

City of Belding

DOWNTOWN DEVELOPMENT AUTHORITY BY-LAWS

ARTICLE I – NAME, REGISTERED OFFICE, FISCAL YEAR

Section 1 – The Name of the Authority shall be the City of Belding Downtown Development Authority.

Section 2 – The registered office and principal place of business of the Authority shall be Belding City Hall, 120 South Pleasant Street, Belding, Michigan 48809.

Section 3 - The fiscal year of the Authority shall be July 1 through June 30.

ARTICLE II – PURPOSE AND POWERS

Section 1 – The purpose for which the City of Belding Downtown Development Authority (‘Authority’) is established and organized is as follows: To act as a downtown development authority (‘DDA’) in accordance with Public Act 197 of 1975 of the State of Michigan (‘Act’), as amended, and from time to time amended.

Section 2 – In accordance with Section 7 of Public Act 197 of 1975, as amended, and from time to time amended, the Authority shall have the powers which now or hereafter may be conferred by law on Authorities established and organized under the Act.

ARTICLE III – AUTHORITY MEMBERS - GENERAL

Section 1 – Appointment, Number, Qualifications, Tenure

Authority members shall be appointed by the City Council of the City of Belding (‘Council’), and shall consist of an elected or appointed public official (either the Mayor as Chief Executive or the City Manager as Administrative Officer) of the City of Belding and not less than eight (8) or more than twelve (12) members as determined by the Council. A majority of the members shall be persons having an interest in property located in the downtown district or officers, members, trustees, principals, or employees of a legal entity having an interest in property located in the downtown district. Not less than one (1) of the members shall be a resident of the downtown district, if the downtown district has 100 or more persons residing within it.

Members shall serve four-year terms. Authority members whose terms have expired shall hold office until the member’s successor is appointed. Appointments to fill vacancies created by

death, resignation, or removal by City Council shall be made by the Council within 60 days of the vacancy and shall be for the unexpired term only.

Section Two – Attendance, Removal

Authority members are expected to attend regularly scheduled meetings. Any member who expects to be absent due to circumstances beyond his or her control may contact the Authority Chairperson in writing prior to the absence and the member shall be excused from disciplinary action by roll call vote. Any member missing two (2) consecutive unexcused regular meetings shall be automatically removed from the Authority. Such vacancy shall be formalized by the majority affirmative vote of members in attendance at the meeting for which the vote is taken to remove the member. The action shall be reported to the City Council, who shall confirm the action and appoint a successor within 60 days from the date of removal. Removal of a member of the Authority for malfeasance, misfeasance, or nonfeasance may also originate from a majority vote of the membership but such recommendation must be ratified by City Council. Nothing in this section shall preclude City Council from removing a member without a recommendation from the Authority.

Section Three - Compensation, Disclosure of Interest

Authority members shall serve without compensation, but shall be reimbursed for actual expenses generated as a result of necessary and required Authority activities. Any Authority member who has a direct conflict of interest regarding any matter before the Authority shall verbally disclose his or her interest prior to any action being taken with respect to the matter. Said disclosure shall become part of the record of the Authority’s official proceedings. Further, any Authority member making such disclosure shall be prohibited from commenting, voting or participating in deliberations on the matter during the Authority’s consideration of the matter in question.

ARTICLE IV – OFFICERS

Section 1 – Election, Officers

Election of officers shall take place at the annual meeting as established in Article V. Nominations shall be made from the floor. Election shall require a quorum to be present and a majority vote of the members. Officers shall hold office for one year or until a successor is elected. Officers of the Authority shall consist of a chairperson, a vice-chairperson, a treasurer and a secretary. No member shall hold more than one office at a time.

Section 2 – Duties of Officers

The Chairperson shall preside at all meetings of the Authority and shall discharge the duties of the presiding officer. The Chairperson shall present an Annual Report of the Downtown Development Authority’s activities and financial condition to the City of Belding City Council following the end of the fiscal year, or on request by City Council.

The Vice-chairperson shall perform the duties of the chairperson in the absence of the Chair, or in the event of his or her inability to serve. When acting in this capacity, the Vice-chairperson shall have the authority, responsibility and restrictions as assigned to the Chairperson to carry out.

The Treasurer shall prepare a proposed annual budget with the assistance of the Treasurer of the City of Belding, to be presented and approved by the Authority in accordance with the timeline established by city ordinance for the budget approval process. The budget shall cover the fiscal year and be submitted to the City Manager for transmittal to City Council for inclusion in the annual budget for the city. The Treasurer shall keep, or cause to be kept, all financial records for the Authority and shall approve, or provide cause to approve, all vouchers for expenditure of Authority funds. The Treasurer shall provide, or cause to provide, bonds in amounts prescribed by the Authority.

The Secretary shall attend all meetings, shall record or cause to be recorded all votes, and shall record and produce or cause to be recorded and produce minutes for all meetings of the Authority. The Secretary shall give or cause to give notice of all meetings of the Authority and, when authorized, attest by signature to actions by the Authority and shall maintain or cause to be maintained the official seal, records, and all documents of the Authority.

Section 3 – Removal of Officers

An officer may be removed by motion and majority vote, whenever in its judgment the Authority determines the best interests of the Authority will be served.

ARTICLE V – MEETINGS

Section 1 – Annual, Regular, Special, Open, Closed

The annual meeting shall be held at the regular meeting of the Authority in May of each year. Regular meetings of the Authority shall be held at least quarterly, at a time and place to be set at the annual meeting. Special meetings of the Authority may be called by the Chairperson or three (3) members of the Authority, with a minimum twenty-four hour notice. All regular and

special meeting notices shall be published, and meetings of the Authority shall be open to the public except as otherwise allowed in accordance with State of Michigan Public Act 267 of 1976, as amended (Open Meetings Act – the ‘Act’). Closed meetings or closed sessions may only be held in accordance with purposes listed in the Act if approved by the Authority in accordance with provisions of the Act.

Section 2 – Agenda, Rules of Order, Quorum, Voting

The Chairperson shall prepare or cause to be prepared the agenda for regular and special meetings. The agenda shall be sent to members of the Authority at least twenty-four hours in advance of the meeting. Any member of the Authority may request an item to be placed on the agenda.

Unless otherwise specified, Robert’s Rules of Order shall be used as a guide to Parliamentary Procedure in governing the conduct at all Authority meetings. The Authority may establish rules in accordance with State of Michigan Public Act 267 of 1976, as amended for persons wishing to address the Authority during its meetings.

A quorum shall be a majority of the entire eligible membership of the Authority. A majority vote of a quorum shall constitute the action of the Authority unless a larger number is required by statute. In the event a reduced number of eligible votes results from a conflict of interest, a majority of the remaining eligible voters shall constitute an action by the Authority. Except when a member is excused from voting on a matter by the chairperson because of a disclosed conflict of interest, all members present at a meeting shall vote on matters before the Authority.

ARTICLE VI – AMENDMENTS

Changes may be made to these by-laws by a majority vote of the Authority subject to final approval by Belding City Council.

Amended By-Laws approved by City of Belding DDA: November 2, 2016

Amended By-Laws approved by Belding City Council: December 6, 2016