

City of Escanaba Historic Commission

Adopted: **Escanaba Historic Commission**

Approved: **April 5, 2010**

Subject: **Historic Commission By-Laws**

CROSS REFERENCES:

- A. Ordinance No. 1100, Historic District Ordinance.
- B. Michigan's Local Historic District Act, P.A. 169 of 1970, as amended.
- C. The Secretary of the Interior Standards for Rehabilitation.
- D. Open Meetings Act, P.A. 267 of 1976, as amended.
- E. Freedom of Information Act, P.A. 442 of 1976, as amended.

Purpose: In order to carry out the duties and responsibilities conveyed under Ordinance No. 1100, there has been a Historic Commission created consisting of seven (7) members who are appointed by the Mayor of the City of Escanaba with the consensus of the Escanaba City Council. The Historic District Commission is the regulatory body that reviews work in local historic districts. It is the role of the Historic Commission to ensure that due process is fairly and equitably applied to all property owners living in a historic district and to pass on matters pertaining to historic preservation that maintains the historic integrity of the district at the level it was at when the district was created. The name shall be the Escanaba Historic District Commission, hereafter known as the "Historic Commission". These Bylaws are adopted by the Historic Commission to facilitate the performance of its duties as outlined in Ordinance No. 1100, as amended, being the Escanaba Historic District Ordinance.

1. Role of The Historic Commission.

The role of the Historic Commission include some functions in addition to the Ordinance duties and responsibilities. Though Historic Commissioners may face pressure from individuals – and sometimes government officials – to make a certain decision, Historic Commissioners must remember that their role is to protect the community's historic resources. There are seven (7) key responsibilities of the Historic Commission:

- 1. Know the Secretary's Standards for Rehabilitation.
- 2. Know the requirements of Ordinance No. 1100, The Historic District Ordinance and state enabling law.
- 3. Be familiar with architectural styles and their distinctive features
- 4. Be familiar with the Community's history.
- 5. Know the Opening Meetings Act and conduct business accordingly.
- 6. Avoid the appearance of conflict of interest and excuse them from voting on projects in which they have any involvement
- 7. Follow rules of procedures during the entire review process.

2. Membership.

- A. Members. Members of the Historic Commission are appointed by the Mayor of Escanaba with the consensus of the Escanaba City Council pursuant to the Escanaba Historic District Ordinance No. 1100, as amended.
- B. Liaisons. The purpose of liaisons is to provide certain City of Escanaba officials and quasi-officials the ability to participate in discussions with the Historic Commission, in addition to speaking and public participation, but nothing else. Liaisons cannot vote, introduce motions, initiate any other parliamentary action, be counted for a quorum or be expected to comply with attendance requirements pursuant to Section 2.C of these bylaws. Liaisons, if not already appointed Historic Commission members, are:
 - 1. The Historic Commission's consultants.
 - 2. City Attorney.
 - 3. City engineering, electrical, water and wastewater department heads, or similar department heads, their agents and/or consultants.
 - 4. City Manager or designee.
 - 5. City Council persons other than the Council appointed liaison.
- C. Attendance. If any member of the Historic Commission is absent from three (3) consecutive meetings, then that member shall be considered delinquent. Delinquency shall be grounds for the Escanaba City Council to remove a member from the Historic Commission for nonperformance of duty, or misconduct, after holding a public hearing on the matter. The Historic Commission secretary, or acting secretary in the absence of the elected secretary, shall keep attendance records and shall notify the Escanaba City Council whenever any member of the Historic Commission is absent from three consecutive regularly scheduled meetings, so the City Council can consider further action allowed under law or excuse the absences.
- D. Training. Each member shall have attended at least one training session per calendar year in historic preservation during the member's current term of office.
- E. Incompatibility of Office.
 - 1. Each member of the Historic Commission shall avoid conflicts of interest and/or incompatibility of office. As used here, a conflict of interest shall at a minimum include, but not necessarily be limited to, the following:
 - a. Issuing, deliberating on, voting on, or reviewing a case concerning him or her.
 - b. Issuing, deliberating on, voting on, or reviewing a case concerning work on historic district owned by him or her or which is adjacent to a historic district owned by him or her.
 - c. Issuing, deliberating on, voting on, or reviewing a case involving a corporation, company, partnership, or any other entity in which he or she is a part owner, or any other relationship where he or she may stand to have a financial gain or loss.
 - d. Issuing, deliberating on, voting on, or reviewing a case which is an action which results in a pecuniary benefit to him or her.

- e. Issuing, deliberating on, voting on, or reviewing a case concerning his or her spouse, children, step-children, grandchildren, parents, brothers, sisters, grandparents, parent's in-law, grandparent's in-law, or members of his or her household.
 - f. Issuing, deliberating on, voting on, or reviewing a case where his or her employee or employer is:
 - (1) an applicant or agent for an applicant, or
 - (2) has a direct interest in the outcome.
2. If there is a question whether a conflict of interest exists or not, the question shall be put before the Historic Commission. Whether a conflict of interest exists or not shall be determined by a majority vote of the remaining members of the Historic Commission.
 3. When a conflict of interest exists, the member of the Historic Commission shall do all of the following immediately, upon first knowledge of the case and determining that a conflict exists:
 - a. declare a conflict exists at the next meeting of the Historic Commission:
 - b. cease to participate at the Historic Commission meetings, or in any other manner, or represent one's self before the Historic Commission, its staff, or others, and
 - c. During deliberation of the agenda item before the Historic Commission, leave the meeting or remove one's self from the front table where members of the Historic Commission sit, until that agenda item is concluded.
 4. If a member of the Historic Commission is appointed to another office, which is an incompatible office with his or her membership on the Historic Commission, then on the effective date of the appointment to the other office, that shall result in an automatic resignation from the Historic Commission. If a member of another office is appointed to the Historic Commission, which is an incompatible office with his or her membership in the other office, then on the effective date of the appointment to the Historic Commission, that shall result in an automatic resignation from the other office.

3. Duties of all Historic Commission members.

A. *Ex Parte* contact.

1. Members shall avoid *Ex Parte* contact about cases where an administrative decision is before the Historic Commission whenever possible.
2. Despite one's best efforts it is sometimes not possible to avoid *Ex Parte* contact. When that happens, the member should report to the Historic Commission at a public meeting or hearing what was said, so that every member and other interested parties are made aware of what was said.

- B. Site Inspections.
 - 1. If desired, no more than three (3) members of the Historic Commission may accompany the property owner, staff or others on a site inspection.
- C. Accepting gifts.
 - 1. Gifts shall not be accepted by a member of the Historic Commission or liaisons from anyone connected with an agenda item before the Historic Commission.
 - 2. As used here, gifts shall mean cash, any tangible item, or service, regardless of value.
- D. Public Deliberation and Debate.
 - 1. Free and open debate should take place on issues before the Historic Commission. Such debate shall only occur at meetings of the Historic Commission.
 - 2. Once a vote is taken and an issue is decided by vote, the duty of each member of the Historic Commission is to represent the position reflected by the outcome of the vote. Minority reports and requests for reconsideration may take place only at an open meeting of the Historic Commission.

4. Officers.

- A. Selection. At the regular meeting in December of each year, the Historic Commission shall select from its membership a Chair, Vice-Chair, and Secretary. All officers are eligible for re-election. In the event the office of the Chair becomes vacant, the Vice-Chair shall succeed to this office for the unexpired term and the Historic Commission shall select a successor to the office of Vice-Chair for the unexpired term. In the event the office of the Secretary becomes vacant, a new Secretary must be selected by the Historic Commission.
- B. Tenure. The Chair, Vice-Chair and Secretary shall take office January 1 following their selection and shall hold office for a term of one year or until their successors are selected and assume office.
- C. Chair's Duties. The Chair retains his or her ability to discuss, make motions and vote on issues before the Historic Commission. The Chair shall:
 - 1. Preside at all meetings with all powers under parliamentary procedure;
 - 2. Shall rule out of order any irrelevant remarks; remarks which are personal; remarks about another's race, religion, sex, physical condition, ethnic background, beliefs, or similar topics; profanity; or other remarks which are not about the topic before the Historic Commission;
 - 3. Restate all motions as pursuant to Section 5.E of these Bylaws;
 - 4. May call special meetings pursuant to Section 5.B of these Bylaws;
 - 5. Appoint an Acting-Secretary in the event the Secretary is absent from a Historic Commission meeting.
 - 6. Review with the Secretary or staff, prior to a Historic Commission meeting, the items to be on the agenda if he or she so chooses;
 - 7. Represent the Historic Commission, before the Escanaba City Council.

- D. Vice-Chair's Duties. The Vice-Chair shall:
 1. Act in the capacity of Chair, with all the powers and duties found in Section 4.C of these Rules, in the Chair's absence;
 2. Perform such other duties as may be ordered by the Historic Commission.
- E. Secretary's Duties. The Secretary shall:
 1. Execute documents in the name of the Historic Commission;
 2. Be responsible for the minutes of each meeting, pursuant to section 6.A of these Bylaws if there is not a recording secretary.
 3. Review the draft of the minutes, sign them, and submit them for approval to the Historic Commission and shall have them spread in suitable volumes. Copies of minutes shall be distributed to each member of the Historic Commission prior to the next meeting of the Historic Commission (the Secretary may delegate this duty to City staff);
 4. Receive all communications, petitions, and reports to be addressed by the Historic Commission, delivered or mailed to the Secretary in care of the City Manager's Office;
 5. Keep attendance records pursuant to Section 2.C of these Bylaws;
 6. Provide notice to the public and members of the Historic Commission for all regular and special meetings, pursuant to the Open Meetings Act, P.A. 267 of 1976, as amended, M.C.L. 15.261 *et seq.* (the Secretary may delegate this duty to City staff);
 7. Prepare an agenda for Historic Commission meetings pursuant to Section 5.K of these Bylaws (the Secretary may delegate this duty to City staff);
 8. Perform such other duties as may be ordered by the Historic Commission.
- F. Staff Duties. Staff shall not be a member of the Historic Commission and shall:
 1. At each meeting assist in taking minutes pursuant to section 6.A of these Bylaws for review and signature by the Secretary; and
 2. Perform such other duties as may be mutually agreed on by the Historic Commission.

5. Meetings.

- A. Regular meetings. Meetings of the Historic Commission will be held at least quarterly or more frequently at the call of the Historic Commission, or at the call of the Chairperson of the Historic Commission. An annual notice or regularly scheduled Historic Commission meetings shall comply with P.A. 267 of 1976, as amended. The Historic Commission shall assume no meeting will be scheduled unless notified by the Administration.
- B. Special Meetings. Special meetings shall be called in the following manner:
 1. By the Chair.
 2. By any three (3) members of the Historic Commission.
 3. By the City Manager.
 4. Notice of special meetings shall be given by the Secretary to members of the Historic Commission at least forty eight (48) hours prior to such meeting and shall state the purpose, time, day, month, date, year and location of the meeting (the Secretary may delegate this function to staff).

In addition notices shall comply with P.A. 267 of 1976, as amended, (being the Michigan Open Meetings Act M.C.L. 15.261 *et seq.*).

- C. Recess. The Chair, or the Historic Commission, after the meeting has been in session for two hours (not including site inspections), shall suspend the Historic Commission's business and evaluate the remaining items on its agenda. The Historic Commission shall then decide to finish that meeting's agenda, may act to continue the meeting on another day (fix the time at which to adjourn), or complete some agenda items and continue the meeting on another day to complete other agenda items or postpone certain agenda items to the next meeting. If applicable such action shall include the time, day, month, date, year, and location the Historic Commission will reconvene. If more than 18 hours will pass before the reconvened Historic Commission, public notice shall be given to comply with P.A. 267 of 1976, as amended, (being the Michigan Open Meeting Act M.C.L. 15.261 *et seq.*). Upon reconvening, a roll call of attendance shall be the first item of business before proceeding with the same agenda. The Historic Commission shall resume with the same meeting agenda, proceeding at the same point where they left off, without the addition of additional business.
- D. Quorum. More than half the total number of seats for members of the Historic Commission, regardless if vacancies exist or not, shall constitute a quorum for the transaction of business and the taking of official action for all matters before the Historic Commission. Whenever a quorum is not present at a regular or special meeting, those present shall adjourn the meeting to another day.
- E. Motions.
 - 1. Motions shall be restated by the Chair before a vote is taken.
 - 2. Findings of Fact. All actions taken in an administrative capacity shall include each of the following parts.
 - a. A finding of fact, listing what the Historic Commission determines to be relevant facts in the case in order to eliminate misleading statements, hearsay, irrelevant, and untrue statements.
 - b. Conclusions to list reasons based on the facts for the Historic Commission's action, often directly related, or not, to a finding of compliance, or noncompliance, to standards.
 - c. The Historic Commission's action; recommendation or position, approval, approval with conditions, or disapproval.
- F. Voting. Voting shall be by voice and shall be recorded as passing or failing. Roll call votes will be recorded only upon request by a member of the Historic Commission and shall be recorded by "yes" or "no". Members must be present to cast a vote. Voting by proxy shall not occur. The affirmative vote of a majority of those present or a majority of a quorum, whichever is greater, shall be necessary for the adoption of motions. The affirmative vote of a majority of the total number of seats for members of the Historic Commission, regardless if vacancies or absences exist or not, shall be necessary for the adoption, or recommendation for adoption, of any plan or amendment to a plan.
- G. Historic Commission Action. Action by the Historic Commission on any matter on which a hearing is held shall not be taken until the hearing has been concluded.

- H. Parliamentary Procedure. Parliamentary procedure in Historic Commission meetings shall be informal. However, if required to keep order, Historic Commission meetings shall then be governed by *Roberts Rules of Order* for issues not specifically covered by these Bylaws. Where these Bylaws conflict, or are different than *Robert's Rules of Order*, then these Bylaws control.
- I. Public Participation. All regular and special meetings, hearings, records, and accounts shall be open to the public.
1. All public comment on all agenda items should be presented where provided in the printed agenda as the agenda item is discussed. After that point during the meeting, public comment is normally not allowed; however, sometimes the Historic Commission may direct questions to members of the public. Public comment is during the course of the deliberation so the Historic Commission can hear concerns and questions before acting on an issue. Those making public comment are expected to be familiar with the issue and have prepared comments ahead of time. To help the public in preparing for the meeting, any written material shall be made available without cost for members of the public asking for a copy prior to the meeting.
 2. The Chair may limit the amount of time allowed for each person wishing to make public comment at a Historic Commission meeting. Petitioners and aggrieved party comment to an agenda item can be restricted to fifteen (15) minutes unless amended by the Chairperson. General public comment shall be restricted to two (2) minutes unless amended by the Chairperson. The Chairperson may ask members of the audience to caucus with others sharing similar positions so they may select a single spokesperson.
- J. Order of Business. Agenda. The Secretary, or designee, shall prepare an Agenda for each meeting and the order of business shall be as follows:
- (A) Call to order.
 - (B) Roll Call.
 - (C) Approval and/or Correction to Minutes of Previous Meeting.
 - (D) Approval and/or Adjustment to the Agenda.
 - (E) Unfinished Business and Report Presentation.
 - (F) Public Hearings.
 - (G) New Business.
 - (H) Public Comment.
 - (I) Member/Staff Announcements.
 - (J) Adjournment.

Delivery of Agenda. The agenda and accompanying materials shall be mailed/hand delivered to Historic Commission members so that it might be perceived prior to the weekend prior to the regular meeting date.

- K. Placement of Items on the Agenda.
1. The City Manager's Office shall be the office of record for the Historic Commission.
 2. The City Manager may receive items on behalf of the Historic Commission between the time of the adjournment of the previous Historic Commission meeting and five (5) business days prior to the next regularly scheduled Historic Commission meeting.
 3. Items received by the Administration four (4) or less business days prior to the next regularly scheduled Historic Commission meeting shall be set aside to be received by the Historic Commission at its next regularly scheduled Historic Commission meeting. The Historic Commission may act on those items of a minor nature or table action to the subsequent regular or special Historic Commission meeting. Those items of a major nature or items normally receiving staff review, analysis, or recommendation shall be tabled until the subsequent regular or special Historic Commission meeting.
 4. The deadline to add items to the Historic Commission's meeting agenda shall be five (5) business days prior to the next regularly scheduled Historic Commission meeting.

6. Record.

- A. Minutes and Record. The Historic Commission Secretary shall keep, or cause to be kept, a record of Historic Commission meetings, which, shall at a minimum include an indication of the following:
1. Copy of the meeting posting pursuant to P.A. 267 of 1976, as amended, (being the Michigan Open Meetings Act, M.C.L. 15.261 *et. seq.*)
 2. Copy of the minutes, and all its attachments which shall include a summary of the meeting, in chronological sequence of occurrence:
 - a. Time and place the meeting was called to order.
 - b. Attendance.
 - c. Indication of others presents (listing names if others choose to sign in and/or a count of those present).
 - d. Summary or text of points of all reports (including reports of what was seen and discussed at a site inspection) given at the meeting, and who gave the report and in what capacity. An alternative is to attach a copy of the report if offered in writing.
 - e. Summary of all points made in public participation or at a hearing by the applicant, officials, and guests and an indication of who made the comments. An alternative is to attach a copy of the public's statement, petition, or letter if it is provided in written form.
 - f. Full text of all motions introduced, whether seconded or not, who made the motion and who seconded the motion. For each motion, the following should be included:
 1. Who testified and a summary of what was said.

2. A statement of what is being approved
 3. The location of the property involved (tax parcel number and description, legal description is best).
 4. What exhibits were submitted (list each one, describe each, number or letter each and refer to the letter or number in the minutes).
 5. What evidence was considered (summary of discussion by members at the meeting).
 6. The administrative body's findings of fact.
 7. Reasons for the decision made. (If the action is to deny, then each reason should refer to a section of an ordinance which would be violated or with which not complied.)
 8. The decision (e.g. approves, deny, approve with modification).
 9. A list of all required improvements (and if they are to be built up-front or name the type of performance security to be used), if any.
 10. List of all changes to the district submission(e.g. "...attached to the original copy of these minutes as appendix `A', and made a part of these minutes...").
- g. Who called the question.
 - h. The type of vote and its outcome. If a roll call vote, indicate who voted yes, no, abstained or a statement the vote was unanimous. If not a roll call vote, then simply a statement: "the motion passed/failed after a voice vote."
 - i. That a person making a motion withdrew it from consideration.
 - j. All the Chair's rulings.
 - k. All challenges, discussion and vote/outcome on a Chair's ruling.
 - l. All parliamentary inquiries or point of order.
 - m. When a voting member enters or leaves the meeting.
 - n. When a voting member or staff member has a conflict of interest and when the voting member ceases and resumes participation in discussion, voting and deliberations at a meeting.
 - o. All calls for an attendance count, the attendance, and ruling if a quorum exists or not.
 - p. The start and end of each recess.
 - q. All Chairs' rulings of discussion being out of order.
 - r. Full text of any resolutions offered.
 - s. Summary of announcements.
 - t. Summary of informal actions, or agreement on consensus.
 - u. Time of adjournment.
3. Records of any action, support documents, maps, site plans, photographs, correspondence received, attached as an appendix to the minutes.

- B. Retention. Historic Commission records shall be preserved and kept on file according to the following schedule:
 - 1. Minutes, bonds, oaths of officials, other records of decisions, Historic Commission or department publications: Permanent.
 - 2. General ledger: 20 years.
 - 3. Account journals: 10 years.
 - 4. Bills and/or invoices, receipts, purchase orders, vouchers: 7 years.
 - 5. Correspondence: Permanent.

7. Committees.

- A. Ad-Hoc Committees. The Historic Commission or Chair may establish and appoint ad-hoc committees for special purposes or issues, as deemed necessary. Less than a quorum may serve on an ad-hoc committee at any given time.
- B. Citizen Committees. The Historic Commission, Chair, or City Manager may establish and appoint citizen committees with the consent of the Historic Commission. Membership can be any number, so long as less than quorums of the Historic Commission serve on a citizen committee at any given time. The purpose of the citizen committee is to have more citizen and municipal government involvement, to be able to use individuals who are knowledgeable or expert in the particular issue before the Historic Commission and to better represent various interest groups in the City of Escanaba.

8. Rules of Procedure for All Historic Commissioners.

- A. Subservient to the Historic Commission. All Historic Commissioners are subservient to the Historic Commission and report their recommendations to the Historic Commission for review and action. The Historic Commission can overrule any action of any committee.
- B. Same Principles. The same principals of these Bylaws for the Historic Commission also apply to all Historic Commissioners of the Historic Commission including, but not limited to:
 - 1. Officers. Officers of the Historic Commission are appointed by the Chair of the Historic Commission at the time the Historic Commission is created, or are elected by the Historic Commissioner's membership at their first meeting. Officers, at a minimum, include a Chair and Secretary-Vice-Chair.
 - 2. Quorum. A Historic Commission's quorum shall be at least half the total appointed membership of the Historic Commission.
 - 3. Voting. Only those appointed members of a Historic Commission, who are present at the time of a vote, shall be eligible to cast a vote.
 - 4. Attendance. If any member of the Historic Commission is absent from three consecutively scheduled meetings, then that member shall be considered delinquent. Delinquency shall be grounds for the Historic Commission to request the removal any member from the Historic Commission. The Historic Commission Secretary-Vice-Chair or acting Historic Commission Secretary in the absence of the elected Historic

Commission Secretary-Vice-Chair shall keep attendance records and notify the Historic Commission of any Historic Commission member who is absent from three consecutively scheduled meetings so the Historic Commission may consider removal of the individual from the Historic Commission or excuse the absence(s).

5. Minutes. The Secretary-Vice-Chair of the Historic Commission shall keep minutes of the Historic Commission meetings in the same format used by the Historic Commission and filed in the City Manager's Office.
6. Staff. Historic Commissioners have reasonable use of staff time and assistance and direction for performing the work of the Historic Commission.
7. Public. All Historic Commission meetings are open meetings available for public attendance and participation and minutes of the meetings are to be available for public inspection under the same principals found in P.A. 267 of 1976, as amended, (being Michigan Open Meetings Act, M.C.L. 15.261 *et seq.*).
8. Subcommittees. Citizen committees may form subcommittees from their own membership and/or with additional citizens when deemed necessary. Subcommittees are subservient to the parent committee. Subcommittees are informal, not requiring quorums, attendance requirements, minutes, or public participation. Subcommittee membership shall consist of less than half the parent committee's membership.

9. Hearings.

- A. Plan Hearings. Before the adoption of any part of a district plan, as defined in the Ordinance No. 1100, or any amendment to a district plan, or recommending approval of an amendment to the Escanaba City Council, the Historic Commission shall hold a public hearing on the matter. Notice of the time and place of the hearing shall be given, not less than fifteen (15) days prior to such hearing, by at least one (1) publication in each newspaper of general circulation.
- B. Special Hearings. Notice of special hearings for the purposes of presenting preliminary district plans, obtaining public opinion on a problem, or discussion of a particular problem with interested parties will be given in the most practical manner and to persons, or group representatives most interested.
- C. Notice of Decision. A written notice containing the decision of the Historic Commission will be sent to petitioners and originators of a request for the Historic Commission to study a special problem.

10. Historic District Study Committee and the Study Committee Report.

Before establishing an Historic District(s), the City Council shall appoint an Historic District Study Committee. A majority of the persons appointed to the Study Committee shall have a clearly demonstrated interest in or knowledge of historic preservation. The Study Committee shall contain representation of at least one member appointed from one or more duly organized local historic preservation organizations. The Study Committee shall do all of the following:

- A. Conduct a photographic inventory of resources within each proposed historic district following procedures established by the State Historic Preservation Office of the Michigan Historical Center.
- B. Conduct basic research of each proposed historic district and historic resources located within that district.
- C. Determine the total number of historic and non-historic resources within a proposed historic district and the percentage of historic resources of that total. In evaluating the significance of historic resources, the Committee shall be guided by the selection criteria for evaluation issued by the United States Secretary of the Interior for inclusion of resources in the National Register of Historic Places, as set forth in 36 CFR part 60, and criteria established or approved by the State Historic Preservation Office of the Michigan Historical Center.
- D. Prepare a preliminary Historic District Study Committee report that addresses at a minimum all of the following:
 - 1. The charge of the Committee.
 - 2. The composition of the Committee membership.
 - 3. The historic district(s) studied.
 - 4. The boundaries of each proposed historic district in writing and on maps.
 - 5. The history of each proposed historic district.
 - 6. The significance of each district as a whole, as well as a sufficient number of its individual resources to fully represent the variety of resources found within the district, relative to the evaluation criteria.
 - 7. Transmit copies of the preliminary report for review and recommendations to the local planning body, the State Historic Preservation Office to the Michigan Historical Center, the Michigan Historical Commission and the State Historic Preservation Review Board.
 - 8. Make copies of the preliminary report available to the public pursuant to Section 399.203 (4) of Public Act 169 of 1970, as amended.
- E. Not less than sixty (60) calendar days after the transmittal of the preliminary report, the Historic District Study Committee shall hold a public hearing in compliance with Public Act 267 of 1976, as amended. Public notice of the time, date and place of the hearing shall be given in the manner required by Public Act 267. Written notice shall be mailed by first class mail not less than fourteen (14) calendar days prior to the hearing to the owners of properties within the proposed historic district, as listed on the most current tax rolls. The report shall be made available to the public in compliance with Public Act 442 of 1976, as amended.
- F. After the date of the public hearing, the Committee and the City Council have not more than one year, unless otherwise authorized by the City Council, to take the following actions:
 - 1. The Committee shall prepare and submit a final report with its recommendations and the recommendations, if any, of the local planning body to the City Council as to the establishment of an Historic District(s). If the recommendation is to establish an Historic District(s), the final report shall include a draft of the proposed ordinance(s).

2. After receiving a final report that recommends the establishment of an Historic District(s), the City Council, at its discretion, may introduce and pass or reject an ordinance(s). If the City Council passes an ordinance(s) establishing one or more Historic Districts, the City shall file a copy of the ordinance(s), including a legal description of the property or properties located within the Historic District(s) with the City Clerk. The City Council shall not pass an ordinance establishing a contiguous historic district less than 60 days after a majority of the property owners within the proposed historic district, as listed on the tax rolls of the local unit, have approved the establishment of the historic district pursuant to written petition.
- G. A writing prepared, owned, used, in the possession of, or retained by a committee in the performance of an official function of the Historic District Commission should be made available to the public in compliance with Public Act 442 of 1976, as amended.

11. Other Matters to be Considered by the Historic Commission.

- A. Historic Commission Action. The following matters shall be presented for consideration at a meeting of the Historic Commission:
1. At least annually, the adoption of priorities for the Historic Commission's plan of work.
 2. Annually, preparation of an annual report of the Historic Commission.
 3. Office, or Administrative Policy and ruling of interpretation of regulations by the Historic Commission or its staff.
 4. The general character, extent and layout of the replanning and redevelopment of historic districts.
 5. All address changes pursuant to the City of Escanaba. Address Ordinances, as amended.
 6. Historic Commission's budget requirements for the fiscal year and request for appropriation.
 7. Selection of consultants.
 8. Such other matters as the City Manager shall find it advisable or essential to receive consideration by the Historic Commission.

12. Adoption, Repeal, Amendments.

- A. Upon adoption of these Bylaws of _____, they shall become effective and all previous Bylaws shall be repealed.
- B. The Historic Commission may suspend any one of these Bylaws, for a duration of not more than one (1) agenda item or meeting.
- C. These Bylaws may be amended at any regular or special meeting by a two-thirds (2/3) vote of the members present.