

# City of Flint, Michigan

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



## Meeting Agenda - Final

Thursday, March 10, 2016

6:30 p.m.

City Council Chambers

### CHARTER REVIEW COMMISSION

Cleora Magee, Chairperson  
John Cherry, Vice Chairperson

Victoria McKenzie  
Charles Metcalf      Quincy Murphy  
Heidi Phaneuf      James Richardson  
Marsha Wesley      Barry Williams

**CALL TO ORDER**

**INVOCATION**

**ROLL CALL**

**SPECIAL PRESENTATIONS**

- Gerald R. Ford School of Public Policy Student Research Report

**REVIEW AND APPROVAL OF MINUTES**

**PUBLIC COMMENT ON CHARTER ISSUES**

**REPORTS OF COMMITTEES**

**GENERAL COMMUNICATIONS**

**WRITTEN CORRESPONDENCE**

- a. Receipt of Petitions

**INTRODUCTIONS/FIRST READING OF PROPOSALS**

**SECOND READING OF PROPOSALS**

- a. Public Comment on Second Reading

**MOTIONS AND RESOLUTIONS**

**THIRD READING OF PROPOSALS**

- a. Public Comment on Third Reading
- b. Final Discussion
- c. Final Vote

**UNFINISHED BUSINESS**

- a. Legal Consultant/Guidance & Research
- b. Charter Review Commission Calendar

**NEW BUSINESS**

**ADJOURNMENT**

**CALL TO ORDER**

**INVOCATION**

**ROLL CALL**

**PUBLIC COMMENT**

**GENERAL ORDERS**

**ADJOURNMENT**

CALL TO ORDER

INVOCATION

ROLL CALL

PUBLIC COMMENT

GENERAL ORDERS

ADJOURNMENT

Proposal Number: 23 (SECTION 3)

Name of Proposed Section: {Proposal contains multiple sections}

Suggested Article: Legislative Branch

Introduced by: Commissioner Phaneuf

Date Introduced: 3/10/2016

Date Reported for Second Reading:

Date of Second Reading:

Date Reported for Third Reading:

Date Passed:

Text:

Sec. 3-101 CITY COUNCIL.

The legislative power of the City is vested in a City Council. The Council has the powers and duties provided by law or this Charter.

Sec. 3-102 TERM OF COUNCIL OFFICE.

The term of members of the City Council elected under this Charter shall be four (4) years commencing on 12 o'clock noon on the Monday following the regular Council general election. This provision shall take effect with the Council that is elected by the general election to be held in 1989.

Sec. 3-103 ORGANIZATION OF CITY COUNCIL.

- A. Within thirty (30) days of taking office, the City Council shall elect from its members a presiding officer who shall be known as the President of the Council. The President shall be elected to a one (1) year term. The City Council may elect such other officers and appoint such committees and subcommittees as it deems necessary.
- B. The City Council shall adopt rules for the conduct of its business in accordance with Sec. 1-801 of this Charter. Until new rules are adopted the rules of the previous Council shall apply.

Sec. 3-201 MEETINGS.

- A. The City Council shall meet at the usual place for Council meetings at 7:30 p.m., Eastern Standard Time, on the first Monday following the election of its members.

- B. The City Clerk shall preside until the Council has chosen a President. Thereafter the Council shall meet at least two (2) times per month at such times and places as shall be stated in the Council rules. All meetings called for the purpose of discussing City business and all gatherings of three (3) or more Council members at which City business is discussed shall be public and public notice shall be given in the manner provided by statute for meetings of public bodies.

Sec. 3-202 SPECIAL MEETINGS.

The Mayor or any two (2) members of the City Council may call a special meeting of the City Council upon twenty-four (24) hours notice to each Council member and the public stating the purpose of the meeting.

Sec. 3-203 QUORUM.

A majority of the members elect of the City Council shall constitute a quorum, but a smaller number may convene and adjourn from time to time. The City Council may compel attendance of absent members in the manner and subject to the penalties provided by ordinance.

Sec. 3-204 VOTING.

- A. Except as otherwise provided by this Charter no action of the City Council shall be effective unless a majority of the members elect of the City Council vote in favor of the action.
- B. Every City Council member present shall vote on all questions other than those involving a conflict of interest.
- C. The affirmative and negative votes shall be taken and recorded on all ordinances and whenever requested by one (1) or more members of the Council.
- D. An abstention shall be considered a vote providing the Council member states a reason therefor.

Sec. 3-205 INVESTIGATION.

The City Council may make investigations into the affairs of the City and the conduct of any City agency pursuant to Sec. 3-206.

Sec. 3-206 INVESTIGATIVE POWERS.

- A. The City Council may subpoena witnesses, administer oaths, take testimony and require the production of evidence in any matter pending before it or any of its committees.

- B. To enforce a subpoena or order for production of evidence or to impose any penalty prescribed for failure to obey a subpoena or order, the City Council shall apply to the appropriate court.

Sec. 3-207 PROHIBITION OF INTERFERENCE IN ADMINISTRATION.

Except for purposes of inquiries or investigations in accordance with Sec. 3-206, the City Council and its members shall deal with City officers and employees who are subject to the direction and supervision of the Mayor solely through the Mayor, and neither the City Council nor its members shall give orders to any such officer or employee, either publicly or privately.

Sec. 3-301 INTRODUCTION OF ORDINANCE.

- A. Every proposed ordinance shall be introduced in writing.
- B. No ordinance may contain more than one (1) subject, and the ordinance's title must clearly express this subject.
- C. The enacting clause shall be: "It is hereby ordained by the People of the City of Flint . . ."
- D. Any ordinance which repeals or amends an existing ordinance or part of the City Code shall set out in full the ordinance, sections, or subsections to be repealed or amended, and shall clearly indicate matter to be omitted and new matter to be added.

Sec. 3-302 PUBLICATION OF SUMMARY BEFORE PUBLIC HEARING.

- A. Upon introduction of any ordinance, the City Clerk shall:
  - 1. Distribute a copy to each City Council member and to the Mayor;
  - 2. File a reasonable number of copies in the office of the City Clerk and such other public places as the City Council may designate; and
  - 3. Publish the title and an abstract of the proposed ordinance including effective date in a daily newspaper of general circulation in the City together with a notice setting out the time and place for a public hearing thereon and for its consideration by the City Council.
- B. The public hearing may not be held sooner than five (5) days after the publication. The public hearing may be held separately or with a regular or special City Council meeting and may be convened from time to time.

- C. All interested persons shall have an opportunity to be heard.

Sec. 3-303 PUBLICATION OF ORDINANCES AND RESOLUTIONS AFTER ENACTMENT.

- A. The City Clerk shall keep a printed journal in the English language of every session of the Council.
- B. The City Clerk shall authenticate by signature and record all ordinances and resolutions in a properly indexed book kept for the purpose.
- C. After enactment of any ordinance or resolution having the effect of law, the City Clerk shall have it published in a newspaper of general circulation in the City together with a notice of its adoption.
- D. Every ordinance, resolution having the effect of law, and amendment to this Charter, shall be printed promptly after enactment and shall be distributed or sold to the public at reasonable prices to be fixed by the City Council.

Sec. 3-304 VETO.

- A. Every ordinance and resolution passed by the City Council is subject to review by the Mayor unless otherwise stated in this Charter.
- B. No ordinance or resolution of the City Council subject to review by the Mayor shall have any force or effect if:
  - 1. The Mayor or person acting in his or her stead prepares a notice in writing suspending the operation of such ordinance or resolution which sets forth reasons therefor; and
  - 2. Such notice is filed in the office of the City Clerk within 168 hours after the delivery of the ordinance or resolution to the office of the Mayor by the Clerk, or an agent of the Clerk.
- C. If the ordinance is an emergency ordinance, the Mayor will have only twenty-four (24) hours to exercise the veto after receipt of written notice of adoption.
- D. In each case where such notice of veto is filed, such ordinance or resolution shall not become law without further affirmative vote of two-thirds (2/3) of the members elect on the City Council at a meeting held within two (2) weeks of the notice of veto.

If two-thirds (2/3) of the members elect vote in favor of overriding the veto, the ordinance or resolution shall be adopted without further review by the Mayor.

Sec. 3-305 EFFECTIVE DATE OF ORDINANCE.

- A. No ordinance shall be effective until published as provided in Sec. 3-303 of this Charter.

- B. Every ordinance which has been published shall become effective on the thirtieth (30th) day after enactment or at any later date specified.
- C. The City Council may, by an affirmative vote of two-thirds (2/3) of its members elect, provide that any ordinance take immediate effect after publication.

Sec. 3-306 EMERGENCY ORDINANCES.

- A. No emergency ordinance shall be effective until published as provided in Sec. 3-303 of this Charter.
- B. Emergency ordinances may be enacted to meet a public emergency affecting life, health, property or the public peace. However, an emergency ordinance may not levy taxes; grant, renew or extend a franchise; or regulate the rate charged by any public utility for its services.
- C. An emergency ordinance shall be introduced in the form and manner required for ordinances generally, except that it shall contain, after the enacting clause, a declaration stating that an emergency exists and describing it in clear and specific terms.
- D. An emergency ordinance may be adopted at the meeting at which it is introduced and, if passed by an affirmative vote of two-thirds (2/3) of the members elect, may take immediate effect after publication.
- E. Every emergency ordinance is automatically repealed as of the sixty-first (61st) day after its enactment, unless reenacted as an emergency ordinance.

Sec. 3-307 CITY ACTION REQUIRING AN ORDINANCE.

- A. All acts required to be done by ordinance by State law, or by specific provisions of this Charter shall be done by ordinance.
- B. Other acts of the City which shall be enacted by ordinance include:
  - 1. Providing a penalty or establishing a rule or regulation for violation of which a penalty is imposed;
  - 2. Providing for the laying and collection of rents, tolls, excises and taxes, except as otherwise provided in this Charter concerning property taxes levied by the budget; or
  - 3. Amending or repealing ordinances previously adopted.
- C. Other acts may be done either by ordinance or resolution.

Sec. 3-308 CODIFICATION OF ORDINANCES.

- A. Within three (3) years after the effective date of this Charter and at least every ten (10) years thereafter, the City shall provide for the preparation of a general codification of all City ordinances and resolutions having the effect of law.
- B. The general codification shall be enacted by ordinance and shall be published promptly in bound or loose-leaf form, together with this Charter and any amendments thereto, pertinent provisions of the Michigan Constitution and other laws of Michigan, and other rules and regulations as the City may specify.
- C. This compilation shall be known as the Flint City Code. Copies of the Code shall be:
  - 1. Furnished to City officers;
  - 2. Placed in libraries and public offices for free public reference; and
  - 3. Made available for purchase by the public at a reasonable price fixed by the City.
- D. After publication of the Flint City Code, the ordinances, resolutions, and Charter amendments shall be printed in a form suitable for integration with the Code currently in effect.

Sec. 3-309 PUBLIC PEACE, HEALTH AND SAFETY.

The City shall adopt such ordinances as shall be necessary to provide for the public peace and health and for the safety of persons and property.

Sec. 3-401 CITY CLERK, APPOINTMENT AND TENURE.

The City Council shall appoint a City Clerk who shall serve at the pleasure of the Council. The vote to appoint and the vote to discharge the City Clerk shall not be subject to review by the Mayor.

Sec. 3-402 GENERAL DUTIES OF CLERK.

- A. The City Clerk shall serve as Clerk of the City Council and shall keep a record of all its ordinances, resolutions and other proceedings.
- B. The City Clerk shall maintain a record of all existing and proposed rules, policies and procedures.
- C. The City Clerk shall certify, under corporate seal when requested, copies of all official papers and records.
- D. The City Clerk may administer oaths and take affidavits and exercise other powers and duties as provided by State law, this Charter, ordinance or resolution.

Sec. 3-403 ELECTION DUTIES OF THE CITY CLERK.

- A. The City Clerk is the chief election officer of the City.
- B. Voter Registration.
  - 1. The City Clerk shall, within the budget allocated, institute and maintain a program designed to register as many City voters as possible.
  - 2. On the seventh (7th) Monday preceding a primary for State or City offices, the Clerk shall report to the Council the progress of the voter registration program.
- C. Conduct the Election.
  - 1. The City Clerk shall have copies of laws and official regulations regarding the conduct of elections in the Clerk's Office and shall make these documents available to the public at no more than cost.
  - 2. The City Clerk shall provide to the public at no cost forms for petitions for any candidacy or issue arising under this Charter. The Clerk shall also provide information regarding the number of valid signatures needed for such petitions.

Sec. 3-404 CITY AUDITOR, APPOINTMENT AND TENURE.

The City Council shall appoint such person or persons as shall be necessary to certify an audit of the accounts of the City. Such person or firm shall serve at the pleasure of the Council. The vote to appoint, remove or compensate an Auditor or Auditors, and the vote to have a special audit, shall not be subject to review by the Mayor.

Sec. 3-405 CONDUCT OF AUDIT.

- A. There shall be such annual or other accounting for all monies of the City as required by statute.
- B. If there is no such statute, an independent audit shall be made of all accounts of the City government at the close of each fiscal year, and shall be completed within ninety (90) days thereafter.
- C. Special independent audits may be made at any time the City Council designates.
- D. Each audit and reports supplemental thereto shall be made public in the manner determined by the City Council and copies of the audit shall be placed in the office of the City Clerk.

- E. All City financial records, accountings and audits and other reports shall be public records, available for inspection. A statement of all revenues and expenditures of public monies shall be published and distributed as required by State law.

Sec. 3-501 OMBUDSMAN.

- A. The Ombudsman shall be appointed by a two-thirds (2/3) majority of City Council members elect.
- B. The initial appointment shall be made within three (3) months after the date on which the first City Council elected under this Charter takes office.

Sec. 3-502 TERM OF OFFICE.

- A. The Ombudsman's term is seven (7) years.
- B. The Ombudsman may be removed for cause by three-fourths (3/4) of the City Council members elect.
- C. Any person who has held the position of Ombudsman under this Charter is not eligible for reappointment.

Sec. 3-503 VACANCY.

If a vacancy occurs in the office of Ombudsman, the City Council shall, within sixty (60) days, fill the office for a seven (7) year term.

Sec. 3-504 JURISDICTION.

- A. The Ombudsman may investigate official acts of any agency which aggrieve any person. The authority of the Ombudsman extends equally to all agencies.
- B. The Ombudsman shall have no power to investigate any matter under the jurisdiction of the Civil Service Commission.
- C. The Ombudsman, in accordance with Sec. 1-801 of this Charter, shall establish rules for receiving and processing complaints, conducting investigations and hearings, and reporting findings. No fee shall be levied for the filing or investigation of complaints.

Sec. 3-505 POWERS OF INVESTIGATION.

- A. The Ombudsman may request and shall be given necessary assistance and information by each agency.
- B. The Ombudsman may subpoena witnesses, administer oaths, take testimony, require the production of evidence relevant to a matter under investigation, enter and inspect premises

within the control of any agency during regular business hours, and establish rules of procedure in accordance with Sec. 1-801 of this Charter.

- C. To enforce a subpoena or order for production of evidence or to impose any penalty prescribed for failure to obey a subpoena or order, the Ombudsman shall apply to the appropriate court.

#### Sec. 3-506 DELEGATION OF POWERS.

The Ombudsman may delegate in writing to a member of his or her staff the power to administer oaths and take testimony. A delegation is revocable at will and does not prevent exercise of any power by the Ombudsman.

#### Sec. 3-507 CORRESPONDENCE FROM PERSON DETAINED.

Any letter to the Ombudsman from a person in a place of detention, penal or otherwise, under the control of an agency shall immediately be forwarded, unopened, to the Ombudsman.

#### Sec. 3-508 CONSULTATION REQUIRED.

- A. No report or recommendation that criticizes an official act shall be announced until every agency or person affected is allowed reasonable opportunity to be heard with the aid of counsel.
- B. Thereafter, if the Ombudsman believes it necessary to make a formal report, a copy of any statement made by an agency or person affected shall accompany the report.

#### Sec. 3-509 REPORTS.

The Ombudsman shall report at least annually to the City Council action taken under this Chapter. All reports shall be made public.

#### Sec. 3-510 DUTY TO REPORT ILLEGAL ACTS.

If the Ombudsman has probable cause to believe that any elective officer, appointee, employee, or member of an agency, or any person doing or seeking to do business with an agency has committed or is committing any illegal act, the Ombudsman shall promptly refer the matter to the appropriate authorities.

#### Sec. 3-511 OBSTRUCTION.

The office or position of any elective officer or appointee who willfully and without justification or excuse obstructs any investigation of the Ombudsman by withholding documents or testimony may be forfeited.

#### Sec. 3-512 IMMUNITY.

The Ombudsman and staff shall be, to the full extent permitted by State law, immune from any suit based on any report or communication performed within the scope of official duties.

Sec. 3-513 LIMITATIONS.

The Ombudsman may not hold any office of trust or profit other than that of Ombudsman, or engage in any occupation for profit outside the duties of this office.

No person shall be eligible to appointment to the office of Ombudsman who has held any elective City office within two (2) years prior to the time of appointment. The Ombudsman is not eligible to hold any City office for two (2) years after leaving the position.

Sec. 3-514 REMEDIES CUMULATIVE.

The remedies of this Chapter are additional to those provided under any other law.

Sec. 3-515 SALARY AND OTHER COMPENSATION.

The salary and other compensation of the Ombudsman is equal to that of the City Clerk.

Sec. 3-516 STAFF.

The Ombudsman shall be granted a budget adequate to allow such staff as is reasonable and proper for the performance of the duties of said office. All staff members shall be appointed by and serve at the pleasure of the Ombudsman.

Sec. 3-517 REFERENDUM.

The question of whether the office of Ombudsman shall be retained shall be submitted to the voters of the City of Flint at the general election of November, 1980. If the question fails, the office will terminate on the first day of the following January.

Proposal Number: 24 (SECTION 4)

Name of Proposed Section: {Proposal contains multiple sections}

Suggested Article: Executive Branch

Introduced by: Commissioner Phaneuf

Date Introduced: 3/10/2016

Date Reported for Second Reading:

Date of Second Reading:

Date Reported for Third Reading:

Date Passed:

Text:

Sec. 4-101 MAYOR.

The Mayor is the chief executive officer of the City and shall have such powers and duties as are granted by State law or this Charter.

Sec. 4-102 TERM OF OFFICE.

The Mayor shall serve for a period of four (4) years commencing at 12 o'clock noon on Monday following the regular Mayoral general election.

Sec. 4-103 OBLIGATION OF LEADERSHIP.

The Mayor shall take care that the laws be enforced and shall recommend to the City Council from time to time proposals for dealing with the problems of the City. At least once a year, the Mayor shall present at the State of the City Address to the City Council and to the public-at-large.

Sec. 4-201 CITY ADMINISTRATOR.

- A. The Mayor, with the approval of the City Council, shall appoint a City Administrator who shall be the Chief Administrative Officer of the City.
- B. The City Administrator shall serve at the pleasure of the Mayor.

Sec. 4-202 EXECUTIVE STAFF.

- A. The Mayor shall, in accordance with law appoint the principal officials responsible for budget, personnel, planning, legal counsel, and administrative services; they shall serve at the pleasure of the Mayor.

- B. Other principal staff officials and their responsibilities may be created by the City by law.
- C. There shall be no more than ten (10) principal staff officials serving at the pleasure of the Mayor.

Sec. 4-203 EXECUTIVE DEPARTMENTS.

- A. The City shall, in accordance with law, create such executive departments as may be necessary to administer the responsibilities of the City for public safety, public works, utilities, parks and recreation, transportation including aviation, finance, community development, and environmental protection.
- B. The City may, in accordance with law, on recommendation of the Mayor, create and reorganize departments as may be necessary to meet the needs of the citizens for public services and facilities.
- C. The head of each department shall be appointed by the Mayor in accordance with law and with the approval of the City Council and shall serve at the pleasure of the Mayor.
- D. There shall be no more than ten (10) executive departments.

Sec. 4-301 GENERAL PURPOSE OF PERSONNEL CHAPTER.

- A. The general purpose of this Chapter is to establish a system of personnel administration that meets the social, economic, and program needs of the people of the City.
- B. This system shall provide means to recruit, select, develop and maintain an effective and responsive work force, and shall include policies and procedures for employee hiring and advancement, training and career development, job classification, salary administration, retirement, fringe benefits, discipline, discharge, and other related activities.
- C. All appointments and promotions in the City of Flint shall be based on merit and fitness.
- D. No City employee or applicant for employment, or any person or group engaged in the conduct of official business or seeking to be engaged in the conduct of official business, shall be discriminated against because of race, color, religion, national origin, age, political orientation, sex, or non-disabling handicap. It shall be the responsibility of the City to take affirmative action, as required by law, to assure that all levels of the Classified Service are reasonably representative of the minority and sex composition of the City.

Sec. 4-302 DEVELOPMENT AND APPLICATION OF PERSONNEL POLICY.

- A. Personnel policy shall be developed by collective bargaining, ordinance, resolution and/or rules adopted in accordance with Sec. 1-801 of this Charter. Personnel policy shall include

those factors listed in Sec. 4-301 and all other matters related to wages, hours, terms and conditions of employment.

- B. No disciplinary action may be taken against any member of the Classified Service unless the policy violated has been duly adopted and announced in accordance with the terms of this Charter.
- C. The Civil Service Commission shall have no authority to develop or define personnel policy. It shall adjudicate disputes arising under the application of the personnel policy. The Civil Service Commission may advise the Mayor, Chief Personnel Officer, City Council or Board of Hospital Managers as to any policy which it deems inappropriate, but it shall not have the power to develop personnel policy.

#### Sec. 4-303 DUTIES AND RESPONSIBILITIES OF THE CHIEF PERSONNEL OFFICER.

- A. The Chief Personnel Officer shall have the duty to:
  - 1. Develop and implement personnel policies in accordance with Sec. 4-302 A.
  - 2. Establish and maintain records of all City employees which shall set forth the class, title, pay or status, and other relevant data for each employee.
  - 3. Disseminate copies of all personnel policies to all interested parties and provide copies to the City Clerk for public inspection.
- B. The Chief Personnel Officer or his authorized agent shall be responsible for certifying that persons named in payroll vouchers have been appointed and employed in accordance with the provisions of this Charter. No disbursing or auditing officer shall make or approve, or take any part in making or approving payment for personal service to any City employee without such certification.

#### Sec. 4-304 LABOR RELATIONS DUTIES AND RESPONSIBILITIES.

- A. The Mayor shall appoint either the Chief Personnel Officer or another person as head of Labor Relations.
- B. The person named as head shall hold the position at the pleasure of the Mayor.
- C. The head of Labor Relations shall act for the City, under the direction of the Mayor, in the negotiation and administration of collective bargaining contracts.
- D. The City Council must approve any collective bargaining contract before it becomes effective.
- E. The terms of any collective bargaining contract shall take precedence over any inconsistent rules, ordinances or resolutions setting forth personnel policy.

Sec. 4-305 UNLAWFUL ACTS PROHIBITED.

- A. No person shall make any false statement, certificate, mark, rating or report with regard to any test, certification or appointment made under any portion of this chapter or in any manner commit or attempt to commit any fraud preventing the impartial execution of this Chapter and policies.
- B. No person shall, directly or indirectly, give, render, pay, offer, solicit, or accept any money, service or other valuable consideration for any appointment, proposed appointment, promotion or proposed promotion to, or any advantage in, a position in the Classified Service.
- C. No employee of the Office of Personnel, examiner, or other person shall defeat, deceive or obstruct any person in his right to examination, eligibility, certification or appointment under this chapter, or furnish to any person any special or secret information for the purpose of affecting the rights or prospects of any person with respect to employment in the Classified Service.
- D. Any person who willfully violates any provision of this chapter shall be guilty of a misdemeanor.
- E. Any person who is convicted of a violation under this chapter, shall, for a period of five (5) years, be ineligible for appointment to or employment in a position in the Classified Service, and if such person is an elected or appointed officer or employee of the City, he or she shall forfeit the office or position.

Sec. 4-401 APPOINTMENT OF CITY TREASURER AND CITY ASSESSOR.

- A. The Mayor shall appoint a City Treasurer and a City Assessor. They shall perform the duties required by law or assigned to them by the Mayor or any person designated by the Mayor.
- B. They shall not serve at the pleasure of the Mayor, but shall be subject to removal in the manner provided by law or this Charter.

Sec. 4-501 DUTIES AND RESPONSIBILITIES OF THE CHIEF PLANNING OFFICER.

- A. The Chief Planning Officer shall obtain all information and conduct all studies required by the Mayor and the heads of agencies in the preparation of proposals relative to development matters.
- B. The Chief Planning Officer shall have continuing liaison with all agencies of the executive branch, and may assign any relevant study to any agency. Any agency, with the knowledge and consent of the Chief Planning Officer, may undertake the study of any development matter within the scope of its duties.

- C. The Chief Planning Officer shall receive all reports concerning development matters and other information which it requests. The Chief Planning Officer shall, with the head of any agency involved, evaluate all reports and information in light of the policies, programs and priorities of the Mayor and the Master Plan.

#### Sec. 4-502 DEVELOPMENT MATTERS.

The term DEVELOPMENT MATTERS as used in this Charter includes:

- A. The master plan for social, economic and physical development and conservation;
- B. The annual capital agenda and capital budget;
- C. Any development or renewal project on or affecting public real property or public interests in real property, or requiring public assistance;
- D. Proposed ordinances for the regulation of development or conservation;
- E. Proposals for the demolition, disposition or relinquishment of, or encroachments upon, public real property or public interests in real property;
- F. Any other items added by ordinance.

#### Sec. 4-503 PURPOSE OF PLAN.

PLAN or MASTER PLAN has the same meaning as COMPREHENSIVE PLAN. The plan shall be a set of guidelines to assist the Mayor and others in evaluating and implementing specific proposals for the total development of the City and its residents.

#### Sec. 4-504 COMPREHENSIVE PLAN.

The Mayor shall propose and the City Council, after review by the Planning Commission, shall approve, with the modifications the Council deems necessary, a comprehensive plan of policies for the social, economic and physical development and conservation of the City.

#### Sec. 4-505 PERIODIC REVIEW OF PLAN.

After approval of the plan, the Mayor shall annually propose any amendments necessary to keep the plan current; and the City Council, after review by the Planning Commission, shall consider the Mayor's proposed amendments and make the modifications in the plan that it deems necessary.

#### Sec. 4-506 PUBLIC HEARINGS.

Interested persons and groups shall be given notice and an opportunity to be heard by the Planning Commission and the City Council before approval of the plan or any amendments to

the plan. The City Council shall conclude its action on the plan annually no later than the date set by ordinance or, in the absence of ordinance, by the first Monday in March.

#### Sec. 4-507 PROHIBITION ON SALE OF PARK LAND.

Notwithstanding any provision of the Master Plan, no land which is in use as a park shall be sold or diverted to any use unless approved by a majority of the electors voting thereon at any general or special election.

#### Sec. 4-601 RESPONSIBILITIES AND DUTIES OF CHIEF LEGAL OFFICER.

- A. The individual appointed to the position of Chief Legal Officer shall direct the legal affairs of the City and shall appoint all assistants. The assistant may be attorneys and other persons employed by the City and attorneys under contract to the City.
- B. The Chief Legal Officer shall be the attorney for the City and shall direct the management of all legal matters in which the City is interested.
- C. The Chief Legal Officer shall, either personally or through assistants, represent the interests of the City in all actions or proceedings by or against the City or its officers and employees.
- D. Notwithstanding the above, the Board of Hospital Managers may contract for legal services and legal representation.

#### Sec. 4-602 FORM OF DOCUMENTS.

All contracts, bonds or legal documents in which the City is concerned shall be prepared by or submitted to the Chief Legal Officer for approval; and the officer shall keep a proper registry of all contracts bonds and legal documents.

#### Sec. 4-603 DRAFTING.

- A. Upon the request of the City Council, any Council member or the Mayor, the Chief Legal Officer shall prepare, or assist in preparing, any ordinance or resolution for introduction before the City Council.
- B. However, the City Council shall in special instances have the right to secure independent legal services when it deems it necessary and proper.

#### Sec. 4-604 SETTLEMENT OF LITIGATION.

No civil litigation of the City may be settled without the consent of the City Council.

#### Sec. 4-605 ADVICE AND OPINIONS.

Upon the request of the Mayor, a member of the City Council or the head of any agency, the Chief Legal Officer shall give legal advice and opinions.

Sec. 4-606 PENAL MATTERS.

- A. The Chief Legal Officer is the prosecutor for the people of this City and shall either personally or through assistants:
  - 1. Institute and conduct, on behalf of the people, all cases arising under this Charter or City ordinances and when authorized to do so by law, cases arising under State law.
  - 2. Prosecute all these cases, including all recognizances and bail forfeitures, in the courts of original jurisdiction and on appeal.
  - 3. Prosecute all actions for the recovery of fines, penalties and other monies arising out of these cases.
- B. The City may, by ordinance, provide fines, penalties or other punishment for the violation of this Charter or ordinance to the extent permitted by law.

Proposal Number: 22

Name of Proposed Section: Public Notices

Suggested Article: In General

Introduced by: Commissioner Cherry

Date Introduced: 3/10/2016

Date Reported for Second Reading:

Date of Second Reading:

Date Reported for Third Reading:

Date Passed:

Text:

- A. Public notices required in this charter shall be published by the City following the same requirements as set forth for public notices in Michigan Public Act 267 of 1976.
- B. The City Clerk shall maintain an e-mail list of individuals who wish to receive public notices from the city. Any individual who requests that the City Clerk add them to the list shall be added by the City Clerk.
- C. Public notices required in this charter shall additionally be published on the City's website and on the e-mail list maintained by the clerk under this section.



Janell Johnson &lt;jjohnson@cityofflint.com&gt;

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## Amendments to proposals for next meeting and new proposal for introduction

1 message

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**John Cherry** <jdcherry@gmail.com>

Wed, Mar 2, 2016 at 2:58 PM

To: Cleora Magee <cleoramagee@comcast.net>, Marsha Wesley <rwesley@ameritech.net>, Jim Richardson <zich@att.net>, Charles Metcalfe <elhue1942@hotmail.com>, Victoria McKenze <vmckenze1@gmail.com>, Barry Williams <barry1613@comcast.net>, Heidi Phaneuf <heidiphaneuf@gmail.com>, Inez Brown <ibrown@cityofflint.com>, Janell Johnson <jjohnson@cityofflint.com>, Davina Donahue <ddonahue@cityofflint.com>, murphyquincy73@yahoo.com, Peter Letzmann <peter@letzmann.com>

Good afternoon everyone,

I am sending you amendments to existing proposals that I will be proposing during Committee of the Whole and also a new proposal (it will be proposal 22) for the first article covering public notices. The proposed amendments are in red (adopted amendments are in blue).

I may have some additional amendments to proposal 21 (covering article 2) to send out prior to the meeting.

Thanks,

John Cherry

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### 6 attachments

-  **Proposal Number 22.docx**  
15K
-  **Amendment to Proposal Number 11 jc 3.2.2016.docx**  
18K
-  **Amendment to Proposal Number 12 jc 3.2.2016.docx**  
21K
-  **Amendment to Proposal Number 13 jc 3.2.2016.docx**  
18K
-  **Amendment to Proposal Number 15 jc 3.2.2016.docx**  
19K
-  **Amendment to Proposal Number 16 jc 3.2.2016.docx**  
17K