

First Reading: July 18, 2019  
Second Reading: August 8, 2019  
Publication: August 13, 2019 and August 14, 2019  
Effective: August 19, 2019

CITY OF NEGAUNEE  
DOWNTOWN DEVELOPMENT AUTHORITY ORDINANCE

An ordinance to amend and restate Chapter 290, Negaunee Downtown Development Authority, originally established under Act 197 of the Public Acts of 1975, to bring the Downtown Development Authority in the City of Negaunee into compliance with Act No. 57 of the Public Acts of Michigan of 2018 (the Recodified Tax Increment Financing Act).

The City of Negaunee ORDAINS:

AMENDMENT

Chapter 290 of the Codified Ordinances of Negaunee, Michigan, shall be and hereby is, restated and amended to read as follows:

SECTION 1

TITLE

This Ordinance shall be known and cited as the City of Negaunee Downtown Development Authority Ordinance.

SECTION 2

DEFINITIONS

The terms used in this Ordinance shall have the same meaning as given to them in Act 57 or as hereinafter provided in this section, unless the context clearly indicates to the contrary. As used in this Ordinance:

Act 57 means Act No. 57 of the Public Acts of Michigan of 2018, as now in effect or hereinafter amended.

Authority means the City of Negaunee City Downtown Development Authority created by this Ordinance.

Board or Board of Directors means the Board of Directors of the Authority, the governing body of the Authority.

Downtown District means the Downtown District designated by this Ordinance as now existing or hereinafter amended.

City means the City of Negaunee, Marquette County, Michigan.

City Council means the Negaunee City Council.

### SECTION 3

#### DETERMINATION OF NECESSITY

The City Council hereby determines that it is necessary for the best interests of the public and the City to halt property value deterioration and increase property tax valuation where possible in the downtown business district of the City, to eliminate the causes of deterioration and to promote economic growth by establishing a downtown development authority pursuant to Act 57.

### SECTION 4

#### TTHE DOWNTOWN DEVELOPMENT AUTHORITY

The Downtown Development Authority, originally created pursuant to Act 197 of the Public Acts of 1975, shall hereby be operated under and pursuant to Act No. 57. The Authority remains a public body corporate and shall be known as and exercise its powers under the title of "The City of Negaunee Downtown Development Authority". The Authority remains able to adopt a seal, may sue and be sued in any court of this State and shall possess all of the powers necessary to carry out the purpose of its incorporation as provided by this Ordinance and Act No. 57 of the Public Acts of Michigan of 2018. The enumeration of a power in this Ordinance or in Act 57 shall not be construed as a limitation upon the general powers of the Authority.

### SECTION 5

#### DESCRIPTION OF THE DOWNTOWN DISTRICT

The Downtown District in which the Authority shall exercise its powers as provided by Act 57 shall consist of the described territory in the City, subject to this Ordinance and Act 57, as set forth in Exhibit A, attached hereto and made a part hereof.

### SECTION 6

#### BOARD OF DIRECTORS

The Authority shall be under the supervision and control of the Board of Directors consisting of the City Manager and not less than eight (8) or more than twelve (12) members as determined by the City Council. The members shall be appointed by the City Manager, subject to the approval by the City Council. Not less than a majority of the members shall be persons having interest in property located in the Downtown District. Not less than one (1) of the members shall be a resident of the Downtown District, if the Downtown District has 100 or more persons residing within it. Of the members first appointed, an equal number, as near as is

practical, shall be appointed for one (1) year, two (2) years, and three (3) years. Members shall hold office until the members' successor is appointed. Thereafter, each member shall serve for a term of three (3) years. An appointment to fill a vacancy shall be made by the City Manager of the City for the unexpired term only subject to approval of the council. Members of the Board shall serve without compensation, but shall be reimbursed for actual and necessary expenses.

## SECTION 7

### POWERS OF THE AUTHORITY

The Authority shall have all powers enumerated or implied by law in Act 57.

## SECTION 8

### FISCAL YEAR; ADOPTION OF BUDGET

A. The fiscal year of the Authority shall begin on January 1st of each year and end on December 31<sup>st</sup> of the same year, or such other fiscal year as may hereafter be adopted by the City.

B. The Board shall annually prepare a budget and shall submit it to the City Council on the same date that the proposed budget for the City is required by law to be submitted to the City Council. The Board shall not finally adopt a budget for any fiscal year until the budget has been approved by the City Council. The Board may, however, temporarily adopt a budget in connection with the operation of any improvements which have been financed by revenue bonds where required to do so by the Ordinance authorizing the revenue bonds.

C. The Authority shall be audited annually by the same independent auditors auditing the City. Copies of the audit report shall be filed with the City Council.

## SECTION 9

### DISSOLUTION

Upon completion of its purpose, the Authority may be dissolved by an ordinance duly adopted by the City Council. The property and assets of the Authority, after dissolution and satisfaction of its obligations, shall revert to the City.

## SECTION 10

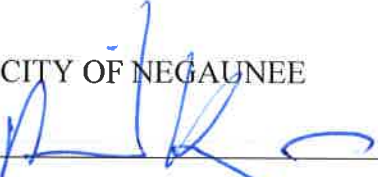
### SECTION HEADINGS; SEVERABILITY; REPEALER


Section headings in this Ordinance are furnished for convenience only and shall not be considered to be part of this Ordinance. All other Ordinances, resolutions and orders or parts thereof in conflict with the provisions of this Ordinance are, to the extent of such conflict, hereby repealed, and each section of the Ordinance and each subdivision of any section thereof is hereby

declared to be independent, and the finding or holding of any section or subdivision thereof to be invalid or void shall not be deemed or held to affect the validity of any other section or subdivision.

Whereupon, this Ordinance was declared passed and adopted this 8<sup>th</sup> day of August, 2019.

This Amendment shall be published as required by law, and shall be effective on the 19<sup>th</sup> day of August, 2019.

CITY OF NEGAUNEE  
  
By: David Kangas, Its Mayor

Attest:  
  
By: Judy Iwanski, Its Clerk

# EXHIBIT A

## GENERAL DEVELOPMENT PLAN FOR THE NEGAUNEE DDA

The need for establishing the Negaunee Downtown Development Authority (referred to as "DDA District") is founded on the basis that the future success of Negaunee's efforts to revitalize its commercial area will depend, in large measure, on the readiness and ability of its public corporate entity to initiate public improvements that strengthen the commercial area, and to encourage and participate where feasible in the development of new private uses that clearly demonstrate the creation of new jobs, the attraction of new business, and the generation of additional tax revenues. Map 1 shows the geographic limits of the Negaunee Downtown Development Authority effective as of February 1983. The Development Area District, or boundary, (Map 2) must be equal to or less than the geographic limits of the Downtown Development Authority District.



**Map 1**  
City of Negaunee  
DOWNTOWN DEVELOPMENT AUTHORITY DISTRICT