

**Bylaws**

**Of**

**The Downtown Muskegon Business Improvement District**

**Adopted April 29, 2015**

**Amended April 25, 2017**

## **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 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 nine (9) members. Board composition shall be consistent with the State of Michigan enabling legislation, Act No. 120 of the Public Acts of 1961. Statute allows for between seven (7) and fifteen (15) members. Board membership may be increased or decreased by a recommendation of the BID Board at the first quarterly annual meeting in January with the new board composition taking effect the following January 1.

### **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 48 hours notice.

Standing quarterly meeting should cover:

- 1<sup>st</sup> Quarterly Meeting – Annual report/selection of chair & Vice-chair
- 2<sup>nd</sup> Quarterly Meeting – Discussion of following year’s services
- 3<sup>rd</sup> Quarterly Meeting – Discussion of assessment based on recommended services
- 4<sup>th</sup> 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.

#### **Section 4.4 – Amending Bylaws**

The Downtown Muskegon Business Improvement District Bylaws may be amended by a simple majority vote of the board.

### 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.

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Business Improvement District Bylaws were amended as of April 25, 2017 by a unanimous vote of the BID board.