

# City of Flint, Michigan

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



## Meeting Agenda - Final

Wednesday, January 22, 2020

5:00 PM

Committee Room

### LEGISLATIVE COMMITTEE

*Santino J. Guerra, Chairperson, Ward 3*

*Eric Mays, Ward 1  
Kate Fields, Ward 4  
Herbert J. Winfrey, Ward 6  
Allan Griggs, Ward 8*

*Maurice D. Davis, Ward 2  
Jerri Winfrey-Carter, Ward 5  
Monica Galloway, Ward 7  
Eva Worthing, Ward 9*

*Inez M. Brown, City Clerk*

*Davina Donahue, Deputy City Clerk*

## ROLL CALL

## CHANGES AND/OR ADDITIONS TO AGENDA

*Council shall vote on any agenda changes.*

## PUBLIC SPEAKING

*Members of the public shall have no more than two (2) minutes to address the City Council on any subject.*

## COUNCIL RESPONSE

*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 (2) minutes and is subject to all rules of decorum and discipline.*

## SPECIAL ORDERS

### 200028 Special Order/Zoning Update

A Special Order as requested by Council President Galloway in order requesting that Planning and Development Director Suzanne Wilcox update the city council on proposed zoning amendments.

### 190442 Special Order/Temporary Hold on Water Shut-Offs/Striking GM Workers

A Special Order as requested by Councilperson Fields in order to discuss the possibility of drafting an ordinance in order to place a temporary hold on water turn-offs for striking General Motors (GM) workers. [Referral Action Date: 10/14/2019 @ Special Affairs Committee Meeting.]

### 190358.1 Special Order/City of Flint Policies Discussions

A Special Order request by Councilperson Fields allow Council to include the City's Computer Use Policy when discussing the three other policies currently on its agendas (Anti-Bullying; Harassment and Discrimination in the Work Place; Alcohol & Drug Free Work Place and Testing).

### 190032 Special Order/COF Purchasing Ordinance/Emergency Purchases

A Special Order as requested by 1st Ward Councilperson Eric Mays to allow for a council discussion regarding the emergency purchases (Ord. No. 3865, Sec. 18-21.9).

## ORDINANCES

### 190439.1 Amended Ordinance/Amendment/Chapter 12 (Business and Occupations Generally)/Sections 12-273 through 12-283

An amended ordinance to amend the Code of Ordinances for the City of Flint by amending Chapter 12 (Business and Occupations Generally), by the addition of (Article XXX), Sections 12-273 through 12-283 concerning Surveillance Cameras Required for Certain Businesses. [NOTE: Ordinance amended by Administration.]

- 200012** 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)

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.

- 200042** Amendment/Ordinance/Article VI/Chapter 35 (Personnel)/Section 35-112.16 (Adoption-Job Description & Qualifications)/Director of Transportation & Infrastructure

An ordinance to amend the Flint City Code of Ordinances by adopting Article VI, Chapter 35 (Personnel); Section 35-112.16 (Adoption - Job Description and Qualifications), Director of Transportation & Infrastructure.

## DISCUSSION ITEMS

- 200044** Referral/Parking Meters/Downtown Development Authority [DDA]

Referral by Councilperson Mays to DDA, re: He asks about the possibility of the following changes to current parking meter charges in the downtown area: (1) Free parking beginning at 4:30 p.m. near Flint City Hall on City Council meeting dates; (2) One hour free parking for anyone coming to City Hall to pay a water bill; (3) No parking fee for anyone having to do business within City Hall. [Referral Action Date: 1/13/2019 @ City Council Meeting]

## OLD, OUTSTANDING DISCUSSION ITEMS

- 170028** Referral/Tax Breaks/Home-Based Businesses

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

- 170386** Ordinance Drafts/Water Bills

Referral by Councilperson Mays to MAYOR/ADM/LAW/: He would like two ordinances drafted for the council to review: 1. water lien relief, and 2. a limit

on how far the city can go back in trying to collect past due water bills that have been estimated. [Referral Action Date: 7/6/2017 @ Finance Committee Meeting.]

**180017** Discussion Item/Home Business Ordinance

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

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

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

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

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

**180533** Referral/Lobbyists/Fee

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

**180534** Discussion Item/Parking on Lots/Property

A discussion item as requested by Councilperson Mays: He would like to discuss parking on lots and on a homeowner's own property. [Referral Action Date: 5/8/2018 @ Finance Committee Meeting.]

**180576** Discussion Item/Recreational Marihuana

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

**190033** Discussion Item/CWAC Ordinance

Discussion Item as requested by Councilperson Mays, re: He would like to discuss the proposed changes to the City Wide Advisory [Council] Committee ordinance (Ord. No. 180523.2). [Referral Action Date: 2/04/2019 @ City Council Meeting.]

**190362** Referral/Copies/Nepotism Policy/Ethics Ordinance

Referral by Councilperson Fields to LEGAL, re: As part of the discussion of the three policies on the Legislative agenda, she would like copies of the Nepotism Policy and the Ethics Ordinance. [Referral Action Date: 8/21/2019 @ Special Legislative Committee Meeting.]

190363 Referral/Legal Opinion/Political Podcast & Facebook

Referral by Councilperson Fields to LEGAL, re: She would like to know if it's legal for a city employee to tape the Mayor on a podcast and then air it on her own (city employee) Facebook page. [Referral Action Date: 8/21/2019 @ Special Legislative Committee Meeting.]

190386 Referral/Ordinance/Sewer Liens

Referral by Councilperson Mays to LEGAL: re, He would like the ordinance that deals with sewer liens. [Referral Action Date: 9/4/2019 @ Finance Committee Meeting.]

190470 Discussion Item/Acquired Properties Policy

Discussion Item as requested by Councilperson Fields, re: She would like for the City Council to work on and expand the City of Flint Policy of Disposition of Acquired Genesee County Treasurer Properties (Reso No. 180627). [Referral Action Date: 10/31/2019 @ Special Affairs Committee.]

190502 Copy/CWAC Ordinance

Discussion Item as requested by Councilperson Fields, re: She would like a copy of the City Wide Advisory Council (CWAC) Ordinance as passed by City Council (Ord. No. 180523.2). [Referral Action Date: 12/4/2019 @ Finance Committee Meeting.]

## **NEW BUSINESS**

## **ADJOURNMENT**

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

An Ordinance to amend the Flint City Code of Ordinances by amending Chapter 12, Business and Occupations Generally.

IT IS HEREBY ORDANIED 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, In General, by adding Article XXX, Sections 12-273 thru 12-283, Surveillance Cameras Required for Certain Businesses, which shall read in its entirety as follows:

§12-273. PURPOSE.

THE CITY COUNCIL RECOGNIZES THAT CERTAIN BUSINESSES HAVE CHARACTERISTICS THAT MAY TEND TO INCREASE THE POTENTIAL RISK OF CRIMINAL ACTIVITY ON THEIR PREMISES. THIS CHAPTER IS ENACTED TO REDUCE THE LIKELIHOOD THAT EMPLOYEES AND PATRONS OF THOSE BUSINESSES WILL BE EXPOSED TO POTENTIAL DEATH AND/OR INJURIES BECAUSE OF CRIME OCCURRING ON THE PREMISES. IT IS ALSO INTENDED TO ASSIST LAW ENFORCEMENT WITH THE CRIMINAL INVESTIGATION OF CRIMES ON THE PREMISES OF THE BUSINESSES WHICH ARE THE SUBJECT OF THIS CHAPTER.

§ 12-274. DEFINITIONS

(A) THE DEFINITIONS AND PROVISIONS CONTAINED IN THIS SECTION SHALL

GOVERN THE CONSTRUCTION, MEANING, AND APPLICATION OF THE FOLLOWING WORDS AND PHRASES USED IN THIS CHAPTER.

- (1) **LUMEN.** THE SI DERIVED UNIT OF LUMINOUS FLUX; A MEASURE OF THE TOTAL AMOUNT OF VISIBLE LIGHT EMITTED BY A SOURCE.
- (2) **MEDIA.** MATERIAL ON WHICH AUDIO, VIDEO, AND ELECTRONIC DATA CAN BE RECORDED FOR THE PURPOSES OF MAKING A PERMANENT RECORD TO AID IN A CRIMINAL INVESTIGATION, THAT CAN BE ENLARGED THROUGH PROJECTION OR OTHER MEANS, IN A FORMAT ABLE TO BE UTILIZED BY THE POLICE DEPARTMENT, COUNTY PROSECUTOR, AND /OR OTHER LAW ENFORCEMENT AGENCY.
- (3) **OWNER.** THE INDIVIDUAL, CORPORATION, LIMITED COMPANY, PARTNERSHIP, JOINT VENTURE, OR OTHER GROUP ENTERPRISE LICENSED TO DO BUSINESS OR OTHERWISE OPERATING A BUSINESS ESTABLISHMENT AT A LOCATION WITHIN THE CITY.
- (4) **VIDEO SURVEILLANCE SYSTEM.** A CONTINUOUS DIGITAL SURVEILLANCE SYSTEM CONSISTING OF CAMERAS, CABLING,

MONITORS, AND DIGITAL VIDEO RECORDERS (DVR) THAT RECORD IN COLOR WITH CAMERAS AND LENSES OF A TYPE, MINIMUM RESOLUTION, NUMBER AND LOCATION APPROVED BY THE CHIEF OF POLICE OR HIS OR HER DESIGNEE.

(5) **BUSINESS**

**ESTABLISHMENT OR ESTABLISHMENT.** MEANS THOSE ESTABLISHMENTS LISTED AND DEFINED IN THIS SUBSECTION AS FOLLOWS:

- a. **BANK OR FINANCIAL INSTITUTION.** AN ESTABLISHMENT WHOSE PRIMARY FUNCTION IS RELATED TO THE CUSTODY, LOAN, EXCHANGE, ISSUANCE OF MONEY, EXTENSION OF CREDIT, OR TRANSMISSION OF FUNDS, AND INCLUDES BANKS, CREDIT UNIONS, OR SAVINGS OR LOANS.
- b. **CARRY OUT- FOOD AND DRINK.** AN ESTABLISHMENT WHOSE PRINCIPAL BUSINESS IS THE SALE OF FOOD AND BEVERAGES IN DISPOSABLE CONTAINERS IN A

READY-TO-CONSUME STATE FOR CONSUMPTION EITHER WITHIN THE BUILDING OR FOR CARRY-OUT WITH CONSUMPTION OFF THE PREMISES, WHOSE CASH REGISTER IS VISIBLE TO THE PUBLIC VIEW, NOTWITHSTANDING THE FOREGOING, A CARRY OUT-FOOD AND DRINK ESTABLISHMENT SHALL NOT BE SUBJECT TO THIS CHAPTER IF IT EITHER (A) SHARES A COMMON AREA WITH OTHER BUSINESSES OR (B) DOES NOT HAVE ITS OWN ENTRANCE OR EXIT. STRICTLY, FOR PURPOSES OF ILLUSTRATION, A BUSINESS, WHICH IS PART OF A SO CALLED FOOD COURT, SHALL NOT BE SUBJECT TO THIS CHAPTER.

- c. **CHECK CASHING BUSINESS.** A BUSINESS OFFERING PAYDAY LOANS, CASH ADVANCES, OR CHECK ADVANCE LOANS, AND WHICH IS REGULATED UNDER THE STATE

OF MICHIGAN  
DEFERRED  
PRESENTMENT  
SERVICES  
TRANSACTION,  
PUBLIC ACT 244 OF  
2005, AS AMENDED,  
OR ANY SIMILAR  
LAW.

- d. **COIN DEALER.** ANY ESTABLISHMENT THAT, AS A SUBSTANTIAL PORTION OF ITS BUSINESS, BUYS AND SELLS COINS, GOLD OR OTHER PRECIOUS METALS.
- e. **CONVENIENCE STORE.** A BUSINESS WHICH SELLS AT RETAIL BOTH GASOLINE AND MORE THAN 20 "CONSUMER PRODUCTS" AS THAT TERM IS DEFINED BY 15 USCS §2052 (5) [TITLE 15, COMMERCE AND TRADE; CHAPTER 47, CONSUMER PRODUCT SAFETY], OR ANY APPLICABLE SUCCESSOR LAW.
- f. **FIREARM DEALER.** AN ESTABLISHMENT REQUIRED TO OBTAIN A FEDERAL FIREARMS LICENSE TO SELL FIREARMS AND WHICH ENGAGES IN

FIREARMS  
TRANSACTIONS.

- g. **GAS STATIONS.** A RETAIL ESTABLISHMENT AT WHICH MOTOR VEHICLES ARE REFUELED.
- h. **HOTEL OR MOTEL.** ANY BUILDING OR STRUCTURE EQUIPPED, USED, ADVERTISED AS, OR HELD OUT TO THE PUBLIC AS A FACILITY OR PLACE WHERE SLEEPING QUARTERS OR OTHER SIMILAR ACCOMODATIONS ARE FURNISHED FOR A FEE TO TRANSIENT GUESTS.
- i. **LIQUOR OR ALCOHOL BUSINESS.** ANY RETAILER REQUIRED TO OBTAIN A PERMIT BY THE MICHIGAN LIQUOR CONTROL COMMISSION, WHICH AUTHORIZES THE SALE OF BEER, WINE, OR DISTILLED SPIRITS TO BE CONSUMED ON, OR OFF THE PREMISES WHERE SOLD, AND INCLUDES BREW PUBS, DISTILLERIES, OR OTHER SIMILARLY LICENSED



FACILITIES. IT SHALL ALSO INCLUDE THOSE FACILITIES NOT REQUIRED TO OBTAIN SUCH PERMIT BUT WHICH, DIRECTLY OR INDIRECTLY THROUGH A LEASE OR RENTAL OF THE PREMISES, ALLOWS BEER, WINE, OR DISTILLED SPIRITS TO BE CONSUMED ON PREMISES.

j. **MOBILE COMMUNICATIONS DEALER.** ANY RETAILER OF A WIRELESS TWO-WAY COMMUNICATION DEVICE, INCLUDING A TELEPHONE USED IN CELLULAR TELEPHONE SERVICE, WHICH REPRESENTS, ALONG WITH ACCESSORIES RELATED THERETO, MORE THAN 50% OF THE GOODS DISPLAYED FOR RETAIL PURCHASE.

k. **MONEY TRANSMISSION SERVICES.** A RETAILER SELLING OR ISSUING PAYMENT INSTRUMENTS OR STORED VALUE DEVICES OR IS RECEIVING MONEY

OR MONETARY VALUE FOR TRANSMISSION.

l. **PHARMACY.** A FACILITY OR PART OF A FACILITY THAT DISPENSES PRESCRIPTION DRUGS, OR PREPARES PRESCRIPTION DRUGS FOR DELIVERY OR DISTRIBUTION, BUT DOES NOT INCLUDE THE OFFICE OF A DISPENSING PRESCRIBER OR AN AUTOMATED DEVICE.

m. **SCRAP METAL DEALER.** MEANS ANY PERSON OPERATING A BUSINESS AT A FIXED OR MOBILE LOCATION THAT IS ENGAGED IN ONE OF THE FOLLOWING ACTIVITIES:

i. BUYING, SELLING, PROCURING, COLLECTING, GATHERING, SOLICITING, OR DEALING IN SCRAP METAL.

ii. OPERATING, MANAGING, OR MAINTAINING A SCRAP METAL YARD.

§12-275 LIGHTING.

EVERY BUSINESS ESTABLISHMENT IN THE CITY, UNLESS THE STORE IS NOT OPEN FOR BUSINESS AFTER SUNSET AND BEFORE SUNRISE, IS HEREBY REQUIRED TO INSTALL AND PROVIDE LIGHTING FOR ITS PARKING AREA DURING ALL HOURS OF DARKNESS WHEN EMPLOYEES AND/OR CUSTOMERS ARE ON THE PREMISES. SUCH LIGHTING SHALL BE AT A MINIMUM AVERAGE OF TWO LUMENS PER SQUARE FOOT.

§ 12-276 VIDEO SURVEILLANCE SYSTEM REQUIRED.

(A) EVERY BUSINESS ESTABLISHMENT, AS DEFINED IN THIS CHAPTER, IS HEREBY REQUIRED TO INSTALL A VIDEO SURVEILLANCE SYSTEM IN ACCORDANCE WITH THIS CHAPTER AND TO PROVIDE THE CHIEF OF POLICE OR HIS/HER DESIGNEE AN ADDRESS AND PHONE NUMBER TO BE USED FOR PURPOSES OF OFFICIAL NOTIFICATIONS REGARDING ENFORCEMENT OF THIS CHAPTER.

(B) ALL VIDEO SURVEILLANCE SYSTEMS SHALL:

- a. BE MAINTAINED IN PROPER WORKING ORDER AT ALL TIMES; AND
- b. BE KEPT IN CONTINUOUS OPERATION 24 HOURS A DAY, 7 DAYS A WEEK; AND

c. MEET MINIMUM TECHNOLOGICAL STANDARDS ESTABLISHED IN THIS CHAPTER OR BY RESOLUTION OF CITY COUNCIL.

(C) ALL ESTABLISHMENTS SHALL RETAIN THE IMAGES RECORDED BY ITS VIDEO SURVEILLANCE SYSTEM FOR NO LESS THAN THIRTY (30) DAYS.

(D) A MINIMUM OF THREE HIGH RESOLUTION SURVEILLANCE CAMERAS LOCATED IN THE PUBLIC AREAS OF A BUSINESS ESTABLISHMENT ARE REQUIRED OF EACH VIDEO SURVEILLANCE SYSTEM. AT LEAST ONE CAMERA SHALL PROVIDE AN OVERALL VIEW OF THE COUNTER AND REGISTER AREA; AT LEAST ONE CAMERA SHALL BE POSITIONED TO PROVIDE A CLEAR, IDENTIFIABLE, FULL-FRAME IMAGE OF THE FACE OF EACH PERSON ENTERING AND LEAVING THE BUSINESS ESTABLISHMENT; AND THE LEAST ONE CAMERA SHALL BE POSITIONED TO PROVIDE AN OVERALL VIEW OF THE BUSINESS ESTABLISHMENT'S PARKING LOT. CAMERA VIEWS SHALL NOT BE OBSTRUCTED BY STORE FIXTURES OR DISPLAYS.

(E) BUSINESS ESTABLISHMENTS, WHICH INSTALLED VIDEO SURVEILLANCE SYSTEMS PRIOR TO THE EFFECTIVE

DATE OF THIS CHAPTER, MUST ENSURE THEY ARE IN FULL COMPLIANCE WITH THIS CHAPTER.

(F) DOCUMENTATION EVIDENCING THE INSTALLATION OF SUCH SYSTEM MUST BE PRESENTED TO THE POLICE DEPARTMENT, WHO SHALL VERIFY COMPLIANCE WITH THIS CHAPTER. THE SUFFICIENCY OF SUCH DOCUMENTATION SHALL BE DETERMINED AT THE DISCRETION OF THE POLICE CHIEF OR HIS OR HER DESIGNEE. UPON APPROVAL OF SUCH DOCUMENTATION, THE POLICE DEPARTMENT WILL ISSUE A WRITTEN APPROVAL NOTICE, WHICH WILL BE PLACED IN PLAIN VIEW INSIDE THE PREMISES. THIS APPROVAL NOTICE WILL ALSO INFORM CUSTOMERS AND EMPLOYEES OF THE EXISTENCE OF THE VIDEO SURVEILLANCE SYSTEM. A COPY OF THE APPROVAL NOTICE OR OTHER VERIFICATION OF COMPLIANCE SHALL THEN BE TRANSMITTED BY THE POLICE DEPARTMENT TO THE CITY CLERK. SUCH VERIFICATION MUST BE ON RECORD AND UP-TO-DATE AT THE TIME OF A BUSINESS ESTABLISHMENT'S APPLICATION FOR OR RENEWAL OF A BUSINESS LICENSE OR SUCH LICENSE SHALL BE DENIED.

§12-277 ACCESS TO MEDIA.

IF A CRIME OCCURS OR AN EMPLOYEE OF A BUSINESS ESTABLISHMENT BELIEVES A CRIME HAS OCCURRED, THE POLICE DEPARTMENT SHALL BE CONTACTED IMMEDIATELY, AND THE BUSINESS ESTABLISHMENT SHALL RETAIN THE CONTINUOUS DIGITAL IMAGES OF THE EVENT RECORDED BY THE VIDEO SURVEILLANCE SYSTEM FOR NO LESS THAN 60 DAYS. SUBJECT TO ANY CONSTITUTIONAL RESTRICTIONS, UPON REASONABLE NOTIFICATION, THE BUSINESS ESTABLISHMENT SHALL PROVIDE ACCESS TO THE MEDIA CONTAINING THE RECORDED EVENT TO THE POLICE DEPARTMENT. FAILURE TO PROVIDE ACCESS TO THE VIDEO SURVEILLANCE SYSTEM MAY RESULT IN THE POLICE DEPARTMENT OR OTHER LAW ENFORCEMENT AGENCY MAKING A REQUEST FOR A SEARCH WARRANT TO SEIZE THE VIDEO SURVEILLANCE SYSTEM, OR ANY PART OR UNIT OF THE SYSTEM, DEPENDING ON THE NATURE OF THE INCIDENT.

§12-278 MINIMUM TECHNOLOGICAL STANDARDS.

THE VIDEO SURVEILLANCE SYSTEM MUST BE CAPABLE OF DELINEATING ON PLAYBACK OF THE SYSTEM THE ACTIVITY AND PHYSICAL FEATURES OF PERSONS OR AREAS WITHIN THE PUBLIC AREAS OF THE PREMISES AND MUST BE ABLE TO RECORD SUCH IMAGES ON AN APPROVED FORM

OF EXTERNAL MEDIA. THE CONTINUOUS DIGITAL IMAGES RECORDED BY ANY VIDEO SURVEILLANCE SYSTEM SHALL BE RETAINED FOR NO LESS THAN 30 DAYS. CAMERAS PLACED OUTDOORS OR IN LOW LIGHT AREAS MUST HAVE INFARED ILLUMINATORS. ADDITIONAL MINIMUM TECHNOLOGICAL STANDARDS ARE REQUIRED FOR VIDEO SURVEILLANCE SYSTEMS SHALL BE ESTABLISHED BY RESOLUTION OF THE CITY COUNCIL, WHICH MAY BE UPDATED PERIODICALLY. THE POLICE DEPARTMENT SHALL REVIEW THE VIDEO SURVEILLANCE SYSTEM STANDARDS BI-ANNUALLY TO ENSURE THAT THEY ARE CONSISTENT WITH CURRENT TECHNOLOGY AND SHALL RECOMMEND APPROPRIATE UPDATES TO THE CITY COUNCIL WHEN NECESSARY.

§12-279 INSPECTIONS.

THE VIDEO SURVEILLANCE SYSTEM SHALL BE SUBJECT TO INSPECTION BY THE CHIEF OF POLICE OR HIS/HER DESIGNEE, WHO IS AUTHORIZED TO INSPECT ANY SUCH SYSTEM AT REASONABLE TIMES TO DETERMINE WHETHER IT CONFORMS WITH THIS CHAPTER AND REGULATIONS AND STANDARDS ADOPTED BY CITY COUNCIL RESOLUTION PURSUANT THERETO. IF THE VIDEO SURVEILLANCE SYSTEM DOES NOT SO CONFORM, THE

ESTABLISHMENT IN QUESTION SHALL TAKE IMMEDIATE STEPS TO BRING THE SYSTEM BACK INTO COMPLIANCE THERewith.

§12-280 ENFORCEMENT

- (A) BUSINESS ESTABLISHMENTS SUBJECT TO THE MANDATORY REQUIREMENTS OF THIS CHAPTER SHALL HAVE ONE YEAR FROM THE EFFECTIVE DATE OF THIS CHAPTER TO COMPLY WITH THE REGULATIONS SET FORTH HEREIN.
- (B) VIOLATION OF ANY PROVISION OF THIS CHAPTER BY ANY OWNER OR PRINCIPAL OPERATOR OF AN ESTABLISHMENT SHALL RESULT IN A NOTICE OF VIOLATION FROM THE CHIEF OF POLICE OR HIS/HER DESIGNEE TO SAID ESTABLISHMENT AT THE ADDRESS PROVIDED BY THE ESTABLISHMENT PURSUANT TO §12-276(A).
- (C) THE NOTICE OF VIOLATION REQUIRED UNDER THIS SECTION SHALL BE IN WRITING, SET FORTH THE BASIS OF THE VIOLATION, AND INFORM THE OWNER OR PRINCIPAL BUSINESS OPERATOR OF THE ESTABLISHMENT THAT HE/SHE HAS TEN DAYS FROM THE DATE OF MAILING OF THE NOTICE TO FILE A WRITTEN REQUEST FOR AN ADMINISTRATIVE HEARING TO APPEAL THE FINDING OF

VIOLATION TO THE CITY ADMINISTRATOR OR HIS/HER DESIGNEE. THE ADMINISTRATIVE HEARING SHALL BE HELD WITHIN 10 DAYS AFTER THE POLICE DEPARTMENT RECEIVES A TIMELY REQUEST FOR A HEARING, BUT IN NO EVENT SOONER THAN FIVE DAYS OR LATER THAN 20 DAYS AFTER RECEIPT OF A TIMELY REQUEST FOR A HEARING.

(D) AT THE ADMINISTRATIVE HEARING, FORMAL RULES OF EVIDENCE SHALL NOT APPLY. THE PARTY FOR WHOM THE NOTICE OF VIOLATION WAS ISSUED SHALL BE ENTITLED TO PRESENT EVIDENCE, INCLUDING THE TESTIMONY OF WITNESSES AND ARGUMENT AS TO WHY THE FINDING OF A VIOLATION WAS INCORRECT.

(E) FOLLOWING THE HEARING, THE CITY ADMINISTRATOR OR HIS/HER DESIGNEE SHALL RENDER A WRITTEN DECISION EITHER SUSTAINING OR REVERSING THE FINDING OF A VIOLATION. WITHIN ONE-WEEK FOLLOWING THE HEARING, THE POLICE DEPARTMENT SHALL SEND THE WRITTEN DECISION TO THE PARTY FOR WHOM THE NOTICE OF VIOLATION WAS ISSUE.

(F) IF NO REQUEST FOR ADMINISTRATIVE HEARING IS FILED, OR IF A HEARING IS REQUESTED BUT THE FINDING

OF A VIOLATION IS THEREAFTER SUSTAINED, VIOLATORS SHALL HAVE 30 DAYS AFTER RECEIPT OF THE NOTICE OF VIOLATION OR DECISION SUSTAINING THE FINDING, AS THE CASE MAY BE, TO PROVIDE THE POLICE DEPARTMENT PROOF THE VIOLATION HAS BEEN CORRECTED. IF THE VIOLATION CONTINUES AFTER THE 30-DAY PERIOD, THE CHIEF OF POLICE OR HIS OR HER DESIGNEE SHALL REFER THE MATTER TO THE CITY ATTORNEY'S OFFICE FOR PROSECUTION AS PROVIDED BY LAW.

(G) ANY VIOLATION OF OR FAILURE TO COMPLY WITH THIS CHAPTER OR ANY OF THE REQUIREMENTS THEREOF, SHALL BE PROSECUTED WITHIN THE LIMITS PROVIDED BY STATE AND LOCAL LAWS. SAID PROSECUTION BY MEANS OF A CITATION FOR MUNICIPAL INFRACTION FOR PURPOSES OF THIS CHAPTER, EACH 30 DAY PERIOD THAT A VIOLATION CONTINUES SHALL BE A SEPARATE VIOLATION.

§12-281 EXEMPTIONS.

A BUSINESS ESTABLISHMENT WHICH IS REQUIRED TO INSTALL A VIDEO SURVEILLANCE SYSTEM MAY BE EXEMPT FROM THE REQUIREMENTS OF THIS ORDINANCE IF

(A) THE ESTABLISHMENT IS NOT REGULARLY OPEN TO THE PUBLIC (INCLUDING STRICTLY BY WAY OF EXAMPLE, A HOME BASED BUSINESS)

(B) THE ESTABLISHMENT HAS TAKEN OR WILL TAKE ALTERNATIVE SECURITY MEASURES AND PROCEDURES WHICH ARE SUBSTANTIALLY EQUAL TO OR MORE EFFECTIVE THAN THE REQUIREMENTS OF THIS CHAPTER IN PREVENTING CRIMINAL ACTIVITY AND ASSISTING IN THE APPREHENSION OF THE PERPETRATORS OF CRIME OR THE PROTECTION OF EMPLOYEES AND PATRONS; AND

(C) THE ESTABLISHMENT HAS BEEN AUTHORIZED BY THE CHIEF OF POLICE OR HIS/HER DESIGNEE TO IMPLEMENT ALTERNATE SECURITY MEASURES AND PROCEDURES ON AN EXPERIMENTAL BASIS. WITHIN TEN DAYS OF MAILING OF THE WRITTEN NOTICE OF VIOLATION, THE OWNER OF THE BUSINESS ESTABLISHMENT MAY APPEAL THE ALLEGED VIOLATION BY REQUESTING A HEARING BEFORE ADMINISTRATOR OR THEIR DESIGNEE. SUCH A REQUEST MUST BE MADE IN WRITING AND MUST SET FOR THE SPECIFIC GROUNDS FOR APPEAL.

(D) THE ESTABLISHMENT IS A MEDICAL MARIJUANA

FACILITY AS DEFINED IN §50-183 AND SUBJECT TO THE SECURITY REQUIREMENTS OF §50-183(E) (2)(XIII).

ANY ESTABLISHMENT, WHICH SEEKS AN EXEMPTION PURSUANT TO THIS SECTION, SHALL APPLY, ON AN ANNUAL BASIS, TO THE CHIEF OF POLICE OR HIS/HER DESIGNEE FOR EXEMPTION FROM THE PROVISIONS OF THIS CHAPTER. THE APPLICATION SHALL BE IN WRITING AND SHALL STATE THE BASIS FOR THE EXEMPTION SOUGHT IN SUFFICIENT DETAIL TO ENABLE THE CHIEF OF POLICE OR DESIGNEE TO DETERMINE WHETHER THE PURPOSES OF THIS CHAPTER WOULD STILL BE MET IF THE EXEMPTION WERE GRANTED.

AN EXEMPTION GRANTED PURSUANT TO THIS SECTION SHALL CARRY A MAXIMUM DURATION OF TWELVE MONTHS. ANY ESTABLISHMENT SEEKING TO EXTEND STATUS MUST REAPPLY FOR AN EXEMPTION NO LATER THAN 30 DAYS PRIOR TO THE END OF THE EXEMPTION PERIOD.

ANY ESTABLISHMENT WHICH HAS BEEN GRANTED AN EXEMPTION UNDER THIS SECTION, OR AN EXTENSION THEREOF, WHICH DOES NOT SEEK TO FURTHER EXTEND THE EXEMPTION PURSUANT TO SECTION, SHALL OBTAIN THE CITY'S APPROVAL OF A VIDEO

SURVEILLANCE SYSTEM NO  
LATER THAN 30 DAYS PRIOR TO  
THE END OF THE EXEMPTION  
PERIOD.

THE CHIEF OF POLICE OR HIS/HER  
DESIGNEE MAY ALSO AUTHORIZE  
TEMPORARY EXTENSIONS OF  
TIME FOR INSTALLATION OF A  
VIDEO SURVEILLANCE SYSTEM  
WHEN AN ESTABLISHMENT  
DEMONSTRATES TO THE  
SATISFACTION OF THE CITY THAT  
IT IS TEMPORARILY UNABLE TO  
COMPLY FOR GOOD CAUSE  
SHOWN.

ANY PARTY AGGRIEVED BY THE  
DENIAL OF AN EXEMPTION  
UNDER THIS SECTION MAY  
REQUEST A HEARING AS  
PROVIDED IN SECTION 12-281. THE  
DECISION RENDERED PURSUANT  
TO SECTION 12-281 SHALL BE THE  
FINAL DECISION OF THE CITY.

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

Adopted this \_\_\_\_\_ day of  
\_\_\_\_\_, 2019 A.D.

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

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**Inez M. Brown, City Clerk**

**APPROVED AS TO FORM:**

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**Angela Wheeler, Chief Legal Officer**

200012

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 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.

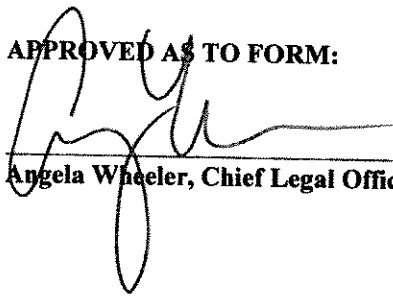
Adopted this \_\_\_\_\_ day of \_\_\_\_\_, 2020 A.D.

**FOR THE CITY:**

\_\_\_\_\_  
Sheldon A. Neeley, Mayor

\_\_\_\_\_  
Inez M. Brown, City Clerk

**APPROVED AS TO FORM:**

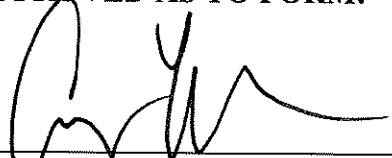
  
\_\_\_\_\_  
Angela Wheeler, Chief Legal Officer

200042

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

An Ordinance to amend the Flint City Code of Ordinances by adopting Article VI Chapter 35, Personnel; Section 35-112.16, Adoption-Job Description and Qualifications-Director of Transportation and Infrastructure.

APPROVED AS TO FORM:

  
\_\_\_\_\_  
Angela Wheeler, City Attorney

S:\Parks\Ordinance Files\Principal Officers Job Descriptions\Director of Transportation and Infrastructure 35-112.16.docx

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

Sec. 112. That Section 35-112 of the Code of the City of Flint shall be amended as follows.

*ARTICLE VI. PERSONNEL CODE*

**§ 35-112.16 ADOPTION – JOB DESCRIPTION AND QUALIFICATIONS DIRECTOR OF TRANSPORTATION AND INFRASTRUCTURE**

Pursuant to the provisions of Flint City Charter 1-501(B), the job description and qualifications are hereby adopted by reference **AND ATTACHED HERETO.**

Sec. 2. This ordinance shall become effective this \_\_\_ day of \_\_\_\_\_ 2019.

Adopted this \_\_\_\_\_ day of \_\_\_\_\_ A.D., 2019.

\_\_\_\_\_  
Sheldon A. Neeley, Mayor

\_\_\_\_\_  
Inez M. Brown, City Clerk

CITY OF FLINT  
Position Description

Class Title: Director of Transportation and Infrastructure	Job Code Number:
Established:	Bargaining Unit: Exempt

**GENERAL STATEMENT OF DUTIES:**

Performs highly responsible administrative, supervisory and technical work in directing the activities of transportation and infrastructure.

The Director of Transportation and Infrastructure is responsible for development and execution of capital asset development. The Director of Transportation and Infrastructure is responsible for developing, planning, and managing capital improvements for infrastructure improvement projects. The Director of Transportation and Infrastructure will manage the daily operations, long term strategic planning, capital planning, design engineering, and project management for transportation and infrastructure.

**SUPERVISION RECEIVED:**

Appointed by the Mayor and works under the direction of the City Administrator, who reviews work for effectiveness through conferences and reports.

**SUPERVISION EXERCISED:**

Planning, organizing, training, and the supervision of the entire Transportation and Infrastructure Department.

**ESSENTIAL DUTIES AND RESPONSIBILITIES:**

*Essential Duties are not intended to be an exhaustive list of all responsibilities, duties and skills. They are intended to be accurate summaries of what the job involves and what is required to perform it. Employees are responsible for all other duties as assigned.*

1. Responsible for the day-to-day supervision and operation of the Department of Transportation and Infrastructure, including but not limited to, the design and project management related to all traffic control devices, temporary traffic control devices, city parking systems, and capital projects.
2. Supervises the Department's labor force engaged in transportation engineering, traffic control systems, parking management, pavement marking management, streetlights, gaslights, signs, and signals.
3. Supervises Transportation Engineer in traffic engineering studies. Collects, analyzes, and interprets data to make recommendations for system improvements.
4. Helps in the preparation of long-term strategic capital plans for the City and annual operating budget.

5. Supervises procurement and management of design and construction for all capital and infrastructure projects, working closely with procurement personnel to bid, award and manage contracts and subcontracts.
6. Reports on a regular basis to the City Administration, Director of Public Works, and Director of Finance the timeline and budgetary status of key transportation and infrastructure projects and operation expenditures related to the Department.
7. Answers inquiries from internal and external parties related to transportation operations, and investigates, solves, and reports on complaints of a technical nature.
8. Coordinates and manages work with outside engineering firms on traffic related issues and infrastructure projects.
9. Attends public meetings and hearings, and assists in presentations on transportation and infrastructure related projects.
10. Aids in plans, designs, cost estimates, and construction of projects and operational activities for the City.
11. Participates in storm operations or emergency weather events.

**MINIMUM ENTRANCE REQUIREMENTS:**

1. Eight (8) years of progressively responsible professional experience in construction project management, including at least five (5) years of experience in senior management of publicly funded transportation and infrastructure projects.
2. Possess a Master's degree in architecture, business administration, construction or program management, urban planning, engineering, or a closely related field.
3. Current licensure as a Professional Engineer by the State of Michigan.
4. Certification as a Project Management Professional preferred.
5. Must have a valid Michigan Driver's License.
6. Knowledge of technical, contractual, and administrative aspects of all phases of project management.
7. Experience in architectural or civil project management, particular experience in DOT and/or FTA project delivery.
8. Ability work within all related codes, guidelines and regulations necessary for a variety of civil engineering and facilities improvement projects.
9. Establish and maintain effective working relationships with commission, boards, federal, state and local government agencies, contractors, builders, and the public.

**PHYSICAL DEMANDS:**

While performing the duties of this job, the employee is frequently required to sit and talk or hear.

**This job description does not constitute an employment agreement between the employer and employee and is subject to change by the employer as the needs of the employer and requirements of the job change.**