

**Manistee DDA
December 14, 2016 @ 12:00pm
City Hall**

AGENDA

1. Call to order – Chair
2. Approval of Agenda
3. Public comment. (Limit 5 minutes per person.)
4. Approval of November 9, 2016 Minutes
5. Approval of December 6, 2016 Special Meeting Minutes
6. Financial Report
7. Committee Reports
 - a. Design
 - b. Marketing and Promotions
 - c. Organization
 - d. ER
8. Director's Report
9. Old Business
 - a. Sidewalk Policies
 - b. Street Vendor Policies
 - c. Financial Policies
10. New Business
 - a. Oleson's Project Presentation
 - b. Downtown Ludington/DDA Presentation
 - c. Election of Chairman
 - d. Ipads
 - e. Strategic Planning Work Session
 - f. Review of Bylaws
11. Public Comment. (Limit 5 minutes per person.)
12. Adjournment

DOWNTOWNMANISTEE

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DATE: December 9, 2016
TO: DDA Board
FROM: Tyler Leppanen
RE: DDA Board Regular Meeting: December 14, 2016

The DDA Board shall convene at 12:00 pm on Wednesday, December 14, 2016 in the council chambers of city hall. I should have the financial report from Vanderwal, Spratto & Richards and the Director's Report by the time of the meeting on Wednesday.

Under Old Business, we have the sidewalk, street vendor, and financial policies. All items are being reviewed by their respective committees.

Our New Business items include a presentation of the Oleson's project by Bob Daniels, the Director of the Council on Aging. Mr. Daniels and the Council on Aging will be asking for a letter of support for their project from the DDA. The Downtown Ludington presentation has yet to be confirmed. The DDA Board has had an acting chair since July in anticipation of a new Mayor. At this time the DDA Board could elect a chairman to fill the vacancy. Additionally, the DDA Board will discuss Ipads, scheduling the annual strategi planning work session, and delegation of updating the DDA bylaws.

If you have any other updates or new information before the meeting, please send it along to myself and the Board. You can call my office number at (231) 398-3262 or email me at tyler.leppanen@manisteedowntown.com with any questions or concerns you may have.

Manistee DDA Meeting Minutes - Nov 9, 2017 at Noon

Present: Mayor Colleen Kenny, Rachel Brooks, Brandon Ball, Barry Lind, Valarie Bergstrom, Jackie Gielczyk, T Eftaxiadis, Tyler Leppanen and Todd Mohr
Absent: Jeff Reau
In Attendance: Thad Taylor, Denise Blakeslee, Linda Beaton, Roger Zielinski and Jim Smith

Agenda Item	Discussion	Decision/Recommendation
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Call to Order	Lind called the meeting to order at 12:03 pm	
Approval of Agenda	Kenny moved; Gielczyk seconded	Approved
Public Comment	Blakeslee said there is a CC work session on Dec 13 at 7 pm to discussion redevelopment sites; she will send packets to Tyler before the meeting for DDA input; DDA will schedule special meeting to discuss projects	
	Beaton asked DDA opinion on sidewalk policy and asked DDA opinion on affordable/low income housing property (Glick's Bldg)	
Approval of the Oct 12 Mtg Minutes	Kenny moved; Bergstrom seconded; Eftaxiadis obtained	Approved
Approval of the Oct 21 Mtg Minutes	Gilchek moved, Mohr second; Eftaxiadis obtained	Approved
Financial Report	David Richards office will have financials by the end of the day, faculty issues caused delay; Bergstrom and Leppanen work together to access financials	
Committee Reports	Design: No Meeting, M&P: Working on sponsorships; Org: Talked about Tyler goals and objectives; ER: would like suggestions from Board on committee members	
Sidewalks Policies	Submit opinions to Jeff Reau	
Riverwalk Sponsored Planters	Design handling this	
Performance Measurements	No action was taken. Leppanen to report back next month.	
New Business		
Street Vendors	Delegated to Design Committee	
Financial Policies	Delegated to Organization Committee	
Website/Domain	Leppanen informed the Board that due to changes with CVB that the DDA may need to create a new website using the manisteedowntown.com domain. No action taken.	
Public Comment		
Adjournment	2:30pm	Adjourned

**Manistee DDA Special Meeting Minutes
December 6, 2016**

2nd Floor Conference Room, City Hall, 70 Maple Street, Manistee

Present: Mayor Jim Smith, Barry Lind (Acting Chair), Valarie Bergstrom, Brandon Ball, Todd Mohr and T Eftaxiadis

Others In Attendance: Tyler Leppanen (DDA Director)

Agenda Item	Discussion	Decision/Recommendation
Call to Order	Lind called the meeting to order at 3:00 pm	
Approval of Agenda	Eftaxiadis moved; Bergstrom seconded	Approved
Public Comment	None	
Approval Mtg Min	N.A.	
Old Business	N.A.	
New Business		
1. Identify & Prioritize Redevelopment Sites	<p>Attending members and Director reviewed and discussed list of properties within the Downtown District suitable for redevelopment, as required by the Redevelopment Ready Community (RRC) program and proposed by City staff. Members determined that both properties previously (2015) identified and prioritized, as well as other properties within the District will be discussed and prioritized today. Following discussion of the properties under consideration and based on compilation of priority preferences of the attending members and Director, the following properties were selected and listed in order of priority (1 being highest priority and 7 lowest priority):</p> <ol style="list-style-type: none"> 1. 283-285-289 River Street; integrate redevelopment of this group of parcels 2. 141-149 Washington Street (former Hotel Northern) 3. 400 River Street (former Glick's) 4. 28-32 Arthur Street (US-31) (former Mobil Gas Station) 5. Former Oleson's property 6. 401 River Street (former City Drugs) 7. 55 Division Street (FOE) 	Recommend this prioritized list of District properties to City Council at its December 13, 2016 discussion of the RRC program.
Public Comment	None	
Board Comments	None	
Adjournment	Mohr moved, Ball seconded; 4:45 pm	Approved

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Marketing & Promotions Committee November 16, 2016 Minutes

Present

Jackie Gielczyk, Chelsey Harvey, Matt Knizacky, Tyler Lappanen, Lindsey Swidorski, Carrie Mosher, Cherri Koblinski, Mary Nezki, Dianna Wall

Call to Order/Introductions

The Chair called the meeting to order at 8:05 am.

Work Plan Review

The Women's Wine & Chocolate Walk Work Plan was reviewed with revisions suggested

Marketing/Advertising

The Ludington Daily News advertising spread was distributed for review. It will run every Thursday for the next 5 weeks. It was noted the Brandon Jensen will prepare 1 page Marketing Plans for the events.

Events will be created on the Downtown Manistee Facebook page. Chelsey will coordinate with Rachel Brooks for the Victorian Sleighbell Parade & Old Christmas Weekend.

Frostbite Chili Cook Off

Discussion was held on the Frostbite Chili Cook Off and the requirements for the food handler's license. It was decided to put out donation buckets and print recipes for the chili; if someone donates they will get a recipe. Tyler will work with Jackie and Rachel and interpret the emails from the health department and prepare a 1 page document with the requirements.

Ladies Night

Discussion was held on the Ladies Night drawings. It was decided to leave it up to each merchant to do a drawing/promotion.

Sponsorship Packet

The current list of businesses in the sponsorship database was reviewed. Ms. Wall will email the current Chamber Member List along with the Chamber Media List to the committee.

Documents and Forms

Ms. Gielczyk created an account in Google Docs and is uploading documents to the drive. She will email the link to the committee.

Adjournment

There being no further business to be brought before the committee, the meeting was adjourned at the call of the chair at 9:10 am.

**Organization Committee Meeting Notes
November 30, 2016**

Present: Valarie Bergstrom, Colleen Kenny, Cindy Kaminski, Lee Trucks, Gini Pelton, Barry Lind, Todd Mohr and Tyler Leppanen

Call to Order: Meeting called to order by Valarie at 12:05.

November 2 Minutes: Motion to approve by Colleen Kenny, seconded by Lee Trucks. Approved.

Agenda Approval: Agenda approved. Motion by Colleen Kenny, seconded by Lee Trucks with the addition of Downtown Dollars, Role of the Organization Committee. It was suggested that we review work plans at the next meeting.

Finance Policy The committee reviewed the finance policy. It was recommended that a draft of specific policy changes be developed by smaller committee comprised of Colleen Kenny and Valarie Bergstrom. The revised policy will be reviewed at the next meeting before sending the final draft to the Board for approval.

Other Business: The other agenda items will be added to the next agenda.

Meeting Adjourned: A motion was made by Gini Pelton and seconded by Lee Trucks to adjourn the meeting. Meeting adjourned at 1:00 p.m.

Next Meeting: Next meeting will be held on Wednesday, December 21 at noon.

**RULES GOVERNING THE MANISTEE, MICHIGAN
DOWNTOWN DEVELOPMENT AUTHORITY**

ARTICLE I. PURPOSES AND POWERS

The purpose or purposes for which the Authority is organized are as follows: To act as a Downtown Development Authority in accordance with Act 197 of the Public Acts of 1975, as amended, including, but not limited to: to correct and prevent deterioration in the Downtown Development District, to encourage historic preservation, to create and implement development plans, and to promote economic growth. In furtherance of these purposes, the Authority shall have all of the powers which now or hereafter may be conferred by law on Authorities organized under Act 197, Public Acts of 1975 as amended; and Public Law 9-1-646, being the Federal Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970. The power or authority given under Public Acts 197 is as follows:

- (a) Prepare an analysis of economic changes taking place in the downtown district.
- (b) Study and analyze the impact of metropolitan growth upon the downtown district.
- (c) Plan and propose the construction, the renovation, repair, remodeling, rehabilitation, restoration, preservation, or reconstruction of a public facility, an existing building, or a multiple-family dwelling unit which may be necessary or appropriate to the execution of a plan which, in the opinion of the board, aids in the economic growth of the downtown district.
- (d) Plan, propose, and implement an improvement to a public facility within the development area to comply with the barrier free design requirements of the state construction code promulgated under the Stille-DeRossett-Hal single state construction code act, 1972 PA 230, MCL 125.1501 to 125.1531.
- (e) Develop long-range plans, in cooperation with the agency which is chiefly responsibility for planning in the municipality, designed to halt the deterioration of property values in the downtown district and to promote the economic growth of the downtown district, and take such steps as may be necessary to persuade property owners to implement the plans to the fullest extent possible.
- (f) Implement any plan of development in the downtown district necessary to achieve the purposes of this act, in accordance with the powers of the Authority as granted by this act.
- (g) Make and enter into contracts necessary or incidental to the exercise of its powers and the performance of its duties.
- (h) Acquire by purchase or otherwise on terms and conditions and in a manner the Authority deems proper or own, convey, or otherwise dispose of, or lease as

lessor or lessee, land and other property, real or personal, or rights of interests therein, which the Authority determines is reasonably necessary to achieve the purposes of this act, and to grant or acquire licenses, easements, and options with respect thereto.

- (i) Improve land and construction, reconstruct, rehabilitate, restore and preserve, equip, improve, maintain, repair, and operate any building including multiple-family dwellings, and any necessary or desirable appurtenances thereto, within the downtown district for use, in whole or in part, of any public or private person or corporation, or a combination thereof.
- (j) Fix, charge, and collect fees, rents, and charges for the use of any building or property under its control or any part thereof, or facility therein, and pledge the fees, rents, and charges for the payment of revenue bonds issued by the Authority.
- (k) Lease any building or property under its control, or any part thereof of a building or property.
- (l) Accept grants and donations of property, labor, or other things of value from a public or private source.
- (m) Acquire and construct public facilities.
- (n) Create, operate, and fund marketing initiatives that benefit only retail and general marketing of the downtown district.
- (o) Contract for broadband service and wireless technology service in the downtown district.
- (p) Operate and perform all duties and exercise all responsibilities described in this section in a qualified township if the qualified township has entered into an agreement with the municipality under section 3(7).

ARTICLE II. BOARD

Section 1. General Powers

The Authority shall be under the supervision and control of a board.

Section 2. Number, Tenure, and Qualifications

The Board of the Authority shall consist of nine persons, the Mayor of the City of Manistee and eight members. The members shall be appointed for one term of four years except that of members first appointed; two shall be appointed for one year, two for two years, two for three years, and two for four years. At least five of the members shall be persons having an interest in property located in the downtown district. At least one of

the members shall be a resident of the downtown district if it has one hundred or more persons residing within it. The term of office shall begin on the First day of July.

Section 3. Selection of Board Members

The Chief Executive of the City of Manistee with the advice and consent of the City Council shall appoint the members of the board. Subsequent board members shall be appointed in the same manner as the original appointments at the expiration of each member's term of office. Before assuming the duties of office, a member shall qualify by taking and subscribing to the constitutional oath of office.

Section 4. Compensation of Members

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

Section 5. Expiration of Term, Continuation in Office, Reappointment, and Filling Vacancies

If a vacancy is created by the death, resignation, or removal of a member, a successor shall be appointed in the manner prescribed for filling vacancies on City of Manistee Authorities.

Section 6. Removal

Pursuant to proper notice and an opportunity to be heard, a member may be removed from office for neglect of duty including nonattendance at meetings, misconduct, malfeasance, or any other good cause by a majority vote of the City Council. Removal of a member is subject to review by the Circuit Court.

Board Absences.

In order to maintain the maximum participation of all appointed Downtown Development Authority members at all scheduled meetings, the following is the attendance guide and Board member replacement policy for "excused" or "unexcused" absences:

1. When appointed, each Board member should state his/her willingness and intention to attend each scheduled meeting of the Downtown Development Authority.
2. In the event of unplanned personal matters, business trips, family vacation trips, changed job requirements, sickness, or other physical disabilities that prohibit the Board member from attending the scheduled meeting; the Board Chair or staff liaison to the Downtown Development Authority should be notified as soon as possible prior to the time of the scheduled meeting of their inability to attend. The Board member upon this notification will receive an "excused absence" for the involved scheduled meeting.

3. If any Board member is absent from three (3) consecutive scheduled meetings without an “excused absence” for any of the three (3) meetings, the Board member shall be reported in writing to the City Manager. The City Manager will contact the Board member in writing and question his/her continued ability or interest in being on the Board, giving the member a chance to rectify the attendance issue or submit a resignation.
4. There will be no limit on the number of consecutive “excused absences” for any Board member. However, if the Board member is repeatedly absent for at least 50% of the yearly scheduled meetings, that member will also be reported in writing to the City Manager. The City Manager will contact the Board member in writing and question the member’s continued ability or interest to be on the Board. The Board member will be considered for an appointment nullification when the absences total six in the calendar year.
5. The appointment nullification action would be initiated by the City Manager and forwarded on to the City Council for official action.

Section 7. Disclosure of Interest

A board member who has a direct interest in any matter before the Authority shall disclose his interest prior to the Authority taking any action with respect to the matter which disclosure shall become a part of the record of the Authority’s official proceedings. Further, any member making such disclosure shall then refrain from participating in the Authority’s decision-making process relative to such matter.

ARTICLE III. OFFICERS

Section 1. OFFICERS

The officers of the Authority shall be a Chairman, Vice-Chairman, Secretary, and Treasurer. The Chairman shall be the Chief Executive Officer of the City, or as elected by the board.

Section 3. Filling of Vacancies

A vacancy in any of the officer positions may be filled by the board for the unexpired portion of the term.

Section 4. Chairman

The Chairman shall preside at all meetings of the board and shall discharge the duties of a presiding officer.

Section 5. Vice-Chairman

In the absence of the Chairman or in the event of his inability or refusal to act, the Vice Chairman shall perform the duties of the Chairman and when so acting shall have all the powers and be subject to all restrictions of the Chairman.

ARTICLE IV. MEETINGS

Section 1. Annual Meeting

The annual meeting shall be held on the third Wednesday of July. The election of officers shall occur at the annual organizational meeting. If the election of officers should not occur on the day designated, or any adjournment thereof, the board shall cause the election to be held at a regular special meeting of the board within ninety days of the annual meeting.

Section 2. Regular Meetings

Regular meetings of the board shall be held at 12:00 noon on the second Wednesday of each month at a location agreed to by the board. In the event the meeting day shall fall on a holiday, the meeting will occur on the following day. The financial records shall always be open to the public. Any regularly scheduled meeting may be cancelled for lack of quorum. Notice of all meetings shall be posted in accordance with the Michigan Open Meetings Act.

Section 3. Special Meetings

Special meetings of the board may be called by the Chairman, by the Vice-Chairman in the absence of the Chairman, by the Executive Director, by any three members, or by the City Council by giving twenty-four hour notice of the meeting stating the purpose of the meeting and by posting the notice eighteen hours prior to the meeting.

Section 4. Notice of Meetings

All meetings shall be preceded by public notice posted no less than eighteen hours prior to the meeting in accordance with the Open Meetings Act (Act 267 of the Public Acts of 1976, as amended.) Notice to the members of the board and to the public shall be the responsibility of the Secretary.

Section 5. Agenda

The Chairman may direct the Secretary or Executive Director to prepare the agendas for all meetings and send them to the Authority members at least twenty-four prior to a meeting. Any member of the Authority may request any item to be placed upon the Agenda. Approval of the agenda, including items added or deleted, shall be one of the first items of business at each meeting.

Section 6. Quorum and Voting

A majority of the members of the board in office shall constitute a quorum for the transaction of business. In the event that effective membership is reduced because of disclosure of interest (Article II, Section 7), a majority of the remaining members eligible to vote shall constitute the action of the board.

Section 7. Rules of Order

Robert's Rules of Order will govern the conduct of all meetings.

Section 8. Public Comment During Meetings

The Manistee Downtown Development Authority wishes to provide for orderly public comment during its meetings and wishes to express its procedure for allowing public comment at its meetings in compliance with Open Meetings Act, Public 267 of the Public Acts of 1976.

1. At any meeting, any interested person may address the Board of Trustees of the Manistee Downtown Development Authority on any agenda item prior to the vote on that agenda item if recognized by the Chairman or upon request of any two Board members present.
2. Any interested person may address the Board of Trustees of the Manistee Downtown Development Authority on any matter relevant to the purposes and powers of Authority during the agenda item designated public comments.
3. The Chairman shall have the authority to limit and terminate any public comment that becomes disruptive, repetitive, or impedes the orderly progress of the meeting. The Chairman shall control the order and duration of any public comment, subject to appeal.
4. Any public comment may be limited in time to not more than five (5) minutes.
5. Prior to engaging in public comment, each person shall identify themselves and the group that is being represented.

ARTICLE V. EMPLOYMENT OF PERSONNEL

Section 1. Executive Director

The board may employ and fix the compensation of a director, subject to the approval of the City Council. The director shall serve at the pleasure of the board. A member of the board is not eligible to hold the position of director. Before entering upon the duties of his office, the director shall take and subscribe to the constitutional oath, and furnish

bond, by posting a bond in the penal sum determined in the ordinance establishing the Authority, payable to the Authority for use and benefit of the Authority, approved by the board, and filed with the City Clerk. The premium on the bond shall be deemed an operating expense of the Authority, payable from funds available to the Authority for expenses and operation. The director shall be the chief executive officer of the Authority. Subject to the approval of the board, the director shall supervise, and be responsible for, the preparation of plans and the performance of the functions of the Authority in the manner authorized by Act 197 of the Public Acts of 1975 as amended. The director shall attend the meetings of the board, and shall render to the board and to the City Council a regular report covering the activities and financial condition of the Authority. If the director is absent or disabled, the board may designate a qualified person as acting director to perform the duties of the office. Before entering scribe to the oath, and furnishing bond, as required of the director, the director shall furnish the board with information or reports governing the operating of the Authority as the board requires. The director shall not be a full-time City employee.

Section 2. Treasurer

The board may employ and fix the compensation of a Treasurer if he or she is not a board member, who shall keep the financial records of the Authority and who, together with the directors, shall approve all vouchers for the expenditure of funds of the Authority. The Treasurer shall perform such other duties as may be delegated by the board and shall furnish bond in an amount as prescribed by the board.

Section 3. Secretary

The board may employ and fix the compensation of a secretary, who shall maintain custody of the official seal and of records, books, documents, or other papers not required to be maintained by the controller. The secretary shall attend meetings of the board and keep a record of its proceedings, and shall perform such duties delegated by the board.

Section 4. Legal Counsel

The board may retain legal counsel to advise the board in the proper performance of its duties. The legal counsel shall represent the Authority in actions brought by or against the Authority.

Section 5. Other Personnel

The Board may employ other personnel deemed necessary by the board.

ARTICLE VI. COMMITTEES AND ADVISORY BOARDS

Section 1. Committees

The board by resolution may designate and appoint one or more committees to advise the board. The Chairman of the Authority shall appoint the members and select the chairman. The committees may be terminated by a vote of the Authority. At the annual meeting, the committees will be evaluated and reappointed or dissolved

Section 2. Advisory Boards

The board may by resolution authorize the establishment of advisory boards to the Authority. The Chairman shall select, with the advice and consent of the Authority members, the members of each advisory board. The advisory board shall elect their own officers and establish rules governing their actions.

ARTICLE VII. CONTRACTS AND FUNDS

Section 1. Contracts

The board may authorize the Executive Director or an agent or agents of the Authority to enter into any contract or execute and deliver any instrument on behalf of the Authority within the limits authorized by Public Act 197. The authorization may be general or confined to specific instances.

Section 2. Funds

All checks, drafts, or orders for the payment of money, notes, or other evidence of indebtedness issued in the name of the Authority shall be signed by the Treasurer and countersigned by the Executive Director or Administrator of the Authority. Other member of the board may be authorized to execute documents in the absence of the Treasurer or Executive Director. Account transactions require two signatures. All funds of the Authority shall be placed in such banks, trust companies, or other depositories as selected by the board.

Section 3. Contributions or Gifts

The board may accept on behalf of the Authority any contribution, gift, request, or device for the general purposes or for any special purpose of the Authority.

ARTICLE VIII. BOOKS AND RECORDS

Section 1. Books and Records

The Authority shall keep correct and complete records of books and accounts and minutes of the meetings. The records shall be kept at the principal office of the Authority which will have a record of the names and addresses of the members of the Authority. All books and records of the Authority shall be open to the public. An annual audit by an independent certified public account will be conducted.

Section 2. Fiscal Year

The fiscal year of the Authority shall at all times conform to the fiscal year of the City of Manistee.

ARTICLE IX – RAISING OF FUNDS

Section 1. Ad Valorem Tax

The Authority with the approval of the City Council may levy an ad valorem tax on the real and tangible property not exempt by law and as finally equalized in the downtown district. The tax shall be not more than 2 mills. The tax shall be collected by the City of Manistee. The City shall collect the tax at the same time and in the same manner as it collects its other ad valorem taxes. The tax shall be paid to the Treasurer of the Authority and credited to the general fund of the Authority for purposes of financing only the operations of the Authority.

Section 2. Borrowing Money Prior to Collection of Tax

The City may at the request of the Authority borrow money and issue its notes therefore pursuant to Act 202 of the Public Acts of 1943, as amended, being sections 131.1 and 138.2 of the Michigan Compiled Laws, in anticipation of collection of the ad valorem tax authorized in this section.

Section 3. Revenue Bonds

The Authority may borrow money and issue its negotiable revenue bonds therefore pursuant to Act 94 of the Public Acts of 1933, as amended, being sections 141.101 to 141.139 of the Michigan Compiled Laws. Revenue bonds issued by the Authority shall not, except as hereinafter provided, be deemed a debt of the City of Manistee or the State of Michigan. The City Council by a majority vote of the members may pledge its full faith and credit to support the Authority's revenue bonds.

Section 4. Tax Increment Financing

When the Authority determines that it is necessary for the achievement of the purposes of Act 197, Public Acts 1975, the Authority shall prepare and submit a tax increment financing plan to the City Council. The plan shall include a development plan as provided in Section 17, Act 197, Public Acts of 1975, a detailed explanation of the tax increment procedure, the amount of bonded indebtedness to be incurred, the duration of the program, and shall be in compliance with Section 15 of that Act. The plan shall contain statement of the estimated impact of tax increment financing on the assessed values of all taxing jurisdictions in which the development area is located. The plan may provide for the use of part or all of the captured assessed value, but the portion intended to be used by the Authority shall be clearly stated in the tax increment financing plan.

ARTICLE X. DISTRICT BOUNDARIES

The Authority shall exercise its powers within the downtown district of the City of Manistee so determined by ordinance of the City Council.

ARTICLE XI. AMENDMENT TO RULES

These rules should be reviewed annually by the Board of Directors and they may be altered, amended, or repealed, and new rules adopted, by a majority of the members present at any regular meeting, to be effective upon approval of the Manistee City Council.

Adopted by the Board of Directors _____

Secretary, Manistee City Downtown
Development Authority

Approved by the Manistee City Council _____

City Clerk