

Village of Ellsworth
DOWNTOWN DEVELOPMENT AUTHORITY
BY-LAWS

ARTICLE I. SCOPE OF THE DOWNTOWN DEVELOPMENT AUTHORITY.

Section 1. The Ellsworth Downtown Development Authority, was created in part to correct and prevent deterioration of the Ellsworth business district; to promote economic growth and revitalization; to encourage historic preservation; to authorize the acquisition and disposal of interests in real and personal property; and use of tax increment financing in the accomplishment of specific downtown development activities contained in locally-adopted development plans.

ARTICLE II. DOWNTOWN DEVELOPMENT AUTHORITY APPOINTMENTS

Section 1. The business and property of the Authority shall be managed and directed by the Board of Directors, each term consisting of three (3) years, from the date of their respective appointment, unless an appointment is to fulfill an unexpired term. A member shall hold office until the member's successor is appointed. Thereafter, each member shall serve for a term of 3 years.

Section 2. The Board annually, as the last agenda item of the July regular meeting, shall elect one of its members as chairperson, one as vice-chairperson, one as secretary and one as treasurer. The officers so elected shall serve a term of one (1) year or any part thereof as may be determined, and until his successor is designated. No term of office created under this section shall extend beyond the term of the member's designated term.

Section 3. In the event the position of Chairperson is vacated prior to the expiration of the term, the Vice-Chairperson shall assume the responsibility of Chairperson. In the event the position of Vice-Chairperson, Secretary or Treasurer is vacated prior to the expiration of the term, the Board shall conduct an election.

Section 4. The Board shall consist of nine members plus the Village President.

Section 5. A majority of the members shall have an interest in property (own or lease) within the DDA District. Other members may come from outside the DDA District.

Section 6. The Board may utilize volunteers on subcommittees or projects from time to time. A volunteer shall be a person who desires to support the Downtown Development Authority and its endeavors. Volunteers hold no responsibility and are only bound to the duties they commit themselves to in a subcommittee or project. A Board member may request a person be placed on the volunteer list, or any person may request to be placed on the list.

ARTICLE III. MEETINGS.

Section 1. The regular meetings of the Board will be held 6:00 p.m. on the 4th Monday of the week of each month at a location designated by the Board. Notice of all meetings shall be published in accordance with the Open Meetings Act 1976, Public Act 267, as amended.

Section 2. Special meetings shall be held whenever called by direction of the chairperson or any three (3) members of the Board on eighteen (18) hours written notice of the time and place of meeting. Notice of all special meetings shall be published in accordance with the Open Meetings Act 1976, Public Act 267, as amended.

Section 3. A majority of the Board, appointed and serving, shall constitute a quorum, and the affirmative vote of a majority, of those present, shall be necessary for the transaction of any and all business or the passage of any resolution.

Section 4. Any member(s) finding a conflict of interest with one or more agenda items shall excuse himself/herself, and refrain from discussing and voting on said item(s). Any abstention shall be noted in the minutes of the meeting.

ARTICLE IV. DUTIES.

Section 1. The chairperson shall preside at meetings of the Board. The vice-chairperson shall perform the duties of the chairperson in the chairperson's absence and such other duties as shall from time to time be assigned to him by the chairperson.

Section 2. The secretary shall maintain custody of the official seal and of records, books, documents, or other papers not required to be maintained by the treasurer. The secretary shall attend meetings of the Board and keep a record of its proceedings, and shall perform such other duties delegated by the chairperson.

Section 3. The DDA treasurer shall prepare and/or provide the Authority with a monthly financial statement. Official records and accounts shall be maintained by the Village of Ellsworth.

Section 4. All checks, as authorized by the Downtown Development Authority, shall be signed by two of the following officers; the Downtown Development Authority Chairperson, Downtown Development Authority Vice-Chairperson, or Downtown Development Authority Treasurer and issued through the Village of Ellsworth.

Section 5. The Authority shall prepare and submit for approval to the Village an annual budget, which outlines their forecasted revenue and anticipated expenses.

Section 6. The Authority, at the conclusion of the fiscal year, shall submit a summary report to the Village outlining their actual revenues and expenditures, and accomplishments. This summary statement shall also be published in the local newspaper.

Section 7. The Authority shall prepare a Development Plan, pursuant to the requirements of Public Act 57 of 2018, outlining its plans and priorities for the DDA District. This plan shall be approved by the Authority and adopted by the Village.

Section 8. The Board shall have the power to engage and employ such manual, clerical, technical, financial, and professional assistance as in its judgement may be necessary and is instrumental to carry out the purposes of the authority.

ARTICLE V. ATTENDANCE.

Section 1. The Downtown Development Authority schedules twelve (12) general meetings a year, each member shall show their commitment to the Downtown Development Authority through attendance.

Section 2. The secretary shall notify the director and chairperson of a member's third absence during the year in which it occurs. The chairperson shall forward a letter to the member addressing the member's absence and attendance record.

Section 3. The chairperson, upon majority approval of the Downtown Development Authority, shall submit a letter to the Village Council, requesting the removal of a member after three (3) absences annually. The letter shall contain the reason(s) for removal, and refer to this Article of the Downtown Development Authority By-Laws.

ARTICLE VI. STRUCTURE OF BY-LAWS.

Section 1. The Board shall have power to make, alter or amend the By-Laws in whole or in part by majority vote. However, the By-Laws cannot supersede the provisions of Public Act 57 of 2018, as amended.

Introduced:
January 7, 2019