

**AN ORDINANCE TO AMEND THE BROWN CITY CODE BY ADDING SECTION
31.200 - AN ORDINANCE ESTABLISHING THE BROWN CITY PARK AND
RECREATION COMMISSION FOR THE PURPOSE OF MANAGING, FINANCING,
OPERATING AND IMPROVING THE COMMUNITY PARK.**

THE CITY OF BROWN CITY ORDAINS:

Section 31-200 – PARKS AND RECREATION COMMISSION:

- Section 31-200. – Establishment; Purpose.
- Section 31-201. – Composition, Appointment.
- Section 31-202. – Qualifications.
- Section 31-203. – Vacancies.
- Section 31-204. – Ex officio Members.
- Section 31-205. – Organization.
- Section 31-206. – Duties and Responsibilities.
- Section 31-207 – Authority to Employ Employees.
- Section 31-208 – Quorum, Minutes.
- Section 31-209 – Effective Date of Ordinance.
- Section 31-210 – Reserved.

Section 31.200 - Establishment; Purpose:

- 31-200.1:** There is by this Ordinance established in and for the City of Brown City a Brown City Parks and Recreation Commission separate and distinct from the Brown City Community Park Association, Incorporated, Board of Directors.
- 31-200.2:** The purpose of this section shall be to establish a Parks and Recreation Commission pursuant to Act 156 of 1917, for the City of Brown City, which Commission shall assume positive leadership in formulating a philosophy of recreation and recreation program suitable to the City and shall serve as an advisory body to the City Council on all matters related to and necessary to the recreational needs of the City.
- 31-200.3:** Should the Brown City Parks and Recreation 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 31-201. - Composition, Appointment: The Parks and Recreation Commission shall consist of seven (7) members to be, (including voting members consisting of representatives from Maple Valley Township, Burnside Township, Summer Recreation and City Council) with three members appointed by the Mayor subject to the approval of the City Council for a term of three (3) years commencing January 1, 2021. For the first appointment, one (1) member shall be appointed for a one (1) year term, one (1) member for a two (2) year term and one (1) member for a three (3) year term. Members of the Parks and Recreation Commission may be appointed to subsequent terms.

Section 31-202 - Qualifications: No less than four of the seven members of the Parks and Recreation Commission appointed in accordance with Section 31-201 shall be residents of this City. The Maple Valley Township and Burnside Township representatives are voting members that are exempted from the residency requirement and shall be appointed by their respective Supervisors subject to approval by their Board of Trustees. The Townships shall determine the length of the term for their representative. The Summer Recreation representative is also a voting member and is exempted from the residency requirement and shall be appointed by that organization for a term determined by them. Members shall represent a broad range of interests beneficial to the city's parks, recreation programs and facilities. Members may be reimbursed for actual expenses incurred in Parks and Recreation Commission activities.

Section 31-203 – Vacancies: Vacancies on the Parks and Recreation Commission shall be filled by appointment for unexpired terms in the same manner as the original appointment.

Section 31-204 - Ex officio members: The City Manager or designee shall serve as an ex officio member of the Parks and Recreation Commission in an advisory capacity only. The City Manager shall provide appropriate coordination between the Commission and the City staff, to include public safety, public works, and administration. In addition, one member of the City Council, appointed by the Mayor, shall be a member of the Parks and Recreation Commission and shall serve the Commission as a full voting member and shall provide liaison between Council and the Commission for the duration of his or her term of office. One of the appointed members of the Parks and Recreation Commission may be a member of the Planning Commission, in which case the member shall serve as a full voting member.

Section 31-205 – Organization: The Parks and Recreation Commission shall hold a regular meeting at least once each month. Such meetings shall be conducted under the auspices of the Open Meetings Act, Public Act 267 of 1976.

31-205.1: The Parks and Recreation Commission shall, immediately upon its appointment, organize, make, amend and revise such rules and regulations as shall be necessary in the administration of this Commission. The City Council shall approve these rules and regulations.

31-205.2: The Parks and Recreation Commission shall elect a Chairperson, Vice-chairperson and a Secretary all of whom shall serve for a term of one year commencing from the date of the first regular meeting. Officers, thereafter, shall be elected for a one-year term upon the expiration of the preceding terms of the previously elected officers.

Section 31-206 - Duties and Responsibilities:

31-206.1: The Parks and Recreation Commission shall review and comment on proposed park projects and park property acquisition prior to final action by City Council.

31-206.2: The Parks and Recreation Commission shall help coordinate park-related activities, including recreational activities and volunteer service for park improvements.

- 31-206.3:** The Parks and Recreation Commission shall assist in updating or creating plans for parks and the park system, recreational facilities and conservancies. The Parks and Recreation Commission shall assist the City with preparation and updating of the Parks and Recreation Master Plan.
- 31-206.4:** The Parks and Recreation Commission shall cooperate with other institutions within and outside the City (such as schools, state and federal government agencies, and civic organizations) to champion, promote and utilize parks and recreational facilities, including agreements with such groups for joint planning, use of facilities and services, or other arrangements of mutual advantage in the conduct of a recreational program.
- 31-206.5:** The Parks and Recreation Commission shall make budget requests to the City Manager for review by the City Council as part of the budget process and review and comment on park related budget items.
- 31-206.6:** The Parks and Recreation Commission shall not obligate itself or the City in any financial undertaking. It is not empowered to spend any funds of the City for any purpose unless first provided for by a specific appropriation by the City Council.

Section 31-207 - Authority to Employ Employees: The Parks and Recreation Commission shall have no authority to employ any full, part-time or seasonal recreation employees as the servicing, operation or running of any facility or structure created by the commission shall be the responsibility of the City Staff designated by the Mayor and City Council. The Commission shall recommend to City Council the employment of such consultants as necessary to obtain its objectives. The City attorney shall serve as the legal advisor for the commission. The city's auditor shall make all audits of the commission's finances and prepare and file any and all financial statements as required by law.

Section 31-208 – Quorum, Minutes:

- 31-208.1:** A quorum of the Parks and Recreation Commission shall consist of five (5) members. An affirmative vote of the majority of currently appointed members shall be necessary to pass any motion.
- 31-208.2** 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.
- 31-208.3:** Minutes shall also include the date and location of the next scheduled meeting.

Section 31-209: Effective Date of Ordinance:

- 31-209.1:** This Ordinance shall take effect 30 days after adoption.

INTRODUCTION:

This Ordinance was introduced by Councilmember Christine Lee on December 28, 2020, during a Regular Meeting of the City Council. The Public Hearing thereon was held on January 11, 2021.

MOTION AND VOTE:

Moved by Councilmember _____, seconded by Councilmember _____, to adopt Ordinance 31.200: An Ordinance establishing the Brown City Park and Recreation Commission for the purpose of managing, financing, and improving the Community Park.

Roll Call vote on this Ordinance, ___ members being present, was as follows:

CM Biel-___, CM Jacobson-___, CM Lee-___, CM Mclvor-___, CM Navock-___, CM Robison-___.

Yeas: _____ Nays: _____
Abstaining: _____ Absent: _____

CERTIFICATION:

I hereby certify that the foregoing constitutes a true and complete copy of Brown City Code Section 31.200, adopted as an Ordinance by the Brown City Council at a Regular Meeting of the City Council held at the City Hall on the ___ day of _____, 2021.

I do hereby further certify that the said Brown City Code Section 31.200 was 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 ___ day of _____, 2021.

Witness my official signature this ___ day of _____, 2021.

Rhonda Johnson
City Clerk