lawful Non-Conforming and Grandfathered Locations

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

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

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

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

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

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

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

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

S. Transfer of Medical Marihuana Facility Licenses; Process

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

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

Special Regulated Use Permit(s).

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

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

THE EXTENT SUCH A LIST EXISTS AND APPLIES.

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

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

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

- 1. The proposed use will not alter the essential

character of the area.

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

**U. COMMUNITY BENEFIT
LOCATIONAL EXEMPTIONS**

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

**MEET THE FOLLOWING
CRITERIA:**

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

WILL DEMONSTRABLY BE AN ASSET TO THE NEIGHBORHOOD, AND AS CONSTRUCTED AND OPERATED BY THE APPLICANT WILL NOT HAVE ANY, OR MINIMAL, NEGATIVE SECONDARY EFFECTS ON THE NEIGHBORHOOD. NEGATIVE SECONDARY EFFECTS CAN INCLUDE THE FOLLOWING IMPACTS:

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

4. EXCESSIVE NUMBERS OF PERSONS GATHERING OUTSIDE THE ESTABLISHMENT;

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

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

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

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

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

BUSINESS PLAN;
AND

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

1. SUCH A PLAN
MUST
INCLUDE A
CAPITAL
INVESTMENT
TO ADDRESS
STRUCTURAL
BLIGHT IN
THE AREA IN
THE FIRST
YEAR OF THE
APPLICANT'S
BUSINESS
OPERATION;
AND
2. SUCH A PLAN
MUST ALSO
INCLUDE A
CAPITAL
INVESTMENT
TO ADDRESS
NON-
STRUCTURAL
BLIGHT
ANNUALLY
FOR FIRST
FIVE YEARS

OF
APPLICANT'S
BUSINESS
OPERATION;
AND

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

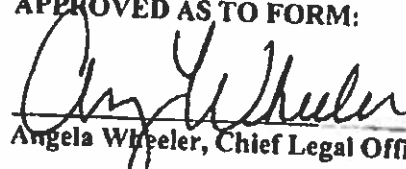
Sec. 2. This ordinance shall become
effective immediately upon adoption.

Adopted this _____ day of
_____, 2019, A.D.

Sheldon A. Neelcy, Mayor

Inez M. Brown, City Clerk

APPROVED AS TO FORM:



Angela Wheeler, Chief Legal Officer

ORDINANCE NO. _____

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

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

Sec. 1. An Ordinance to amend the Flint City Code of Ordinances by amending Chapter 12, Business and Occupations Generally; amending Article XVI, Section 12-95, Medical Marihuana Facilities, by changing the references to Medical Marihuana Facilities to Marihuana Facilities, consistent with the licenses and standards set forth in Chapter 50, Zoning, Article XXXII, Section 50-183, Marihuana Facilities Opt In Ordinance, which shall read in its entirety as follows:

ARTICLE XVI. MEDICAL-MARIHUANA FACILITIES.

§12-95. STANDARDS FOR MEDICAL MARIHUANA FACILITIES.

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

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

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

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

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

(6) The non-refundable fee to submit an application for a ~~medical~~-marijuana facility license shall be one thousand, five hundred (\$1500.00) dollars.

(7) The annual fee for a ~~Provisioning Center~~ **MARIJUANA FACILITY** license shall be five thousand (\$5,000.00) dollars (with the application fee deducted from that amount).

(8) A license is valid only for the location identified on the license and cannot be transferred to another location within the city without a new application. The process for otherwise transferring Licenses is set forth in Chapter 50, Zoning, Article XXXII, Medical Marihuana Facilities.

(9) Compliance with all applicable laws, as enforced, is a condition of maintenance of a license.

(10) Each day that a person shall conduct a ~~medical~~-marijuana facility without a license shall constitute a separate offense.

(d) No person shall act as an employee or volunteer of a ~~medical~~-marijuana facility without compliance with the terms set forth in Chapter 50, Zoning, Article XXXII, ~~Medical~~ Marihuana Facilities.

(1) The non-refundable annual employee license application fee shall be one hundred fifty (\$150.00) dollars.

(2) A license is valid only for the location identified on the license and cannot be transferred to another location within the City without a new application.

(3) Compliance with all applicable laws, as enforced, is a condition of maintenance of a license.

(4) Each day that a person shall work as an employee of a ~~medical~~-marijuana facility without a license shall constitute a separate offense.

(e) The following additional standards shall apply to ~~medical~~-marijuana facilities

(1) All ~~medical~~ marihuana shall be contained within an enclosed, locked facility, inaccessible on all sides and equipped with locks that permit access only by the licensed ~~medical~~—marijuana facility employee.

(2) All transfers and deliveries of ~~medical~~ marihuana must occur within a structure.

(3) Provisioning Centers, **RETAIL FACILITIES, AND MICROBUSINESSES**, as defined in Chapter 50, Zoning, Article XXXII, Medical Marihuana Facilities, shall be limited to operating between 8:00 a.m. and 7:00 p.m. Monday through Saturday and 12:00 noon and 6:00 p.m. Sunday. No other ~~Medical~~ Marijuana Facility shall be open to the public at any time.

(4) Persons under the age of eighteen (18) years of age are not permitted to be on the premises of any Provisioning Center unless they possess a valid registry card and parent or legal guardian.

(5) **PERSONS UNDER THE AGE OF TWENTY ONE (21) ARE NOT PERMITTED TO BE ON THE PREMISES OF ANY MICROBUSINESS OR RETAIL FACILITY.**

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

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

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

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

Adopted this _____ day of _____
2019, A.D.

Sheldon A. Neeley, Mayor

Inez M. Brown, City Clerk

APPROVED AS TO FORM:



Angela Wheeler, Chief Legal Officer

200076

RECOMMENDED BY PLANNING COMMISSION 02.04.2020

ORDINANCE NO. _____

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

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

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

§ 50-161 PURPOSE.

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

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

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

Adult bookstore

Adult motion picture theater

Adult mini motion picture theater

Massage establishments

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

Steam baths

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

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

Pawnshops

Liquor stores

Tattoo Establishments

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

Pool or billiard halls

Gaming Tables

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

Wireless telecommunication facilities

Wireless telecommunication towers

Wireless telecommunication antennas

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

Medical-Marihuana Facilities

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

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

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

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

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

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

Zoning, Article XXXII, Medical Marihuana Facilities.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Adopted this _____ day of
_____, 2019, A.D.

Sheldon A. Neeley, Mayor

Inez M. Brown, City Clerk

APPROVED AS TO FORM:



Angela Wheeler, Chief Legal Officer

5/15/2019 Medical Marijuana Rec Drafts Chapter 50, Zoning, Article XXIX
Special Regulated Uses, Medical Marijuana Facilities, §50-161 - §50-169
RECOMMENDED BY PC doc

200012.1

ORDINANCE NO. _____

An Ordinance to amend the Flint City Code of Ordinances by amending Chapter 28, Motor Vehicles and Traffic; Article VII, Parking Meters; by amending Section 28-110.1 Downtown Development Authority (DDA) District; Enforcement; Metering In Designated Areas; Special Considerations.

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

Sec. 1. An Ordinance to amend the Flint City Code of Ordinances by amending Chapter 28, Motor Vehicles and Traffic; Article VII, Parking Meters; by amending Section 28-110.1, Downtown Development Authority (DDA) District; Enforcement; Metering In Designated Areas; Special Considerations, which shall read in its entirety as follows:

§ 28-110.1 Downtown Development Authority (DDA) District; Enforcement; Metering In Designated Areas; Special Considerations

- (a) The downtown district shall be defined for the purpose of this section, as the area under the authority of the DDA, as set forth in §2-126 of the Flint City Code. The DDA shall be empowered to enforce and administer the entire parking system, inclusive of any and all violations of the City of Flint parking ordinances and/or regulations contained in this article or any other part of the Code of the City of Flint, and all parking devices, as defined in this chapter, within the district.
- (b) No vehicle, occupied or not, shall be parked or stationary in any way in the downtown district for more than 2

~~(two)~~ 4 (FOUR) continuous hours, with 1 (ONE) HOUR OF FREE PARKING, between 8:00 a.m. and 5:00 p.m. ~~5:00 a.m. and 7:00 p.m.~~, except for Saturdays, Sundays and legal holidays; notwithstanding the foregoing, City of Flint residents shall not be subject to ~~either the 2 or 3~~ 4 hour parking restrictions set forth above in this article if they park within 100 feet of the address listed on their driver's license, voter's registration and/or State of Michigan identification card.

- (c) Those who violate the parking restriction described in subparagraph (b) above shall be required to pay a fine of (i) \$15.00 (fifteen) dollars in calendar year 2008, (ii) \$20.00 (twenty) dollars in calendar year 2009, and (iii) \$25.00 (twenty-five) dollars in calendar year 2010, payable to the DDA, as designated on the face of the citation. The amount of the citation may be changed from time to time by resolution of City Council.
- (d) The DDA shall be sole collector of any revenue derived from parking within the DDA District.
- (e) The DDA may install parking devices, inclusive of meters or other similar devices, in the parking areas described in subparagraph (b)(1) above with charges not to exceed \$2.00 (two) dollars per hour of use (the "not to exceed" charges shall be adjusted annually in accordance with changes in the U.S. Bureau of Labor Statistics' Consumer Price Indexes) with a maximum meter time of ~~three~~ FOUR hours and the depositing of additional coins MONEY shall not have the effect of extending the maximum parking time as stated on the parking device.

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

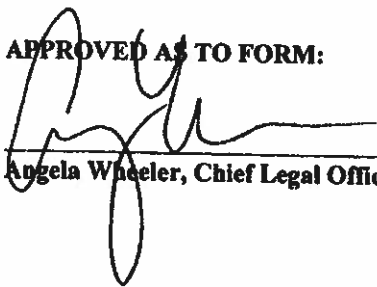
Adopted this _____ day of _____, 2020 A.D.

FOR THE CITY:

Sheldon A. Neeley, Mayor

Inez M. Brown, City Clerk

APPROVED AS TO FORM:



Angela Wheeler, Chief Legal Officer