

**TITLE III: ADMINISTRATION**

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## CHAPTER 30: COMMISSIONS AND AUTHORITIES

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***PLANNING COMMISSION*****§ 30.01 COMMISSION CREATED.**

There is created a Planning Commission for the City of Standish to be known as the City Planning Commission. The Commission is created in accordance with the provisions of Public Act 285 of 1931, being M.C.L.A. §§ 125.31-125.45, as amended, and shall have all the duties and powers and shall perform all of the functions provided by said Act, as amended.  
(Ord. 112, passed 12-7-55)

**§ 30.02 ORGANIZATION.**

The City Planning Commission shall consist of the Mayor, one of the administrative officials of the municipality selected by the Mayor, one member of the City Council selected by the Council as members ex officio and six other persons who shall be appointed by the Mayor subject to approval by a majority vote of the members elect of the City Council. All appointed members of the Commission may be compensated at a rate to be determined by the City Council. An appointed member shall not hold another municipal office, except that one of the appointed members may be a member of the Zoning Board of Appeals or a member of a joint fire administrative board. The terms of ex officio members shall correspond to their official tenures, except that the term of the administrative official selected by the Mayor shall terminate with the term of the Mayor. The term of each appointed member shall be three years or until his or her successor takes office, except that the respective terms of two of the members first appointed shall be for one year and two for two years. After public hearing, a member other than the member selected by the Council may be removed by the Mayor for inefficiency, neglect of duty or malfeasance in office. The Council may for like cause remove the member selected by the Council. All ex officio members shall have full voting rights.  
(Ord. 112, passed 12-7-55; Am. Ord. 193, passed 12-16-96)

**§ 30.03 APPOINTMENT; MEETINGS.**

(A) The City Planning Commission shall from its appointed members annually elect a Chairperson and shall fill such other offices as it may determine.

(B) The City Clerk shall act as Secretary and Clerk of the City Planning Commission and shall keep a record of all its proceedings. The Commission shall hold at least one regular meeting in each month and may adopt rules for the transaction of its business and shall keep a full and complete record of its resolutions, transactions, findings and determinations, which record shall be a public record and open to inspection in the office of the City Clerk at any reasonable time during business hours.  
(Ord. 112, passed 12-7-55)

**§ 30.04 APPROPRIATION OF FUNDS.**

(A) The City Planning Commission may appoint such employees as it may deem necessary for its work and may contract with city planners, engineers, architects and other consultants as it may require; provided, however, that the City Planning Commission shall not expend any funds or enter into any contracts or agreements for the expenditures in excess of amounts appropriated for the purpose by the City Council.

(B) The City Planning Commission may, on or before the first day of April in each year, file with the City Clerk a written request for an appropriation of funds for city planning for the ensuing fiscal year of the city, and the City Clerk shall in turn present such request to the City Council along with the annual budget report. The City Council may appropriate such funds for city planning as it may deem advisable. (Ord. 112, passed 12-7-55)

**§ 30.05 POWERS.**

The City Planning Commission shall have such powers concerning the preparation and adoption of a master plan or any part thereof, the making of surveys as a basis for such plan, the approval of public improvements, the carrying out of educational and publicity programs, the approval of plats and a street system, the adoption of regulations governing subdivision of lands and such other rights, powers, duties and responsibilities as are provided under the provisions of Public Act 285 of 1931, being M.C.L.A. §§ 125.31-125.45, as amended. (Ord. 112, passed 12-7-55)

**§ 30.06 GIFTS.**

The City Planning Commission may receive gifts for the purposes of carrying out its objectives and may expend any funds received in the form of a gift in such manner as it may deem proper. (Ord. 112, passed 12-7-55)

**§ 30.07 REPORTS AND RECOMMENDATIONS.**

The City Planning Commission shall make reports and recommendations to the City Council; provided, however, that no such recommendation shall be binding upon the City Council and the same may be overruled by the City Council and the same two-thirds of its members elect. (Ord. 112, passed 12-7-55)

**LOCAL OFFICER'S COMPENSATION COMMISSION****§ 30.20 CREATED, AUTHORITY.**

The City Council does establish a Local Officer's Compensation Commission for the city pursuant to Public Act 8 of 1972, being M.C.L.A. § 117.5(5C), as amended.  
(Ord. 148A, passed 10-20-75)

**§ 30.21 PURPOSE.**

The purpose of and function of the Commission is to determine the salaries of all local elected officials.  
(Ord. 148A, passed 10-20-75)

**§ 30.22 ELIGIBILITY AND RESTRICTIONS ON ELIGIBILITY.**

The Commission shall consist of five members who are registered electors of the city, who shall be appointed by the Mayor subject to confirmation by the majority of the City Council. However, no member or employee of the legislative, judicial or executive branch of any level of government or member of the immediate family of such member or employee shall be eligible to be a member of the Commission.  
(Ord. 148A, passed 10-20-75)

**§ 30.23 TERMS OF OFFICE.**

(A) The members shall be initially appointed as follows:

- (1) One member for a term of five years;
- (2) One member for a term of four years;
- (3) One member for a term of three years;
- (4) One member for a term of two years;
- (5) One member for a term of one year.

(B) Annually, thereafter, the Mayor, with the approval of the Council, shall appoint one member of the Commission for a term of five years.

(C) All original members shall be appointed within 30 days after the effective date of this subchapter. Thereafter, members shall be appointed before October 1 of the year of appointment.  
(Ord. 148A, passed 10-20-75)

**§ 30.24 FILLING OF VACANCIES.**

Vacancies occasioned by removals, resignations or otherwise shall be reported to the City Council and shall be filled for the remainder of the unexpired term in the same manner as original appointments.  
(Ord. 148A, passed 10-20-75)

**§ 30.25 COMPENSATION.**

The members of the Commission shall receive no compensation, but shall be entitled to their actual and necessary expenses incurred in the performance of their duties.  
(Ord. 148A, passed 10-20-75)

**§ 30.26 AUTHORITY TO ORGANIZE FINAL VOTE; SESSION DAYS.**

(A) Immediately after their appointment, the members shall meet and organize by electing one of their members Chairperson and electing such other officers as they may deem necessary. They shall also have the power to adopt such by-laws and regulations as they deem necessary for the carrying on of the business of the Commission.

(B) A majority of the members of the Commission shall constitute a quorum for conducting its business. However, the Commission shall take no action or make determinations without a concurrence of a majority of the members appointed and serving on the Commission.

(C) The Commission shall meet for not more than 15 session days in 1975 and every odd numbered years thereafter. A *SESSION DAY* means any calendar day on which the Commission meets and a quorum is present.  
(Ord. 148A, passed 10-20-75)

**§ 30.27 POWERS AND DUTIES.**

(A) The Commission shall have the power to and shall determine the salaries of all elected officials of the city. The determination of the salaries shall become effective 30 days after being filed with the City Clerk, unless rejected by a vote of two-thirds of the City Council. In case of such rejection, the existing salary shall prevail. The Commission shall make its determination within 45 calendar days of its first meeting.

(B) The Commission shall not be responsible for review, approval or accounting for routine expense allowances or other expenses paid to elected officials in addition to salary.  
(Ord. 148A, passed 10-20-75)

### ***DOWNTOWN DEVELOPMENT AUTHORITY***

#### **§ 30.40 TITLE.**

This subchapter shall be known and may be cited as the "Downtown Development Authority Ordinance."  
(Ord. 172, passed 9-17-90)

#### **§ 30.41 DEFINITIONS.**

The terms used herein shall have the same meaning as given them in Public Act 197 of 1975, being M.C.L.A. §§ 125.1651-125.1680, or as hereinafter in this section provided, unless the context clearly indicates to the contrary.

***AUTHORITY.*** The Downtown Development Authority of the City of Standish created by this subchapter.

***ACT 197.*** Public Act 197 of 1975, being M.C.L.A. §§ 125.1651-125.1680, as now in effect or hereafter amended.

***BOARD*** or ***BOARD OF DIRECTORS.*** The Board of Directors of the Authority.

***DOWNTOWN DISTRICT.*** The downtown district designated herein or as hereafter amended.  
(Ord. 172, passed 9-17-90)

#### **§ 30.42 PURPOSE.**

The City Council determines that it is in the best interest of the city to create a public body corporate to halt property value deterioration, increase property tax valuation where possible in the business district of the city, eliminate the causes of that deterioration and to promote economic growth pursuant to Public Act 197 of 1975, being M.C.L.A. §§ 125.1651-125.1680.  
(Ord. 172, passed 9-17-90)



**§ 30.43 CREATION OF AUTHORITY.**

There is created pursuant to Public Act 197 of 1975, being M.C.L.A. §§ 125.1651-125.1680, a Downtown Development Authority for the city. The Authority shall be a public body corporate and shall be known and exercise its powers under title of "Downtown Development Authority of the City of Standish." The Authority may adopt a seal, may sue and be sued in any court of this state and shall possess all of the powers necessary to carry out the purpose of its incorporation as provided herein and in Public Act 197 of 1975, being M.C.L.A. §§ 125.1651-125.1680. The enumeration of a power herein or in Public Act 197 of 1975, being M.C.L.A. §§ 125.1651-125.1680 shall not be construed as a limitation upon the general powers of the Authority.

(Ord. 172, passed 9-17-90)

**§ 30.44 DESCRIPTION OF DOWNTOWN DISTRICT.**

The Downtown District in which the Authority shall exercise its powers as provided by Public Act 197 of 1975, being M.C.L.A. §§ 125.1651-125.1680, shall consist of the property in the city described on Exhibit A attached to Ordinance 172, passed 9-17-90 and made a part hereof, subject to such changes as may hereinafter be made pursuant to this subchapter and Public Act 197 of 1975, being M.C.L.A. §§ 125.1651-125.1680.

(Ord. 172, passed 9-17-90)

**§ 30.45 BOARD OF DIRECTORS.**

The Authority shall be under the supervision and control of a Board consisting of the Mayor of the city and eight members. The members shall be appointed by the Mayor subject to approval by the Council. Eligibility for membership on the Board and terms of office shall be as provided in Public Act 197 of 1975, being M.C.L.A. §§ 125.1651-125.1680. All members shall hold office until the member's successor is appointed. Initially two members each shall be appointed to serve for one, two, three and four years. All successive terms shall be for a four year term. All members shall serve without compensation but may have necessary and actual expenses reimbursed. Each member shall subscribe to the constitutional oath of office.

(Ord. 172, passed 9-17-90)

**§ 30.46 POWERS OF AUTHORITY.**

The Authority shall possess all of the powers necessary to carry out the purposes of its incorporation and shall have all powers provided by Public Act 197 of 1975, being M.C.L.A. §§ 125.1651-125.1680.

(Ord. 172, passed 9-17-90)

**§ 30.47 FISCAL YEAR; ADOPTION OF BUDGET, REPORTS; AUDITS.**

(A) The fiscal year of the Authority shall begin on July 1 of each year and end on June 30 of the following year, or such other fiscal year as may hereafter be adopted by the city.

(B) The Board shall annually prepare a budget and shall submit it to the City Manager for submission to the Council. The Board shall not finally adopt a budget for any fiscal year until the budget has been approved by the Council. The Board may, however, temporarily adopt a budget in connection with the operation of any improvements which have been financed by revenue bonds where required to do so by the ordinance authorizing the revenue bonds.

(C) The Authority shall be audited annually by the same independent auditors auditing the city and copies of the audit report shall be filed with the Council.

(D) The Authority shall coordinate any and all plans for construction and improvements with City Council for approval.

(E) The Authority shall submit monthly reports to City Council when requested.

(F) The Authority, within 90 days after the appointment of members, shall submit to City Council proposed by-laws for approval.  
(Ord. 172, passed 9-17-90)

**§ 30.48 TERMINATION.**

Upon completion of its purposes the Authority may be dissolved by an ordinance duly adopted by the Council. The property and assets of the Authority, after dissolution and satisfaction of its obligations, shall revert to the city.

(Ord. 172, passed 9-17-90)

## CHAPTER 31: CITY POLICIES

### Section

- 31.01 Central polling place
- 31.02 Registration place in city for electors
- 31.03 Purchasing
- 31.04 Fire Department charges

### § 31.01 CENTRAL POLLING PLACE.

(A) S. E. Hayes Office Building shall be the voting place of all the electors of the various wards in the city, and the electors of each ward shall be furnished with a booth or booths, plainly labeled on the outside with the number of the ward where they have their residence, and each elector shall mark his or her ballot in the booth numbered in correspondence with the number of his or her ward, and the inspectors of election shall deposit the ballots so marked in ballot boxes provided for each separate ward.

(B) The Common Council of the city shall appoint four or more inspectors of election at the last meeting of the Common Council previous to every election, general, special or primary, and the inspectors shall be governed by the general laws of this state in reference to their powers and duties as election inspectors.

(C) The three ward polling places in the city are discontinued and abolished.  
(Ord. 49, passed 10- -16)

### § 31.02 REGISTRATION PLACE IN CITY FOR ELECTORS.

(A) S. E. Hayes Office Building shall be the place of registration of all the electors of the various wards in the city.

(B) The City Council shall appoint two persons electors of the city, who shall constitute the Board of Registration of the city at the last meeting of the City Council previous to the time provided by law for the meeting of boards of registration, and the Board shall be governed in reference to its powers and duties by the laws relating to the registration of electors in cities of the fourth class.

(C) The three ward places of registration in the city are discontinued and abolished.  
(Ord. 50, passed 10- -16)

**§ 31.03 PURCHASING.**

(A) Where the amount of expenditures for any purchase or contract exceeds the sum of \$5,000, the City Administrator shall invite competitive sealed bids thereon by legal advertisement in the local newspaper. Bids received pursuant to the advertisement shall be opened and read on the date set for receiving the bids, in the presence of the City Council, or its duly authorized representative. The contract shall be awarded to the lowest responsible and responsive bidder; provided, however, the City Council may reject any and all bids received.

(B) Each bid received and opened under division (A) of this section shall be recorded and be open to public inspection.

(C) Any contract awarded under division (A) of this section shall be awarded with reasonable promptness by written notice to the responsive and responsible bidder whose bid is determined to contain the lowest bid price.

(D) Competitive bidding requirements shall not apply to professional services, emergency repairs and transactions between governmental units or services exempted by written policy of the Standish City Council.

(E) The City Administrator shall have authority to make emergency purchases in an amount not to exceed \$10,000, if in the best judgment of the City Administrator the purchase is necessary to provide vital services to the City of Standish necessary to protect the health and safety of the residents of the City of Standish or to preserve the provisions of critical services, or further to preserve the integrity of critical municipal infrastructure.

(F) The city shall maintain a system of purchase orders, each individual purchase order noting at a minimum the following information: date of proposed purchase, item to be purchased, department, reason for purchase, price of purchase and employee making purchase. All purchases in excess of \$100 shall first have an executed purchase order.

(G) No employee except a department head or a department head's designee approved by the City Administrator shall execute a purchase order in excess of \$500. All purchase orders in excess of \$500 shall be approved by the City Administrator or the City Administrator's designee.  
(Ord. 214, passed 12-18-00)

**§ 31.04 FIRE DEPARTMENT CHARGES.**

(A) *Purpose.* This section is adopted for the purpose of providing financial assistance to the Standish Fire Department from those receiving direct benefits from the fire protection service. It is the further purpose of this section to provide for full funding of the Fire Department operations which remains, in part, an at-large governmental expense based upon the general benefits derived by all property owners within the townships and city from existence of the Fire Department and its availability to extinguish fires within its area and to perform other emergency services.

(B) *Charges.* The following charges shall hereafter be due and payable to the Standish Fire Department from a recipient of any of the following services from the Standish Fire Department:

- |                                |        |
|--------------------------------|--------|
| (1) Automobile fires:          | \$150. |
| (2) Emergency rescue services: | \$150. |

(C) *Time for payment for services.* All of the foregoing charges shall be due and payable within 30 days from the date the service is rendered and in default of payment shall be collectible through proceedings in district court or in any other court of competent jurisdiction as a mature debt.

(D) *Exemptions.* The following persons, properties and services shall be exempt from the charges set forth in division (B) of this section:

- (1) Residents of the City of Standish, Township of Standish and Township of Lincoln shall be exempt from the charges set forth in division (B) of this section;
- (2) False alarms;
- (3) Fires caused by railroad trains which are the specific statutory responsibility of the railroad company.

(E) *Nonexclusive charges.* The foregoing rates and charges shall not be exclusive of the charges that may be made by the Fire Board for the costs and expenses of maintaining a Fire Department, but shall be supplemental thereto. Charges may additionally be collected by the Fire Board through general taxation after a vote of the electorate approving the same or by special assessment established under the Michigan statutes pertinent thereto. General fund appropriations may also be made to cover such additional costs and expenses.

(F) *Multiple property protection.* When a particular service rendered by the Fire Department directly benefits more than one person or property, the owner of each property benefitted and each person so benefitted where property protection is not involved shall be liable for the payment of the full charge for such service hereinabove outlined. The interpretation and application of this section is delegated to the Department Fire Chief, subject only to appeal, within the time for payment, to the Fire Board and shall be administered so that charges shall only be collected from the recipients of the services.

(Ord. 185, passed 11-22-93)



## CHAPTER 32: TAXATION AND FINANCING

### Section

#### *General Provisions*

32.01 Tax levies and collection

#### *Development Plan and Tax Increment Financing Plan*

32.15 Definitions  
32.16 Preamble  
32.17 Public purpose; public interest  
32.18 Approval considerations  
32.19 Plan approval

### **GENERAL PROVISIONS**

#### **§ 32.01 TAX LEVIES AND COLLECTION.**

The taxes for the City of Standish shall be levied and collected in two installments, one of which installments shall be for the general taxes, and which shall be assessed, levied and payable as provided in the general tax laws of this state. The other installment of which shall be for city taxes and shall be payable on the first day of July in each year.

(Ord. 21, passed 5-11-1904)

#### ***DEVELOPMENT PLAN AND TAX INCREMENT FINANCING PLAN***

#### **§ 32.15 DEFINITIONS.**

For the purpose of this subchapter, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

**ACT 197.** Public Act 197 of 1975, being M.C.L.A. §§ 125.1651-125.1680, as amended.

**AUTHORITY.** The Downtown Development Authority of the City of Standish, a Michigan public body corporate duly established pursuant to the provisions of Public Act 197 of 1975, being M.C.L.A. §§ 125.1651-125.1680, by Ordinance 172 of the city, set forth in §§ 30.40 *et seq.*

**DEVELOPMENT AREA.** The District of the Authority as defined in § 30.40.

**DEVELOPMENT PLAN.** The Development Plan prepared by the Authority pursuant to Public Act 197 of 1975, being M.C.L.A. § 125.1667 and which is part of the Plan.

**PLAN.** The Development Plan and Tax Increment Financing Plan adopted by the Authority, as approved by §§ 30.40 *et seq.*

**TAX INCREMENT FINANCING PLAN.** The Tax Increment Financing Plan prepared by the Authority pursuant to Public Act 197 of 1975, being M.C.L.A. § 125.1664, and which is part of the Plan.

(Ord. 208, passed 5-10-99)

#### § 32.16 PREAMBLE.

The City Council previously has created the Authority pursuant to Ordinance 172, set forth in §§ 30.40 *et seq.* The Authority has submitted the Plan to the City Council pursuant to the provisions of Public Act 197 of 1975, being M.C.L.A. §§ 125.1651-125.1680, after solicitation of public input from business and property owners within the Authority district, from other governmental units and from residents and desires to approve the proposed Plan.

(Ord. 208, passed 5-10-99)

#### § 32.17 PUBLIC PURPOSE; PUBLIC INTEREST.

The City Council determines upon review of the proposed Plan that the Plan constitutes a public purpose and that it is in the best interests of the public to proceed with the Plan in order to prevent and halt property value deterioration, to increase property tax valuation, to eliminate the causes of deterioration in property values and to promote growth in the Authority District.

(Ord. 208, passed 5-10-99)

#### § 32.18 APPROVAL CONSIDERATIONS.

The city bases its determination respecting the proposed Plan upon the following considerations:

(A) The City Council has considered the comments made by business owners, property owners, other governmental units and residents at the public hearing on the Plan, held in accordance with the provisions of Public Act 197 of 1975, being M.C.L.A. §§ 125.1651-125.1680, and at other public forums;



(B) The Development Plan meets the requirements set forth in Public Act 197 of 1975, being M.C.L.A. § 125.1667, and the Tax Increment Financing Plan meets the requirements set forth in Public Act 197 of 1975, being M.C.L.A. § 125.1664;

(C) The proposed method of financing the projects as described in the Plan is feasible and the Authority has the ability to arrange the financing;

(D) The Development Plan and the Tax Increment Financing Plan are reasonable and it is necessary to adopt the Plan in order to carry out the purposes of Public Act 197 of 1975, being M.C.L.A. §§ 125.1651-125.1680;

(E) The estimated amount of captured assessed value resulting from adoption of the Plan is reasonable;

(F) The land included within the Authority's development area to be acquired under the Development Plan is reasonably necessary to carry out the purposes of the Development Plan and of Public Act 197 of 1975, being M.C.L.A. §§ 125.1651-125.1680 in an efficient and economically satisfactory manner;

(G) The Development Plan is in reasonable accord with the Master Plan of the city;

(H) All public services, including fire and police protection and utilities, are or will be adequate to service the project area;

(I) All changes in zoning, street, street levels, intersections and utilities, to the extent required under the Development Plan, are reasonably necessary for the project and for the city;

(J) The finding of the Legislature set forth in Public Act 197 of 1975, being M.C.L.A. § 125.1651, are made and repeated with respect to the city and the Authority District, and the provisions of § 125.1651 are incorporated herein by reference as if set out in full.  
(Ord. 208, passed 5-10-99)

### **§ 32.19 PLAN APPROVAL.**

Based on the foregoing considerations, the City Council determines that it is in the best interest of the health and welfare of the city and necessary for the achievement of the purposes of Public Act 197 of 1975, being M.C.L.A. §§ 125.1651-125.1680, to adopt the Plan as proposed by the Authority and the Plan is approved and adopted.  
(Ord. 208, passed 5-10-99)

