

**AN ORDINANCE TO AMEND THE BROWN CITY CODE BY ADDING NEW SECTIONS WHICH SHALL BE KNOWN AS SECTIONS 31.045 THROUGH 31.054 OF TITLE III: ADMINISTRATION, CHAPTER 31 OF SAID CODE.**

**THE CITY OF BROWN CITY ORDAINS:**

- Section 31.045: An Ordinance establishing the Thumb Soybean Festival Commission, and appointing Commissioners, for the purpose of planning, managing, financing and insuring the annual summer festival.
- Section 31.046 Establishment
- 31.046.1 The Brown City Festival Commission and Brown City Homecoming Commission are hereby dissolved and Ordinance Sections 31.015 through 31.044 are hereby repealed, and there is by this Ordinance established in and for the City of Brown City a Thumb Soybean Festival Commission.
- 31.046.2 Individuals who served as members of the Brown City Festival and/or Homecoming Commissioners shall continue to serve as Thumb Soybean Festival Commissioners in accordance with Sections 31.047 and 31.048 below.
- 31.046.3 Should the Thumb Soybean Festival Commission desire to change the name of the Commission or make other changes to this Ordinance once enacted, they must petition the City Council by formal resolution to amend this Ordinance.
- Section 31.047 Composition
- 31.047.1 The Thumb Soybean Festival Commission shall itself be responsible for the recruitment, appointment and replacement of Commissioners. Prospective Commissioners shall be recommended by the Chairperson and appointed with the consent of a majority of current Commissioners.
- 31.047.2 Total number of Commissioners shall be set by resolution of the Commission.
- 31.047.3 A quorum shall consist of fifty percent plus one (50% + 1) of the total number of appointed Commissioners.
- 31.047.4 Offices and Officers:
- 31.047.4.1 Offices shall be established by resolution of the Commission, and at a minimum consist of a Chairperson, Secretary or Clerk and Treasurer.
- 31.047.4.2 A Commissioner may hold more than one Office.
- 31.047.4.3 Officers shall be selected by a majority vote of the Commissioners during a regular or special public meeting of the Commission.
- 31.047.5 Commissioners may be removed from the Commission either by written resignation, a majority vote of the Commissioners, or based on a policy set by resolution of the Commission.

Section 31.048 Terms Of Office

- 31.048.1 Term of office shall last from time of appointment until removal under Section 2302.5 above.
- 31.048.2 Officers shall be affirmed by a majority vote of the Commissioners at the first meeting of each calendar year in which they are operational.

Section 31.049 Meetings; Duties

- 31.049.1 The Thumb Soybean Festival Commission shall meet as the circumstances require, as determined by the Chairperson of the Commission or their designee.
- 31.049.2 The duties of the Thumb Soybean Festival Commission shall include, but not be limited to:
  - 31.049.2.1 Planning appropriate to the dates, activities, and advertising.
  - 31.049.2.2 Managing the scheduling, advertising, locations, events, activities and volunteers.
  - 31.049.2.3 Ensuring appropriate clean-up and adequate sanitation facilities.
  - 31.049.2.4 Coordinating with local public safety agencies for crowd and traffic control, and other public safety issues.
  - 31.049.2.5 Coordinating with the City of Brown City for scheduling, public works support, insurance, and any other issues that require permitting or administrative assistance.
  - 31.049.2.6 The Commission shall, to the extent practicable, permit all interested persons to participate.

Section 31.050 Budget

- 31.050.1 The Commission shall be responsible for all fundraising activities associated with the Thumb Soybean Festival Commission.
- 31.050.2 The Commission shall prepare an annual budget, and present the request to the City Council for approval not later than the first Tuesday in March of each year they are operational.
- 31.050.3 The budget shall be based on existing funds available, and projected revenues and expenditures.
- 31.050.4 The budget shall be in a format approved by the City Council.
- 31.050.5 The projected costs shall not exceed anticipated revenues and existing reserves.
- 31.050.6 Other than annual approval by the City Council, the Commission is responsible for all budget matters to include expenses incurred.

Section 31.051 Minutes

- 31.051.1 The Commission shall keep minutes of meetings and of actions taken and shall submit such minutes to the City Clerk who shall distribute them to the Mayor and Council in the same manner as that of other Commission and Committee meetings.
- 31.051.2 Minutes shall also include the date and location of the next scheduled meeting.

Section 31.052 Duties Of The Council Representative

31.052.1 The City Council has the option to appoint one of its members to the Commission or another individual.

31.052.2 A Councilmember or individual so appointed shall provide liaison between Council and the Commission.

Section 31.053 Duties Of The City Manager

31.053.1 The City Manager shall serve as a non-voting, *ex officio* member of the Commission.

31.053.2 The City Manager shall provide appropriate coordination between the Commission and the City staff, to include public safety, public works, and administration.

Section 31.054 Effective Date Of Ordinance

31.054.1 This Ordinance shall take effect 30 days after adoption.

INTRODUCTION:

This Ordinance was introduced by Councilmember Miller on November 14, 2011, during a Regular Meeting of the City Council. The Public Hearing thereon was held on November 28, 2011.

MOTION AND VOTE:

Moved by Councilmember Miller, seconded by Councilmember McIvor, to adopt Ordinance Sections 31.045 – 31.054: An Ordinance establishing the Thumb Soybean Festival Commission, and appointing Commissioners, for the purpose of planning, managing, financing and insuring the annual summer festival.

**Roll Call vote on this Ordinance, five (5) members being present, was as follows:**

Yeas: _____	5	Nays: _____	0
Abstaining: _____	0	Absent: _____	1

CERTIFICATION:

I hereby certify that the foregoing constitutes a true and complete copy of Brown City Code Sections 31.045 – 31.054, adopted as an Ordinance by the Brown City Council at a Regular Meeting of the City Council held at the City Hall on the 28<sup>th</sup> day of November, 2011.

I do hereby further certify that the said Brown City Code Sections 31.045 – 31.054 were published as required by the Brown City Charter in *The Banner*, a newspaper published and circulated in the City of Brown City, County of Sanilac, Michigan, on the 5<sup>th</sup> day of December, 2011.

Witness my official signature this 5<sup>th</sup> day of December, 2011.

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Kelly J. Pavel  
City Clerk