

CITY COUNCIL RESOLUTIONS CONCERNING THE ORGANIZATION OF THE BUSINESS IMPROVEMENT DISTRICT AND ITS BOARD OF DIRECTORS

City Council, January 21, 2003:

Resolution by Councilman Wojdula, seconded by Councilman Dudiak,

WHEREAS, it appears that a Business Improvement District and a Board of Directors for such a district should be established,

NOW, THEREFORE, BE IT RESOLVED, that the City Council of the City of New Buffalo hereby establishes a Business Improvement District and a Business Improvement District Board for the management of the District properties, pursuant to MCLA 125.981, et seq:

1. Geographical Boundaries.

All that area zoned Central Business District (CBD) on the official zoning map of the City of New Buffalo, and an area bounded by Buffalo Street on the South, Townsend Street on the East, Water Street on the North and Thompson Street on the West, and an area bounded by Merchant Street on the South, Barton Street on the East, the harbor waters edge on the North, and Barker Street on the West, and an area bounded by Taylor Street on the West, Buffalo Street on the North, Norton Street on the East and ½ Block south of Buffalo Street on the South. These areas are shown on the attached map, Exhibit A.

2. Board Members.

The Board shall consist of five members, one representative of the City who shall be appointed by the City Manager and approved by the City Council, and four nominees from business owners and property owners within the established business improvement district. The term of office of each member shall be two years. One-half of the members of the initial board shall be appointed for a term of one year so as to create a staggered membership. The remainder of the board, including the representative of the City, shall serve an initial two year term. The Chairperson of the board shall annually be selected by majority vote of the board members for a one year term.

3. Purpose of Board.

The board shall, in accordance with statute, manage one (1) or more of the following activities:

- (a) Open, widen, extend, realign, pave, maintain, or otherwise improve highways and construct, reconstruct, maintain, ore relocate pedestrian walkways.
- (b) Prohibit or regulate vehicular traffic where necessary to carry out the purposes of the development or redevelopment project.

- (c) Regulate or prohibit vehicular parking on highways.
- (d) Acquire, own, maintain, demolish, develop, improve, or operate properties, off-street parking lots, or structures.
- (e) Contract for the operation or maintenance by others of city off-street parking lots or structures, or appoint agents for the operation or maintenance.
- (f) Construct, maintain, and operate malls with bus stops, information centers, and other buildings that will serve the public interest.
- (g) Acquire by purchase, gift, or condemnation and own, maintain and operate real or personal property necessary to implement this section.
- (h) Promote economic activity in the district by undertakings including, but not limited to, conducting market research and public relations campaigns, developing, coordinating, and conducting retail and institutional promotions, and sponsoring special events and related activities. A business may prohibit the use of its name or logo in a public relations campaign, promotion, or special event or related activity for the district.
- (i) Provide for or contract with other public or private entities for the administration, maintenance, security, operating and provision or services that the board determines are a benefit to a district within the City.

4. Class of Property Owners

All property in the business improvement district is zoned either Central Business District or General Commercial District. There is no residentially zoned property within the district.

5. Special Assessment.

A special assessment district is not be created at this time. Therefore, no one business property owner is projected to pay more than 50% of any special assessment levied that benefits property in the business improvement district. The creation of a special assessment district is reserved at this time.

Resolution carried.

City Council, February 18, 2003:

Resolution by Councilman Dudiak, seconded by Councilman Reimann, to amend a Business Improvement District resolution dated January 21st to correct the street name of one of the boundaries from Merchant Street to Mechanic Street, unanimous.

City Council, November 18, 2008:

Resolution by Councilmember Maroko, seconded by Councilman Geisler, to extend the current BID boundaries from city limits on Whittaker to city limits on Buffalo Street, unanimous.

City Council, May 19, 2009:

Resolution by Councilmember Maroko, seconded by Councilman Kennedy, to amend the resolution of the Business Improvement District (BID) from five (5) members to seven (7) members, and set the length of their terms to 3 years, unanimous.

City Council, October 20, 2009:

Resolution by Councilman Kennedy, seconded by Councilmember Maroko, to approve the following:

Whereas, the Business Improvement District was created by resolution of the City Council on January 21, 2003, creating a five-member Board of Directors, with members having staggered terms.

Whereas, previous City Council resolutions have deviated from this intention, and the current City Council wishes to return to the original structure of the Business Improvement District Board.

Therefore be it resolved, Business Improvement District Board shall consist of five members, with one member serving as the City's representative to the Board.

Be it further resolved, that the members of the Board shall be divided into three groups, with each member serving a three-year term:

Group 1 shall consist of two members with terms ending May 2010; those members are: Janet Clark and Robert Kemper..

Group 2 shall consist of two members with terms extended to end May 2011; those members are: Gary Ramberg, and Francis Waldron

Group 3 shall consist of the City representative, Council Member Margaret Murray, with term ending May 2012. [Resolution carried.]