

NOTIFICATION OF MEETING

DOWNTOWN DEVELOPMENT AUTHORITY

The Village of Lexington Downtown Development Authority will be holding their regular monthly meeting in person at the Village Hall – 7227 Huron Ave., Lexington, MI.

DATE OF MEETING: Wednesday, August 11, 2021
TIME OF MEETING: 5:30 PM

MISSION STATEMENT

To take the Village of Lexington's history into the future through preservation, restoration and promotion.

AGENDA

CALL TO ORDER

ROLL CALL: Adams, Bender, Bales, Kaatz, P. Stencel, Yankee, Blaesing, VanDyke, Westbrook, Drouillard

APPROVAL OF AGENDA

APPROVAL OF MINUTES – July 14, 2021

PUBLIC COMMENT –

REVIEW OF FINANCIAL INFORMATION

UNFINISHED BUSINESS:

1. Speaker System - Update
2. New Website - Update
3. Snowflakes – Update
4. Light Poles – Update
5. Tennis Court – Update

NEW BUSINESS:

1. DDA Training Opportunities – Discussion
- 2.
- 3.
- 4.

CORRESPONDENCE – Updated Bylaws

PUBLIC COMMENT

ADJOURNMENT

**VILLAGE OF LEXINGTON
DOWNTOWN DEVELOPMENT AUTHORITY
Village Hall, 7227 Huron Ave., Lexington, MI
July 14, 2021**

CALL TO ORDER: Chairperson Yankee called the meeting to order at 5:32 pm.

ROLL CALL: by Vicki Scott

PRESENT: Adams, Bender, Bales, Stencel, Yankee, Blaesing, Westbrook, Drouillard,
(Kaatz – arrived 5:37)

ABSENT: VanDyke

OTHERS PRESENT: Tatman, McCoy, Huepenbecker, Picot, Ziegler

APPROVAL OF AGENDA:

Yankee amends the agenda to add Tennis Court Update under Unfinished Business and Design Guidelines under New Business.

MOTION by Blaesing, seconded by Drouillard to approve the agenda as amended.

All Ayes

Motion carried.

APPROVAL OF MINUTES

MOTION by Bender, seconded by Blaesing to approve the 6-9-21 minutes as presented.

All Ayes

Motion carried.

PUBLIC COMMENT: None

REVIEW OF FINANCIAL INFORMATION:

Yankee reminded members that Shelly McCoy was there to answer questions regarding the financial information. None were asked.

MOTION by Bender, seconded by Adams to approve the financials as presented.

Roll Call

Ayes – Bender, Adams, Stencel, Bales, Drouillard, Blaesing, Yankee, Westbrook

Nays – None

Motion carried.

UNFINISHED BUSINESS:

1. **Carmine from CIB Planning Update** – Yankee explains she and Tatman met with Carmine and the county administrator to go over the new DDA boundary expansion. They gave very positive feedback. The next step will be letters going out to our taxing jurisdiction. Discussion follows.

** Kaatz arrives at 5:37 pm**

2. **Speaker System Update** – Drouillard explains the findings that he and Larry Adams found during their investigation of the speaker system. Half of the speakers work, half do not. Drouillard has been in touch with Andy from KLA. The software was done well. Drouillard suggests focusing on fixing one speaker at a time. The general feedback was positive from the shop owners. Discussion follows. Next steps: Drouillard will write up plans going forward, will start with two (2) speakers, as well as asking to get the schematics from KLA and a new proposal.

MOTION by Kaatz, seconded by Bender to approve the speaker committee can spend up to \$500.00 securing professional electrical help and have authorization to put in work orders for DPW to assist them as needed to repair 2 of the speakers.

Roll Call

Ayes – Kaatz, Bender, Stencel, Bales, Adams, Drouillard, Blaesing, Yankee, Westbrook

Nays – None

Motion carried.

3. **Cadillac Façade Grant Update** – Cadillac House is now asking for the façade grant of \$10,000 that was approved on 1-8-2020. Kaatz explains we need the final receipt before payment is issued. Tatman will reach out to them and let them know.

4. **Croswell Greenhouse Invoice Update** – Yankee explains Croswell Greenhouse invoice came in a little higher than what the board voted on of \$4,980. It came in at \$5,200 partially due to fertilizer. Board member agree how outstanding the flowers are this year and how many compliments we have received.

MOTION by Drouillard, seconded by Westbrook to pay the Croswell Greenhouse invoice of \$5,200.00

Roll Call

Ayes – Drouillard, Westbrook, Yankee, Blaesing, Adams, Bender, Stencel, Kaatz

Abstain – Bales

Nays – None

Motion carried.

5. **Upcoming Projects Update** –

- Benches – Discussion on starting to replace wooden benches with composite benches. Board discusses getting a storage pod to help preserve the benches. Tatman will get a quote on (2) storage pods since the water department was going to get one as well.
- Light Poles – Discussion on getting the light poles painted. Tatman will check to see the price the mobile home park paid to get their poles painted.
- Trees – Discussion on the existing grates possibly needing replaced. Bales will check to see which trees would thrive in the current downtown location.

6. **Tennis Court Update** – Tatman explains she is waiting on two quotes to finish the tennis court. Tatman will let the board know once these quotes come in.

NEW BUSINESS:

1. **Snow Flake Decorations** – Tatman explains the Village of Pentwater is offering to sell (30) snow flake decorations (with brackets) for \$3000.00. Discussion follows.

MOTION by Adams, seconded by Bales to purchase (30) snow flake decorations in the amount of \$3,000.00 from Village of Pentwater.

Roll Call

Ayes – Adams, Bales, Bender, Stencel, Westbrook, Yankee, Blaesing, Drouillard

Nays – None

Motion carried.

2. **New Website** – Tatman explains the Village Council approved going forward with a new website from EGO LLC. in the amount of \$18,000. Tatman asks the Board for help funding this project as it was on the DDA’s list of projects they wanted to do. Lengthy discussion follows. Drouillard suggests holding back a portion of funds until the project is completed as well as getting a maintenance plan for at least the first six months. Yankee spoke with VanDyke regarding this issue and would like 30 days to review this proposal. Board members decide to form a subcommittee of Drouillard, VanDyke, and Yankee to go over the proposal.
3. **Review/Update DDA Bylaws** – Yankee explains we need to review and/or update our by-laws yearly. Yankee suggests the following changes:
- Add under Section 2 – There should not be more than two council members on the DDA Board.
 - Add under Section 4 – The DDA will not fund any entity that opts out of the DDA boarder expansion. No DDA funds will be appropriated to businesses outside of the DDA district.
 - Add under Section 3 – Use same language as Village Council states for excessive absence. Cannot miss more than three consecutive regular scheduled meetings, unless you are sick or working on a different council meeting.
 - Add Section 6 Training – All DDA Board members will attend at least (1) training per year.

MOTION by Bender, seconded by Adams to approve the above amendments as stated and send to council for final approval.

All Ayes

Motion carried.

4. **Design Guidelines** – Tatman explains the Planning Commission has hired Smith Group to do their master plan. Planning Commission also asked the Smith Group for a proposal to do design guidelines. Picot worked on getting a grant toward the design guidelines with MEDC in the amount of \$12,000. Planning Commission is now coming to the DDA to ask for the additional \$3,000 toward design guidelines as it works directly with DDA façade guidelines. Lengthy discussion follows.

MOTION by Bender, seconded by Adams to pay \$3,000 toward design guidelines.

Roll Call

Ayes – Bender, Adams, Kaatz, Stencil, Bales, Blaesing, Yankee

Abstain – Drouillard, Westbrook

Nays – None

Motion carried.

CORRESPONDENCE – Thank You Letter

PUBLIC COMMENT – Ziegler commented on the tennis court, and compliments the DDA Board.

Drouillard asks who maintains the boardwalk and playground equipment.

ADJOURNMENT:

MOTION by Bender, seconded by Bales to adjourn the meeting at 7:49 pm.

All Ayes

Motion carried.

Vicki Scott, Recording Secretary

July 14, 2021

Fund 248 DOWNTOWN DEVELOPMENT AUTHORITY

GL Number	Description	Balance
*** Assets ***		
248-000-002.000	EASTERN MICHIGAN BANK	222,073.21
248-000-040.000	ACCOUNTS RECEIVABLE	120.00
248-000-084.830	DUE FROM LEX TOWNSHIP	0.00
Total Assets		222,193.21
*** Liabilities ***		
248-000-202.000	ACCOUNTS PAYABLE	0.00
Total Liabilities		0.00
*** Fund Balance ***		
248-000-390.000	FUND BALANCE ACCOUNT	133,603.12
Total Fund Balance		133,603.12
Beginning Fund Balance - 20-21		133,603.12
Net of Revenues VS Expenditures - 20-21		80,172.65
*20-21 End FB/21-22 Beg FB		213,775.77
Net of Revenues VS Expenditures - Current Year		8,417.44
Ending Fund Balance		222,193.21
Total Liabilities And Fund Balance		222,193.21

* Year Not Closed

GL NUMBER	DESCRIPTION	2021-22		ACTIVITY FOR	AVAILABLE	% BDT
		AMENDED BUDGET	YTD BALANCE			
		NORMAL	(ABNORMAL)	INCREASE (DECREASE)	NORMAL	(ABNORMAL)
Fund 248 - DOWNTOWN DEVELOPMENT AUTHORITY						
Revenues						
Dept 000						
248-000-401.500	DDA TAXES FROM VILLAGE	75,000.00	6,753.50	6,753.50	68,246.50	9.00
248-000-401.600	DDA TAXES FROM TOWNSHIP	76,000.00	3,222.77	3,222.77	72,777.23	4.24
248-000-665.000	INTEREST EARNED	0.00	0.00	0.00	0.00	0.00
248-000-671.500	MISC ACCT OF REVENUE	0.00	0.00	0.00	0.00	0.00
248-000-699.248	TRANSFER IN OPEN ACCOUNT	0.00	0.00	0.00	0.00	0.00
Total Dept 000		151,000.00	9,976.27	9,976.27	141,023.73	6.61
Dept 248 - ****DDA EXPENSES****						
248-248-667.500	INTERNET REVENUE	1,200.00	240.00	240.00	960.00	20.00
Total Dept 248 - ****DDA EXPENSES****		1,200.00	240.00	240.00	960.00	20.00
TOTAL REVENUES		152,200.00	10,216.27	10,216.27	141,983.73	6.71
Expenditures						
Dept 248 - ****DDA EXPENSES****						
248-248-699.940	ADMINISTRATIVE REIMBURSEMENT	5,986.00	498.83	498.83	5,487.17	8.33
248-248-728.000	COMPUTER-HARDWARE-SOFTWARE	0.00	0.00	0.00	0.00	0.00
248-248-740.000	SUPPLIES	100.00	0.00	0.00	100.00	0.00
248-248-745.000	CHRISTMAS SUPPLY	12,000.00	0.00	0.00	12,000.00	0.00
248-248-803.000	PHONE/INTERNET EXPENSE	10,000.00	1,250.00	1,250.00	8,750.00	12.50
248-248-803.100	MUSIC	480.00	0.00	0.00	480.00	0.00
248-248-805.000	ADVERT/PUBLICATIONS	15,000.00	0.00	0.00	15,000.00	0.00
248-248-810.000	MEMBERSHIP/DUES	0.00	0.00	0.00	0.00	0.00
248-248-811.000	LEGAL	1,000.00	0.00	0.00	1,000.00	0.00
248-248-815.000	AUDIT	0.00	0.00	0.00	0.00	0.00
248-248-820.000	CONTRACTED SERVICES	1,000.00	50.00	50.00	950.00	5.00
248-248-821.100	DDA SERVICE PROVIDED BY VILLAGE	20,000.00	0.00	0.00	20,000.00	0.00
248-248-840.000	LANDSCAPING MAINTENANCE	10,000.00	0.00	0.00	10,000.00	0.00
248-248-955.000	DDA GRANT	40,000.00	0.00	0.00	40,000.00	0.00
248-248-969.000	MISCELLANEOUS	0.00	0.00	0.00	0.00	0.00
248-248-969.200	DONATION	8,000.00	0.00	0.00	8,000.00	0.00
248-248-971.000	CAPITAL OUTLAY	20,000.00	0.00	0.00	20,000.00	0.00
Total Dept 248 - ****DDA EXPENSES****		143,566.00	1,798.83	1,798.83	141,767.17	1.25
TOTAL EXPENDITURES		143,566.00	1,798.83	1,798.83	141,767.17	1.25
Fund 248 - DOWNTOWN DEVELOPMENT AUTHORITY:						
TOTAL REVENUES						
TOTAL EXPENDITURES						
NET OF REVENUES & EXPENDITURES						
		152,200.00	10,216.27	10,216.27	141,983.73	6.71
		143,566.00	1,798.83	1,798.83	141,767.17	1.25
		8,634.00	8,417.44	8,417.44	216.56	97.49

Date	JNL	Type	Description	Reference #	Debits	Credits	Balance
Fund 248 DOWNTOWN DEVELOPMENT AUTHORITY							
07/01/2021			248-248-699.940 ADMINISTRATIVE REIMBURSEMENT		BEG. BALANCE		0.00
07/30/2021	GJ	JE	ADMIN. REIMBURSEMENT	2148	498.83		498.83
07/31/2021			248-248-699.940	END BALANCE	498.83	0.00	498.83
07/01/2021			248-248-803.000 PHONE/INTERNET EXPENSE		BEG. BALANCE		0.00
07/21/2021	AP	INV	INTERNET DDA	10020174-8 DDA JL	1,250.00		1,250.00
07/31/2021			248-248-803.000	END BALANCE	1,250.00	0.00	1,250.00
07/01/2021			248-248-820.000 CONTRACTED SERVICES		BEG. BALANCE		0.00
07/21/2021	AP	INV	DDA MTING 7-14-21	DDA MTG 7-14-21	50.00		50.00
07/31/2021			248-248-820.000	END BALANCE	50.00	0.00	50.00
TOTAL FOR FUND 248 DOWNTOWN DEVELOPMENT AUTHORITY					1,798.83		1,798.83

VILLAGE OF LEXINGTON
DOWNTOWN DEVELOPMENT AUTHORITY
BOARD

BYLAWS AND RULES OF PROCEDURE

The main function or purpose of the following bylaws is to establish the rules of operation for the Downtown Development Authority (referred to herein as “DDA” or “Authority”). In addition to establishing procedure, the bylaws also describe the organization framework of the DDA and in general terms, define the duties and responsibilities of the DDA

Village of Lexington
Lexington, Michigan 48450

VILLAGE OF LEXINGTON
DDA

Bylaws and Rules of Procedure

Article I: Authority

The rules of procedures of the Village of Lexington DDA Board are subordinate and subject to Public Act ~~197~~ **57 of 2018** of the Compiled Laws of Michigan ~~of 1975~~, as amended, and Ordinance No. 88 of the Village of Lexington, as amended.

Article II: Title

The title of the governing body shall be “The Village of Lexington Downtown Development Authority Board” and shall be referred to herein as “Board”.

Article III: Members

Section 1

The Board shall be composed of the Village President and not less than eight (8) or not more than twelve (12) members. Members shall be appointed by the Village President, subject to approval of the Village Council.

Section 2

The terms of office of the members of the Board shall begin on the first day of November nearest the date of appointment. Each member’s term shall be four (4) years, except that in the case of the first Board appointed hereunder, an equal number of members shall be appointed for a term of one (1) year, two (2) years, three (3) years, and four (4) years to the extent possible. Each member shall hold office until his or her successor is appointed. Vacancies shall be filled by the Village President, subject to approval of the Village Council. ***There shall not be more than two (2) council members on the DDA Board.***

Section 3

Removal. An officer or member of the Board may be removed for neglect of duty, excessive absence, misconduct, malfeasance, or any other good cause as determined by the Village Council. ***Committee members who have unexcused absences for three (3) consecutive regularly scheduled meetings and/or work sessions during their appointed term shall be deemed to have vacated his/her seat and will be removed from the seat. Exceptions will be considered if they are due to the conduct of other business related to DDA activities or sickness.***

Section 4

Conflict of Interest. A member that has a conflict of interest regarding any matter before the Board shall disclose the interest prior to any action the Board may take with respect to the matter. The disclosure shall become part of the record. Any member making such disclosure shall then refrain from participating in the Board's discussion and decision relative to the matter.

Section 5

The Authority shall perform all duties required and necessary to maintain and implement the written development plan and tax increment financing plan in current, legal and functional condition. The Authority shall satisfy all disclosure and reporting requirements under Michigan law. The Authority shall update the development plan for the downtown district every five (5) years. The Authority shall adopt and implement bid procedures consistent with the Village Council.

Section 6

All DDA Board Members will attend at least one (1) training session per year for a minimum of four (4) hours and be documented.

Article IV: Officers

Section 1

The Board shall be comprised of the following officers:

Chair, who shall preside at all meetings and have such other duties as further prescribed in the bylaws.

Vice-Chair, who shall perform the duties of the Chair in his/her absence and/or upon his/her inability to act and have such other duties as the Board may, from time to time, determine.

Secretary, who shall maintain a record of all meetings, have authority to execute documents on behalf of and at the direction of the Board, and have such other duties as the Board may, from time to time, determine.

Treasurer, who shall handle all financial matters of the Authority and be bonded by a Michigan authorized bonding company in the amount of \$100,000.

Section 2

The Board shall elect officers each year for a term of two (2) years at the first regular meeting in November and shall hold office until his/her successor is elected and assumes office.

Section 3

Delegation of Duties of Officers, In the absence of any officer of the Board, or for any other reason that the Board may deem sufficient, the Board may delegate, from time to time and for such time as it may deem appropriate, any and/or all of the powers and/or duties of such officer to any other officer, or to any Board member, upon approval of the Board.

Duties and Responsibilities of Officers, The DDA shall perform all duties required and necessary to maintain the written development plan and tax increment financing plan in current, legal and functional condition.

The DDA shall perform all disclosure requirements and reports as may be made necessary by State Government mandates.

The DDA shall update the development plan for the downtown district on a five-year schedule coincident with other master plan updating required by the Planning Enabling Act.

The DDA shall adopt and practice bid procedures that coincide with that of the Village Council.

Article V: Meetings

Section 1

An annual meeting of the Board shall be held on _____ each year. The Board shall hold regular meeting at such time and place as the Board shall from time to time determine, with at least one (1) regular meeting each month unless there is no business on the agenda. Special meetings of the Board may be called by the Chair, acting Chair or majority of the Board.

Section 2

All meetings of the board shall be held in accordance with the Open Meetings Act, PA 230 of 1976. Robert's Rules of Order shall govern the proceedings of the meetings.

A majority of the members of the Board then in office shall constitute a quorum for the transaction of business. The vote of the majority of the members present shall constitute the action of the Board.

Article VI: The Order of Business

Section 1

The order of business for a regular meeting shall be:

1. Call to order by Chair or Vice-Chair
2. Roll call
3. Determination of a quorum
4. Approval of Minutes of last preceding meeting

5. Hearings
6. Old Business
7. New Business
8. Adjournment

Section 2

The Chair shall have the discretion to change the order of business whenever he/she deems it advisable to do so either before or during the meeting.

Article VII: Minutes

Section 1

The Board shall maintain minutes of all meetings, which All minutes shall be filed with the Village Clerk.

Section 2

The Secretary or the Chair shall sign all minutes, after approval by the Board.

Article VIII: Committees

Committees may be established as the Board, from time to time, deems necessary.

Article IX: Amendment of the bylaws

These bylaws may be amended by the affirmative vote of the Board, subject to the approval of the Village Council. No amendment shall be made unless written notice to amend is filed with the Secretary at a regular meeting immediately preceding the meeting at which the motion to amend the bylaws is made. This requirement may be waived by unanimous approval of the Board.

Article X: Contracts, Loans, Checks and Deposits

Section 1 Contracts

The Board may authorize any officer(s), to enter into any contract or execute and deliver any instrument in the name of and on behalf of the Authority and such authority may be general or confined to specific instances. Under no circumstances, however, shall an expense be contracted unless such expense is part of the budget approved by the Village Council.

Section 2 Checks, Drafts, etc

All checks, drafts or other orders for the payment of money, notes or other evidences of indebtedness issued in the name of the Authority shall be signed manually or by facsimile

signature by such officer(s) of the DDA and in such manner as shall from time to time be determined by resolution of the Board. All requests for purchase or payment on behalf of the Authority shall be made to the Village Treasurer.

Section 3 Deposits

All funds of the Authority shall be immediately deposited to the credit of the Authority in such banks, trust companies, or other depositories as the Board may select.

Section 4 Sources of Revenue & Permitted Expenditures

The activities of the Board shall be financed from one or more of the funding sources set forth in Public Act 57 of 2018. The Authority shall obtain approval of the Village Council for all development and financing plans and operation. *The DDA will not fund any entity that opts out of the DDA border expansion. No DDA funds will be appropriated to businesses outside of the DDA district.*

Article XII: Fiscal Year

The fiscal year of the Authority shall correspond at all times to the fiscal year of the Village of Lexington.

Section 1 Budgets

The Board shall prepare and submit a budget for the operation of the Authority for approval by the Village Council **by June 1 of each year.**

Article XIII: Certification

The undersigned being, respectively, the duly appointed Clerk of the Village of Lexington and duly appointed Chairman of the Lexington Downtown Development Authority do hereby certify that the foregoing bylaws were adopted at a meeting of the DDA Board on **July 14, 2021** and approved by the Village Council at its meeting of **July 26, 2021**, subsequently amended as follows:

Beth Grohman, Clerk
Village of Lexington

Keri Yankee, Chairperson
Lexington Downtown Development Authority