

City of Flint, Michigan

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



Meeting Agenda - Final

Monday, June 24, 2024

4:30 PM

Council Chambers

SPECIAL AFFAIRS COMMITTEE

Candice Mushatt, Vice President, Ward 7

*Leon El-Alamin, Ward 1
Quincy Murphy, Ward 3
Jerri Winfrey-Carter, Ward 5
Dennis Pfeiffer, Ward 8*

*Ladel Lewis, Ward 2
Judy Priestley, Ward 4
Tonya Burns, Ward 6
Jonathan Jarrett, Ward 9*

Davina Donahue, City Clerk

ROLL CALL

READING OF DISORDERLY PERSONS CITY CODE SUBSECTION

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

REQUEST FOR AGENDA CHANGES/ADDITIONS

SPECIAL PRESENTATION - RECOGNITION (PUBLIC SAFETY OFFICERS)

A Special Presentation recognizing individual City of Flint Public Safety Officers (FPD Officers Albert Essix and Miguel Vasquez).

PUBLIC COMMENT

Members of the public who wish to address the City Council or its committees must register before the meeting begins. A box will be placed at the entrance to the Council Chambers for collection of registrations. No additional speakers or slips will be accepted after the meeting begins.

Members of the public shall have no more than three (3) minutes per speaker during public comment, with only one speaking opportunity per speaker.

COUNCIL RESPONSE

Councilmembers may respond once to all public speakers only after all public speakers have spoken. An individual Councilmember's response shall be limited to two (2) minutes.

CONSENT AGENDA

Per the amended Rules Governing Meetings of the Flint City Council (as adopted by the City Council on Monday, April 22, 2024), the Chair may request the adoption of a "Consent Agenda". After a motion to adopt a Consent Agenda is made and seconded, the Chair shall ask for separations. Any agenda item on a Consent Agenda shall be separated at the request of any Councilmember. After any separations, there is no debate on approving the Consent Agenda - it shall be voted on or adopted without objection.

RESOLUTIONS

240238 Reallocation of ARPA Funds/Mental Health Referrals and Services Support/Voices For Children Advocacy Center

Resolution resolving that the appropriate City officials are authorized to do all things necessary, including executing any necessary agreements, to appropriate funding from the funding source account #101-287.000-963.000 to

Voices For Children Advocacy Center in the amount of \$200,000. Based on review and validation of the appropriate fund use by the City's compliance firm, implementation of these funds will be consistent and compliant with US Department of Treasury requirements and previously approved authorizations.

240245 Purchase of Property/Genesee County Land Bank Authority/Cronin Derby Downs Development Project

Resolution resolving that the appropriate City officials are authorized to do all things necessary to purchase Parcel No. 40-24-226-001, for the amount of \$9,625.00 in FY 2024-25, to support the Cronin Derby Downs Development Project from the Genesee County Land Bank Authority.

240266 Marihuana Facilities/Group E Marihuana Retail - Adult Use License/Green Buddha, LLC

Resolution resolving that, Pursuant to [Flint City Code Section] 50-80.6(A0(2)), the appropriate City officials are hereby authorized to do all things necessary to issue a license to applicant Paul Weisberger of Green Buddha, LLC, located at 408 S. Center Road, Flint.

240267 Marihuana Facilities/Group F - Class C Grow and Processing License/The Lane Family Group

Resolution resolving that, Pursuant to [Flint City Code Section] 50-80.6(A0(2)), the appropriate City officials are hereby authorized to do all things necessary to issue a license to applicants Robert and Sandra Lane of The Lane Family Group, LLC, located at 4221 James P. Cole Boulevard, Flint.

APPOINTMENTS

240260 Appointment/Hurley Board of Hospital Managers/Maryum Rasool

Resolution resolving that the Flint City Council approves the appointment of Maryum Rasool (Shadybrooke Ln Flushing MI, 48432) to serve a five-year term on the Hurley Board of Hospital Managers, with such term commencing immediately and expiring on April 30, 2028

240263 Appointment/City Wide Advisory Council (Committee)/Earl L. Hall IV

Resolution resolving that the Flint City Council approves the appointment of Earl L. Hall IV to the City Wide Advisory Council for a three-year term commencing immediately upon adoption of this resolution, and expiring

240268 Appointment/Ethics and Accountability Board/Lisia Williams

Resolution resolving that the Flint City Council approves the appointment of Lisia Williams (221 E. York Avenue, Flint, MI, 48505 - Ward 1) to the Ethics and Accountability Board to fill a 1st Ward vacancy, for the remainder of a six

(6) year term, with such term commencing immediately and expiring
_____.

ORDINANCES

240261 Amendment/Ordinance/Chapter 50 (Zoning)/Article XXX (Flood Hazard Management)/Section 50-172 (Flood Insurance Study Adopted)

An ordinance to amend the Flint City Code of Ordinances by amending Chapter 50 (Zoning), Article XXX (Flood Hazard Management), by amending Section 50-172 (Flood Insurance Study Adopted).

240264 Amendment/Ordinance/Chapter 50 (Zoning)/Article 18 (Administration and Enforcement)/Section 50-200 (Authority of the Zoning Coordinator)/Section 50-202 (Enforcement Powers)

An ordinance to amend the Code of the City of Flint by amending Chapter 50 (Zoning), Article 18 (Administration and Enforcement), by amending Section 50-200 (Authority of the Zoning Coordinator) and Section 50-202 (Enforcement Powers).

ADJOURNMENT



240238

RESOLUTION NO.: _____

PRESENTED: 6-18-2024

ADOPTED: _____

RESOLUTION APPROVING REALLOCATION OF ARPA FUNDS FOR MENTAL HEALTH REFERRELS AND SERVICES SUPPORT TO VOICES FOR CHILDREN ADVOCACY CENTER FOR \$200,000

In 2022 and 2023, the City of Flint received funds pursuant to the American Rescue Plan Act of 2021 (ARPA), which could be used by the City for specific and defined purposes. In 2023, the City of Flint obligated all of the ARPA funding received, of which approximately \$40 million was obligated as "revenue replacement;"

City Administration recommends reallocating \$200,000 of ARPA funds, previously obligated for revenue replacement, to provide funding to The Voices for Children Advocacy Center is seeking additional funding for Crisis Counseling Services to ensure that children who have been victimized in our area can receive high-quality, evidence-based support. Crisis counseling occurs when a child has disclosed that they have been mistreated and/or when an abuse, neglect, or trafficking situation has been discovered.

Reallocated funds will be moved from #101-287.000-963.000 as follows:

Account	Description	Amount
101-612.005-801.000	Voices for Children Advocacy Center/Mental Health Referrals and Services Support	\$200,000

IT IS RESOLVED that the appropriate City officials are authorized to do all things necessary, including executing any necessary agreements, to appropriate funding from the funding source account #101-287.000-963.000 to Voices for Children Advocacy Center in the amount of \$200,000. Based on review and validation of the appropriate fund use by the City's compliance firm, implementation of these funds will be consistent and compliant with US Department of Treasury requirements and previously approved authorizations.

For the City:

For the City Council:

CLYDE D EDWARDS
CLYDE D EDWARDS (Mar 26, 2024 12:21 EDT)
Clyde D. Edwards, City Administrator

Approved as to Form:

Approved as to Finance:

William Kim
William Kim (Mar 26, 2024 10:04 EDT)
William Kim, City Attorney

Phillip Moore
Phillip Moore (Mar 26, 2024 12:10 EDT)
Phillip Moore, Chief Financial Officer

RESOLUTION STAFF REVIEW

Date: 3/22/2024

Agenda Item Title: MENTAL HEALTH REFERRELS AND SERVICES SUPPORT TO VOICES FOR CHILDREN ADVOCACY CENTER FOR \$200,000

Prepared by: Shelly Sparks-Green

Background/Summary of Proposed Action:

Company Overview: Voices for Children (VCAC) is the result of the merger of Priority Children and Weiss Child Advocacy Center in 2017. Priority Children was founded in 1987 and Weiss Child Advocacy Center was the result of a merger in 2010 of the Child Advocacy Center of Genesee County (founded in 2000) and Consortium on Child Abuse and Neglect (founded in 1974 - doing only prevention work). In 2018, Voices added serving Shiawassee County through a merger with CAN Council of Shiawassee County, to develop a more sustainable program and staff for Shiawassee County.

Voices for Children serves as a voice and an advocate for children throughout Flint, Genesee County and Shiawassee County. Voices for Children provides crisis counseling, victim advocacy, and therapy/counseling for child survivors of abuse, neglect, human trafficking, and witness to violence. Services for child victims of abuse, neglect, human trafficking, and witness to violence benefit minority populations who have been disproportionately impacted by COVID19. This includes Black Indigenous People of Color (BIPOC), Latinx, LGBTQIA+, deaf/hard of hearing, and those with special health/cognitive needs. The reality is that 1 in 4 children in Flint will face child abuse before they turn 18.

That is 25% of the children currently growing up in our community. This is higher than the national average and indicates a need for support services. The only entity in Flint and Genesee County providing these specific services for this population is Voices for Children. The center has intentional focus on equitable program design. Many of the children and families served have lost family members to COVID or have adults/caregivers who continue to struggle with long term COVID. Additionally, job loss because of the pandemic increased stress for adults which, subsequently, increased instances of physical and sexual abuse perpetrated against minors.

Funding Purpose: The center has seen a recent increase in cases and is seeking additional funding for Crisis Counseling Services to ensure that children who have been victimized in our area can receive high-quality, evidence-based support. Crisis counseling occurs when a child has disclosed that they have been mistreated and/or when an abuse, neglect, or trafficking situation has been discovered. Services are provided for the youth (ages 0-17) as well as non-offending caregivers. Crisis counseling then seamlessly transitions, within the agency, to victim advocacy. Victim advocacy activities are case management to ensure all the child/teen's needs are met including basic needs like housing, food, clothing, safety, and education, then that they have support in navigating the justice system.

Victim advocates connect the child and family with in-house therapists who specialize in services targeted at children and teens who have been victims of physical and, or sexual abuse, neglect, and

human trafficking. Support groups are also available for survivors and, if they end up needing to testify in court against the person or people who hurt them, Voices for Children staff can help them feel prepared and confident to testify. Specifically, project activities include Crisis counseling, victim advocacy, and therapy/counseling including support groups and court preparation.

Program Services: Interview & Exam Services - Voices for Children Advocacy Center (formerly Weiss Child Advocacy Center) provides a place for abused children to tell their stories in a safe, friendly environment, with a single certified trained staff that can compassionately listen, examine, and ask all the necessary questions. Children and their non-offending family members meet with our Family Advocate and Forensic Interviewer to answer any questions they have. The Interviewer builds a relationship with the child to let them know that they are in a safe place and can tell their story. Behind the scenes, our staff, Law Enforcement, and Child Protective Services discuss a plan of action to keep the child and their family safe. The Family Advocate works with the family to navigate court proceedings, assess for and assist in addressing needs, refer to community support and therapy, and provide ongoing support. Because our facility is so home-like, we provide medical exams onsite by specially trained medical personnel, so they are less traumatic and stressful to children.

Multidisciplinary Team - Voices for Children Advocacy Center serves as the "hub" to the Multi-Disciplinary Team (MDT), a skilled team of professionals comprised of members of many organizations including law enforcement, social services, prosecution, mental health, medical, and victim advocacy personnel. The MDT work together in the investigation, treatment, management, and prosecution of child abuse, & neglect cases.

Family Advocacy - Family advocacy at Voices for Children Advocacy Center provides direct support to child victims and their non-offending caregivers. The purpose is to support the child and the caregiver in this time of crisis. Family advocates provide education about child abuse and help the family find any other resources they may need.

Advocacy and support are provided to the non-offending caregiver and the child by all our staff. The first person the family meets is the Voices for Children staff who talks to the caregiver about what will happen during the forensic interview, what happens after the interview, helps them fill out the necessary paperwork and explains the Victim Compensation Program.

The multi-disciplinary team (MDT) talks to the caregivers after the interview to again explain what will happen next and answer any questions they may have. Our Family Advocates will help the family find counseling and support them through the legal process (including helping the child understand what happens in court and if they must testify).

Project Outcomes: Outcomes include child and teen survivors of maltreatment having the support and resources they need to heal and thrive, children/teens feeling confident and prepared to testify in court, children/teens having opportunities to process through what has happened to them so they can reclaim their childhoods, heal, and thrive.

Account	Description	Amount
101-612.005-801.000	Voices for Children Advocacy Center/Mental Health Referrals and Services Support	\$200,000

Financial Implications:

American Rescue Plan Act funds must be fully expended by 12/31/26.

Budgeted Expenditure: Yes No **Please explain, if no:**
Pre-encumbered: Yes No **Requisition #:** N/A
Other Implications: No other implications are known at this time.
Staff Recommendation: Staff recommends approval of this resolution.

APPROVAL Shelly Sparks-Green
Shelly Sparks-Green (Mar 26, 2024 12:21 EDT)
Shelly Sparks-Green, Chief Resilience Officer



240245

RESOLUTION NO.: _____

PRESENTED: 6-18-2024

ADOPTED: _____

**RESOLUTION TO APPROVE THE PURCHASE OF PROPERTY
FROM GENESEE COUNTY LAND BANK AUTHORITY FOR CRONIN DERBY DOWNS
DEVELOPMENT PROJECT**

The Cronin Derby Downs rehabilitation project requires that certain parcels fall under the ownership of the City of Flint.

Resolution 240121 adopted 4-8-24 authorized the reallocation of CDBG-CV funds to Business and Community Services to complete the Cronin Derby Downs development project located behind Flint Southwestern High School along (1-69) in the 8th Ward.

The Genesee County Land Bank Authority currently owns parcel 40-24-226-001 located at the project site but will complete a Quitclaim Deed to the City of Flint in support of this development.

The Department of Business and Community Services Division requests the purchase of parcel 40-24-226-001 from Genesee County Land Bank Authority using funds available in

Dept.	Name of Account	Account Number	Grant Code	Amount
Bus & Comm Services	CDBG Cares Act Expense	282-737.214-805.057	FHUD-CDBGCA	\$9,625.00

IT IS RESOLVED that the appropriate City officials are authorized to do all things necessary to purchase parcel 40-24-226-001 for the amount of \$9,625.00 in FY 2024-25 to support the Cronin Derby Downs Development Project from the Genesee County Land Bank Authority.

For the City:

For the City Council:

CLYDE D EDWARDS / A0170
CLYDE D EDWARDS / A0170 (Jun 3, 2024 12:28 EDT)
Clyde D. Edwards, City Administrator

Approved as to Form:

Approved as to Finance:

William Kim
William Kim (May 31, 2024 12:50 EDT)
William Kim, City Attorney

Phillip Moore
Phillip Moore (Jun 3, 2024 07:24 EDT)
Phillip Moore, Chief Financial Officer



CITY OF FLINT STAFF REVIEW FORM

TODAY'S DATE: 4/29/24

BID/PROPOSAL#

AGENDA ITEM TITLE: RESOLUTION TO APPROVE THE PURCHASE OF PROPERTY
FROM GENESEE COUNTY LAND BANK AUTHORITY FOR CRONIN DERBY DOWNS DEVELOPMENT PROJECT

PREPARED BY: Gavin Bodnar

VENDOR NAME: Genesee County Land Bank Authority

BACKGROUND/SUMMARY OF PROPOSED ACTION:

Cronin Derby Downs is a City of Flint Park in Census Tract 135, Block Group 2, which is a low/mod neighborhood in Flint's 8th Ward. The site sits behind Flint Southwestern High School, and adjacent to I-69. Once completed the Flint Soap Box Derby will be providing courses at no cost to the City of Flint participants. Further, the Flint Soap Box Derby recognizes the significant financial impediments that would otherwise preclude City of Flint families and youth from participating in official Flint Soap Box Derby workshops, races, and events. As a result, this program provides the opportunity for low - and moderate - income families to take place in workshops, races, and events without the burden of cost considerations. At its core, the Flint Soap Box Derby prioritizes opportunity, accessibility, and ease of participation for all local families and youth.

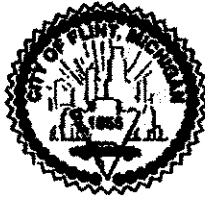
PREVIOUS ALLOCATIONS (INCLUDE ALL ACCOUNTS USED FOR THIS PURPOSE)/ PROVIDE RESOLUTION OR CONTRACT INFORMATION THAT APPLIES

Resolution 240121 adopted 4-8-24 authorized the reallocation of CDBG-CV funds to Business and Community Services to complete the Cronin Derby Downs.

POSSIBLE BENEFIT TO THE CITY OF FLINT (RESIDENTS AND/OR CITY OPERATIONS) INCLUDE PARTNERSHIPS AND COLLABORATIONS:

Acquiring the land for Cronin Derby Downs not only enables the completion of the Flint Soap Box Derby project but also unlocks additional benefits for the city and its residents. The development of the park creates a valuable community asset that promotes outdoor recreation, youth engagement, and neighborhood revitalization.

240121



RESOLUTION NO.: _____

PRESENTED: 4-03-2024

ADOPTED: 4-8-2024

RESOLUTION AUTHORIZING A SUBSTANTIAL AMENDMENT TO THE CITY OF FLINT'S CORONAVIRUS AID, RELIEF, AND ECONOMIC DEVELOPMENT SECURITY (CARES) ACT COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG)

BY THE MAYOR:

WHEREAS, In March 2020, in response to the pandemic declaration by the World Health Organization, this nation enacted the Coronavirus Aid, Relief, and Economic Security (CARES) Act (P.L. 116-136), which made Community Development Block Grant coronavirus response (CDBG-CV) funds available to prevent, prepare for and respond to Covid-19, the respiratory illness caused by a type of coronavirus identified in 2019. The City of Flint received CDBG-CV funds in the amount of \$2,830,392.

WHEREAS, CDBG-CV funds were initially awarded to agencies through Resolution No. 210368.1, adopted August 10, 2021, to carry out activities that prevent, prepare for, and respond to Covid-19.

WHEREAS, certain subrecipient agencies are unable to meet spending and eligibility requirements despite collaborative efforts with Flint

WHEREAS, funds from agencies unable to spend have been made available in the accounts listed below

Dept.	Name of Account	Account #	Grant #	Amount
Business and Community Services	CDBG Cares Act Revenue Account	282-737.101-522.748	FHUD-CDBGCA	\$1,425,000.00
Business and Community Services	CDBG Cares Act Uncommitted Account	282-737.101-963.000	FHUD-CDBGCA	\$1,425,000.00

WHEREAS, the City has identified subrecipient agencies who have interest and capacity to use these restricted funds timely and eligibly are listed below.


Agency	Brief Description	Amount
Business & Comm Services/Parks	Cromin Derby Downs	\$625,000.00


Business & Comm Services/Comm Services	IGX-Comprehensive Grants Management System	\$200,000.00
Food Bank of Eastern Michigan	Mobile Food Pantry	\$550,000.00
Catholic Charities	Food Distribution at its centers	\$50,000.00
		\$1,425,000.00

IT IS RESOLVED That the appropriate City Officials are hereby authorized to do all things necessary to reallocate funding to the agencies listed above in appropriate accounts and to enter into contracts or memorandums of understanding for proposed new activities to address Covid-19 as identified in the table herein.

APPROVED AS TO FORM:


APPROVED AS TO FINANCE:


William Kim (Mar 20, 2024 17:08 CDT)
William Kim
 City Attorney


Phillip Moore (Mar 21, 2024 17:18 EDT)
Phillip Moore
 Chief Financial Officer

ADMINISTRATION:

APPROVED BY CITY COUNCIL:


CLYDE D. EDWARDS (Mar 22, 2024 13:40 EDT)
Clyde Edwards
 City Administrator





CITY OF FLINT

RESOLUTION STAFF REVIEW FORM

TODAY'S DATE: 2/22/2024

BID/PROPOSAL# n/a

AGENDA ITEM TITLE: Resolution Authorizing a Substantial Amendment to the City of Flint's CORONAVIRUS AID, RELIEF, AND ECONOMIC DEVELOPMENT SECURITY(CARES) ACT COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG)

PREPARED BY

VENDOR NAME: n/a

BACKGROUND/SUMMARY OF PROPOSED ACTION:

In accordance with 24 CFR (Code of Federal Regulations) Part 91, Subpart B, the city of Flint is required to amend its Consolidated Plan whenever it makes substantial amendments to the plan as defined in its Citizens Participation Plan. This amendment is considered substantial in that the city proposes to carry out new activities exceeding 15 percent of the federal program grant from which the funding is derived, the CDBG-CV program. The regulations also require that Citizens be afforded the opportunity to provide comments on the proposed changes.

On February 8th, the city formally gave notice of the beginning of a 30-day comment period by publishing the notice in the Flint Journal and on the city's website. Now that the comment period has exceeded the 30 days, the resolution approving the amendment can be presented to council for approval.

In March 2020, in response to the pandemic declaration by the World Health Organization, this nation enacted the Coronavirus Aid, Relief, and Economic Security (CARES) Act (P.L. 116-136), which made Community Development Block Grant coronavirus response (CDBG-CV) funds available to prevent, prepare for and respond to Covid-19, the respiratory illness caused by a type of coronavirus identified in 2019. The City of Flint received CDBG-CV funds in the amount of \$2,830,392.

CDBG-CV funds were initially awarded to agencies via Resolution No. 210368.1, adopted August 10, 2021, to carry out activities that prevent, prepare for, and respond to Covid-19. The amendment proposes reprogramming of said funds that remain unspent, for new activities that address Covid-19 and can be spent in a timely manner.

The City identified subrecipient agencies who were unable to meet spending and eligibility requirements despite collaborative efforts with Flint. Reprogramming of these identified funds is necessary to be compliant with the terms of the grant.



CITY OF FLINT

WILL YOUR DEPARTMENT NEED A CONTRACT? YES NO
(If yes, please indicate how many years for the contract) YEARS

The Division requires four MOUs/Contracts with agencies listed above

WHEN APPLICABLE, IF MORE THAN ONE (1) YEAR, PLEASE ESTIMATE TOTAL AMOUNT FOR EACH BUDGET YEAR: (This will depend on the term of the bid proposal)

BUDGET YEAR 1

BUDGET YEAR 2

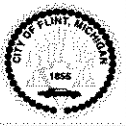
BUDGET YEAR 3

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

STAFF RECOMMENDATION: (PLEASE SELECT): APPROVED NOT APPROVED

DEPARTMENT HEAD SIGNATURE: 

(PLEASE TYPE NAME, TITLE)



CITY OF FLINT

240266

PRESENTED: 6-24-2024

ADOPTED: _____

**Resolution for Approval of a Group E Marihuana Retail –
Adult Use License for Green Buddha, LLC
Located at 408 S. Center Rd.**

BY THE CITY ADMINISTRATOR:

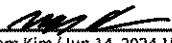
WHEREAS, Paul Weisberger is the owner/operator of Green Buddha, LLC.; and

WHEREAS, Green Buddha, LLC has received approval for Group E Marihuana Retail – Adult Use License for this location; and

WHEREAS, Flint City Ordinance 50-80, Marihuana Facilities Ordinance requires that Planning Commission make a recommendation to the City Council for the issuing of a license to the applicant.

IT IS RESOLVED, Pursuant to 50-80.6(A0(2)) that the appropriate City officials are hereby authorized to do all things necessary to issue a license to applicant Paul Weisberger of Green Buddha, LLC, located at 408 S. Center Rd.

APPROVED AS TO FORM:


William Kim (Jun 14, 2024 15:43 EDT)
William Kim, City Attorney

ADMINISTRATION:

CLYDE D EDWARDS / A0212
CLYDE D EDWARDS / A0212 (Jun 14, 2024 15:51 EDT)
Clyde D. Edwards, City Administrator

CITY COUNCIL:

City Council



CITY OF FLINT

RESOLUTION STAFF REVIEW FORM

TODAY'S DATE: 5/30/24

BID/PROPOSAL# n/a

AGENDA ITEM TITLE: Resolution for Approval of a Group E Special Regulated Use Marihuana Retail – Adult Use License for Green Buddha, LLC (PID # 41-09-476-040).

PREPARED BY: Montel Meniffee, Cannabis Facilities Licensing Coordinator

VENDOR NAME: Green Buddha, LLC.

BACKGROUND/SUMMARY OF PROPOSED ACTION:

Green Buddha, LLC (CEO Paul Weisberger) has received approval from the Flint Planning Commission for a Group E Special Regulated Use Permit for an adult-use marihuana retail facility located at 408 S. Center Rd. (PID# 41-09-476-040).

Flint City Ordinance 50-80, Marihuana Facilities Ordinance requires that the Planning Commission make a recommendation to the City Council for the issuing of a license to the applicant. In order to be compliant with the ordinance and to make a recommendation to the State of Michigan Licensing and Regulatory Affairs (LARA), it is necessary that City Council approve the license for Paul Weisberger's, Green Buddha, LLC, located at 408 S. Center Rd.

FINANCIAL IMPLICATIONS: None

BUDGETED EXPENDITURE? YES NO IF NO, PLEASE EXPLAIN: n/a

Dept.	Name of Account	Account Number	Grant Code	Amount
FY 24/25 Grand Total				

PRE-ENCUMBERED? YES NO REQUISITION NO: [blacked out]

WILL YOUR DEPARTMENT NEED A CONTRACT? YES NO
(If yes, please indicate how many years for the contract) YEARS

WHEN APPLICABLE, IF MORE THAN ONE (1) YEAR, PLEASE ESTIMATE TOTAL AMOUNT FOR EACH BUDGET YEAR: (This will depend on the term of the bid proposal) n/a



CITY OF FLINT

BUDGET YEAR 1

BUDGET YEAR 2

BUDGET YEAR 3

OTHER IMPLICATIONS (i.e., collective bargaining): n/a

STAFF RECOMMENDATION: (PLEASE SELECT): **APPROVED** **NOT APPROVED**

DEPARTMENT HEAD SIGNATURE: Montel Menifee
Montel Menifee (Jun 14, 2024 13:50 EDT)

Montel Menifee, Cannabis Facilities Licensing Coordinator

RESOLUTION NO.: _____



CITY OF FLINT

240267

PRESENTED: 6-24-2024

ADOPTED: _____

**Resolution for Approval of a Group F Special Regulated Use
Class C Grow and Processing for The Lane Family Group, LLC
Located at 4221 James P. Cole Blvd.**

BY THE CITY ADMINISTRATOR:


WHEREAS, Robert and Sandra Lane are the owner/operator of The Lane Family Group, LLC.; and

WHEREAS, The Lane Family group, LLC has received approval for Group F – Class C Grow and Processing License for this location; and

WHEREAS, Flint City Ordinance 50-80, Marihuana Facilities Ordinance requires that Planning Commission make a recommendation to the City Council for the issuing of a license to the applicant.

IT IS RESOLVED, Pursuant to 50-80.6(A0(2) that the appropriate City officials are hereby authorized to do all things necessary to issue a license to applicant Robert and Sandra Lane of The Lane Family Group, LLC, located at 4221 James P. Cole Blvd.

APPROVED AS TO FORM:



William Kim (Jun 14, 2024 15:42 EDT)
William Kim, City Attorney

ADMINISTRATION:

CLYDE D EDWARDS / A0213
CLYDE D EDWARDS / A0213 (Jun 14, 2024 15:49 EDT)
Clyde D. Edwards, City Administrator

CITY COUNCIL:

City Council



CITY OF FLINT

RESOLUTION STAFF REVIEW FORM

TODAY'S DATE: 5/30/24

BID/PROPOSAL# n/a

AGENDA ITEM TITLE: Resolution for Approval of a Group F Special Regulated Use Class C – Adult Use Grow and Processing License for The Lane Family Group, LLC (PID # 47-31-280-015).

PREPARED BY: Montel Meniffee, Cannabis Facilities Licensing Coordinator

VENDOR NAME: The Lane Family Group, LLC.

BACKGROUND/SUMMARY OF PROPOSED ACTION:

The Lane Family Group, LLC (CEO Robert and Sandra Lane) has received approval from the Flint Planning Commission for a Group E Special Regulated Use Permit for an adult-use marihuana retail facility located at 4221 James P. Cole Blvd. (PID# 47-31-280-015). Flint City Ordinance 50-80, Marihuana Facilities Ordinance requires that the Planning Commission make a recommendation to the City Council for the issuing of a license to the applicant. In order to be compliant with the ordinance and to make a recommendation to the State of Michigan Licensing and Regulatory Affairs (LARA), it is necessary that City Council approve the license for Robert and Sandra Lane's, The Lane Family group, LLC, located at 4221 James P. Cole Blvd.

FINANCIAL IMPLICATIONS: None

BUDGETED EXPENDITURE? YES [] NO [x] IF NO, PLEASE EXPLAIN: n/a

Table with 5 columns: Dept., Name of Account, Account Number, Grant Code, Amount. Includes a row for 'FY 24/25 Grand Total'.

PRE-ENCUMBERED? YES [x] NO [] REQUISITION NO: []

WILL YOUR DEPARTMENT NEED A CONTRACT? YES [] NO [x] (If yes, please indicate how many years for the contract) YEARS

WHEN APPLICABLE, IF MORE THAN ONE (1) YEAR, PLEASE ESTIMATE TOTAL AMOUNT FOR EACH BUDGET YEAR: (This will depend on the term of the bid proposal) n/a



CITY OF FLINT

BUDGET YEAR 1

BUDGET YEAR 2

BUDGET YEAR 3

OTHER IMPLICATIONS (i.e., collective bargaining): n/a

STAFF RECOMMENDATION: (PLEASE SELECT): **APPROVED** **NOT APPROVED**

DEPARTMENT HEAD SIGNATURE: Montel Menifee
Montel Menifee (Jun 14, 2024 13:57 EDT)

Montel Menifee, Cannabis Facilities Licensing Coordinator

RESOLUTION NO.: _____

240260



RESOLUTION NO.: _____

PRESENTED: 6-18-2024

ADOPTED: _____

RESOLUTION APPROVING THE APPOINTMENT OF MARYUM RASOOL TO THE HURLEY BOARD OF HOSPITAL MANAGERS.

Section 6-201(A) of the Flint City Charter provides that members of the Board of Hospital Managers shall "consist of fifteen (15) members appointed by the mayor with the approval of the City Council."

Pursuant to that authority, Mayor Sheldon A. Neeley appoints Maryum Rasool, of Shadybrooke Ln Flushing MI 48432, to the Board of Hospital Managers, to fill the vacancy created by the April 30, 2023, expiration of Harriet Scott appointment to that body.


BE IT RESOLVED that the Flint City Council approves the appointment of Maryum Rasool (Shadybrooke Ln, Flushing MI, 48432) to serve a five-year term on the Hurley Board of Hospital Managers, with such term commencing immediately and expiring on April 30, 2028.

FOR THE CITY OF FLINT:

APPROVED BY CITY COUNCIL:

CLYDE D EDWARDS / A0220
CLYDE D EDWARDS / A0220 (Jun 10, 2024 14:35 EDT)
Clyde Edwards, City Administrator

APPROVED AS TO FORM:


William Kim (Jun 10, 2024 14:19 EDT)
William Kim, City Attorney

Maryum Rasool

(810) 210-2869
Maryum@sbev.org

Summary

Accomplished leader with effective interpersonal and communication skills used to benefit diverse clientele and colleagues. Robust acumen to view situations from multiple perspectives and make informed decisions based on empirical and perceptive data. Engaging public speakers. Proactive and persistent with assignments, tasks, and challenges. Tenacious and highly motivated team builder.

Experience

**The Sylvester Broome
Empowerment Village**
Flint, Michigan
2017 – Present

Executive Director

- Effectively collaborate with the Board Committees to support and engage the Board of Directors in revenue and constituent growth.
- Coordinate efforts to identify, initiate contact, and cultivate new institutional and major corporate donor relationships.
- Oversee annual giving and other campaigns.
- Direct the marketing efforts for special events and volunteer activities.
- Generate a 300% increase in revenue from special events and grants.
- Develop and implement successful fundraising plans that included strategies and goals for acquiring, renewing, and upgrading support from individual and institutional donors.

Diplomat Pharmacy
Flint, Michigan
2014 – 2016

Industry Relations Manager

- Communicated project standing and recommendations to project stakeholders.
- Developed a team of proposal writers helping to generate over a billion dollars in revenue.
- Defended data analysis from business to support customer contract reporting.
- Composed and present finalist presentation.
- Reviewed new business and prepared responses for proposals, bids, and contracts.
- Executed requests for proposals and quotes as well as statements of work.
- Generated and maintained strategic relationships with business partners.
- Managed launch implementations and strategic contract initiatives.

**Hamilton Community Health
Network**
Flint, Michigan
2013– 2014

Lead Outreach and Enrollment Specialist/Lead Navigator

- Managed the Health Reform outreach and enrollment process.
- Implemented policy training and managed care principles.
- Composed and analyzed data quality and system support.
- Communicated audit review and financial reconciliation.
- Compiled encounter data and review of member eligibility.
- Developed strategic outreach and enrollment policy and procedures.
- Led and mentored a team of outreach and enrollment specialists.
- Built and maintained business partnerships to understand enrollment needs.

NHA Contractual
Flint, Michigan
2010 – 2013

Project Manager

- Developed and maintained positive relationships with business partners.
- Defined various business processes in a timely manner.
- Implemented staff training to ensure consistency of work productivity.
- Ensured compliance with business standards and industry regulations.
- Analyzed the efficiency of current projects and made recommendations.

Hurley Foundation
Flint, Michigan
2008 – 2010

Major Gifts Officer

- Planned, executed, and finalized projects within implantation timeline.
- Conducted contract management review and audit.
- Developed and implemented policies.
- Planned and executed annual giving and capital campaigns.
- Advised and trained staff members on fundraising resources.

Catholic Charities

Grants and Fund Development Manager

Flint, Michigan
2006 – 2008

- Identified, successfully communicated, and resolved project issues and risks.
- Handled contract management and proposal management.
- Developed and managed the database of donors.
- Planned and developed annual and capital campaigns, proposal development, planning and evaluation.
- Implemented policies
- Audited and reviewed grant budget reconciliation.

Education

Central Michigan University
Mount Pleasant, Michigan

Master of Science
Administration

University of Michigan
Flint, Michigan

Bachelor of Science
Communications

Community Engagement

Affiliations

Board Chairperson
Wellness Services

Board Member
YWCA, Rabata, and NorthSide Masjid

Member
Flint Institute of Arts, Community Read, and Truth Racial Healing and Transformation

References

Professional

Tamara Gray
Executive Director, Rabata
anse@rabata.org
(320) 224 – 3393

Stevi Atkins
Executive Director, Wellness Services
satikins@wellnessaids.org
(810) 444 – 7469

Nayyirah Shariff
Executive Director, Flint Rising
nayyirah.shariff@gmail.com
(810) 493-5946

240263

RESOLUTION:

PRESENTED: 6-18-2024

ADOPTED: _____

**RESOLUTION APPROVING THE APPOINTMENT OF
EARL L. HALL IV TO THE CITY WIDE ADVISORY COUNCIL**

BY THE CLERK:

Leon El-Alamin, 1st Ward Flint City Councilmember, recommends the appointment of Earl L. Hall IV (_____ , Flint, MI _____) to the City Wide Advisory Council.

IT IS RESOLVED, the Flint City Council approves the appointment of Earl L. Hall IV to the City Wide Advisory Council for a three-year term commencing immediately upon adoption of this resolution, and expiring _____.

APPROVED AS TO FORM:

APPROVED BY CITY COUNCIL:

William Kim, Chief Legal Officer

Earl L Hall IV
1801 Marlowe Dr, Flint, MI 48504
earl@blmconsult.org; elh2190@columbia.edu

Equity Research Analyst - BLK Capital Management Group - Jan 2022 - Present

- Conduct comprehensive equity research and analysis, providing actionable investment recommendations.
- Develop detailed financial models to evaluate company performance and assess valuation metrics.
- Author research reports, presenting findings and insights to senior analysts and portfolio managers.
- Collaborate with cross-functional teams to identify market trends and sector-specific opportunities.
- Participate in earnings calls and industry conferences to gather critical information.
- Monitor and update coverage on assigned companies, ensuring timely and accurate analysis.
- Utilize Bloomberg, FactSet, and Excel to support research activities.
- Deliver presentations to the investment committee, effectively communicating research findings.
- Contribute to \$1 million portfolio performance and risk management through informed investment decisions.
- Mentor junior analysts and interns, providing guidance on research methodologies.
- Recognized for consistently identifying high-performing stocks and generating alpha for the portfolio.
- Maintain up-to-date industry knowledge, staying current with market developments and regulatory changes.

Executive Director - BLM Consulting Group Jan 2021 - Present

- Directed and managed multiple political campaigns, leveraging expertise in strategic planning and execution to achieve desired outcomes.
- Proficiently utilized NGP VAN software to streamline voter outreach, data analysis, and campaign coordination, maximizing efficiency and effectiveness.
- Led and supervised campaign staff, fostering a collaborative and high-performing team environment, resulting in optimized campaign performance.
- Successfully executed PAC outreach fundraising strategies, cultivating relationships with political action committees (PACs) to secure critical financial support for campaigns.
- Employed data-driven approaches to inform campaign strategies, voter targeting, and resource allocation, ensuring strategic decision-making throughout the campaign cycle.
- Developed and implemented effective communication plans, ensuring consistent messaging and maximizing impact across various media channels.
- Established and maintained strong relationships with diverse stakeholders, including community leaders, elected officials, and advocacy groups, enhancing campaign outreach and support.
- Orchestrated successful fundraising initiatives, exceeding financial targets and securing resources to sustain campaign operations.
- Conducted comprehensive policy analysis and provided strategic recommendations to clients, ensuring alignment with campaign objectives and priorities.
- Manages budget for political division.

Assistant Program Director & Board Director - Kentakee Athletic & Social Clubs 501c3 - May 2018 - Present

- Facilitated the development and execution of educational initiatives, promoting bicycle safety and wellness within the community.
- Implemented and coordinated successful cycling programs, increasing participant engagement by 30% over the past year.
- Collaborated with local schools to establish outreach programs, fostering positive relationships and expanding the club's reach to a broader audience.
- Played a key role in organizing community events, including fundraisers and awareness campaigns, resulting in a 20% increase in club membership.
- Implemented efficient administrative processes, improving program documentation and reporting for enhanced transparency.
- Spearheaded volunteer recruitment and training programs, ensuring a dedicated and skilled team to support club activities.
- Engaged in regular evaluations of club policies and procedures, ensuring compliance with legal and ethical standards.
- Contributed strategic insights and decision-making as a valued member of the board, guiding the organization in alignment with its mission and goals.
- Advocated for the club's mission within the community, enhancing its visibility and fostering partnerships with local organizations.

Investment Banking Analyst Intern - Goldman Sachs - May 2022 - Aug 2022

- Gained in-depth exposure to the financial services industry, including investment banking, asset management, and securities trading.
- Participated in comprehensive training sessions on financial analysis, market trends, and economic principles.
- Engaged in hands-on projects, utilizing advanced analytical tools and financial modeling techniques.

- Collaborated with industry professionals and peers to develop strategic solutions for real-world financial challenges.
- Attended networking events, building connections with Goldman Sachs executives and experienced professionals.
- Delivered presentations on market research and investment strategies, showcasing strong communication and analytical skills.
- Demonstrated proficiency in financial software and tools such as Bloomberg, Excel, and proprietary Goldman Sachs platforms.
- Received personalized mentorship and career guidance from seasoned Goldman Sachs employees.
- Showcased adaptability and teamwork by effectively contributing to group projects and collaborative initiatives.
- Enhanced understanding of corporate culture and professional expectations within a leading global financial institution.

Youth Grantmaking Specialist - Community Foundations of Greater Flint - Nov 2019 to Jan 2021

- Successfully managed the grantmaking process, overseeing the distribution of funds to support various youth centered community initiatives and programs.
- Developed and implemented youth grantmaking guidelines and criteria to ensure alignment with the foundation's mission and strategic priorities.
- Facilitated youth grant review committees, engaging stakeholders in the decision-making process and fostering collaboration among community partners.
- Cultivated relationships with nonprofit organizations, government agencies, and other stakeholders to identify funding opportunities and address community needs.
- Streamlined youth grant application and evaluation processes, enhancing efficiency and transparency in grantmaking operations.
- Provided technical assistance and support to grant applicants, guiding them through the application process and offering resources for capacity building.
- Monitored and evaluated grant outcomes, assessing the impact of funded projects on the community and informing future grantmaking strategies.
- Collaborated with the communications team to highlight grant recipients and showcase the foundation's impact on social media, newsletters, and other platforms.
- Participated in community outreach and engagement efforts, representing the foundation at events, meetings, and conferences to promote grant opportunities and build partnerships.
- Contributed to the development of strategic initiatives and special grant programs to address emerging needs and priorities in the community.

Project Director - Insight Institute of Neurology and Neuroscience - June 2019 - Sept 2019

- Successfully led the development and implementation of interspinous process devices, enhancing patient outcomes and treatment options for spinal conditions.
- Oversaw a multidisciplinary team of researchers, engineers, and medical professionals to ensure the project met all scientific and regulatory standards.
- Secured resources for the project, including partnerships with medical device companies.
- Coordinated research studies
- Implemented a rigorous testing protocol, ensuring the safety and efficacy of interspinous process devices.
- Fostered collaboration with external stakeholders, including healthcare providers and academic institutions, to support the project's goals.
- Presented project outcomes at conferences, contributing to the advancement of spinal treatment technologies.
- Developed and maintained project timelines, ensuring milestones were met within budget and on schedule.
- Received recognition and awards for innovative contributions to the field of neurology and neurosurgery.

Youth Organizer - Michigan Roundtable for Diversity and Inclusion - May 2018 to June 2019

- Led a successful campaign, significantly increasing registered youth voters.
- Orchestrated programs promoting civic engagement among Detroit's youth.
- Established key partnerships with local institutions, expanding organizational reach.
- Developed and led impactful workshops on social justice and advocacy.
- Organized and participated in town halls, amplifying youth voices.
- Managed a mentorship initiative fostering skill development and solidarity.
- Successfully lobbied for increased resources for youth programs.
- Coordinated a dynamic art project, gaining media recognition.
- Mobilized youth for impactful community service projects.
- Engaged in coalition-building efforts for a more unified voice in advocacy.

Education - Columbia University in the City of New York - *Financial Economics and Computer Science* Beecher High School - Rank - #1



240268

RESOLUTION NO.: _____

PRESENTED: 6-24-2024

ADOPTED: _____

**RESOLUTION OF APPROVING THE APPOINTMENT OF LISIA WILLIAMS
TO THE ETHICS AND ACCOUNTABILITY BOARD**

BY THE CITY COUNCIL:

Pursuant to §3-502 of the Flint City Charter (effective January 1, 2018), the Ethics and Accountability Board shall consist of eleven (11) members, with two at-large members appointed by the Mayor, and each Councilperson appointing one resident from their respective ward.

1st Ward Flint City Councilmember Leon El-Alamin recommends the appointment of Lisia Williams (221 E. York Avenue, Flint, MI, 48505 – Ward 1) to the Ethics and Accountability Board to fill a 1st Ward vacancy, for the remainder of a six (6) year term, with such term commencing immediately and expiring _____.

IT IS RESOLVED, that the Flint City Council approves the appointment of Lisia Williams (221 E. York Avenue, Flint, MI, 48505 – Ward 1) to the Ethics and Accountability Board to fill a 1st Ward vacancy, for the remainder of a six (6) year term, with such term commencing immediately and expiring _____.

APPROVED AS TO FORM:

APPROVED BY CITY COUNCIL:

William Kim, Chief Legal Officer

Ms. Lisia Williams
221 E. York Ave. Flint Mi 48505
Ms.lisiawilliams@gmail.com
810-969-0902

Objective: To obtain a position in an organization improving the lives of people of all ethnicity background. Utilizing my skills, experiences and talent to enhance growth and strength of an organization while following its vision and goal's structured course.

- Team Player
- Reliable
- Problem Solver
- Self-Motivated
- Communicable
- Honest
- Coachable

Relevant Skills and Accomplishments

- Developing different fundraising plans with implementation
- Increased membership recruitment growth by 50% using grass roots initiatives
- Managed and trained staff for daily activities and leadership development
- Networking with various coalitions and diverse groups
- Outreach coordinator for multiple programs and campaigns
- Microsoft Word Excel, PowerPoint, on-line organizing, spreadsheet, VAN databases
- Successfully operated canvassing teams for strategic campaigns plans and goals
- Successfully operated a Voter Registration program registering over 20,000 unregistered voters in the city of Flint MI
- Conducted Fast-Food worker leadership programs
- Organized grassroots efforts to combat local issues in community
- Organized a parent group of k-12 and special education to address education disparities
- Organized Town Hall Forums with local City Elected Officials and State Elected Officials around community issues concerning; Health Care Reform, Foreclosure, Education, Crime, Abandoned Houses, Jobs
- Successfully operated a community - wide volunteer program
- Coalition building between neighborhood groups, clergy, elected city officials and state officials

Membership

- Democracy Defense Clean Drinking Water
- Women Against Domestic Violence
- Keep Genesee Beautiful Adopt a Park Program
- Cathedral of Faith Ministries
- NAACP
- Genesee County Landlord Association
- Neighborhood Block Association
- Youth Empowered
- Dare To Be Different
- Black Lives Matter

Employment History

3/2012 -Present

Fight For \$15

SEIU

Lead Organizer

Job Responsibilities: Fight for \$15, recruit and organize fast food workers to work collectively to raise wages by participating in strike, speak out. Organize leadership training and media speak out. Through one on one house visit, worker ride along and worker to worker participation.

05/2021 - 4/2022

Direct Care Worker

Packard Inc

Job Responsibilities: direct care assist to disable individuals providing one on one care. meal prep, assist with feeding, household chores, medication administered, daily activities, dressing and personal hygiene assist.

3/2012- Owner

Property Manager

T.L.C Real

Estate LLC

Job Responsibilities; Managed rental properties, Tenant screening, Maintenance reporting

8/2012- 5/2013

Higher Education Organizer

Lecturers Employee Organization

Job Responsibilities: organize and engage members of higher education to take a role in union activity. Creating an atmosphere of unity within the workplace environment, worked with diverse committee groups. New member recruitment, leadership development,

10/2010 – 7/2012

Labor Organizer

SEIU HealthCare MI

Job Responsibilities: Organize and engage health care workers to participate in bettering their working condition by empowering them to unite together and to have a strong voice by becoming unionized.

Working with existing membership to participate with union activity also creating a relationship with members to actively become leaders in the union

Responsible for: Membership Turnout, Community Involvement, and Leadership Development

08/2004 – 7/2010

Head Organizer / Community Organizer

ACORN, Flint MI

Job Responsibilities; Overall growth of the non-profit organization. Managed staff of 10+, Fundraising 80% of the office budget, recruited new members, working with existing members leadership development, managed community services programs, organized town hall forums and community events for city of Flint residents, outreach coordinator, managed phone bank sessions, door to door canvass groups, established new neighborhood groups, program planning, relationship building and networking with Local Elected Officials and State Elected Officials, Building strong coalitions working to improve the issues and concerns of the community.

Education

3/2024 to Present

Lancaster Bible Institute

Theology / Biblical Studie

12/2021 to present

MORC

Certified Medication, CPR Certified

11/ 2021 to Present

Department of State

Notary Public of Genesee County

12/03/21 to Present

Michigan Institute of Real Estate

Flint Campus

7/2018

Church of God in Christ

License Evangelist Missionary

1/2007 – 6/2011

Mott Community College

General Course Studies

Business Management, Computers, Sociology, Public Speaking

Mott Adult High School

General Education Diploma

General Studies, Certified Dental Assistant Certificate, Certified Nursing Assistant

6/1984 – 6/1987

Northwestern High School

Flint MI

General Studies, Psychology

240261

ORDINANCE NO. _____

An Ordinance to amend the Flint City Code of Ordinances by amending Chapter 50, Zoning, Article XXX, Flood Hazard Management.

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 50, Zoning, Article XXX, Flood Hazard Management, by amending Section 50-172, Flood Insurance Study Adopted, which shall read in its entirety as follows:

§50-172. FLOOD INSURANCE STUDY ADOPTED.

The areas of special flood hazard identified by the Federal Insurance Administration in a scientific and engineering report entitled *The Flood Insurance Study for the City of Flint, 1980* with accompanying flood insurance rate maps dated September 25, 2009 are hereby adopted by reference and declared to be a part of this article. The flood insurance study is on file in the City Clerk's office of the City.

Sec. 2. This Ordinance shall become effective 30 days after enactment.

Adopted this ___ day of _____, 2024.

FOR THE CITY:

For the City Council

Sheldon A. Neeley, Mayor

APPROVED AS TO FORM:

William Kim, City Attorney

240264

ORDINANCE NO. _____

An Ordinance to amend Chapter 50 of the Flint City Code of Ordinances by amending Section 50-200, Authority of the Zoning Coordinator; and to amend Chapter 50 of the Flint City Code of Ordinances by amending Section 50-202, Enforcement Powers.

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 50, Zoning, Article 18, Administration and Enforcement, Section 50-200, Authority of the Zoning Coordinator; and to amend the Flint City Code of Ordinances by amending Chapter 50, Zoning, Article 18, Administration and Enforcement, Section 50-202, Enforcement Powers, which shall read in its entirety:

§ 50-200 Authority of the Zoning Coordinator

(A) **Authority of the Zoning Coordinator.** The administration of the Chapter, and the interpretation of the provisions of this Chapter, shall be the responsibility of the Zoning Coordinator, or another designee of the Director of Planning and Development if the Zoning Coordinator position is vacant.

(B) **Code Enforcement Responsibility.** The enforcement of this Chapter shall be the responsibility of the Zoning Coordinator and, staff designated by the Zoning Coordinator, THE BUILDING OFFICIAL, AND STAFF DESIGNATED BY THE BUILDING OFFICIAL.

(C) **Lapse in Permitting or Enforcement.** No oversight or dereliction on the part of the Zoning Coordinator shall legalize, authorize, waive or excuse the violation of any of the provisions of this Chapter. No permit, nor any license for any use, building or purpose shall be issued by any official or employee of the City if the same would be in conflict with the provisions of this Chapter. Any permit or license so issued shall be null and void.

(D) **Appeals Regarding Enforcement.** All appeals to decisions made by the Zoning Coordinator or appointee are subject to the procedures contained in Article 17.

§ 50-202 Enforcement Powers

The city may use any lawful remedy or enforcement powers against the owner or responsible person for any violation of this Chapter, including, without limitation, one or more of the following. Remedies may be pursued simultaneously or sequentially and the pursuit of one remedy does not foreclose the simultaneous or subsequent pursuit of other remedies. The remedies are cumulative and the City shall have all power granted from time to time under all applicable federal, state and local laws, rules and regulations:

(A) **Withhold Permit.** The City may deny or withhold any and all permits or other forms of authorization from an applicant on any property where there is an uncorrected violation of a provision of this Chapter or of a condition or stipulation of approval for a permit or other authorization previously granted by the City. This enforcement provision shall apply regardless of whether the current owner or applicant is responsible for the violation in question.

(B.) Permit Approved with Conditions. In addition to denying or withholding a permit or other authorization, the City may grant such permit or other authorization subject to the condition that the violation be corrected.

(C.) Revoke Permit. A permit or other form of authorization authorized under this chapter may be revoked when the Zoning Coordinator determines that: a) there is departure from the plans, specifications, or conditions required under the permit; b) the permit or other form of authorization was procured by false representation or was issued in error; or c) any of the provisions of this chapter are being violated. Any permit or other authorization revoked under this procedure shall become null and void.

(D.) Cease and Desist Order. With or without revoking a permit, the Zoning Coordinator may issue a cease and desist order on any land, building or structure for which there is an uncorrected violation of a provision of this Chapter. The cease and desist order must be in writing and must state the work in violation that is to be stopped, the reasons for the stoppage, and the conditions under which the work may be resumed.

(E.) Court Order. The City Attorney may bring and prosecute an action in any court of competent jurisdiction to: a) enjoin the owner or responsible person from continuing such use, erection, construction, moving or alteration; or if such is being or has been accomplished, the City Attorney shall enjoin the owner or responsible person from maintaining the same; and/or b) comply with the requirements of this Chapter.

(F.) Declaration of Nuisance. A violation of this Chapter is a nuisance per se and the City may institute appropriate actions or court proceedings to correct, or abate any violation of the provisions of this Chapter. If the owner or responsible person fails to abate a violation, the City may take action to abate the violation. The abatement may be performed by the City, by a contract vendor, or by other means determined by the City. The cost of such action, plus an administrative fee, shall be a personal debt of the owner, and may be assessed as a lien against the property until paid.

(G.) Performance Guarantee or Surety. If a performance guarantee or surety was previously required as a special condition by the Planning Commission, Zoning Board of Appeals, City Council, or Zoning Coordinator, the City may seek forfeiture of the performance guarantee or surety.

(H.) MUNICIPAL CIVIL INFRACTION. A VIOLATION OF THIS CHAPTER SHALL BE A MUNICIPAL CIVIL INFRACTION PURSUANT TO AND PUNISHABLE BY § 1-10 THROUGH § 1-21 OF THE FLINT CITY CODE OF ORDINANCES. THOSE PERSONS IDENTIFIED IN § 50-200 (B) MAY ISSUE A MUNICIPAL CIVIL INFRACTION FOR A VIOLATION OF THIS CHAPTER.

Sec. 2. This Ordinance shall become effective this ____ day of _____, 2024, A.D.

Adopted this ____ day of _____, 2024, A.D.

FOR THE CITY:

For the City Council

Sheldon A. Neeley, Mayor

APPROVED AS TO FORM:

William Kim, City Attorney

ORDINANCE AMENDMENT STAFF REVIEW

TODAY'S DATE: June 5, 2024

BID/PROPOSAL# n/a

AGENDA ITEM TITLE: An Ordinance to amend Chapter 50 of the Flint City Code of Ordinances by amending Section 50-200, Authority of the Zoning Coordinator; and to amend Chapter 50 of the Flint City Code of Ordinances by amending Section 50-202, Enforcement Powers.

PREPARED BY: Emily Doerr, Director of Business and Community Services (formerly known as Planning and Development)

VENDOR NAME: n/a

BACKGROUND/SUMMARY OF PROPOSED ACTION:

The City of Flint Planning Commission conducted a public hearing on April 9th, 2024 regarding potential updates to Article 18: Administration and Enforcement to add an additional enforcement option and clearly define additional staff with enforcement capabilities. Staff worked with the Legal Department to draft these changes and they have been approved for review and potential adoption.

The first proposed change would clearly denote the Building Official and their designated staff as having the authority to enforce the Zoning Ordinance, as was permitted under the prior Zoning Ordinance. The overall impact is not significant as the Zoning Coordinator can designate staff, however, it would more clearly allow the Building Official to designate their staff such as the Neighborhood Enforcement Officers.

The second proposed change would add additional language allowing enforcement staff to issue a municipal civil infraction, in addition to the other enforcement powers noted in Section 50-202. Sections 1-10 through 1-21 are attached, these sections define the process, fines, and penalties for a municipal civil infraction and subsequent violations. The benefit of this process is that it avoids a respondent having to secure legal representation, rather settling the matter in a more informal court setting.

PREVIOUS ALLOCATIONS (INCLUDE ALL ACCOUNTS USED FOR THIS PURPOSE)/ PROVIDE RESOLUTION OR CONTRACT INFORMATION THAT APPLIES: n/a

POSSIBLE BENEFIT TO THE CITY OF FLINT (RESIDENTS AND/OR CITY OPERATIONS) INCLUDE PARTNERSHIPS AND COLLABORATIONS:

These ordinance amendments will allow for city staff to take action ensuring that land use regulations dictated by the Comprehensive Plan, the Zoning Ordinance, and decisions made by the Planning Commission and Zoning Board of Appeals can actually be enforced.

FINANCIAL IMPLICATIONS: This could possibly lead to increased revenue for the city from increased fees and penalties paid from increased municipal civil infractions.

BUDGETED EXPENDITURE? YES NO **IF NO, PLEASE EXPLAIN:** n/a

Dept.	Name of Account	Account Number	Grant Code	Amount
		Not applicable		
		FY24 GRAND TOTAL		

PRE-ENCUMBERED? YES NO **REQUISITION NO:** n/a

ACCOUNTING APPROVAL: _____ **Date:** _____

WILL YOUR DEPARTMENT NEED A CONTRACT? YES NO

WHEN APPLICABLE, IF MORE THAN ONE (1) YEAR, PLEASE ESTIMATE TOTAL AMOUNT FOR EACH BUDGET YEAR: (This will depend on the term of the bid proposal)

BUDGET YEAR 1

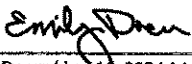
BUDGET YEAR 2

BUDGET YEAR 3

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

STAFF RECOMMENDATION: (PLEASE SELECT): **APPROVED** **NOT APPROVED**

DEPARTMENT HEAD SIGNATURE:



Emily Doerr (Jun 10, 2024 14:47 EDT)

Emily Doerr, Director, Business and Community Services



CITY OF FLINT
Department of Business and Community Services
Planning and Zoning Division

Sheldon Neesley,
Mayor

Memorandum

Date: March 25th, 2024
To: City of Flint Planning Commission
From: Max Lester, Int. Zoning Coordinator
Subject: Details of Proposed Article 18: Administration and Enforcement Text Amendments

Commissioners,

At the March 12th, 2024 meeting staff requested a Public Hearing be set to discuss potential updates to Article 18: Administration and Enforcement to add an additional enforcement option and clearly define additional staff with enforcement capabilities. Below is an explanation of the recommended changes in the attached draft documents. Changes are noted with highlighted text. Staff worked with the Legal Department to draft these changes and they have been approved for review and potential adoption.

Relevant Sections of the Zoning Ordinance:

Article 18: Administration and Enforcement
Section 50-200 B. Code Enforcement Responsibility
Section 50-202 Enforcement Powers

Draft Amended Sections and Explanations:

Section 50-200 B. Code Enforcement Responsibility

Code Enforcement Responsibility. The enforcement of this Chapter shall be the responsibility of the Zoning Coordinator, staff designated by the Zoning Coordinator, the Building Official, and staff designated by the Building Official.

The proposed change would clearly denote the Building Official and their designated staff as having the authority to enforce the Zoning Ordinance, as was permitted under the prior Zoning Ordinance. The overall impact is not significant as the Zoning Coordinator can designate staff, however, it would more clearly allow the Building Official to designate their staff such as the Neighborhood Enforcement Officers.

Section 50-202 Enforcement Powers / 50-202 H. Municipal Civil Infraction

Municipal Civil Infraction. A violation of this Chapter shall be a municipal civil infraction pursuant to and punishable by § 1-10 through § 1-21 of the Flint City Code of Ordinances. Those Persons identified in § 50-200 (B) may issue a municipal civil infraction for a violation of this Chapter.

The proposed addition would allow enforcement staff to issue a municipal civil infraction, in addition to the other enforcement powers noted in Section 50-202. Sections 1-10 through 1-21 are attached, these sections define the process, fines, and penalties for a municipal civil infraction and subsequent violations. The benefit of this process is that it avoids a respondent from having to secure legal representation, rather settling the matter in a more informal court setting.

Attached:

Current and Amended Article 18: Administration and Enforcement
Draft Amended Zoning Ordinance Sections 50-200 and 50-202
Sections 1-10 through 1-21 of the Flint City Code of Ordinances.

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ARTICLE 18 ADMINISTRATION AND ENFORCEMENT

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Section 50-202 Enforcement Powers.....	2
Section 50-203 Enforcement Process	3

Section 50-200 Authority of the Zoning Coordinator

- A. **Authority of the Zoning Coordinator.** The administration of the Chapter, and the interpretation of the provisions of this Chapter, shall be the responsibility of the Zoning Coordinator, or another designee of the Director of Planning and Development if the Zoning Coordinator position is vacant.
- B. **Code Enforcement Responsibility.** The enforcement of this Chapter shall be the responsibility of the Zoning Coordinator, staff designated by the Zoning Coordinator, the Building Official, and staff designated by the Building Official.
- C. **Lapse in Permitting or Enforcement.** No oversight or dereliction on the part of the Zoning Coordinator shall legalize, authorize, waive or excuse the violation of any of the provisions of this Chapter. No permit, nor any license for any use, building or purpose shall be issued by any official or employee of the City if the same would be in conflict with the provisions of this Chapter. Any permit or license so issued shall be null and void.
- D. **Appeals Regarding Enforcement.** All appeals to decisions made by the Zoning Coordinator or appointee are subject to the procedures contained in Article 17.

Section 50-201 Violations

All land developed or redeveloped, all buildings and structures erected, converted, enlarged, reconstructed, moved or structurally altered, and all land, buildings, structures, and uses must comply with all applicable provisions of this Chapter. Failure to comply with applicable provisions constitutes a violation of this Chapter. The following list of violations is intended to be illustrative, and not limited to the specific items.

- A. **Development or Redevelopment Violations.**
 - a. Engaging in the development or redevelopment of land in any way not consistent with the requirements of this Chapter.
 - b. Erecting a building or other structure in any way not consistent with the requirements of this Chapter.
 - c. Failure to comply with any condition or stipulation imposed on a permit or approval, including conditions of approval for a change in zoning, Special Use, Site Plan Review, Variance, Planned Unit Development, or other approval.

B. Alterations to Existing Land, Buildings or Structures Violations.

- a. Modifying, converting, filling, excavating, removing, enlarging, reconstructing, moving or structurally altering land, vegetation, fences, and other site features in any way except as permitted by or pursuant to this Chapter.
- b. Modifying, converting, enlarging, reconstructing, demolishing, moving or structurally altering an existing building or structure except as permitted by or pursuant to this Chapter.

C. Use Violations.

- a. Using land, buildings or structures in any way except as permitted by or pursuant to this Chapter.
- b. Engaging in the use of a building or land or any other activity requiring one or more permits, variance or other approval under this Chapter without obtaining all such permits, variances or approvals.

D. Compliance Violations.

- a. Failure to comply with any lawful order issued by the Zoning Coordinator.
- b. Failure to arrange for an initial inspection or a re-inspection to determine compliance with notices issued under this Chapter.
- c. Failure to comply with any permit, variance, special use, planned development, or approval granted under this Chapter.

E. Separate Violation. Each act of violation and each day upon which a violation occurs or remains shall constitute a separate violation.

Section 50-202 Enforcement Powers

The City may use any lawful remedy or enforcement powers against the owner or responsible person for any violation of this Chapter, including, without limitation, one or more of the following. Remedies may be pursued simultaneously or sequentially and the pursuit of one remedy does not foreclose the simultaneous or subsequent pursuit of other remedies. The remedies are cumulative and the City shall have all power granted from time to time under all applicable federal, state and local laws, rules and regulations:

- A. **Withhold Permit.** The City may deny or withhold any and all permits or other forms of authorization from an applicant on any property where there is an uncorrected violation of a provision of this Chapter or of a condition or stipulation of approval for a permit or other authorization previously granted by the City. This enforcement provision shall apply regardless of whether the current owner or applicant is responsible for the violation in question.
- B. **Permit Approved with Conditions.** In addition to denying or withholding a permit or other authorization, the City may grant such permit or other authorization subject to the condition that the violation be corrected.
- C. **Revoke Permit.** A permit or other form of authorization authorized under this Chapter may be revoked when the Zoning Coordinator determines that: a) there is departure from the plans, specifications, or conditions required under the permit; b) the permit or other form of authorization was procured by false representation or was issued in error; or c) any of the provisions of this Chapter are being violated. Any permit or other authorization revoked under this procedure shall become null and void.

- D. **Cease and Desist Order.** With or without revoking a permit, the Zoning Coordinator may issue a cease and desist order on any land, building or structure for which there is an uncorrected violation of a provision of this Chapter. The cease and desist order must be in writing and must state the work in violation that is to be stopped, the reasons for the stoppage, and the conditions under which the work may be resumed.
- E. **Court Order.** The City Attorney may bring and prosecute an action in any court of competent jurisdiction to: a) enjoin the owner or responsible person from continuing such use, erection, construction, moving or alteration; or if such is being or has been accomplished, the City Attorney shall enjoin the owner or responsible person from maintaining the same; and/or b) comply with the requirements of this Chapter.
- F. **Declaration of Nuisance.** A violation of this Chapter is a nuisance per se and the City may institute appropriate actions or court proceedings to correct, or abate any violation of the provisions of this Chapter. If the owner or responsible person fails to abate a violation, the City may take action to abate the violation. The abatement may be performed by the City, by a contract vendor, or by other means determined by the City. The cost of such action, plus an administrative fee, shall be a personal debt of the owner, and may be assessed as a lien against the property until paid.
- G. **Performance Guarantee or Surety.** If a performance guarantee or surety was previously required as a special condition by the Planning Commission, Zoning Board of Appeals, City Council, or Zoning Coordinator, the City may seek forfeiture of the performance guarantee or surety.
- H. **Municipal Civil Infraction.** A violation of this Chapter shall be a municipal civil infraction pursuant to and punishable by § 1-10 through § 1-21 of the Flint City Code of Ordinances. Those Persons identified in § 50-200 B. may issue a municipal civil infraction for a violation of this Chapter.

Section 50-203 Enforcement Process

- A. **Basis of Inspections.** Inspections shall be made to obtain and maintain compliance with the provision of this Chapter based upon one (1) or more of the following:
 - a. To determine conformity with a permit, variance or other approval, as well as any special conditions imposed at any time.
 - b. The need to determine compliance with a notice or an order issued by the City.
 - c. A complaint is received by the City, indicating that there is a violation of the provisions of this Chapter.
 - d. An observation by the City of a violation of the provisions of this Chapter.
 - e. An emergency is observed or reasonably believed to exist.
 - f. A request for an inspection is made by the owner or responsible person.
 - g. Designation of an area where all dwellings, accessory building, yards, and/or signs are to be inspected uniformly or intensively or for specific violations.
- B. **Content of Written Notices.** Notices authorized by this Chapter shall:
 - a. Be in writing.
 - b. Include a description of the real estate and/or project name sufficient for identification.
 - c. Include a statement of the violation or violations.

- d. Include a correction order allowing a reasonable time to correct the violation and bring the property into compliance. If a Notice to Abate, the notice shall indicate that the City may act to abate the violation if not brought into compliance.
 - e. State that failure to comply with the Notice may result in further enforcement action.
 - f. State that a fee shall be charged for the issuance of the Notice. If a Notice to Abate, the cost of City action to abate the violation shall be a personal debt of the owner, which may be assessed as a lien against the property until paid.
 - g. Include a description of the right to appeal, as applicable.
- C. Method of Service. A written notice shall be deemed to be properly served in one (1) of the following ways:
- a. Delivered personally,
 - b. Sent by first-class mail addressed to the last known address of the responsible person, or
 - c. Any other method authorized for the service of process by court rule or State statute.
- D. Posting. After issuing a written notice, the City may, but is not required to, post a copy of the written notice and/or a placard on the property.
- E. Reasonable Entry. If needed, inspections inside a structure, building, dwelling, dwelling unit or accessory building shall be made during reasonable hours. Entry without consent of an owner or an occupant shall require an order of the court as provided by State law.

§ 1-10 APPEARANCE TICKETS.

(a) Officers, employees and other individuals employed by and in the service of the City who are authorized by State law and Flint City Code § 1-8 and § 1-9 to enforce the provisions of this Code, are hereby specifically authorized in accordance with State law, to issue and serve upon a person an appearance ticket. This authorization is contingent upon the authorizing person having reasonable cause to believe that a person has committed a violation of this Code. This authorization is not granted where the issuance of such an appearance ticket is expressly prohibited by the provisions of this Code or applicable State law.

(b) An "appearance ticket" as that term is used in subsection (a) means a complaint, municipal civil infraction or written notice issued and subscribed by a police officer or other authorized person as defined in subsection (a) which directs a person to appear in the local District Court at a designated future date and time in connection with the alleged commission of a violation of this Code for which the maximum permissible penalty does not exceed ninety-three (93) days in jail and/or a fine of five hundred dollars (\$500.00). The appearance ticket shall be numbered consecutively, be in such form authorized by the State Court Administrator and shall consist of the following parts:

- (1) The original, which shall be a complaint or notice to appear by the authorized person, shall be filed with the court;
- (2) The first copy shall be an abstract of court records retained by the court;
- (3) The second copy shall be retained by the appropriate local enforcement agency;
- (4) The third copy shall be issued to the alleged violator.

(c) With the prior approval of the State Court Administrator, the appearance ticket may be appropriately modified as to content or number of copies to accommodate the law enforcement agency and local court procedures and practices.

(Ord. 3285, passed 11-28-1994; Ord. 3535, passed 6-9-2004)

§ 1-11 PRESUMPTION OF MISDEMEANOR.

Unless a violation of this Code is specifically designated in the text of this Code to be a civil infraction, a violation shall be deemed to be a misdemeanor.

(Ord. 3285, passed 11-28-1994; Ord. 3536, passed 6-9-2004)

§ 1-12 DEFINITIONS.

The following words and phrases as used in this article, unless a different meaning is clearly required by the context, shall have the following meanings.

AUTHORIZED LOCAL OFFICIAL. A police officer or other personnel of the city authorized to issue municipal civil infraction notices and/or citations.

BUREAU. The Municipal Ordinance Violations Bureau established by § 1-15.

MUNICIPAL CIVIL INFRACTION. A violation of a provision of this Code for which the remedy and/or penalty is prescribed to be a civil fine, or sanction other than a criminal penalty. A **MUNICIPAL CIVIL INFRACTION** is not a lesser included offense of a criminal offense or of an ordinance violation that is not a civil infraction.

MUNICIPAL CIVIL INFRACTION CITATION. A written complaint or appearance ticket prepared by an authorized person directing a person to appear in court regarding the occurrence or existence of a municipal civil infraction violation by that person.

MUNICIPAL CIVIL INFRACTION DETERMINATION. A finding that a defendant is responsible for a municipal civil infraction by one of the following:

- (1) An admission of responsibility for the municipal civil infraction.
- (2) An admission of responsibility for the municipal civil infraction, "with explanation."
- (3) A preponderance of the evidence at an informal hearing or formal hearing.
- (4) A default judgment for failing to appear at a scheduled appearance.

MUNICIPAL CIVIL INFRACTION VIOLATION NOTICE. A written notice prepared by an authorized person, directing a person to appear at the Municipal Ordinance Violations Bureau for the purpose of paying a civil fine and/or costs for a violation which is prescribed to be a municipal civil infraction.

REPEAT OFFENSE. A determination of responsibility for a second, or any subsequent municipal civil infraction after there has already been a determination of responsibility with regard to the same Code provision committed by the same person within the past three years, unless some other period is specifically provided with regard to a specific Code provision.

RESPONSIBLE or RESPONSIBILITY. A determination entered by a court or magistrate that a person is in violation of a provision of this Code prescribed to be a municipal civil infraction.

VIOLATION. Any act which is prohibited or made or declared to be unlawful or an offense under this Code, including affirmative acts as well as omissions and/or failures to act where the act is required by this Code.

(Ord. 3285, passed 11-28-1994; Ord. 3537, passed 6-9-2004; Ord. 3645, passed 4-25-2005)

§ 1-13 COMMENCEMENT OF MUNICIPAL CIVIL INFRACTION ACTION.

(a) A municipal civil infraction action may be commenced upon the issuance, by an authorized local official, of either of the following:

- (1) A municipal civil infraction citation directing the person alleged to be responsible to appear in court;
- (2) A municipal civil infraction notice directing the alleged violator to appear at the Municipal Violations Bureau.

(b) The form of citations or notices used to charge municipal civil infraction violations shall be in accordance with State law, shall name the City of Flint as the plaintiff and for municipal civil infraction citations and shall give a reasonable time after the citation is issued for appearance at the 68th District Court.

(c) The basis for issuance of a municipal civil infraction citation or notice shall be as set forth below:

- (1) An authorized local official witnesses a person violate an ordinance, the violation of which is a municipal civil infraction.
- (2) An authorized local official may issue a citation or notice to a person if, based upon investigation, the authorized person has reasonable cause to believe that a person is responsible for a municipal civil infraction.

a. For violations concerning the use, occupation or condition of rental property both the landlord and tenant may be issued a municipal civil infraction, in accordance with subsection (d), for the same offense concerning the use, occupation or condition of the property and shall be individually responsible for a violation of same.

(3) An authorized local official may issue a citation or notice to a person if, based upon investigation of a complaint by someone who allegedly witnessed the person violate an ordinance, a violation of which is a municipal civil infraction, the authorized local official has reasonable cause to believe that the person is responsible for a municipal civil infraction and if the attorney for the City approves in writing the issuance of the citation or notice.

(d) Municipal civil infraction citations or notices shall be served in the following manner.

(1) Except as otherwise provided below, the authorized local official shall personally serve a copy of the citation or notice upon the alleged violator.

(2) In a municipal civil infraction action involving the use or occupancy of land or a building or other structure, a copy of the citation or notice need not be personally served upon the alleged violator but may be served upon an owner and/or occupant of the land, building or structure by posting the copy on the land or attaching the copy to the building or structure. In addition, a copy of the citation or notice shall be sent by first class mail to the owner of the land, building or structure at the owner's last known address.

a. In cases involving properly licensed rental property, where a citation is issued to a tenant, in addition to posting, a copy of the notice shall be sent by first class mail to both the owner and the tenant of the property.

(3) A citation or notice served as provided in subsection(2) above, for a violation involving the use or occupancy of land or a building or other structure, shall be processed in the same manner as a citation or notice served personally upon a defendant.

(4) The copies of the citation shall be distributed as follows:

- a. The original citation which is a complaint and notice to appear by the authorized local official shall be filed with the 68th District Court.
- b. The first copy shall be an abstract of the court and retained by the court.
- c. Second copy shall be retained by the authorized local official.
- d. The third copy shall be issued to the alleged violator.

(5) A citation for a municipal civil infraction signed by an authorized local official shall be treated as made under oath if the authorized local official signing and dating the complaint does so immediately above the following statement "I declare under the penalties of perjury that the statements above are true to the best of my knowledge, information and belief."

(6) Each citation shall inform the defendant that he or she may do one of the following:

a. Admit responsibility for municipal civil infraction by mail, in person, or by representation, at or by the time specified for appearance.

b. Admit responsibility with explanation by mail by the time specified for appearance, or in person, or by representation. If the defendant is going to admit responsibility with explanation either in person or by representation, the defendant must apply to the court in person, by mail, by telephone or by representation within the time specified for appearance and obtain a scheduled date and time for appearance. If the defendant admits responsibility with explanation by mail, the court shall accept the admission as though the defendant has admitted responsibility under subsection (d)(6)a. above and the court may consider the defendant's explanation by way of mitigating any sanction that the court may order. If the appearance is made by mail or representation the court shall accept the admission of responsibility but may also require the defendant to provide further explanation or to appear in court.

c. Deny responsibility for the municipal civil infraction by doing the following:

1. Appearing in person for an informal hearing before a judge or district court magistrate, without the opportunity of being represented by an attorney, unless a formal hearing before a judge is requested by the plaintiff.
2. Appearing in court for a formal hearing before a judge, with the opportunity of being represented by an attorney.
3. Defendant must apply in person, by mail, by telephone or by representation with the time specified for appearance and obtain a scheduled date and time to appear for a hearing.
4. The hearing shall be an informal hearing unless a formal hearing is requested by either the plaintiff or the defendant.

(7) The citation shall contain in boldface type that the failure of a defendant to appear within the time specified in the citation or a time scheduled for a hearing or appearance is a misdemeanor and will result in the entry of a default judgment against the defendant on the municipal infraction. Return of the citation with an admission of responsibility and with full payment of fines and costs, return of the citation with an admission of responsibility with explanation, or timely application to the court for a scheduled date and time for appearance or hearing constitutes a timely appearance.

(8) If a hearing is scheduled, it shall be an informal hearing, unless a formal hearing is requested by the plaintiff or defendant and a confirming notice shall be mailed by the court to the defendant to the address appearing on the citation or supplied by the defendant. An informal hearing shall be conducted pursuant to MCLA § 600.8719 and a formal hearing shall be conducted pursuant to MCLA § 600.8721.

(9) The court shall schedule a formal hearing if either the plaintiff or the defendant expressly requests a formal hearing. The request for a formal hearing must be received at least 10 days before any hearing date appearing on the citation. The party requesting the formal hearing shall notify the other party of the request and must be received by the party at least 10 days before the hearing date. A formal hearing may be requested in person, by representation, by mail or by telephone. Witness fees need not be paid in advance to a witness. Witness fees for a witness on behalf of the plaintiff are payable by the District Control Unit of the District Court for the City of Flint. There shall be no jury trial for a municipal civil infraction.

(10) If the defendant fails to appear as directed by the citation or other notice at a scheduled appearance, at a scheduled informal hearing, or at a scheduled formal hearing a default judgment shall be entered. A defendant who fails to answer a citation or notice to appear in court for a municipal civil infraction is guilty of a misdemeanor.

(Ord. 3285, adopted 11-28-1994; Ord. 3538, passed 6-9-2004; Ord. 3646, passed 4-25-2005; Ord. 3652, passed 6-27-2005)

§ 1-14 ORDINANCE ENFORCEMENT OFFICER.

(a) Pursuant to §§ 1-7 and 1-8 ordinance enforcement officers may be appointed for purposes of carrying out the duties and responsibilities specified in this Code for authorized persons charged with the enforcement of this Code.

(b) An appointed ordinance enforcement officer is authorized to enforce all provisions of this Code, whether or not any particular provision specifies or designates a different enforcing official. Where a particular officer is designated in any Code provision, that officer's authority shall continue in full force and effect, and shall not be diminished or impaired by the terms of this section, and the authority of the ordinance enforcement officer shall be in addition and supplementary to the authority granted to such other specific officer.

(c) The ordinance enforcement officer's duties shall include the following: investigation of Code violations; issuance and service of municipal ordinance violation notices and municipal civil infraction citations and municipal civil infraction violation notices; appearance in court or other judicial or quasi-judicial proceedings in the administration of this Code.

(Ord. 3285, adopted 11-28-1994; Ord. 3539, passed 6-9-2004)

§ 1-15 ESTABLISHMENT OF BUREAU.

(a) A City Municipal Civil Infraction Violation Bureau is hereby established for the purpose of accepting admissions of responsibility in response to municipal civil infraction violation notices.

(b) Payments made to the Bureau shall be retained and accounted for as fines and costs, respectively, and shall be deposited in the general fund.

(c) The Bureau shall be at locations designated by the Chief Legal Officer. All employees of the Bureau shall be city employees.

(Ord. 3285, adopted 11-28-1994; Ord. 3540, passed 6-9-2004; Ord. 3647, passed 4-25-2005; Ord. 3654, adopted 6-27-2005; Ord. 3773, passed 7-12-2010)

§ 1-16 AUTHORITY OF BUREAU.

(a) The Bureau may dispose only of municipal civil infraction violations for which a municipal civil infraction notice has been issued and for which a fine has been set by ordinance. Nothing in this ordinance shall prevent or restrict the City of Flint from issuing a municipal civil infraction citation for any violation or from prosecuting any violation in the 68th District Court.

(b) The limit of the Bureau's authority shall be to accepting admissions of responsibility for municipal civil infraction notices and the collecting of fines and costs resulting from these admissions. The Bureau shall not accept payment from a person who is denying responsibility for a municipal civil infraction or admitting responsibility with explanation.

(c) The notices shall include the time of the alleged violator shall appear before the Bureau, the methods by which an appearance can be made, the address and telephone number of the Bureau and the hours during which the Bureau is open.

(d) If an authorized local official issues and serves a municipal civil infraction notice and the alleged violator does not admit responsibility and pay the fines and costs, a municipal civil infraction citation shall be issued and filed with the 68th District Court, with a copy mailed to the alleged violator (defendant) as provided in ordinance no.

(e) The Bureau is authorized to accept payment of fines and costs in response to municipal civil infraction violation notices, and shall not be authorized to accept monies or admissions of responsibility in response to municipal civil infraction citations.

(f) The Bureau shall not accept payment of a fine or costs from any person who denies having committed a municipal civil infraction charged in a municipal civil infraction violation notice.

(g) The Bureau shall not have authority or jurisdiction to determine, or attempt to determine, the truth or falsity of any fact or matter relating to an alleged violation.

(Ord. 3541, passed 6-9-2004; Ord. 3648, passed 4-25-2005)

§ 1-17 ELECTION OF PERSON SERVED WITH VIOLATION NOTICE.

(a) Any person receiving a municipal civil infraction violation notice shall be permitted to dispose of the charge alleged in the notice by making payment of the fine and/or costs to the Bureau. However, a person shall have the right to elect not to have the violation notice processed by the Bureau and to have the alleged violation notice processed in the 68th District Court. The unwillingness of any person to dispose of a violation at the Bureau shall not prejudice the person or in any way diminish the person's rights, privileges and protection accorded by law.

(b) A person electing to have the alleged violation notice processed at the Bureau shall appear at the Bureau and pay the specified fine and/or costs within the time specified for appearance in the municipal civil infraction violation notice. Such appearance may be made by mail, in person or by representation, provided if appearance is made by mail, the person charged in the notice shall have the responsibility for timely delivery of the fine and/or costs within the time specified in the municipal civil infraction violation notice.

(c) In the event a person elects not to admit responsibility and pay the specified civil fine and/or costs prescribed for the respective violation notice, a municipal civil infraction citation may be issued. The authorized local official is not required to issue a municipal civil infraction citation notice as a precondition of issuance of a citation.

(Ord. 3542, passed 6-9-2004; Ord. 3649, passed 4-25-2005; Ord. 3655, adopted 6-27-2005)

§ 1-18 SCHEDULE OF FINES FOR A MUNICIPAL CIVIL INFRACTION VIOLATION NOTICE.

(a) A schedule of civil fines payable to the Bureau by persons served with municipal civil infraction violation notices is hereby established.

(b) The fines for the violations of the Code sections listed in § 1-20(a) shall be as follows:

<i>Offense</i>	<i>Fine</i>
First Offense:	\$25.00
Second Offense:	\$50.00
Third or Subsequent Offense:	\$150.00

(c) The fines for the violations of the Code sections listed in § 1-20(b) shall be as follows:

(1) Up to \$5,000.00 per occurrence, plus costs and other sanctions for each offense.

(Ord. 3543, passed 6-9-2004; Ord. 3774, passed 7-12-2010)

§ 1-19 PENALTIES FOR MUNICIPAL CIVIL INFRACTION CITATIONS.

(a) The following civil fines shall apply when there has been a determination of responsibility for a municipal civil infraction citation, unless a different fine is specified within a particular Code provision.

(1) *First offense.* The civil fine for a first offense violation shall be no less than one hundred fifty dollars (\$150.00), plus costs and other sanctions, for each offense.

(2) *Repeat offense.* The civil fine for any offense which is a repeat offense shall be no less than two hundred fifty dollars (\$250.00), plus costs and other sanctions for each offense.

(3) Certain violations as outlined in Chapter 46 may be punishable by up to five thousand dollars (\$5,000.00) per violation, per day, plus costs and other sanctions for each offense.

(b) In addition to ordering a defendant determined to be responsible for a municipal civil infraction citation to pay a civil fine, costs, damages and expenses, the judge or magistrate shall be authorized to issue any judgment, writ or order necessary to enforce this Code, enjoin a violation of this Code and/or abate a violation of this Code.

(1) A judge or magistrate shall issue an order to enforce this Code, enjoin a violation of this Code and/or abate a violation of this Code, and shall order the defendant to pay all costs associated with enforcement of this Code, enjoining a violation of this Code and/or abating a violation of this Code, for any defendant determined responsible for a municipal civil infraction.

(2) Upon a written ex parte motion with affidavit a judge or magistrate shall be authorized to issue an order to enforce this Code, to enjoin a violation of this Code and/or abate a violation of this Code prior to a determination of responsibility.

a. A defendant shall be required to pay all costs associated with the enforcement of this Code, enjoining a violation of this Code and/or abatement of a violation of this Code, only if the defendant is determined responsible.

(c) Each violation, and each day upon which any such violation shall continue to exist, shall constitute a separate offense and shall be considered a continuing violation.

(d) A judge or magistrate is authorized to order any remedies provided for in this Code along with any equitable or other remedies available by law.

(e) The judge or magistrate shall be authorized to impose fines, costs, damages and/or sanctions as provided by law.

(f) A municipal civil infraction citation shall not be a lesser included offense of a criminal offense or of an ordinance violation which is not a civil infraction.

(g) For violations of an owner or occupant of the subject property concerning the use, condition, occupation of land, building or other structure, fines, costs, damages and/or sanctions which are delinquent shall be a lien against the property, and assigned to the City of Flint's tax roll.

(1) Upon a finding of responsibility, a defendant shall be immediately responsible for all fines and costs, unless the court orders a longer time, but in no case shall a defendant have longer than 90 days from the time of the finding of responsibility to make full payment.

(2) If a defendant has not made full payment within 30 days after the date on which payment is due under section (g)(1), the payment shall be considered delinquent.

(3) In a municipal civil infraction action brought for a violation involving the use, occupation, condition of land, a building or other structure where the payment is delinquent, the City of Flint shall record the lien against the property which is the subject matter of the violation by recording a copy of the court order requiring payment of the fines, costs, damages and/or sanctions with the Genesee County Register of Deeds. Such order or judgment shall include a legal description of the property.

(4) The court order recorded with the Genesee County Register of Deeds shall constitute notice of the pendency of the lien. In addition, a written notice of the lien shall be sent by the City of Flint by first class mail to the owner of record of the land, building, or structure at the owner's last known address.

(5) The lien may be enforced and discharged by the City of Flint in the manner prescribed by its Charter, the General Property Tax Act, 1896 PA 206, MCLA 211.1 to 211.157, or by ordinance. However the property is not subject to sale under the General Property Tax Act, 1896 PA 206, MCLA 211.1 to 211.157, for delinquent property taxes or under this ordinance.

(6) A lien created under this section has priority over any other lien unless one or more of the following apply:

a. The other lien is a lien for taxes or special assessments.

b. The other lien is created before May 1, 1994.

c. Federal law provides that the other lien has priority.

d. The other lien is recorded before the lien under this section.

(7) A political subdivision may institute an action in a court of competent jurisdiction for the collection of the judgment imposed by a court order for a municipal civil infraction. However, an attempt by the City of Flint to collect the judgment by process does not invalidate or waive the lien upon the land, building or structure.

(8) A lien provided for by this section shall not continue for a period of longer than five (5) years after a copy of the court order imposing a fine, costs or assessment is recorded, unless within that time an action to enforce the lien is commenced.

(9) If a defendant defaults in the payment of a civil fine, costs, assessment or if applicable, or any installment, as ordered pursuant to this section that does not deal with property and therefore is not subject to the lien procedure, that defendant shall be subject to civil contempt procedures as outlined in MCLA 600.8729.

(Ord. 3544, passed 6-9-2004; Ord. 3650, passed 4-25-2005; Ord. 3656, adopted 6-27-2005; Ord. 3729, passed 10-27-2008)

§ 1-20 DESIGNATION OF MUNICIPAL CIVIL INFRACTIONS.

Violation of the following sections of this Code or the violation of any regulation adopted through these Code provisions shall be deemed to be a municipal civil infraction which shall subject the violator to the civil fines and penalties as provided in this chapter:

(a) Sections 11-1, 11-2, 11-10, 11-24, 12-2, 12-11, 12-19, 12-25, 12-39, 12-43, 12-48, 12-49.2, 12-52, 12-53.1, 12-54.1, 12-54.2, 12-62.1, 12-63, 12-67.1, 12-67.2, 12-67.3.2, 12-67.3.4, 12-67.3.5, 12-67.3.6, 12-67.3.7, 12-67.3.8, 12-67.3.9, 12-67.3.10, 12-67.3.11, 12-67.3.12, 12-67.3.13, 12-82, 16-1, 17-2, 17-4, 17-5, 17-6, 22-1, 24-1, 30-3, 30-4, 30-7, 30-9, 30-11, 30-12, 30-13, 30-14, 30-15, 30-18, 30-20, 30-21, 30-

22, 30-23, 30-25, 30-26, 31-48.1, 36-1, 39-5, 39-6, 39-7, 39-9, 39-12, 39-13, 39-14, 39-18, 39-18.1, 39-19, 39-20, 39-20.1, 39-21 and 42-47(b).

(b) Sections 46-127, 46-128, 46-129, 46-131, 46-132, 46-139, 46-145, 46-146, 46-147, 46-149, 46-150, 46-151, 46-153, 46-154, 46-155, 46-170, 46-174 and 46-175.

(Ord. 3545, passed 6-9-2004; Ord. 3775, passed 7-12-2010)

§ 1-21 REPEAL.

(a) *Repeal.* All ordinance provisions inconsistent with the provisions contained in §§ 1-10 through 1-21 are hereby repealed.

(Ord. 3546, passed 6-9-2004)



Sheldon Neeley
Mayor

CITY OF FLINT

FLINT PLANNING COMMISSION

Draft Meeting Minutes
April 9th, 2024

Commissioners Present

Robert Wesley, Chair
Carol-Anne Blower, Vice-Chair
Lynn Sorenson, Secretary
Robert Jewell
Mona Munroe-Younis
Jeffrey Curtis Horton

Staff Present

Tom Sparrow, Assistant City Attorney
Montel Menifee, Marihuana Licensing Coordinator
Brian Acheff, Zoning Coordinator
Max Lester, Int. Zoning Coordinator
Dalton Castle, Planner I
Tyler Bailey, Deputy Director of Business Services

Absent:

Joshua Brown
Nadiya Rodriguez

ROLL CALL:

Chairperson Wesley called the meeting to order at 5:40 p.m. Roll was taken, and a quorum was present.

The meeting was held both in-person in the Dome Auditorium and via Zoom conferencing as approved.

Roll Call:

Commissioner Brown: absent
Commissioner Blower: present
Commissioner Jewell: present
Commissioner Rodriguez: absent

Commissioner Sorenson: present
Commissioner Munroe-Younis: present
Commissioner Horton: present
Chairperson Wesley: present

ADDITIONS/CHANGES TO THE AGENDA:

Chairperson Wesley asked if there were any additions or changes to the agenda. Commissioner Jewell noted that according to the City's bylaws the Planning Commission's election of officers is to be held at the April 23rd meeting.

Commissioner Jewell reiterated his concern from the February 27th, 2024 Planning Commission meeting that there is an "information overload" with the amount of material staff is providing to the Commissioners for review as well as the high volume of public hearings and site plan reviews on the agenda. He also commented on the high volume of case reviews for conditional approvals made by the Planning Commission that are still pending.

Commissioner Jewell recommended setting aside time at a future meeting to discuss the department name change from "Planning and Development" to "Business and Community Services."



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located at 4221 James P. Cole Blvd, Flint, MI 48503 (PID #47-31-280-015) pending receipt of a Certificate of Occupancy. Commissioner Horton seconded the motion.

Roll Call:

Commissioner Brown: absent
Commissioner Horton: yes
Commissioner Blower: yes
Commissioner Jewell: yes

Commissioner Rodriguez: absent
Commissioner Sorenson: yes
Commissioner Munroe-Younis: yes
Chairman Wesley: yes

M/S – Blower/Horton

6 yes, 0 no, 0 abstain

The motion carried.

PC 24-08: The City of Flint is proposing Text Amendments to Article 18 Administration and Enforcement of the City of Flint Zoning Ordinance.

Max presented the staff report. The proposed changes would clearly designate the building official, and staff designated by them as having authority to enforce the Zoning Ordinance. The proposed changes would additionally allow staff to enforce violations by issuing municipal civil infractions.

Commissioner Munroe-Younis asked Max if they still believe the proposed enforcement options to be the most appropriate. Max explained that they do and currently the only options for enforcement are to seek a court order or an injunction which are not ideal for the City or respondents.

Commissioner Jewell asked what the disadvantages are of the proposed text. Tyler stated the disadvantages are that the City is currently incapable of effectively enforcing the Zoning Code.

Commissioner Sorenson asked if the enforcement officer would have the ability to make decisions on subjective situations. Max explained the enforcement officer would need to reference enforcement action to a specific provision in the Zoning Code. Additionally, the text would limit enforcement to only the Zoning Code by identified enforcement individuals.

Chairperson Wesley opened public comment on PC 24-08. No one spoke.

Commissioner Jewell asked staff if there had been any additional communications regarding PC 24-08. Max said there have not been any additional communications regarding PC 24-08.

Commissioner Munroe-Younis made a motion to send a resolution to the City Council recommending approval of the proposed Text Amendments to Article 18 Administration and Enforcement of the City of Flint Zoning Ordinance. Commissioner Blower seconded the motion.



Sheldon Neeley
Mayor

CITY OF FLINT

FLINT PLANNING COMMISSION

Roll Call:

Commissioner Brown: absent
Commissioner Horton: yes
Commissioner Blower: yes
Commissioner Jewell: yes

Commissioner Rodriguez: absent
Commissioner Sorenson: yes
Commissioner Munroe-Younis: yes
Chairman Wesley: yes

M/S – Munroe-Younis/Blower

6 yes, 0 no, 0 abstain

The motion carried.

SITE PLAN REVIEW:

SPR 24-05: The applicant Crooked Ladder Inc. requests approval of a Site Plan Review Application to redevelop the property located at 2730 S Dort Hwy (PID #41-20-278-019) into a "Group G", Class A Marihuana Microbusiness.

Brian read the staff report. He noted that there are three variances that were approved by the Zoning Board of Appeals for this project. Staff recommends conditional approval of SPR 24-05 pending completion of Water and City Engineering Department reviews and allowance of planters along the building as a substitute to the required building foundation zone landscaping. Brian noted that the Fire Department had requested the addition of a fire hydrant to the site to which the applicant has complied, however the hydrant is currently not displayed on the plans.

Commissioner Jewell reiterated his desire for renderings of proposed developments to be provided, especially in the case of marihuana related development. He additionally raised concern on the requested conditions of approval and stated his belief is that without completion of all departmental reviews he would normally consider the application incomplete.

Commissioner Jewell asked staff if they requested a rendering be provided. Brian explained that the Ordinance does not require a rendering as part of the application and staff views requiring a rendering to be an undue financial burden on the applicant. Brian stressed there being a distinction between brand new developments that are by nature a spectacle versus a redevelopment of an existing site. Brian advised the Commission to request a text amendment to require renderings as part of applications if they deem it necessary. Commissioner Jewell stated that the Planning Commission has historically received renderings as part of applications and believes having them provided would benefit applicants.

John McNicol, the business owner, presented the application.

Chairperson Wesley asked what the building would look like. Mr. McNicol said the building will look very similar to how it looks now with renovations such as repainting and replacing the metal siding.