

BAY CITY CITY COMMISSION

Synopsis of Regular Meeting

May 2, 2022

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

Commissioners Present: Jesse Dockett, Kristen Rivet, Trey Pinkstock, Brentt Brunner, Rachelle Hilliker, Christopher Girard, Kerice Basmadjian, Ed Clements and Cordal Morris, 9; Kathleen L. Newsham.

The following items were approved:

- City Commission Minutes (4/18/22).
- City Commission Work Session Minutes (4/25/22).
- Accounts and Claims in the amount of \$610,813.49 and Investments and Wire Transfers in the amount of \$971,430.75 (4/25/22), and Accounts and Claims in the amount of \$366,860.28 and Investments and Wire Transfers in the amount of \$1,073,328.65 (5/2/22)
- Payroll in the amount of \$1,018,805.36 (4/29/22)
- Appointment of Mitzi Zanotti Brown and Moira Branigan, both of Bay City, to the Human Relations Committee, terms to expire November 20, 2024
- Appointment of Sheila Turbett and Nick Schwall, both of Bay City, to the Downtown Development Authority, terms to expire August 16, 2025
- Appointment of Michael Stodolak, Dana Muscott, Adam Webster and George Martini, to the Brownfield Redevelopment Authority, as City representatives, terms to expire April 1, 2028
- Lease agreement with General Housing Corporation, Bay City, to allow access from Wilder Road, in the amount of \$389 per year for 5 years
- Amendment to the purchase agreement with Northeast Little League for 1826 and 1845 N. Trumbull Avenue, Bay City, extending the date to August 1, 2023
- Purchase of a 2022 Kut Kwick SlopeMaster commercial mower from Kut Kwick Corporation, Brunswick, GA, in the amount of \$68,926, for the Parks Department
- Resolution adopting the Bay County Hazard Mitigation Plan.
- Resolution appointing Mary Ewald Sayles, Grace Sayles and Erica Armstrong, all of Bay City, to the Historic District Commission, terms to expire May 1, 2024.
- Resolution adopting the First Amendment to the Act 381 Combined Brownfield Plan/Work Plan for Landaal Packaging Systems at 1400 Eddy Street
- Traffic Control Order #2022.007 to close the 600 block of Midland Street from Memorial Day through Labor Day
- Traffic Control Order #2022.010 to rescind Traffic Control Order #2022.006 and prohibit seasonal closures on Linn Street

Bruce Douglas, Mary Ann Douglas, Alex Dewitt, Andrea Burney, Janine Kravetz, Jim Arnold, Greg Kimbrue, Willis Wells, Judy Brunner, and Jay Samborn all spoke during public input.

Ordinance amendment to the Code of Ordinances, Chapter 122, Article XXI, Section 122-494 (a) and (b), regarding the conversion of hotels and motels, was received for first reading and referred to next meeting for second reading and possible adoption.

Water System Advisory Council Minutes (3/3/22) were received.

Summons and Complaint, Darlene Martin vs. City of

Absent: None.

A presentation was given by Consumers Energy.

A presentation of the FY 22/23 Budget was given.

Bay City, was received and referred to Michigan Municipal Risk Management Authority.

A public hearing regarding First Amendment to the Act 381 Combined Brownfield Plan/Work Plan for Landaal

Packaging Systems at 1400 Eddy Street was held. No one came forward.

A public hearing regarding Ordinance amendment to the Code of Ordinances, Chapter 30 - Businesses, Article X - Sidewalk Cafes on Public Sidewalks, Sections 30-414 (d); 30-417(2), (3) & (5); 30-419 (a) and 30-420 (a), regarding decks and term of license was held. No one came forward.

SPECIAL ORDER

Ordinance No. 2022-6

Be It Ordained by the City of Bay City: that the Code of Ordinances of the City of Bay City, Chapter 30 - Businesses, Article X - Sidewalk Cafes on Public Sidewalks, Sections 30-414 (d); 30-417(2), (3) & (5); 30-419 (a) and 30-420 (a), be amended to read as follows:

Sec. 30-414. - Major sidewalk café licensing procedures.

(d) Major sidewalk café licenses are subject to the approval of the city commission. The city manager, after review by city staff, shall place the application for a major sidewalk café on the agenda for review by the city commission. The city commission shall then approve, approve with conditions, refer the application back to the applicant for modification, or deny the application. After initial approval by the city commission, subsequent year licenses are renewable provided Sec. 30-416 are met.

Sec. 30-417. - Sidewalk cafés that encroach upon adjacent parking areas.

(2) Sidewalk cafés within designated street parking areas must be adjacent to the sidewalk that is adjacent to the business that is to be served and may not extend in front of any other business. This requirement may, however, be waived by the city manager or designee to allow extension of the sidewalk café to adjacent business.

(3) Sidewalk cafés within designated street parking areas shall not extend more than ten feet from the curb line where angled parking exists or more than six feet from the curb line where parallel parking exists.

(5) Sidewalk cafés within designated street parking areas may be established upon a removable platform assembled upon the sidewalk and the allowable road parking area. The platform shall meet requirements of this article and all other applicable rules and regulations.

Sec. 30-419. - Term of licenses and renewal procedures for minor sidewalk café.

(a) Term. A minor sidewalk café license shall be valid for one season.

Sec. 30-420. - Term of licenses and renewal procedures for major sidewalk café.

(a) Term. A major sidewalk café license shall be valid for one season.

All other sections remain unchanged.

A motion was made by Commissioner Dockett, seconded by Commissioner Girard to adopt Ordinance No. 2022-6.

Motion approved by the following vote:

Yes, Commissioners Dockett, Rivet, Pinkstock, Brunner, Hilliker, Girard, Basmadjian, Clements Morris, 9.

No, Commissioner, none.

The meeting adjourned at 8:15 PM.

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