

CHAPTER 15: AUTHORITIES, BOARDS AND COMMISSIONS

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§ 15.101 COMPENSATION COMMISSION -- CREATED; COMPOSITION; VACANCIES.

Pursuant to the provisions of and under the authority of Public Act 279 of 1909, being M.C.L.A. § 117.1 *et seq.*, as amended, there is hereby created a City Compensation Commission, which shall consist of five members who are registered electors of the city, appointed by the Mayor, subject to confirmation by a majority of the members of the City Commission. The term of office of the members of the City Compensation Commission shall be five years, with one member's term expiring annually on September 30. Vacancies occurring otherwise than through the expiration of term shall be filled for the unexpired term in the same manner provided for original appointment. Neither members or employees of the legislative, judicial or executive branch of any level of government nor members of the immediate family of such members or employees shall be eligible to be a member of the City Compensation Commission.

(Ord. 157, passed 2-7-77; amended by Codification Ordinance)

§ 15.102 REMOVAL.

Members of the City's Compensation Commission may, after a public hearing, be removed by the Mayor for inefficiency, neglect of duty or malfeasance in office.

(Ord. 157, passed 2-7-77; amended by Codification Ordinance)

§ 15.103 CHAIRMAN; QUORUM.

The City's Compensation Commission will elect a Chairman from among its members. A majority of the members of the Commission constitute a quorum for conducting the business of the Commission.

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The Commission shall take no action or make any determinations without the concurrence of a majority of the members appointed and serving on the Commission.
(Ord. 157, passed 2-7-77; amended by Codification Ordinance)

§ 15.104 DETERMINATION OF SALARIES; REJECTION BY CITY COMMISSION; EFFECTIVE DATE; EXPENSES.

(A) The City's Compensation Commission determines the salaries of all officials elected to serve on authorities, boards and commissions created by City Charter.

(B) Any determination of salary for such elected officials shall be the salary unless the City Commission rejects the Compensation Commission's determination by a resolution adopted by 2/3 of the members of the City Commission. In case of rejection, the existing salary prevails.

(C) The determination of the City's Compensation Commission becomes effective 30 days following their filing of such with the City Clerk unless rejected by the City Commission.

(D) Any expense, allowance or reimbursement paid to elected officials in addition to salary shall be for expenses incurred in the course of city business and accounted for to the city.
(Ord. 157, passed 2-7-77; amended by Codification Ordinance)

§ 15.105 MEETINGS AND TIME OF DETERMINATION.

The City's Compensation Commission shall meet for no more than 15 session days in 1977 and in every odd numbered year thereafter. The Commission will make its determination before the first Monday in October of each odd numbered year.
(Ord. 157, passed 2-7-77; amended by Codification Ordinance; amended by Ord. 433, passed 7-18-11)

§ 15.106 COMPENSATION AND EXPENSES.

The members of the City's Compensation Commission receive no compensation. The members of the Commission will be entitled to their actual and necessary expenses incurred in the performance of their duties.
(Ord. 157, passed 2-7-77; amended by Codification Ordinance)

§ 15.107 SALARIES IN LIEU OF CHARTER PROVISIONS.

Pursuant to the provisions of and under the of Public Act 8 of 1972, being M.C.L.A. § 117.5c, Clio

Compensation Commission

City Code § 15.101 to § 15.107, inclusive, are hereby declared to be in lieu of the provisions of the City Charter establishing the salaries or the procedure for determining salaries of elected officials of the city.
(Ord. 157, passed 2-7-77; amended by Codification Ordinance)

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- 15.201 Created Population and Planning Commission
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- 15.210 Dissolution of the Authority upon completion of purposes; title of property
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ARTICLE II: DOWNTOWN DEVELOPMENT AUTHORITY

§ 15.201 CREATED POPULATION AND PLANNING COMMISSION.

Pursuant to the provisions of and under the authority of Public Act 197 of 1975, being M.C.L.A. §§ 125.1651 - 125.1680, as amended, there is hereby created a Downtown Development Authority, which shall be under the supervision and control of a Board. The city's Planning Commission shall serve as the Board pursuant to section 204(8) of Public Act 57 of 2018 (MCL 125.4204(8)). (Ord. 193, passed 11-1-82; amended by Codification Ordinance; amended by Ord. 519, passed 12-20-21)

§ 15.202 COMPENSATION.

Members of the Board serve without compensation, but shall be reimbursed for actual and necessary expenses. (Ord. 193, passed 11-1-82; amended by Codification Ordinance; amended by Ord. 519, passed 12-20-21)

§ 15.203 ELECTION OF CHAIRMAN.

The Chairman of the Board shall be elected by the Board. (Ord. 193, passed 11-1-82; amended by Codification Ordinance; amended by Ord. 519, passed 12-20-21)

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§ 15.204 OATH OF OFFICE.

Before assuming the duties of office, a member shall qualify by taking and subscribing to the Constitutional oath of office.

(Ord. 193, passed 11-1-82; amended by Codification Ordinance; amended by Ord. 519, passed 12-20-21)

§ 15.205 MEETINGS.

The Board shall adopt rules governing its procedure and the holding of regular meetings, subject to the approval of the City Commission. Special meetings may be held when called in the manner provided in the rules of the Board. Meetings of the Board shall be open to the public.

(Ord. 193, passed 11-1-82; amended by Codification Ordinance; amended by Ord. 519, passed 12-20-21)

§ 15.206 EXPENSES AND FINANCIAL RECORDS; OPEN TO PUBLIC.

All expense items of the Authority shall be prepared monthly, and the financial records shall always be open to the public.

(Ord. 193, passed 11-1-82; amended by Codification Ordinance; amended by Ord. 519, passed 12-20-21)

§ 15.207 CHAIRMAN; TERM.

The Downtown Development Authority Board shall elect its Chairman from amongst the appointed members and create and fill such other of its offices as it may determine. The term of the Chairman shall be one year, with eligibility for re-election.

(Ord. 193, passed 11-1-82; amended by Codification Ordinance; amended by Ord. 519, passed 12-20-21)

§ 15.208 QUORUM.

A majority of the total membership of the Downtown Development Authority Board shall constitute a quorum.

(Ord. 193, passed 11-1-82; amended by Codification Ordinance; amended by Ord. 519, passed 12-20-21)

§ 15.209 DUTIES AND POWER OF THE AUTHORITY BOARD.

The Downtown Development Authority Board possesses all the powers granted to it and shall perform any and all acts required of it by statute.

(Ord. 193, passed 11-1-82; amended by Codification Ordinance; amended by Ord. 519, passed 12-20-21)

Downtown Development Authority

§ 15.210 DISSOLUTION OF THE AUTHORITY UPON COMPLETION OF PURPOSES; TITLE OF PROPERTY.

At such time as the City Commission deems that the Downtown Development Authority has completed the purposes for which it was organized, said Authority shall be dissolved by ordinance of the City Commission. The property and assets of the Downtown Development Authority remaining after the satisfaction of the obligations of the Downtown Development Authority shall belong to the city.

(Ord. 193, passed 11-1-82; amended by Codification Ordinance; amended by Ord. 519, passed 12-20-21)

§ 15.211 DESIGNATION OF BOUNDARIES OF DOWNTOWN DEVELOPMENT DISTRICT.

Parcel Number	Parcel Number	Parcel Number	Parcel Number
51-14-300-033	51-15-578-018	51-22-200-095	51-22-527-030
51-14-300-034	51-15-578-019	51-22-200-096	51-22-527-032
51-14-300-035	51-15-578-020	51-22-200-109	51-22-527-033
51-14-300-043	51-15-578-021	51-22-200-116	51-22-527-034
51-14-554-003	51-15-578-022	51-22-200-117	51-22-527-035
51-14-554-009	51-15-578-023	51-22-200-118	51-22-527-036
51-14-554-010	51-15-578-024	51-22-200-119	51-22-527-037
51-15-400-019	51-15-578-025	51-22-200-120	51-22-527-038
51-15-400-020	51-15-578-031	51-22-200-121	51-22-527-098
51-15-400-021	51-15-578-032	51-22-200-123	51-22-527-099
51-15-400-045	51-15-578-033	51-22-527-001	51-22-527-100
51-15-400-046	51-15-578-034	51-22-527-002	51-22-527-101
51-15-400-047	51-15-578-035	51-22-527-004	51-22-527-102
51-15-400-048	51-15-578-055	51-22-527-005	51-22-527-103
51-15-400-049	51-15-578-057	51-22-527-006	51-22-527-104
51-15-400-050	51-15-578-059	51-22-527-007	51-23-100-001
51-15-400-051	51-15-578-060	51-22-527-008	51-23-100-002

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Parcel Number	Parcel Number	Parcel Number	Parcel Number
51-15-400-057	51-15-578-064	51-22-527-009	51-23-100-003
51-15-578-001	51-15-578-065	51-22-527-010	51-23-300-034
51-15-578-002	51-15-578-069	51-22-527-011	51-23-501-013
51-15-578-003	51-15-578-071	51-22-527-012	51-23-501-014
51-15-578-004	51-15-579-004	51-22-527-013	51-23-501-015
51-15-578-005	51-15-579-005	51-22-527-014	51-23-501-016
51-15-578-006	51-15-579-006	51-22-527-015	51-23-501-017
51-15-578-007	51-15-579-033	51-22-527-016	51-23-501-023
51-15-578-008	51-22-200-031	51-22-527-017	51-23-501-024
51-15-578-009	51-22-200-033	51-22-527-018	51-23-501-025
51-15-578-010	51-22-200-043	51-22-527-020	51-23-501-026
51-15-578-011	51-22-200-044	51-22-527-021	51-23-501-027
51-15-578-012	51-22-200-084	51-22-527-022	51-23-501-028
51-15-578-070	51-22-200-085	51-22-527-024	51-23-502-002
51-15-578-015	51-22-200-086	51-22-527-025	51-23-502-011
51-15-578-016	51-22-200-087	51-22-527-026	51-23-502-012
51-15-578-017	51-22-200-088	51-22-527-028	51-23-502-013
51-23-100-032	51-23-100-004	51-23-100-034	51-23-100-040
51-23-100-033	51-23-100-030	51-23-100-035	51-23-502-001
51-22-527-050	51-23-100-031	51-23-100-037	51-23-100-038

(Ord. 193, passed 11-1-82; amended by Ord. 273, passed 12-5-94, Codification Ordinance; amended by Ord. 370, passed 7-5-05; amended by Ord. 472A, passed 6-25-14; amended by Ord. 482, passed 12-21-15; amended by Ord. 519, passed 12-20-21)

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Section

- 15.301 Planning Commission created
- 15.302 Appointment and Composition **ARTICLE III PLANNING COMMISSION**
- 15.303 Terms and vacancies
- 15.304 Compensation
- 15.305 Chairperson, Secretary and other offices
- 15.306 Meetings
- 15.307 Bylaws and public record requirements
- 15.308 Budget and expenses
- 15.309 Conflicts of interest
- 15.310 Removal from office
- 15.311 Powers and duties

§ 15.301 PLANNING COMMISSION CREATED.

Pursuant to the provisions of and under the authority of the Planning Enabling Act, Public Act 33 of 2008, M.C.L.A. §§ 125.3801 to 125.3885, there is created the City of Clio Planning Commission formerly established under the Municipal Planning Act, Public Act 285, M.C.L.A. 125.31 to 125.45. (Ord. 112, passed 9-21-70; amended by Ord. 288, passed 9-15-97, Codification Ordinance; amended by Ord. 489, passed 10-17-16)

§ 15.302 APPOINTMENT AND COMPOSITION.

(A) The Mayor shall appoint members of the Planning Commission, subject to the approval by a majority vote of the members of the City Commission elected and serving (see Sec. 15 (1)).

(B) The Planning Commission shall consist of seven members (see Sec. 15 (2)) who shall be representative of important segments of the city in accordance with the major interests as they exist in the city and shall also be representative of the entire territory of the city to the extent practicable (see Sec. 15 (3)).

(C) Members of the Planning Commission shall be qualified electors of the City of Clio, except that two Planning Commission members may be individuals who are not qualified electors of the city but are qualified electors of another local unit of government (see Sec. 15 (4)).

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(D) The Mayor, one or more members of the City Commission, the City Administrator or a person designated by the City Administrator, if any, or any combination thereof, may be appointed to the Planning Commission, as ex officio members, so long as not more than one-third of the members of the Planning Commission may be ex officio members (see Sec. 15 (5)).
(Ord. 112, passed 9-21-70; amended by Ord. 288, passed 9-15-97, Codification Ordinance; amended by Ord. 318, passed 1-8-01; amended by Ord. 489, passed 10-17-16)

§ 15.303 TERMS AND VACANCIES.

(A) Members of the Planning Commission other than ex officio members of the Planning Commission shall be appointed to staggered terms of three years such that, as nearly as possible, the terms of one-third of all Planning Commission members will expire each year (see Sec. 15 (2)).

(B) The term of ex officio members of the Planning Commission shall be as follows:

(1) The term of the Mayor shall correspond to his or her term of Mayor (see Sec. 15 (5) (a)).

(2) The term of a member of the City Commission shall expire with his or her term on the City Commission (see Sec. 15 (5) (c)).

(3) The term of the City Administrator or a person designated by the City Administrator, if any, shall expire with the term of the Mayor that appointed him or her as City Administrator (see Sec. 15 (5) (b)).

(C) A member shall hold office until his or her successor is appointed (see Sec. 15 (2)).

(D) If a vacancy occurs on the Planning Commission, the vacancy shall be filled for the unexpired term (see Sec. 15 (2)).
(Ord. 112, passed 9-21-70; amended by Ord. 288, passed 9-15-97, Codification Ordinance; amended by Ord. 489, passed 10-17-16)

§ 15.304 COMPENSATION.

Members of the Planning Commission may be compensated for their services as provided by the City Commission (see Sec. 23 (1)).
(Ord. 112, passed 9-21-70; amended by Ord. 288, passed 9-15-97, Codification Ordinance; amended by Ord. 489, passed 10-17-16)

Planning Commission

§ 15.305 CHAIRPERSON, SECRETARY AND OTHER OFFICES.

(A) The Planning Commission shall elect a Chairperson and Secretary from its members and create and fill offices as it considers advisable. An ex officio member of the Planning Commission is not eligible to serve as Chairperson (see Sec. 17 (1)).

(B) The term of each officer shall be one year, with opportunity for reelection as specified in bylaws adopted by the Planning Commission (see Sec. 17 (1)).
(Ord. 112, passed 9-21-70; amended by Codification Ordinance; amended by Ord. 489, passed 10-17-16)

§ 15.306 MEETINGS.

(A) The Planning Commission shall hold not less than four regular meetings each year, and by resolution shall determine the time and place of the meetings. Unless the bylaws shall provide otherwise, a special meeting of the Planning Commission may be called by the Chairperson or by two other members, upon written request to the Secretary. Unless the bylaws provide otherwise, the Secretary shall send written notice of a special meeting to Planning Commission members not less than 48 hours before the meeting (see Sec. 21 (1)).

(B) The business of the Planning Commission shall be conducted at a public meeting of the Planning Commission held in compliance with the Open Meetings Act, 1976 Public Act 267, M.C.L.A. 15.261 to 15.275. Public notice of the time, date, and place of a regular or special meeting shall be given in the manner required by that Act (see Sec. 21 (2)).

(C) A writing prepared, owned, used, in the possession of, or retained by the Planning Commission in the performance of an official function shall be made available to the public in compliance with the Freedom of Information Act (see Sec. 21 (3)).
(Ord. 112, passed 9-21-70; amended by Codification Ordinance; amended by Ord. 489, passed 10-17-16)

§ 15.307 BYLAWS AND PUBLIC RECORD REQUIREMENTS.

(A) The Planning Commission shall adopt bylaws for the transaction of business, and shall keep a public record of its resolution, transactions, findings, and determinations (see Sec. 19 (1)).

(B) The Planning Commission may adopt bylaws relative to compensation and expenses of its members and employees for travel when engaged in the performance of activities authorized by the City Commission, including, but not limited to, attendance at conferences, workshops, educational and training programs, and meetings (see Sec. 23 (1)).
(Ord. 489, passed 10-17-16)

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§ 15.308 BUDGET AND EXPENSES.

(A) The Planning Commission may prepare a detailed budget to the City Commission for approval or disapproval. The City Commission may annually appropriate funds for carrying out the purpose and functions permitted the Planning Enabling Act, 2008 Public Act 33, M.C.L.A. 125.3801 to 125.3885, and may match local government funds with federal, state, county, or other local government or private grants, contributions and endowments (see Sec. 23 (2)).

(B) The Planning Commission may accept gifts for the exercise of its functions. A gift of money so accepted shall be deposited with the City Treasurer in a special nonreverting Planning Commission fund for expenditure by the Planning Commission for the purpose designated by the donor. The City Treasurer shall draw a warrant against the special nonreverting fund only upon receipt of a voucher signed by the chairperson and secretary of the Planning Commission and an order drawn by the City Clerk. The expenditures of the Planning Commission, exclusive of gifts and grants, shall be within the amounts appropriated by the City Commission (see Sec. 23 (3)).
(Ord. 112, passed 9-21-70; amended by Codification Ordinance; amended by Ord. 489, passed 10-17-16)

§ 15.309 CONFLICTS OF INTEREST.

Before casting a vote on a matter on which a member may reasonably be considered to have a conflict of interest, the member shall disclose the potential conflict of interest to the Planning Commission. The member is disqualified from voting on the matter if so provided by the bylaws or by a majority vote of the remaining members of the Planning Commission. Failure of a member to disclose a potential conflict of interest constitutes malfeasance in office. Unless the City Commission, by ordinance, defines conflict of interest for the purpose of this chapter, the Planning Commission shall do so in its bylaws (see Sec. 15 (9)).
(Ord. 489, passed 10-17-16)

§ 15.310 REMOVAL FROM OFFICE.

The City Commission may remove a member of the Planning Commission for misfeasance, malfeasance, or nonfeasance in office upon written charges and after a public hearing (see Sec. 15 (9)).
(Ord. 112, passed 9-21-70; amended by Ord. 288, passed 9-15-97, Codification Ordinance; amended by Ord. 489, passed 10-17-16)

§ 15.311 POWERS AND DUTIES.

(A) The Planning Commission shall make and approve a master plan as a guide for development within the city (see Sec. 31 (1)).

Planning Commission

(B) The Planning Commission shall annually prepare a capital improvement program of public structures and improvements in the city that can be undertaken within the ensuing six-year period (see Sec. 61 (1)).

(C) The Planning Commission shall make an annual written report to the City Commission concerning its operations and the status of planning activities (see Sec. 19 (2)).

(D) The Planning Commission shall possess and exercise all other powers and duties as set forth in the Planning Enabling Act, Public Act 33 of 2008, M.C.L.A. 125.3801 to 125.3885 and the Michigan Zoning Enabling Act, Public Act 110 of 2006, M.C.L.A. 125.3101 to 125.3702 (see Sec. 83 (2)).
(Ord. 112, passed 9-21-70; amended by Codification Ordinance; amended by Ord. 489, passed 10-17-16)

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Section

- 15.401 Departments
- 15.402 Head of Department
- 15.403 Functions; responsibilities

ARTICLE IV - DEPARTMENT OF PARKS AND RECREATION

§ 15.401 DEPARTMENTS.

(A) The city shall have the Department of Parks and Recreation which the City Administrator shall supervise and direct, except as otherwise provided for by the City Charter.

(B) The Mayor with the approval of the City Commission will appoint a qualified person to serve as the Director of Parks and Recreation. This position will be a yearly contract position similar to the City Administrator's. All benefits and other matters to be worked out in the contract.
(Ord. 312, passed 5-15-00)

§ 15.402 HEAD OF DEPARTMENT; GENERALLY.

Under the direction and supervision of the City Administrator, any administrative officer who heads any department or office created by Charter or ordinance will have all the duties, authorities, powers, and prerogatives necessary to carry out the functions and responsibilities of the department or office and to achieve the results established by the City Administrator to include:

- (A) Directing employees assigned to the department or office;
- (B) Evaluating employee performance by established methods;
- (C) Prescribing the internal organization of the department;
- (D) Prescribing, and when necessary, amending and revoking department work rules;
- (E) Keeping informed about the latest practices in their area of responsibilities and duties;
- (F) Preparing and submitting reports monthly and within 60 days after the end of the fiscal year to the City Administrator in the manner and form required by the City Administrator;

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(G) Establishing a system of records and reports in sufficient detail to furnish all information necessary for proper control of department activities;

(H) Being custodian of public records received by the department or office, preserving and when permitted by law, disposing of public records of that department or office and providing a system of filing and indexing;

(I) Staffing or designating an employee or administrative office to staff any committee, authority, commission, or board when so assigned by an ordinance or resolution adopted by the City Commission or the City Administrator;

(J) Being responsible for manpower planning within the department;

(K) Being custodian of city-owned property assigned to the department or office and being responsible for its care and maintenance;

(L) Planning and, subject to the approval of the City Administrator, executing appropriate training for departmental personnel; and

(M) Recommending to the City Administrator policies and procedures designed to improve the quality of city services and operations.
(Ord. 312, passed 5-15-00)

§ 15.403 FUNCTIONS; RESPONSIBILITIES.

(A) The Department of Parks and Recreation includes the following functions and responsibilities:

(1) Maintaining city-owned parks, playgrounds, and swimming pools.

(2) Maintaining and when necessary, planting trees and other vegetation in the city-owned parks and playground areas.

(3) Recommending future park develop areas, overseeing the securing of those areas, and overseeing the development of those areas.

(4) Any other functions and responsibilities that may be assigned to this department by the ordinances and resolutions adopted by the City Commission.

(B) In addition to the administrative officers named in § 4.6 of the City Charter, the City Commission creates the officer of Director of Parks and Recreation. The City Commission determines the Director's salary, benefits and term of employment by contract.

Department of Parks and Recreation

(C) The Department of Parks and Recreation will be headed by the Director of Parks and Recreation who will be selected on the basis of administrative and supervisory qualifications with special reference to training and experience and without regard to political or religious preferences and appointed according to the provisions of the City Charter, § 4.6 for an indefinite period.

(D) The Mayor with the approval of the City Commission will appoint a qualified person to serve as Acting Director of Parks and Recreation during the absence of the Director from the administrative office when such absence is for a period longer than three weeks. The Director may designate any qualified Department of Parks and Recreation employee or the City Administrator to serve as Acting Director during an absence from duties of the administrative office for any period of three weeks or less. The Acting Director will have all the responsibilities, duties, and authority of the Director while serving in that capacity.

(Ord. 312, passed 5-15-00)

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Section

- 15.501 Composition
- 15.502 Terms of office; vacancies
- 15.503 Compensation
- 15.504 Chairman
- 15.505 Oath of office
- 15.506 Quorum
- 15.507 Meetings
- 15.508 Notice of meetings
- 15.509 Duties and functions
- 15.510 Endorsement of roll
- 15.511 Removal of board member for cause

ARTICLE V: BOARD OF REVIEW

§ 15.501 COMPOSITION.

The Board of Review shall be composed of the Mayor and two electors of the city appointed by the City Commission who shall meet the eligibility requirements for elective officers contained in Charter § 3.1 and who during their term of office shall not be city officers or employees or be nominees or candidates for any elective city office. A spouse, mother, father, sister, brother, son, daughter, including an adopted child, of the assessor is not eligible to serve on the board or to fill any vacancy.

(Ord. 378, passed 1-17-06)

§ 15.502 TERMS OF OFFICE; VACANCIES.

Members appointed shall serve for terms of two years beginning December 1 of each odd-numbered year. The City Commission may fill any vacancy that occurs in the membership. A member of the City Commission is not eligible to serve on the board or to fill any vacancy.

(Ord. 378, passed 1-17-06)

§ 15.503 COMPENSATION.

The Commission shall fix the compensation of the members of the board.

(Ord. 378, passed 1-17-06)

§ 15.504 CHAIRMAN.

The Board shall annually, in February, select its own chairman for the ensuing year, and the assessor shall be the Clerk of the Board but shall have no vote.

(Ord. 378, passed 1-17-06)

§ 15.505 OATH OF OFFICE.

Before assuming the duties of office, a member shall qualify by taking and subscribing to the Constitutional oath of office within 10 days after appointment.

(Ord. 378, passed 1-17-06)

§ 15.506 QUORUM.

A majority of the Board of Review constitutes a quorum for the transaction of business, but a lesser number may adjourn and a majority vote of those present shall decide all questions. At least two members of the three members shall be present to conduct any business or hearings of the Board of Review

(Ord. 378, passed 1-17-06)

§ 15.507 MEETINGS.

(A) The Board shall convene in its first session on the second Monday in March of each year at such time of day and place as shall be designated by the Commission and shall remain in session for at least eight hours for the purpose of considering and correcting the roll. In each case in which the assessed value of any property is increased over the amount shown on the assessment roll as prepared by the assessor or any property is added to such roll by the Board, or the Board has resolved to consider at its second session such increasing of an assessment or the adding of any property to such roll, the assessor shall give notice thereof to the owners as shown by such roll by first class letter mailed not later than the second day following the end of the first session of the Board. Such notice shall state the date, time, place and purpose of the second session of the Board. The failure to give any such notice or of the owner to receive it shall not invalidate any assessment roll or assessment therein.

(B) The Board shall convene in its second session on the fourth Monday in March of each year at such time of day and place as shall be designated by the Commission and shall continue in session until all interested persons have had an opportunity to be heard, but in no case for less than six hours. At the second session, the Board may not increase any assessment or add any property to the rolls, except in those cases in which the Board resolved at its first session to consider such increase or addition at its second session.

(Ord. 378, passed 1-17-06)

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Board of Review

§ 15.508 NOTICE OF MEETINGS.

Notice of the time and place of the sessions of the Board of Review shall be published in a newspaper published or circulated in said City of Clio, by the clerk at least 10 days prior to each session of the Board.

(Ord. 378, passed 1-17-06)

§ 15.509 DUTIES AND FUNCTIONS.

For the purpose of revising and correcting assessments, the Board of Review shall have the same powers and perform like duties in all respects as are by statute conferred upon and required of Boards of Review in townships, except as otherwise provided in the charter. It shall hear the complaints of all persons considering themselves aggrieved by assessments, and if it shall appear that any person or property has been wrongfully assessed or omitted from the roll the Board shall correct the roll in such manner as it deems just. In all cases the roll shall be reviewed according to the facts existing on the tax day and no change in the status of any property after said day shall be considered by the Board in making its decisions. Except as otherwise provided by statute, no person other than the Board of Review shall make or authorize any change upon or additions or corrections to the assessment roll. It shall be the duty of the assessor to keep a permanent record of all proceedings and to enter therein all resolutions and decisions of the Board.

(Ord. 378, passed 1-17-06)

§ 15.510 ENDORSEMENT OF ROLL.

After the Board of Review has completed its review of the assessment roll, and not later than first Monday in April, the majority of its members shall endorse thereon and sign a statement to the effect that the same is in the assessment roll of the city for the year in which it has been prepared. The omission of such endorsement shall not affect the validity of such roll.

(Ord. 378, passed 1-17-06)

§ 15.511 REMOVAL OF BOARD MEMBER FOR CAUSE.

Pursuant to notice, and an opportunity to be heard, a member of the Board may be removed for cause by the City Commission. Removal of a member is subject to review by the Circuit Court.

(Ord. 378, passed 1-17-06)

ARTICLE VI: AMPHITHEATER BOARD

Section

- 15.601 Created and established
- 15.602 Membership; appointment of members; terms of office; vacancies; compensation; removal from office
- 15.603 Meetings
- 15.604 Records
- 15.605 Rules of procedure
- 15.606 Election of officers
- 15.607 Chairperson and vice-chairperson
- 15.608 Recording secretary
- 15.609 Treasurer
- 15.610 Quorum and voting requirements; special meetings
- 15.611 Submission of reports
- 15.612 Funding and budget of Board
- 15.613 Restriction of general revenues
- 15.614 Duties and responsibilities

§ 15.601 CREATED AND ESTABLISHED.

The city hereby creates and establishes a board to be called and known as the Amphitheater Board, hereafter referred to as the Board.
(Ord. 454, passed 4-1-13)

§ 15.602 MEMBERSHIP; APPOINTMENT OF MEMBERS; TERMS OF OFFICE; VACANCIES; COMPENSATION; REMOVAL FROM OFFICE.

(A) The Board shall consist of seven members. Members of the Board shall be appointed by the Mayor with the consent of the City Commission, with at least one member of the City Commission appointed to the Board.

(B) The appointed members of the Board shall be appointed for three-year terms. These appointments shall be staggered so that appointments to the Board shall not all recur at the same time, and so that there will be some continuity of membership and experience on the Board.

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(C) If a vacancy occurs on the Board, interim appointments to the Board shall be made by the Mayor, with the consent of the City Commission, to complete the unexpired term of such position that may become vacant.

(D) All appointed members of the Board shall serve without compensation.

(E) Appointed members of the Board may be removed from office for cause by the Mayor, with the consent of the City Commission, after any such Board member has been provided written charges relative to the issue of cause for removal, and after any such Board member has been provided a public due process hearing before the City Commission. Removal of a Board member is subject to review by the Circuit Court.

(Ord. 454, passed 4-1-13)

§ 15.603 MEETINGS.

(A) The Board shall establish the dates and times of the Board's regular meetings. The Board shall schedule at least one regular meeting of the Board each month.

(B) Special meetings of the Board may be called by the chairperson, or by at least two members of the Board, or by the City Administrator.

(C) The business of the Board shall be conducted at public meetings of the Board held in compliance with the Open Meetings Act, Public Act No. 267 of 1976 (M.C.L.A. §§ 15.261 *et seq.*).

(D) Public notice of the time, date and place of the meetings of the Board shall be given in the manner required by the Open Meetings Act.

(Ord. 454, passed 4-1-13)

§ 15.604 RECORDS.

The Board shall keep and maintain a record (minutes) of its resolutions, proceedings, recommendations, transactions, findings and determinations with the City Clerk. A writing prepared, owned, used by, in the possession of, or retained by the Board in the performance of an official function shall be made available to the public, in compliance with and subject to the provisions and exemptions set forth in the Freedom of Information Act, Public Act No. 442 of 1976 (M.C.L.A. §§ 15.241 *et seq.*).

(Ord. 454, passed 4-1-13)

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§ 15.605 RULES OF PROCEDURE.

The Board shall adopt rules of procedure to govern and control the meetings and the transaction of business of the Board.

(Ord. 454, passed 4-1-13)

§ 15.606 ELECTION OF OFFICERS.

The Board shall elect from its membership a chairperson, vice-chairperson, recording secretary and treasurer, who shall serve in such capacities for one year, with eligibility for re-election. The Board may elect such other officers from its membership as the Board shall deem necessary.

(Ord. 454, passed 4-1-13)

§ 15.607 CHAIRPERSON AND VICE-CHAIRPERSON.

The chairperson shall preside over and shall chair the meetings of the Board. The chairperson, in consultation with the City Administrator, shall set the agenda for every Board meeting. The chairperson shall have the right to vote on all matters coming before the Board unless precluded by law. The vice-chairperson shall, in the absence or disability of the chairperson, perform the duties and functions of the chairperson.

(Ord. 454, passed 4-1-13)

§ 15.608 RECORDING SECRETARY.

The recording secretary shall keep and maintain a record of all proceedings of the Board. The recording secretary shall provide the City Clerk a copy of the Board's minutes, resolutions, proceedings, recommendations, transactions, findings and determinations, and all writing prepared, owned, used by, in the possession of, or retained by the Board in the performance of an official function.

(Ord. 454, passed 4-1-13)

§ 15.609 TREASURER.

The Treasurer shall be the Board's liaison to the City Treasurer, and shall prepare such reports as requested by the Board.

(Ord. 454, passed 4-1-13)

§ 15.610 QUORUM AND VOTING REQUIREMENTS; SPECIAL MEETINGS.

Four members of the Board shall constitute a quorum for the transaction of business at a meeting of the Board. No motion or resolution shall be adopted or passed, nor shall any other official action be taken by the Board, except by the affirmative vote of at least four members of the Board.

(Ord. 454, passed 4-1-13)

§ 15.611 SUBMISSION OF REPORTS.

The Board shall prepare and submit annually to the City Commission a report, which shall detail and describe the activities of the Board and the operations of the City of Clio Amphitheater, hereafter referred to as Clio Amphitheater, during the previous year, as well as recommendations regarding the upcoming year. The Board shall also prepare and submit such other reports as may be requested by the City Commission.

(Ord. 454, passed 4-1-13)

§ 15.612 FUNDING AND BUDGET OF BOARD.

The Board shall prepare and submit to the City Administrator an annual budget for the Clio Amphitheater, which shall be subject to the review and approval of the City Commission. The annual budget shall be submitted by the Board as required by the Charter, and as prescribed by the City Commission. All funds and accounts of the Clio Amphitheater shall be audited on an annual basis as part of the annual audit procedure of the city.

(Ord. 454, passed 4-1-13)

§ 15.613 RESTRICTION OF GENERAL REVENUES.

Each year, 2% percent of general revenues generated from the operations of the Clio Amphitheater or \$2,500, whichever is greater, shall be reserved for the capital maintenance of the Clio Amphitheater.

(Ord. 454, passed 4-1-13)

§ 15.614 DUTIES AND RESPONSIBILITIES.

(A) The Board shall be charged with and shall have the duty and responsibility to:

(1) Review, consider, discuss and make recommendations to the City Commission relative to rules and regulations for operation of the Clio Amphitheater;

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(2) Review, consider, discuss and make recommendations to the City Commission, regarding the programs and activities of the city with respect to the Clio Amphitheater, and the policies, rules and procedures governing programs, productions and activities;

(3) Review, consider, discuss and make recommendations to the City Commission relative to present and future needs and requirements of the Clio Amphitheater, including but not limited to, an annual capital maintenance plan;

(4) Review, consider, discuss and make recommendations on such issues, matters, topics, questions, city projects and programs related to the Clio Amphitheater as shall be requested by the City Commission.

(B) The duties and responsibilities of the Board shall be supplemental to, and shall not overlap or interfere with the powers and duties of any city office or department.

(Ord. 454, passed 4-1-13)

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ARTICLE VII: NEIGHBORHOOD IMPROVEMENT AUTHORITY

Section

- 15.701 Created; membership; qualifications
- 15.702 Terms; vacancies
- 15.703 Compensation
- 15.704 Election of Chairperson
- 15.705 Oath of office
- 15.706 Meetings
- 15.707 Removal of Board Members for cause
- 15.708 Expenses and financial records
- 15.709 Writings
- 15.710 Duties and powers of the authority
- 15.711 Budget; cost of handling and auditing funds
- 15.712 Boundaries of the development area
- 15.713 Dissolution of the authority; property and assets

§ 15.701 CREATED; MEMBERSHIP; QUALIFICATIONS.

Pursuant to the provisions of and under the authority of Public Act 61 of 2007 there is hereby created a Neighborhood Improvement Authority, which shall be under the supervision and control of a Board, consisting of the Mayor or his or her designee and five members appointed by the Mayor, subject to the approval of the City Commission. Not less than a majority of the members shall be persons having an ownership or business interest in property located in the development area, as hereinafter described. At least one of the members shall be a resident of the development area or of an area within ½ mile of any part of the development area.

(Ord. 481, passed 11-2-15)

§ 15.702 TERMS; VACANCIES.

Of the members first appointed, an equal number of the members, as near as is practicable, shall be appointed for one year, two years, three years, and four years. A member shall hold office until the member's successor is appointed. After the initial appointment, each member shall serve for a term of four years. An appointment to fill a vacancy shall be made by the Mayor for the unexpired term only.

(Ord. 481, passed 11-2-15)

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§ 15.703 COMPENSATION.

Members of the Board shall serve without compensation, but shall be reimbursed for actual and necessary expenses.

(Ord. 481, passed 11-2-15)

§ 15.704 ELECTION OF CHAIRPERSON.

The Chairperson of the Board shall be elected by the Board.
(Ord. 481, passed 11-2-15)

§ 15.705 OATH OF OFFICE.

Before assuming the duties of office, a member shall qualify by taking and subscribing to the constitutional oath of office.
(Ord. 481, passed 11-2-15)

§ 15.706 MEETINGS.

The proceedings and rules of the Board are subject to the Open Meetings Act, 1976 PA 267, M.C.L.A. §§ 15.261 - 15.275. The Board shall adopt rules governing its procedure and the holding of regular meetings, subject to the approval of the governing body. Special meetings may be held if called in the manner provided in the rules of the Board.
(Ord. 481, passed 11-2-15)

§ 15.707 REMOVAL OF BOARD MEMBER FOR CAUSE.

After having been given notice and an opportunity to be heard, a member of the Board may be removed for cause by the City Commission.
(Ord. 481, passed 11-2-15)

§ 15.708 EXPENSES AND FINANCIAL RECORDS.

All expense items of the authority shall be publicized monthly and the financial records shall always be open to the public.
(Ord. 481, passed 11-2-15)

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§ 15.709 WRITINGS.

A writing prepared, owned, used, in the possession of, or retained by the Board in the performance of an official function is subject to the Freedom of Information Act, 1976 PA 442, M.C.L.A. §§ 15.231-15.246.
(Ord. 481, passed 11-2-15)

§ 15.710 DUTIES AND POWERS OF THE AUTHORITY.

The Board shall possess all the powers granted to it by statute and shall perform any and all acts required of it.
(Ord. 481, passed 11-2-15)

§ 15.711 BUDGET; COST OF HANDLING AND AUDITING FUNDS.

(A) A budget shall be submitted to the Board for the operation of the authority for each fiscal year before the beginning of the fiscal year. The budget shall be prepared in the manner and contain the information required of city departments. After review by the Board, the budget shall be submitted to the City Commission. The City Commission must approve the budget before the Board may adopt the budget. Unless authorized by the City Commission or this act, funds of the municipality shall not be included in the budget of the authority.

(B) The City Commission may assess a reasonable pro rata share of the funds for the cost of handling and auditing the funds against the funds of the authority, other than those committed, which shall be paid annually by the Board pursuant to an appropriate item in its budget.
(Ord. 481, passed 11-2-15)

§ 15.712 BOUNDARIES OF THE DEVELOPMENT AREA.

All lots or parcels within the Clio City Limits except 800 Tacoma Court, parcel number: 51-15-551-013; 801 Tacoma Court, parcel number: 51-15-551-012; 810 Tacoma Court, parcel number: 51-15-551-014; 811 Tacoma Court, parcel number: 51-15-551-011; 820 Tacoma Court, parcel number: 51-15-551-015; 821 Tacoma Court, parcel number: 51-15-551-010; 840 Tacoma Court, parcel number: 51-15-551-016; 841 Tacoma Court, parcel number: 51-15-551-009; 860 Tacoma Court, parcel number: 51-15-551-023; 861 Tacoma Court, parcel number: 51-15-551-008; 881 Tacoma Court, parcel number: 51-15-551-028; 900 Tacoma Court, parcel number: 51-15-551-019; 901 Tacoma Court, parcel number: 51-15-551-027; 920 Tacoma Court, parcel number: 51-15-551-020; 921 Tacoma Court, parcel number: 51-15-551-005; 960 Tacoma Court, parcel number: 51-15-551-025; 961 Tacoma Court, parcel number: 51-15-551-003; parcel number: 51-15-551-026; parcel number: 51-15-551-004; 100 E. Vienna Road, parcel number: 51-23-501-028; 102 W. Vienna Road, parcel number: 51-15-578-001; 103 W. Vienna Road, parcel number: 51-22-527-001; 106 W. Vienna Road, parcel number: 51-15-578-003; 107 E.

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Vienna Road, parcel number: 51-14-554-009; 113 W. Vienna Road, parcel number: 51-22-527-002; 114 W. Vienna Road, parcel number: 51-15-578-004; 120 W Vienna Road, parcel number: 51-15-578-005; 126 W. Vienna Road, parcel number: 51-15-578-006; 127 W. Vienna Road, parcel number: 51-22-527-101; 129 W. Vienna Road, parcel number: 51-22-527-100; 131 W Vienna Road, parcel number: 51-22-527-004; 135 W. Vienna Road, parcel number: 51-22-527-005; 138 W. Vienna Road, parcel number: 51-15-578-007; 139 W. Vienna Road, parcel number: 51-22-527-006; 143 W. Vienna Road, parcel number: 51-22-527-007; 145 W. Vienna Road, parcel number: 51-22-527-008; 146 W. Vienna Road, parcel number: 51-15-578-010; 146 W. Vienna Road, parcel number: 51-15-578-008; 150 W. Vienna Road, parcel number: 51-15-578-009; 151 W. Vienna Road, parcel number: 51-22-527-009; 155 W. Vienna Road, parcel number: 51-22-527-010; 156 W. Vienna Road, parcel number: 51-15-578-011; 161 W. Vienna Road, parcel number: 51-22-527-011; 164 W. Vienna Road, parcel number: 51-15-578-012; 170 W. Vienna Road, parcel number: 51-15-578-071; 172 W. Vienna Road, parcel number: 51-15-578-070; 182 W. Vienna Road, parcel number: 51-15-578-015; 185 W. Vienna Road, parcel number: 51-22-527-012; 186 W. Vienna Road, parcel number: 51-15-578-016; 189 W. Vienna Road, parcel number: 51-22-527-013; 192 W. Vienna Road, parcel number: 51-15-578-017; 196 W. Vienna Road, parcel number: 51-15-578-018; 202 W. Vienna Road, parcel number: 51-15-578-064; 201 W. Vienna Road, parcel number: 51-22-200-085; 300 W. Vienna Road, parcel number: 51-15-400-047; 315 W. Vienna Road, parcel number: 51-22-200-086; 3430 W. Vienna Road, parcel number: 51-15-551-001; 3450 W. Vienna Road, parcel number: 51-15-551-002; 400 W. Vienna Road, parcel number: 51-15-400-045; 415 W. Vienna Road, parcel number: 51-22-527-032; 420 W. Vienna Road, parcel number: 51-15-400-057; 425 W. Vienna Road, parcel number: 51-22-527-099; 430 W. Vienna Road, parcel number: 51-15-579-033; 431 W. Vienna Road, parcel number: 51-22-527-033; 505 W. Vienna Road, parcel number: 51-22-527-037; 506 W. Vienna Road, parcel number: 51-15-579-004; 512 W. Vienna Road, parcel number: 51-15-579-005; 515 W. Vienna Road, parcel number: 51-22-527-038; parcel number: 18-15-300-077; parcel number: 18-15-300-078; parcel number: 51-15-400-046; 104 Washington Street, parcel number: 51-15-579-006; 109 Railway Street, parcel number: 51-15-400-

048; 204 Railway Street, parcel number: 51-22-200-084; 204 Railway Street, parcel number: 51-22-200-088; 210 Railway Street, parcel number: 51-15-578-055; 214 Railway Street, parcel number: 51-15-578-057; 318 Railway Street, parcel number: 51-15-400-050; 318 Railway Street, parcel number: 51-15-578-069; parcel number: 51-15-400-051; parcel number: 51-15-400-049; 108 Center Street, parcel number: 51-15-578-019; 109 Center Street, parcel number: 51-15-578-065; 110 Center Street, parcel number: 51-15-578-020; 217 Bluff Street, parcel number: 51-15-578-060; 219 Bluff Street, parcel number: 51-15-578-059; 101 N. Mill Street, parcel number: 51-14-554-003; 108 N. Mill Street, parcel number: 51-14-554-010; 111 N. Mill Street, parcel number: 51-15-578-024; 111 N. Mill Street, parcel number: 51-15-578-025; 111 N. Mill Street, parcel number: 51-15-578-002; 118 S. Mill Street, parcel number: 51-22-527-018; 122 N. Mill Street, parcel number: 51-14-300-043; 201 S. Mill Street, parcel number: 51-23-501-013; 202 S. Mill Street, parcel number: 51-22-527-020; 207 S. Mill Street, parcel number: 51-23-501-014; 208 S. Mill Street, parcel number: 51-22-527-019; 213 S. Mill Street, parcel number: 51-23-501-026; 218 S. Mill Street, parcel number: 51-22-527-025; 221 S. Mill Street, parcel number: 51-23-501-027; 302 S. Mill Street, parcel number: 51-22-527-027; 303 S. Mill Street, parcel number: 51-23-502-002; 306 S. Mill Street, parcel number: 51-22-527-028; 312 S. Mill Street, parcel number: 51-22-527-029; 316 S. Mill Street, parcel number: 51-22-200-031; 404 S. Mill Street, parcel number: 51-22-200-123; 405 N. Mill Street, parcel number: 51-15-400-020; 409 N. Mill Street, parcel number: 51-15-400-019; 409 S. Mill Street, parcel number: 51-23-502-011; 412 N. Mill Street,

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parcel number: 51-14-300-033; 417 S. Mill Street, parcel number: 51-23-502-012; 419 S. Mill Street, parcel number: 51-23-502-013; 500 S. Mill Street, parcel number: 51-22-200-109; 501 S. Mill Street, parcel number: 51-23-100-038; 540 S. Mill Street, parcel number: 51-22-200-096; 550 S. Mill Street, parcel number: 51-22-200-095; 600 S. Mill Street, parcel number: 51-22-200-119; 611 S. Mill Street, parcel number: 51-23-100-010; 613 S. Mill Street, parcel number: 51-23-100-009; 699 S. Mill Street, parcel number: 51-23-100-008; 705 S. Mill Street, parcel number: 51-23-100-007; 709 S. Mill Street, parcel number: 51-23-100-006; 710 S. Mill Street, parcel number: 51-22-200-116; 713 S. Mill Street, parcel number: 51-23-100-005; 721 S. Mill Street, parcel number: 51-23-100-004; 800 S. Mill Street, parcel number: 51-22-200-043; 801 S. Mill Street, parcel number: 51-23-100-003; 815 S. Mill Street, parcel number: 51-23-100-002; 821 S. Mill Street, parcel number: 51-23-100-001; 823 S. Mill Street, parcel number: 51-23-300-034; 824 S. Mill Street, parcel number: 51-22-200-044; parcel number: 51-22-527-026; 219 Rogers Lodge Drive, parcel number: 51-14-300-034; 219 Rogers Lodge Drive, parcel number: 51-14-300-035; 108 W. Young Street, parcel number: 51-22-527-017; 111 W. Young Street, parcel number: 51-22-527-021; 112 E. Young Street, parcel number: 51-23-501-015; 113 W. Young Street, parcel number: 51-22-527-022; 114 W. Young Street, parcel number: 51-22-527-016; 115 W. Young Street, parcel number: 51-22-527-023; 118 E. Young Street, parcel number: 51-23-501-016; 118 W. Young Street, parcel number: 51-22-527-015; 120 E. Young Street, parcel number: 51-23-501-017; 121 W. Young Street, parcel number: 51-22-527-024; 126 W. Young Street, parcel number: 51-22-527-014; 320 W. Young Street, parcel number: 51-22-527-036; 326 W. Young Street, parcel number: 51-22-527-035; 109 E. Johnson Street, parcel number: 51-23-501-025; 113 E. Johnson Street, parcel number: 51-23-501-024; 113 W. Johnson Street, parcel number: 51-22-527-030; 117 W. Johnson Street, parcel number: 51-22-527-104; 121 E. Johnson Street, parcel number: 51-23-501-023; 205 W. Johnson Street, parcel number: 51-22-527-098; 215 W. Johnson Street, parcel number: 51-22-527-102; 521 Clay Street, parcel number: 51-23-100-034; 603 Clay Street, parcel number: 51-23-502-001; 607 Clay Street, parcel number: 51-23-100-036; 609 Clay Street, parcel number: 51-23-100-037; 643 Clay Street, parcel number: 51-23-100-039; parcel number: 51-23-300-037; parcel number: 51-23-100-040; parcel number: 51-23-100-035; parcel number: 51-23-100-033; parcel number: 51-23-100-032; parcel number: 51-23-100-031; parcel number: 51-23-100-030; 100 Smith Street, parcel number: 51-22-200-120; 200 Smith Street, parcel number: 51-22-200-118; 284 Smith Street, parcel number: 51-22-200-117; 291 Smith Street, parcel number: 51-22-200-121; 226 Pine Street, parcel number: 51-22-527-103; 121 New Street, parcel number: 51-22-527-034; 215 State Street, parcel number: 51-22-200-087; 119 Griffes Street, parcel number: 51-15-578-023; 120 Griffes Street, parcel number: 51-15-578-031; 124 Griffes Street, parcel number: 51-15-578-032; 126 Griffes Street, parcel number: 51-15-578-033; 130 Griffes Street, parcel number: 51-15-578-034; 131 Griffes Street, parcel number: 51-15-578-022; 138 Griffes Street, parcel number: 51-15-578-035 and 139 Griffes Street, parcel number: 51-15-

578-021.
(Ord. 481, passed 11-2-15)

§ 15.713 DISSOLUTION OF THE AUTHORITY; PROPERTY AND ASSETS.

An authority that has completed the purposes for which it was organized shall be dissolved by ordinance of the City Commission. The property and assets of the authority remaining after the satisfaction of the obligations of the authority belong to the City of Clio.
(Ord. 481, passed 11-2-15)

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