

BAY CITY CITY COMMISSION

Synopsis of Regular Meeting

March 20, 2023

The meeting was called to order by Mayor Kathleen L. Newsham at 6:00 PM.

Commissioners Present: Jesse Dockett, Joseph Rivet, Andrea Burney, Brentt Brunner, Christopher Girard, Shelley Niedzwiecki, Ed Clements, 7; Mayor Kathleen L. Newsham.

Excused: Commissioners Rachele Hilliker, Cordal Morris (arrived at 6:40), 2.
Absent: None.

Presentation was given on electric car charging in Bay County.

The following items were approved:

- City Commission Minutes (3/6/23)
- Accounts and Claims in the \$279,005.58 and Investments and Wire Transfers in the amount of \$222,072.79 (3/13/23), Accounts and Claims in the amount of \$417,664.79 and Investments and Wire Transfers in the amount of \$753,515.25 (3/20/23)
- Payroll in the amount of \$1,146,292.82 (3/16/23)
- Appointment of David Garrett, Bay City, to the Fire Code Board of Appeals, as an alternate, term to expire August 1, 2027
- Amendment to Responsible Contracting Rules and Regulations
- Traffic Control Order #2023.005 to remove the traffic signal at the intersection of Johnson Street and 3rd Street and replace it with a 4-way Stop Condition
- Contract with Shaw Contracting, Bay City, MI, in the amount of \$166,000, for road rehabilitation construction project on N. Wenona Avenue, from North Union Street to Hart Street
- ARPA Contract with Michigan Health Improvement Alliance (MiHIA), for the Bay City Childcare Innovation Program, in the amount of \$750,000
- Provisional Adult Use Marijuana License to Carmita Pamela Ballard dba Xhale Cannabis Company, to operate a Marijuana Retail facility at 1014 N Johnson, contingent upon final inspection
- Transfer of a Provisional Adult Use Marijuana License to HEVO4, LLC dba House of Evolution Bay City from D & G Legacy Properties, to operate a Marijuana Retail facility at 606 3rd Street, contingent upon final inspection
- Resolution appointing Commissioner Hilliker as the liaison to the Brownfield Redevelopment Authority and Commissioner Niedzwiecki as the liaison to the Building Code Board of Appeals
- Resolution recommending designation of Social Districts containing Common Areas where purchasers may consume alcoholic beverages sold by multiple qualified Michigan Liquor Control Commission licensees who obtain Michigan Liquor Commission Social District Permits pursuant to Public Act 124 of 2020
- Resolution authorizing "Notice of Intent to Issue Bonds" in the amount of \$5,200,000 for the construction of a "fuel island" for the Motor Equipment Revolving Fund and for the reconstruction of Fire Station #2 including related environmental remediation and site improvements, and various capital improvements to the remaining fire stations in the City
- Resolution regarding application from DS Denham Properties, LLC, for the creation of an Obsolete Property Rehabilitation District located at 1125 S. Water Street
- Resolution regarding application from Marc Owczarzak, 966, LLC, for an Obsolete Property Rehabilitation Exemption Certificate located at 966 E. Midland Street
- Resolution supporting the Bay County Community Pool.

Forrest Robison, Christine Chesney, Cathy Schell, Dennis Buda, Kerice Basmadjian, Angenette Studniare, Alex Dewitt, Pam Skillman, Joy Gwizdala, Julie Luce, Greg Lobodzinski, Ashley Chesny, Cory Christopher, Amberlynn Hales spoke during public input.

Traffic Control Order #2023.003 to remove parking on Kosciuszko Avenue between Grant Street and Sherman Street failed for lack of motion.

Ordinance amendment to the Code of Ordinances, Chapter 30 - Businesses, Article XVII - Recreational Marijuana, Sections 30-702 through 30-704 and 30-722, regarding recreational marijuana facilities, was received for first reading and referred to next meeting for second reading and adoption.

Public Hearing was held application from DS Denham Properties, LLC, for the creation of an Obsolete Property Rehabilitation District located at 1125 S. Water Street. No one came forward.

Public Hearing was held on application from 966, LLC, for an Obsolete Property Rehabilitation Exemption Certificate located at 966 E. Midland Street. No one came forward.

Public Hearing was held on ordinance amendment to the Code of Ordinances, Chapter 26 - Buildings and Building Regulations, Article XIII - Wrecking Buildings, Division 2 - Wrecker's License, Sections 26-546 through 26-550, regarding Wrecker's licenses be repealed in its entirety.

Alex Dewitt, 1309 S. Erie Street, spoke in favor.

Public Hearing was held on ordinance amendment to the Code of Ordinances, Chapter 30 - Businesses, Article VI - Pest Control, Sections 30-186 through 30-231, regarding

Pest Control be repealed in its entirety. No one came forward.

Public Hearing was held on ordinance amendment to the Code of Ordinances, Chapter 30 - Businesses, Article XII - Fortunetelling, Sections 30-460 through 30-464, regarding fortunetelling be repealed in its entirety. No one came forward.

Public Hearing was held on ordinance amendment to the Code of Ordinances, Chapter 30 - Businesses, Article XIII - Sign Hangers, Sections 30-470 through 30-472, regarding Sign Hanger licenses be repealed in its entirety.

Corey Christopher, 1305 Marsac Street, spoke in favor.

SPECIAL ORDERS

Mayor Newsham's veto regarding the approval of Commissioner Niedzwiecki's resolution for the closure of Saginaw Street between Center Avenue and 5th Street for Feet on the Street was sustained.

Ordinance No. 2023-11

Be It Ordained by the City of Bay City: that the Code of Ordinances of the City of Bay City, Chapter 26 - Buildings and Building Regulations, Article XIII - Wrecking Buildings, Division 2 - Wrecker's License, Sections 26-546 through 26-550, regarding Wrecker's licenses be repealed in its entirety.

A motion was made by Commissioner Dockett, seconded by Commissioner Clements to adopt Ordinance No. 2023-11.

Motion approved by the following vote:

Yes, Commissioners Dockett, Rivet, Burney, Brunner, Girard, Niedzwiecki, Clements, Morris, 8.

No, None.

Ordinance No. 2023-12

Be It Ordained by the City of Bay City: that the Code of Ordinances of the City of Bay City, Chapter 30 - Businesses, Article VI - Pest Control, Sections 30-186 through 30-231, regarding Pest Control be repealed in its entirety.

A motion was made by Commissioner Girard, seconded by Commissioner Dockett to adopt Ordinance No. 2023-12.

Motion approved by the following vote:

Yes, Commissioners Dockett, Rivet, Burney, Brunner, Girard, Niedzwiecki, Clements, Morris, 8.

No, None.

Ordinance No. 2023-13

Be It Ordained by the City of Bay City: that the Code of Ordinances of the City of Bay City, Chapter 30 - Businesses, Article XII - Fortunetelling, Sections 30-460 through 30-464, regarding fortunetelling be repealed in its entirety.

A motion was made by Commissioner Dockett, seconded by Commissioner Girard to adopt Ordinance No. 2023-13.

Motion approved by the following vote:

Yes, Commissioners Dockett, Rivet, Burney, Brunner, Girard, Niedzwiecki, Clements, Morris, 8.

No, None.

Ordinance No. 2023-14

Be It Ordained by the City of Bay City: that the Code of Ordinances of the City of Bay City, Chapter 30 - Businesses, Article XIII - Sign Hangers, Sections 30-470 through 30-472, regarding Sign Hanger licenses be repealed in its entirety.

A motion was made by Commissioner Brunner, seconded by Commissioner Girard to adopt Ordinance No. 2023-14.

Motion approved by the following vote:

Yes, Commissioners Dockett, Rivet, Burney, Brunner, Girard, Niedzwiecki, Clements, Morris, 8.

No, None.

The meeting adjourned at 8:16 PM.

Kathleen L. Newsham, Mayor
Tema J. Lucero, City Clerk