

First Reading:
Second Reading:
Publication:
Effective:

**AMENDMENT TO THE DOWNTOWN DEVELOPMENT AUTHORITY ORDINANCE OF
THE CITY OF NEGAUNEE**

CHAPTER 30.05

The City of Negaunee ORDAINS:

That the City of Negaunee's Downtown Development Authority Ordinance, Chapter 30.05, of the Codified Ordinances of Negaunee, Michigan, shall be, and the same hereby is, amended to read as follows:

REPEALER

The City of Negaunee's Downtown Development Authority Ordinance, Chapter 30.05(F)(1)(e), as amended, of the Codified Ordinances of Negaunee, Michigan, and any other ordinance, resolution, order or parts thereof in conflict with the provisions of these Amendments are, to the extent of such conflict, hereby repealed. The repeal date shall be the effective date of the following Amendments.

AMENDMENT

Chapter 30.05(F)(1)(e) of the Codified Ordinances of Negaunee, Michigan, shall be, and hereby is, amended to read as follows:

“Thereafter, each member shall serve for a term of four (4) years.”

§ 30.05 DOWNTOWN DEVELOPMENT AUTHORITY.

(A) *Title.* This section shall be known and cited as the "City of Negaunee Downtown Development Authority Ordinance."

(B) *Definitions.* For the purpose of this section, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

ACT 57. Public Act 57 of 2018, being M.C.L.A. §§ 125.4101 through 125.4915, as now in effect or hereinafter amended.

AUTHORITY. The City of Negaunee City Downtown Development Authority created by this section.

BOARD or BOARD OF DIRECTORS. The Board of Directors of the Authority, the governing body of the Authority.

CITY. The City of Negaunee, Marquette County, Michigan.

CITY COUNCIL. The Negaunee City Council.

(C) *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.

(D) *The Downtown Development Authority.*

(1) The Downtown Development Authority, originally created pursuant to Public Act 197 of 1975, being M.C.L.A. §§ 125.1651 through 125.1680, shall hereby be operated under and pursuant to Act 57, being M.C.L.A. §§ 125.4101 through 125.4915.

(2) 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".

(3) 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 section and Public Act 57 of 2018, being M.C.L.A. §§ 125.4101 through 125.4915.

(4) The enumeration of a power in this section or in Act 57, being M.C.L.A. §§ 125.4101 through 125.4915, shall not be construed as a limitation upon the general powers of the Authority.

(E) *Description of the Downtown Districts.*

(1) Downtown District A 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 section and Act 57, being M.C.L.A. §§ 125.4101 through 125.4915, as set forth in the map attached to this code of ordinances herein, and available at www.cityofnegaunee.com, and made a part hereof.

(2) Downtown District B in which the Authority shall exercise its powers as provided by Act 57, being M.C.L.A. §§ 125.4101 through 125.4915, shall consist of the described territory in the city, subject to this section and Act 57, being M.C.L.A. §§ 125.4101 through 125.4915, as set forth in the map attached to this code of ordinances herein, and available at www.cityofnegaunee.com, and made a part hereof.

(F) *Board of Directors.*

(1) The Authority shall be under the supervision and control of the Board of Directors consisting of the City Manager and not less than eight or more than 12 members as determined by the City Council.

(a) The members shall be appointed by the City Manager, subject to the approval by the City Council.

(b) Not less than a majority of the members shall be persons having interest in property located in the Downtown District. Not less than one of the members shall be a resident of the Downtown District, if the Downtown District has 100 or more persons residing within it.

(c) Of the members first appointed, an equal number, as near as is practical, shall be appointed for one year, two years, and three years.

(d) Members shall hold office until the members' successors are appointed.

(e) Thereafter, each member shall serve for a term of three years.

(f) An appointment to fill a vacancy shall be made by the City Manager for the unexpired term only subject to approval of the Council.

(2) Members of the Board shall serve without compensation, but shall be reimbursed for actual and necessary expenses.

(G) *Powers of the Authority.* The Authority shall have all powers enumerated or implied by law in Act 57, being M.C.L.A. §§ 125.4101 through 125.4915.

(H) *Fiscal year; adoption of budget.*

(1) The fiscal year of the Authority shall begin on January 1 of each year and end on December 31 of the same year, or such other fiscal year as may hereafter be adopted by the city.

(2) (a) 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.

(b) The Board shall not finally adopt a budget for any fiscal year until the budget has been approved by the City Council.

(c) 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.

(3) 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.

(I) *Dissolution.*

(1) Upon completion of its purpose, the Authority may be dissolved by an ordinance duly adopted by the City Council.

(2) The property and assets of the Authority, after dissolution and satisfaction of its obligations, shall revert to the city.





(Ord. passed 12-12-2019)