

BAY CITY CITY COMMISSION

Synopsis of Regular Meeting

February 20, 2023

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

Commissioners Present: Jesse Dockett, Andrea Burney, Brentt Brunner, Rachel Hilliker, Christopher Girard, Shelley Niedzwiecki, Ed Clements and Cordal Morris, 8; Mayor Kathleen Newsham.

Excused: Commissioner Joseph Rivet, 1.

Absent: None.

A moment of silence was held for the entire Michigan State University community.

Presentations were given on Fire Station Infrastructure and the City Streets Program.

The following items were approved:

- City Commission Minutes (2/6/23)
- Accounts and Claims in the \$909,682.13 and Investments and Wire Transfers in the amount of \$208,788.53 (2/13/22), and Accounts and Claims in the amount of \$2,150,842.73 and Investments and Wire Transfers in the amount of \$1,338,062.28, less adjustments \$7,500 (2/20/23)
- Payroll in the amount of \$1,098,228.25 (2/20/23)
- Budget amendments in the amount of \$41,280 for the Fiscal Year 2022/2023 budget
- Sale of unused city-owned vacant parcel located at 101 Salzburg Avenue, to Triple J & S 201 Salzburg Ave, LLC, in the amount of \$5,000
- Resolution supporting the application of a \$3,500,000 Federal RAISE Discretionary Grant for the reconstruction and upgrade of Henry Street, between Thomas Street and Vermont Street
- Resolution prioritizing Pedestrians, Micro-mobility devices, Public Transportation, Personal Vehicles and Small Commercial Vehicles, and Large Commercial Vehicles when developing any street or road projects
- Resolution rescinding resolution approved on February 6, 2023, regarding Ribfest Special Event
- Resolution establishing an Infrastructure Committee to bring increased investment of public money into the community

Alex Dewitt and Darold Newton spoke during public input.

Ordinance amendment to the Code of Ordinances, Chapter 2 - Administration, Article II - Commission, Section 2-26 - Rules of Commission, regarding Disorderly Conduct and Information Requests; Ordinance amendment to the Code of Ordinances, Chapter 2 - Administration, Article II - Commission, Section 2-28 - regarding Disorderly Conduct at City Commission meetings; Ordinance amendment to the Code of Ordinances, Chapter 2 - Administration, Article VI - Finance, Section 2-281 - When bids are required, regarding increasing thresholds; Ordinance amendment to the Code of Ordinances, Chapter 30 - Businesses, Article XV - Medical Marihuana Facilities, Sections 30-502 through 30-529, regarding marihuana facilities; ordinance amendment to the Code of Ordinances, Chapter 30 - Businesses, Article XVII - Recreational Marihuana, Sections 30-702 through 30-730, regarding recreational marihuana facilities, were received for first reading and referred to next meeting for second reading and possible adoption.

Public Hearing was held on 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. No one came forward.

SPECIAL ORDER

Ordinance No. 2023-5

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 30-413(b), 30-415 (c) and 30-417 (2)(5), be amended to read as follows:

Sec. 30-413. - Minor sidewalk café licensing procedures.

(b) A sidewalk café shall be permitted to open for business the Friday prior the Memorial Day weekend, however, businesses will be allowed to start set up of the café the Monday prior to the Memorial Day weekend. All sidewalk cafes shall be removed by the Tuesday following Labor Day. A license may also be issued for less than a full season or for a stipulated number of operating days.

Sec. 30-415. - Minor sidewalk café standards.

(c) Sidewalk cafés may only be located adjacent to the establishment with which they are associated. This requirement may, however, be waived by the city manager or designee including a signed and notarized form from the adjoining property owner to allow extension of the sidewalk café.

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

(2) Sidewalk cafes 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 including a signed and notarized form from the adjoining property owner to allow extension of the sidewalk café.

(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 and shall meet the requirements of Article X, Sidewalk Cafes on Public Sidewalks as well as all rules and regulations established by the Michigan Liquor Control Commission. The platform shall be protected from vehicular traffic.

A motion was made by Commissioner Girard, seconded by Commissioner Dockett to adopt Ordinance No. 2023-5.

Motion approved by the following vote:

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

No, None.

The meeting adjourned at 8:09 PM.

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