

BAY CITY CITY COMMISSION
Synopsis of Regular Meeting
February 6, 2023

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

Commissioners Present: Mayor Kathleen L. Newsham, Jesse Dockett, Joseph Rivet, Andrea Burney, Brentt Brunner, Rachelle Hilliker, Christopher Girard, Shelley Niedzwiecki, Ed Clements and Cordal Morris, 9.

Absent: None.

Bay County NAACP presented an update.

The following items were approved:

- City Commission Minutes (1/17/23)
- Accounts and Claims in the \$1,036,993.45 and Investments and Wire Transfers in the amount of \$3,302,300.36 (1/23/23), Accounts and Claims in the amount of \$654,452.68 and Investments and Wire Transfers in the amount of \$1,236,440.38 (1/30/23), and Accounts and Claims in the amount of \$1,252,093.18 and Investments and Wire Transfers in the amount of \$1,530,586.74 (2/6/23)
- Payroll in the amounts of \$1,809,121.41 (1/19/23), and \$1,102,783.08 (2/2/23)
- Traffic Control Order #2023.001 to revise the intersection control at Marsac Street and 33rd Street
- Traffic Control Order #2023.002 to change the intersection of Marsac Street and 34th Street to a 4-Way Stop
- Budget amendments in the amount of \$13,397 for the Fiscal Year 2022/2023 budget
- Contract with Sova Excavating and Trucking, Midland, MI, for the Eddy Street, McLellan Street, and Birney Street Reconstruction Project, in the amount of \$1,167,214.14
- Amendments to Rate 7, Rate 8, and Rate 10 of the Electric Rate Schedule, for new light fixtures
- Provisional Adult Use Marihuana License to KZOO420, LLC dba Bay City Tree House Club, to operate a Marihuana Retail facility at 215 S. Linn Street, contingent upon final inspection
- Resolution adopting Michigan Department of Natural Resources Land and Water Conservation Fund Project Agreement 26-00561 Amendment #1 and Project Agreement 26-00163 Amendment #3 transferring project agreement and associated responsibilities from Bay County to the City of Bay City
- Resolution recommending Contract No. 2022-5136 with the Michigan Department of Transportation, designating the City as the Public Authority with jurisdiction over Liberty Bridge
- Resolution authorizing purchase power commitment with Michigan Public Power Agency for its pro-rata share of Battery Energy Storage Systems Capacity Purchase, at a forecasted financial commitment of \$2,009,646, over ten years
- Resolution regarding application from Marc Owczarzak, 966, LLC, for an Obsolete Property Rehabilitation Exemption Certificate located at 966 E Midland Street
- Commissioner Clements' resolution regarding Bay City Ribfest special event application reconsideration.

Jason Nalazek, Kurt Legner, Judy Skornia, Craig Schofield, Melissa Srebinski, Shane Reinhard, Lori Doutre, and Kathy Niemiec spoke during public input.

Ordinance amendment to the Code of Ordinances, Chapter 30 - Businesses, Article X - Sidewalk Cafes on Public Sidewalks, Section 30-413(b), Section 30-415(c), and Section 30-417 (2) and (5) regarding sidewalk cafes was received for first reading and referred to next meeting for second reading and possible adoption.

Human Relations Committee Annual Report 2022 was received.

Public Hearing was held on Application from Marc Owczarzak, 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 102 - Traffic and Vehicles, Article II - Motor Vehicle Code, Section 102-57(a)(b) – regarding truck routes. No one came forward.

SPECIAL ORDER

Ordinance No. 2023-4

Be it Ordained by the City of Bay City: that the Code of Ordinances of the City of Bay City, Chapter 102 - Traffic and Vehicles, Article II – Motor Vehicle Code, Section

102-57(a)(b) – Truck routes, be amended to read as follows:

Sec. 102-57. Truck routes.

(a) Definitions. The following words, terms and phrases, when used in this section, shall have the meanings ascribed to them in this subsection, except where the context clearly indicates a different meaning:

(1) Truck means “truck;” “truck tractor;” “trailer;” “semi-trailer” as defined in Act No. 300 of the Public Acts of Michigan of 1949 (MCLA 257.1 et seq.), as amended, or any combination thereof.

(b) Restrictions on operation of trucks.

(1) The operation of any truck exceeding 30 feet in length and/or 12 tons gross weight (including operator and cargo) is prohibited upon every street in the city except the following Major Truck Routes:

- Backus Street, Morton Street to west city limits.
- Broadway Street, Lafayette Avenue to south city limits.
- Cass Avenue, Harrison Street to Michigan Avenue.
- Center Avenue, Madison Avenue to east city limits.
- Columbus Avenue, Saginaw/Water Street to Tuscola Road.
- Euclid Avenue, Salzburg Avenue to North Union Street.
- Garfield Avenue, Lafayette Avenue to Fourteenth Street.
- Harrison Street, Thirtieth Street to McGraw Street.
- Henry Street, Vermont Street to Wenona Street.
- Independence Bridge
- Jenny Street, Saginaw River to west city limits.
- Johnson Street, Center Avenue to N. Water Street.
- Kosciuszko Avenue, Michigan Avenue to Johnson Street.
- Liberty Bridge
- Lafayette Avenue, Michigan Avenue to the West Channel of the Saginaw River.
- Lafayette Bridge over the East Channel of the Saginaw River.
- Lafayette Bridge over the West Channel of the Saginaw River.
- Madison Avenue, Kosciuszko Avenue to Woodside Avenue.
- Marquette Street, Ohio Street to Wilder Road.
- McGraw Street, Harrison Street to Broadway Street.
- McKinley Street, Madison Avenue to Saginaw River.
- Morton Street, Salzburg Avenue to Backus Street.
- Ohio Street, Marquette Street to Walnut Street.
- Salzburg Avenue, Saginaw River to west city limits.
- Seventh Street, Madison Avenue to Saginaw River.
- Thomas Street, Saginaw River to west city limits.
- Tiernan Road, Wilder Road and 1,400 feet south.
- Truman Parkway, Wilder Road to Saginaw River.
- Truman Parkway, Woodside Avenue to Saginaw River.
- Trumbull Street, Tenth Street to Woodside Avenue.
- Tuscola Road, Tenth Street to south city limits.
- Vermont Street, Henry Street to Saginaw River.
- Veterans Bridge
- Walnut Street, Vermont Street to Ohio Street.
- Washington Avenue, Seventh Street to Fourteenth Street.
- Water Street, Columbus Avenue to Thirtieth Street.
- Water Street, North, Johnson Street to east city limits.
- Wenona Street, Calumet/Henry Street to Salzburg Avenue.
- Wilder Road, east city limits to west city limits.
- Woodside Avenue, Water Street to Saginaw River.

(2) The operation of trucks exceeding 22 feet in length and/or eight tons gross weight, including operator and cargo, is prohibited upon every street in the city, except those streets listed in subsection (b)(1) of this section and except the following Minor Truck Routes:

- AuSable State Road, Henry Street to State Street.
- Henry Street, Vermont Street to Wilder Road.
- Johnson Street, Columbus Avenue to Center Avenue.
- Lincoln Street, Woodside Avenue to Cass Avenue.
- Michigan Avenue, Lafayette Avenue to Cass Avenue.
- Midland Street, Intersection of Midland Street and Vermont Street to west city limits.
- State Street, Wilder Road to Marquette Street.
- Ridge Road, Tuscola Road to east city limits.
- Vermont Street, Henry Street to Intersection of Midland Street and Vermont Street.
- All other sections remain unchanged.

A motion was made by Commissioner Dockett, seconded by Commissioner Girard to adopt Ordinance No. 2023-4.

Motion approved by the following vote:

- Yes, Commissioners Dockett, Rivet, Burney, Brunner, Hilliker, Girard, Niedzwiecki, Clements, Morris, 9.
- No, None.

The meeting adjourned at 7:17 PM.

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

