

Downtown Muskegon Business Improvement District

Meeting Agenda

April 29, 2015

380 W. Western Ave., Suite 202 Muskegon, MI at 4PM

- 1) Call to Order
- 2) Selection of Chair and Vice-Chair
- 3) Adoption of Agenda
- 4) Public Comment (on an agenda item)
- 5) New Business
 - a) Bylaws
 - i) Adoption
 - b) Board Composition (see memo 1)
 - i) Board Members select lots for term length
 - ii) Open Board Seat (resignation of Amanda Garabedian)
 - iii) Board Composition
 - c) Discussion of Services (see memo 2)
 - d) Discussion of Assessment (see memo 3)
- 6) Old Business
- 7) Other Business
- 8) Adjournment

Bylaws

Of

The Downtown Muskegon Business Improvement District

DRAFT

Adopted April ____, 2015

Purpose

The Downtown Muskegon Business Improvement District was created to promote economic development in downtown Muskegon and enhance services to existing businesses located in Downtown Muskegon through marketing activities, common area maintenance and beautification.

Article 1

Property Classifications

Class "A" Properties

Properties located within the Downtown Muskegon Business Improvement District which are currently used for, or zoned for commercial, office, retail or other similar activities not listed below

Class "B" Properties

Properties located within the Downtown Muskegon Business Improvement District which are currently use for, or zoned for automotive, industrial or manufacturing

Class "C" Properties

Properties located within the Downtown Muskegon Business Improvement District which are currently used for nonprofit or religious activities

Class "D" Properties

Properties located within the Downtown Muskegon Business Improvement District which are currently used for, or zoned for educational or governmental activities.

Article 2

Governing Board

Section 2.1 – Composition

The Downtown Muskegon Business Improvement District Board shall consist of between seven (7) and fifteen (15) members. Board composition shall be consistent with the State of Michigan enabling legislation, Act No. 120 of the Public Acts of 1961.

Section 2.2 – Board Terms

Each board member will be appointed to a three (3) year term with no more than half of board seats expiring in one year. For the initial board, board members will draw lots to determine what members will serve one (1), two (2) and three (3) year teams. Board terms end on December 31 of the expiring year. The first year term for inaugural board members will expire on December 31, 2016 following the first full year of service.

Section 2.3 – Board Openings

Nominees for annual openings shall be indorsed by the Downtown Muskegon Business Improvement District board at its fall quarterly meeting and then sent to the Muskegon City Commission for formal appointment.

Section 2.4 – Regular Openings

Individuals seeking nomination/appointment to the board should complete an application of interest. If more individuals express interest in open positions than there are positions the Downtown Muskegon Business Improvement District may conduct an election by mail.

Section 2.4.2 – Voting Eligibility in Elections

Assessable property owners within the Downtown Muskegon Business Improvement District are eligible voters for the Business Improvement District Board.

Section 2.5 – Vacancies, Resignations and Removals

Vacancies which occur between fall quarterly meetings shall be filled by appointment via a recommendation of the Business Improvement District Board to the Muskegon City Commission.

Section 2.6 – Compensation

Downtown Muskegon Business Improvement District Board members shall not receive any compensation for their services.

Article 3

Officers

Section 3.1 – Appointment of Chair and Vice-Chair

The Downtown Muskegon Business Improvement District Board shall annually select one of its members to serve as Chair and Vice-Chair.

The Chair shall preside at all meetings.

The Vice-Chair shall act in the capacity of the Chair in the absence of the Chair. In the event of a vacancy in the office of Chair, the Vice-Chair will assume the office of Chair and the Business Improvement District Board shall select a successor to the office of Vice-Chair at the earliest practical time.

Section 3.2 – Secretary

The Downtown Muskegon Business Improvement District Board shall designate a qualified member of the downtown Muskegon services office staff to serve as secretary of the Business Improvement District Board. The Secretary shall file a detailed record of all proceedings in the downtown Muskegon services office and take all other action as necessary for the proper and expeditious execution of all board actions.

Article 4

Meetings

Section 4.1 – Open Meetings Act

All meeting of the Downtown Muskegon Business Improvement District Board shall be conducted at a public meeting held in compliance with the Michigan Open Meetings Act, Act No. 267 of the Public Acts of 1976. Any property owner or business owner located within the Downtown Muskegon Business Improvement District shall be given the opportunity to be heard.

Section 4.2 – Meetings Held

The Downtown Muskegon Business Improvement District Board shall meet a minimum of once per quarter. Additional meetings may be called between standing meetings with no less than 14 days notice.

Standing quarterly meeting should cover:

- 1st Quarterly Meeting – Annual report/selection of chair & Vice-chair
- 2nd Quarterly Meeting – Discussion of following year’s services
- 3rd Quarterly Meeting – Discussion of assessment based on recommended services
- 4th Quarterly Meeting – Recommendation of Assessment & recommendation of new board members.

Section 4.3 – Notice of Meetings

Notices of all meetings (regularly scheduled and special) shall be posted a minimum of two weeks in advance on the City of Muskegon’s website and the appropriate downtown Muskegon organization’s website.

Article 5

Administration

Section 5.1 - Records

All records of the Downtown Muskegon Business Improvement District board are available to the public in compliance with the Michigan Freedom of Information Act. Meeting agendas, board packets, meeting minutes and annual financials shall be posted to the administering agency’s website.

Section 5.2 – Annual Meeting

At the first quarterly meeting of the year an annual report shall be presented which provides an overview of the previous year’s activities and budget expenditures. The annual report will be publically available via the administering agency’s website.

Downtown Muskegon Business Improvement District

MEMO 1

Regarding: Board Composition

Date: April 29, 2015

To: Downtown Muskegon BID Board

From: Staff

Overview:

Business Improvement Districts in the state of Michigan are permitted to have between 7 and 15 members.

Recommended Changes:

Following feedback from the Muskegon City Commission and property/business owners within the Business Improvement District it is being recommended that the board be expanded from 7 to 9 members.

If the board agrees with this expansion, two potential board members have been identified and would be approached for board membership. If they accept, the BID Board would then make a recommendation to the Muskegon City Commission for formal appointment of these individuals to the BID board.

Background on agenda item b ii – Open Board Seat

Amanda Garabedian, formerly of First General Credit Union on W. Western Ave., left her position with the Credit Union. The Credit Union's President and CEO, Connie Taylor has expressed an interest in filling Amanda's seat on the board.

I've met with Connie, talked with her about what we're trying to do with the Business Improvement District specifically and in the downtown in general. She is eager to be an active downtown partner. From a staff perspective I think Connie would bring a valuable point of view to the board with her financial services background. Additionally, Connie has professional experiences working in other downtowns in West Michigan and could provide general insights into how things are done elsewhere.

Downtown Muskegon Business Improvement District

MEMO 2

Regarding: Services/Budget

Date: April 29, 2015

To: Downtown Muskegon BID Board

From: Staff

Overview:

By statute BIDs in Michigan are able to provide services which maintain common areas, engage in beautification, business development activities and marketing.

Recommended Services:

It is being recommended that the Downtown Muskegon Business Improvement district provide:

- Summer beautification services within the district, this would include maintaining flower planters, planting areas in right of ways and adding downtown banners.
- Common area winter snow removal on sidewalks and public parking areas in the district.
- Marketing of downtown Muskegon with the goal of increasing the local community's knowledge of downtown Muskegon businesses, services and activities.

Possible Budgets/Service Levels:

Option 1

Downtown Beautification/Enhancements	
Spring/Fall Clean-up & Summer Landscaping	\$ 16,000.00
Holiday Decorating	\$ 2,500.00
Banners & Directional Signs	\$ 8,000.00
Snowplowing & Salt	\$70,000.00
Marketing, Advertising & Development	
Advertising	\$ 20,000.00
Reserve Funds	
	\$5,825.00
Total	\$122,325.00

Option 2

Downtown Beautification/Enhancements	
Spring/Fall Clean-up & Summer Landscaping	\$16,000.00
Holiday Decorating	\$2,500.00
Banners & Directional Signs	\$8,000.00
Snowplowing & Salt	\$90,000.00
Marketing, Advertising & Development	
Advertising	\$20,000.00
Reserve Funds	
	\$6,825.00
Total	\$143,325.00

Downtown Muskegon Business Improvement District

MEMO 3

Regarding: Assessment Breakdown

Date: April 29, 2015

To: Downtown Muskegon BID Board

From: Staff

Overview:

Special assessment districts within the state of Michigan allow for different assessment levels based on the type of services provided.

Possible Assessment Levels:

Option 1

Class A Properties (as defined in the bylaws), which in general are clustered in the middle of the Downtown Muskegon Business Improvement District, would be assessed at an annual rate of \$0.08 a square foot based on lot size. Class B Properties (as defined in the bylaws), which in general are located at the eastern and western edges of district, would be assessed at an annual rate of \$0.02 a square foot based on lot size. In both cases a minimum annual assessment of \$300 per property and a maximum annual assessment of \$3,000 per property would be implemented. Contiguous properties with the same owner and same use would be treated as a single property for determining the maximum assessment.

If this option is chosen, approximately \$129,000 would be collected from the special assessment.

If this option is selected, beautification and marketing/advertising services would be provided as consistently as possible throughout the district. However, snow removal services would, in general, be focused on the middle of the downtown between Terrace and 7th Streets and down the 3rd Street corridor.

Option 2

All assessable properties in the downtown, Class A & Class B as outlined in the Downtown Muskegon Business Improvement district Bylaws, would be assessed at the same annual rate of \$0.08 a square foot based on lot size. With a minimum annual assessment of \$300 per property and a maximum annual assessment of \$3,000 per property. Contiguous properties with the same owner and same use would be treated as a single property for determining the maximum assessment.

If this option is chosen approximately \$148,000 would be collected from the special assessment.

If this option is selected, all services throughout the district would be as consistent as possible regarding snow removal, beautification and marketing/advertising.