

City of Flint, Michigan

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



Meeting Agenda - Final

Wednesday, March 4, 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
Jeri 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

200059 Special Order/Recreational & Medical Marihuana

A Special Order as requested by Councilperson Worthing to discuss recreational and medicinal marihuana.

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.]

200126 Amendment/Ordinance/Chapter 2 (Administration)/Article XV (Department of Finance)/Amendment/Section 2-106 (Development and Update of Strategic

Plan)

An ordinance to amend Chapter 2 (Administration), Article XV (Department of Article XV (Department of Finance) of the Flint City Code of Ordinances by the by amending Section 2-106 (Development and Update of Strategic Plan).

200127 Amendment/Chapter 35 (Personnel)/Article V (Working Conditions)/Amendment of Sections 35-101 Through 35-109/Civil Service Commission

An ordinance to amend the Code of the City of Flint by amending Chapter 35, (Personnel), Article V (Working Conditions) by amending Sections 35-101 through 35-109 (Civil Service Commission).

DISCUSSION ITEMS

200123 Referral/Surveillance Cameras

Referral by Councilperson Guerra to POLICE: re, he would like would like for the Chief of Police to review Ordinance 190439.1 (surveillance cameras) and let City Council members know if he agrees with it. [Referral Action Date: 2/19/2020 @ Legislative Committee 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.]
- 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: 1/13/2020 @ City Council Meeting.]
- 200060** Attendance Request/Mayor/Adm/Surveillance Cameras
- An attendance request by Councilperson Guerra to MAYOR/ADM: re, he would like would like someone from the administration to attend the next Legislative Committee meeting to discuss Ordinance 190429.1 (Surveillance Cameras Required for Certain Businesses). [Referral Action Date: 1/22/2020 @ Legislative Committee Meeting.]
- 200084** Referral/Drafting of Ordinance/Civil Service Commission
- Referral by Councilpersons Fields to LEGAL re: She asks that the Legal Department begin drafting an ordinance to allow for employee representation on the Civil Service Commission, as specified in Section 5-101A(2) of the City Charter. [Referral Action Date: 2/5/2018 @ Governmental Operations Meeting.]

NEW BUSINESS

ADJOURNMENT

190439.1

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 UNTI OF LUMNIOUS FLUX; A MEAUSRE 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 INVESITGATION, 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 FORTH THE SPECIFIC GROUNDS FOR APPEAL.

(D) THE ESTABLISHMENT IS A MEDICAL MARIHUANA

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 THIS 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.

Dr. Karen W. Weaver, Mayor

Inez M. Brown, City Clerk

APPROVED AS TO FORM:

Angela Wheeler, Chief Legal Officer

200126

ORDINANCE NO. _____

An Ordinance to amend the Flint City Code of Ordinances by amending Chapter 2, Administration; Article XV, Department of Finance.

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 2, Administration; Article XV, Department of Finance; which shall read in its entirety as follows:

§ 2-106 DEVELOPMENT AND UPDATE OF STRATEGIC PLAN.

- A. Developing and implementing a multi-year strategic plan is an essential component of a sustainable city government. A Strategic Plan is the statement of vision, mission, and goals of the organization. It also identifies the strategic objectives to be implemented that will move the organization toward the realization of its vision, mission, and goals.
- B. The Mayor and the City Council, working with the Emergency Manager and City Staff, created the initial City of Flint FY15-FY19 Strategic Plan adopted on June 20, 2014, by Emergency Manager Order No. 14.
- C. The process of developing and implementing the strategic plan is an ongoing process. It is dynamic and must be regularly reviewed and updated to reflect progress and changing needs. It must be recognized as the formal foundation of ongoing governing and budgetary decisions.

D. The City is committed to becoming a sustainable organization. Accordingly, the following process for the development, adoption, implementation, and monitoring of its strategic plan is hereby established:

- 1. The City Council hereby recognizes the existence of the City of Flint FY15-FY19 strategic plan, as adopted on June 20, 2014, by Emergency Manager No. 14.
- 2. The Mayor and City Administrator, working in concert with city staff, shall provide a written quarterly report to the City Council on the status of implementing the Strategic Plan. The reports shall identify specific achievements and any significant changes to the original plan. The reports shall be made to the Finance and Administration Committee, and to other committees as appropriate, in the months of October, January, April, and July of each year. The City Administrator shall be responsible for working with the Mayor, City Council leadership and for directing City Staff to provide recommendation, time lines, and the information necessary to enable City Council to adopt the updated plan in a timely manner.

3. PURSUANT TO CITY OF FLINT CHARTER SECTION 7-101(3), ON OR BEFORE THE FIRST MONDAY OF SEPTEMBER THE CITY COUNCIL SHALL PASS AND THE MAYOR SHALL ADOPT A RESOLUTION UPDATING THE CITY OF FLINT'S STRATEGIC PLAN FOR THE NEXT FISCAL YEAR. THE CITY COUNCIL SHALL UTILIZE THE CITY OF FLINT'S COMPREHENSIVE PLAN, INPUT FROM THE MAYOR, AND INPUT FROM THE PUBLIC IN UPDATING THE STRATEGIC PLAN. THE MAYOR SHALL HAVE THE POWER TO VETO A RESOLUTION UPDATING THE STRATEGIC PLAN IN THE SAME MANNER AS PROVIDED IN CITY OF FLINT CHARTER SECTION 3-305. ~~Each year beginning no later than January 1 and concluding no later than the first Monday in February the City Council shall, working in concert with the Mayor and City staff, update the current strategic plan, to be effective at the beginning of the fiscal year (July 1). The plan shall cover the~~

~~next five years. The City Administrator shall be responsible for working with the Mayor, City Council leadership and for directing City Staff to provide recommendations, time lines, and the information necessary to enable City Council to adopt the updated plan in a timely manner.~~

4. The Mayor and City Council recognize the importance of the City's Master Plan, Adopted in October 2013 as a blueprint for the long term development of the City. Accordingly, the Strategic Plan for city government shall consider and be guided by the master plan.
5. Each year, no later than March 15, the City Council shall develop and provide to the Mayor and City Staff its budget priorities for the upcoming budget. Priorities shall be based on the updated strategic plan. The Mayor shall be responsible for working with City Council leadership and directing City staff to provide recommendations, time lines, and the information necessary to enable City Council to adopt their budget priorities in a timely manner.
6. The City Administrator and Mayor, in concert

with City Staff, shall construct recommended budgets that reflect the vision, mission, goals and strategic objectives of the strategic plan, as well as the annual budget priorities adopted by City Council.

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

200127

ORDINANCE NO. _____

An Ordinance to amend the Flint City Code of Ordinances by amending Chapter 35, Personnel; Article V, Working Conditions; by amending Sections 35-101 through 35-109.

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 35, Personnel; Article V, Working Conditions; by amending Sections 35-101 through 35-109, which shall read in its entirety as follows:

§ 35-101 CIVIL SERVICE COMMISSION – CREATED; COMPOSITION.

Pursuant to the provisions of Section 5-101 of the Flint City Charter effective JANUARY 1, 2018, ~~November 10, 1975~~, the Civil Service Commission is hereby created composed of seven members.

§ 35-102 SAME- SELECTION MEMBERS.

On or before the first Thursday of November, all City employees within the Classified Service, except those employees by the Board of Hospital Managers, shall select TWO (2) ~~one member~~ MEMBERS of the Civil Service Commission by secret ballot at an election to be conducted by the City Clerk. A polling place has been established at a convenient location and shall be available for voting by City employees commencing 6:00 a.m. of the election day and concluding 6:00 p.m. on that day.

§ 35-103 SAME – QUALIFICATIONS OF CANDIDATES.

All candidates for nomination and election by the employees shall meet the following requirements:

- (a) Must have attained the age of 18 years prior to the date of election;
- (b) Must be a resident of the City of Flint; and
- (c) Must hold no appointive or elective office with the City of Flint or be in the employ of the City of Flint during his or her term of office.

§ 35-104 SAME- SUBMISSION OF NOMINATING PETITION BY CANDIDATE.

To qualify as a candidate, the qualified candidate must personally submit a nominating petition for the position of Civil Service Commission to the City Clerk, which petition shall be signed by not less than 50 general City employees. Candidates for the position of Civil Service Commissioner to be elected by employees of Hurley Medical Center, to the office of the Hospital Director. The petitions shall be submitted not later than 4:00 p.m. the last Friday of October. No employee shall sign more than one nominating petition.

§35-105 SAME- ELECTION OF MEMBER BY BOARD OF HOSPITAL MANAGERS EMPLOYEES.

The employees of the Board of Hospital Managers shall elect a member of the Civil Service Commission at the same time and in the same manner as provided above with the election to be conducted and supervised by the Hospital Director.

§35-106 SAME – POWERS, DUITES AND TERMS.

The powers and duties of the Civil Service Commission, their term of office and other conditions of their tenure shall be as set forth in Article 5 of the Charter of the City of Flint.

§35-107 SAME – ELECTION; RUN-OFF.

The candidate receiving a majority of the votes of the respective groups of employees shall be elected Civil Service Commissioner. In the event no candidate received a majority of votes at the election the first Thursday in November, a run-off election of the two candidates receiving the highest number of votes in each election shall be held the second Thursday in November under the same conditions specified herein.

§35-108 SAME – FORM OF SUBPOENA BY CIVIL SERVICE COMMISSION.

For the purposes of enforcing Section 5-202 of the Charter of the City of Flint, subpoenas may be issued by the Civil Service Commission in the name of the people of the City of Flint and shall be signed and sealed by the Director of the Civil Service Commission pursuant to the rules of the Civil Service Commission.

§35-109 SAME – REFUSAL TO COMPLY WITH SUBPOENA.

It shall be unlawful for any person served with a subpoena issued by the Civil Service Commission as provided in §35-108 to appear and testify or to produce books, papers and other evidence in the course of an investigation or proceeding pursuant to Section 5-202 of the Charter, to refuse or neglect to appear or testify or produce the books, papers and other evidence as commanded in the subpoena. The provisions

of this section are cumulative and are not intended to have any effect on the power of the Civil Service Commission to take other action to compel the production of evidence.

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