



**BAY CITY
CITY COMMISSION**

**Regular Meeting
Official Proceedings**

**Bay City, Michigan
August 15, 2022**

The Commission met at City Hall, Commission Chambers, 301 Washington Avenue and was called to order by Mayor Kathleen L. Newsham at 6:00 PM.

Invocation was given by the City Clerk.

The Commission and others present offered the Pledge of Allegiance.

Commissioners Present: Jesse Dockett, Trey Pinkstock, Brent Brunner, Christopher Girard, and Ed Clements, 5; Mayor Kathleen L. Newsham.

Excused: A motion was made by Commissioner Dockett, seconded by Commissioner Girard, to excuse Commissioners Kristen Rivet (arrived at 6:01), Rachelle Hilliker, Kerice Basmadjian and Cordal Morris, 4. There was no objection.

Absent: None.

ADOPTION OF AGENDA

A motion was made by Commissioner Brunner, seconded by Commission Dockett, to adopt the agenda.

Motion approved by the following vote:

Yes, Commissioners Dockett, Rivet, Pinkstock, Brunner, Girard, Clements, 6.

No, None.

CONSENT AGENDA

Mayor Newsham asked for public input on the consent agenda. No one came forward.

All matters listed under consent agenda were considered routine by commission and enacted by one motion. There was no separate discussion of these items.

When required, the Mayor and Clerk are authorized and directed to execute necessary documents on behalf of the City.

A motion was made by Commissioner Brunner, seconded by Commissioner Dockett, to approve consent agenda items.

Motion approved by the following vote:

Yes, Commissioners Dockett, Rivet, Pinkstock, Brunner, Girard, Clements, 6.

No, None.

MINUTES

City Commission Minutes (8/1/22).

ACCOUNTS & CLAIMS

Accounts and Claims in the amount of \$702,113.12 and Investments and Wire Transfers in the amount of \$2,178,132.15, less adjustments of \$653.15 (8/8/22), Accounts and Claims in the amount of \$1,192,818.25 and Investments and Wire Transfers in the amount of \$370,559.24 (8/15/22).

PAYROLL

Payroll in the amount of \$1,069,293.41 (8/4/22).

REPORTS OF OFFICERS

Ratification of the Road Improvement Agreement with Atlas Pathfinder, LLC, for the transportation of wind turbine components for seventeen complete wind turbines

within the City boundaries.

Change Order No. 2 to the contract with REGENESIS Remediation Services, San Clemente, CA, for a follow-up pilot test at a secondary location at Middlegrounds Landfill in the increased amount of \$4,403.34.

Contract with Sinclair Recreation, Holland, MI, for playground equipment installation in Nate Doan, Defoe, and Roosevelt Parks, in the amount of \$141,816.

Contract with A. J. Rehms & Son, Bay City, for the 2022-23 CDBG Sidewalks project, in the amount not to exceed \$270,000.

Contract with Champagne & Marx Excavating, Saginaw, MI, for the Emergency Construction project at 6th Street and Washington Avenue Intersection, in the amount of \$403,694.67.

Conditional Consent of Easement Holder with Consumers Energy Company, Jackson, MI, granting them access to the city property known as Riverbend West Nature Area, located at 480 Marquette Street.

RESOLUTIONS

Of the Mayor:

Resolved that Marie Kurzer, Bay City, be appointed to the Compensation Commission, term to expire May 1, 2029.

Of Commission as a Whole:

Whereas, the Bay City City Commission formally elect five members of the Board of Directors of the Michigan, nonprofit Corporation, "Wenonah Park Properties, Inc.," in keeping with Article III, Section 2 of the bylaws of Wenonah Park Properties, Inc.;

Now Therefore Be It Resolved

that the City of Bay City, by the affirmative vote of its City Commission; does hereby amend the appointment to the Board of Wenonah Park Properties, Inc., a Michigan, nonprofit corporation, for terms in keeping with Article III, Section 2, of the established corporate bylaws thereof; Mark Norton, David Klippert, Andrew Mehl, Barbara Engelhardt-Carter, and one vacancy to be filled.

Of Commission as a Whole:

Resolved that Chris Greenleaf and Larry Elliott, both of Bay City, terms expiring July 1, 2025 and Allen Hilliker, Sr., Bay City, as an alternate, term to expire July 1, 2025, be appointed to the Zoning Board of Appeals.

Of Commission as a Whole:

Resolved that the City Commission of Bay City, Michigan, shall enter into Contract No. 2022-0789 with the Michigan Department of Transportation for the purpose of providing funding, necessary to retain a consultant to prepare plans and specifications necessary and associated with the OBSTRUCTION REMOVAL RUNWAY 18 (PARCEL E12); CONSULTANT CONTRACT FEE, and that such a Contract shall be as set forth in the document on file in the City Clerk's Department;

Be It Further Resolved that the Mayor and City Clerk are hereby authorized and directed to execute said contract on behalf of the City of Bay City, Michigan.

REMARKS OF MAYOR AND COMMISSION

Commissioner Girard stated that there are several new businesses in the Midland Street District and asked the status of the lights being out on Linn Street. He asked if there was an update for the elevator and clock tower access after the lightning strike. Also, he is excited to see the playgrounds

fixed, especially Roosevelt Park.

Commissioner Clements said it is great to see the new Midland Street businesses and spoke on the street being closed, he's looking forward to discussing the closure in October. He also spoke on problems in the N. Erie Street neighborhood.

Commissioner Dockett asked about residential properties within the DDA boundaries, he also mentioned changing commission calendars so there is not a meeting the night before an election.

PUBLIC INPUT

Mayor Newsham asked for public input.

Alex Dewitt, 1309 S. Erie Street, spoke on the middle ground study and asked for a presentation or handout of results, also mentioned the Southend Citizens District annual back to school giveaway is Thursday.

PUBLIC HEARING

A public hearing was held regarding Ordinance amendment to the Code of Ordinances, Chapter 45 - Community Development, Article III - Downtown Development Authority, Section 46-55 regarding description of downtown district.

Martha Jaroch, 2202 18th Street, spoke on the DDA boundaries.

SPECIAL ORDER

Ordinance No. 2022-9

Be it Ordained by the City of Bay City: that the Code of Ordinances of the City of Bay City, Chapter 46, Community Development, Article III, Section 46-55, be amended to read as follows:

Sec. 46-55. Description of downtown district.

The downtown district in which the authority shall exercise its powers as provided by Act 197 shall consist of the following described territory in the city subject to such changes as may hereinafter be made pursuant to this article and Act 197:

Beginning at the intersection of the centerlines of N. Madison Avenue and First Street; thence east along the centerline of First Street to a point 150.0 feet east of the east right-of-way line of N. Monroe Street; thence north and parallel to the east right-of-way line of N. Monroe Street, 185.0 feet (plus or minus) to the south line of the former Grand Trunk & Western Railroad right-of-way; thence southeasterly along said railroad right-of-way line to the centerline of vacated N. Grant Street; thence south along the centerline of vacated N. Grant Street to the centerline of Third Street; thence west along the centerline of Third Street to the centerline of N. Madison Avenue; thence south on the centerline of N. Madison Avenue to its intersection with the north line of Lot 9, Block 37, Plat of Lower Saginaw, if extended; thence east on said north line of Lot 9 and Lot 4, Block 37 and Lot 4 and Lot 9, Block 38, if extended, to the centerline of N. Jackson Street; thence south on the centerline of N. Jackson Street 360.0 feet to the south line of Lot 3, Block 43, of the Plat of Lower Saginaw, if extended; thence west on the south line of Lot 3, Block 43, 140.0 feet to the centerline of the vacated alley in said Block 43; thence south 50.0 feet on the centerline of the vacated alley in Block 43 to the south line of Lot 9, Block 43, if extended; thence west 140.0 feet on the south line of Lot 9, Block 43, if extended, to the centerline of N. Monroe Street; thence south on the centerline of N. Monroe Street to the centerline of Center Avenue; thence west on the centerline of Center Avenue to the centerline of N. Madison Avenue; thence south on the centerline

of N. Madison Avenue to the centerline of Sixth Street; thence west 150.0 feet on the centerline of Sixth Street to the centerline of the alley in Block 76, Plat of Lower Saginaw, if extended; thence south on the centerline of the alley in Block 76, Plat of Lower Saginaw, if extended, to the centerline of Seventh Street; thence west on the centerline of Seventh Street to the centerline of N. Jefferson Street; thence south on the centerline of S. Jefferson Street to the centerline of McKinley Avenue; thence west on the centerline of McKinley Avenue to the centerline of Adams Street; thence south on the centerline of Adams Street to the centerline of Ninth Street; thence west on the centerline of Ninth Street to the centerline of the alley in Block 107, Plat of Lower Saginaw, if extended; thence south along the centerline of the alleys in Block 107 and Block 114, Plat of Lower Saginaw, to a point 362.5 feet south of the south line of Tenth Street; thence west to the centerline of Washington Avenue; thence south on the centerline of Washington Avenue 3.5 feet; thence west 160.0 feet to the centerline of the alley in Block 113, Plat of Lower Saginaw; thence south 159.0 feet (plus or minus) on the centerline of the alley in Block 113 to the north line of Lot 11, Block 128, Addition to Lower Saginaw, if extended; thence west on the north line of Lot 11, Block 128, if extended, to the centerline of Saginaw Street; thence north on the centerline of Saginaw Street to the centerline of Tenth Street; thence west on the centerline of Tenth Street to the centerline of N. Water Street; thence north on the centerline of N. Water Street to the centerline of Ninth Street; thence west on the centerline of Ninth Street extended to the centerline of the Saginaw River; thence north on the centerline of the Saginaw River to a point 100.0 feet north of the centerline of Woodside Avenue, if extended west to the Saginaw River; thence east parallel to and 100 feet north of the centerline of Woodside Avenue, if

extended, to the centerline of Washington Avenue; thence south on the centerline of Washington Avenue to the centerline of First Street; thence east on the centerline of First Street to the centerline of Adams St; thence north on the centerline of Adams St. to the centerline of Woodside Ave.; thence east on the centerline of Woodside Ave to the centerline of North Madison St., thence south on the centerline of North Madison St. to the point of beginning excluding Lots 1, 2, 3, 8, 9, 11, 12, 13, 14, the north 33.5 feet of Lot 4 and the vacated alley adjacent to said excluded lots within Block 6, Plat of Lower Saginaw AND excluding Lots 2, 7, 8, 9, 10 and the vacated alley adjacent to said excluded lots within Block 5, Plat of Lower Saginaw.

A motion was made by Commissioner Girard, seconded by Commissioner Dockett to adopt Ordinance No. 2022-9.

Motion approved by the following vote:

Yes, Commissioners Dockett, Rivet, Pinkstock, Brunner, Girard, Clements, 6.

No, None.

The Commission adjourned at 6:18 PM

KATHLEEN L. NEWSHAM, MAYOR

TEMA J. LUCERO, CITY CLERK