ORDINANCE NO. A-66
APPROVING AMENDMENTS TO DEVELOPMENT PLAN AND TAX INCREMENT FINANCE PLAN FOR THE LAKE CITY DOWNTOWN DEVELOPMENT AUTHORITY

WHEREAS, the Lake City Downtown Development Authority (the “Authority”) has previously prepared and approved a Land Use Development Plan and Tax Increment Finance Plan on file with the City Clerk (herein the “Plan”), which was approved by the City Council of the City of Lake City (the “City”) pursuant to Ordinance No. 32, adopted on May 10, 1988; and

WHEREAS, the Authority has prepared and recommended for approval an amendment attached hereto as Exhibit A (the “Plan Amendments”) to the Plan for the Development Area in the Downtown District within the City; and

WHEREAS, the Development Area Citizens Council has had an opportunity to consult with the Authority regarding the Plan Amendments; and

WHEREAS on March 13, 2000, the City Council held a public hearing on the Plan Amendments for the Authority’s Development Area in the Downtown District pursuant to Act 197, Public Acts of Michigan, 1975, as amended (the “Act”); and

WHEREAS, the purpose of the amendment is to extend the duration of the Plan to 2015 and to increase the maximum amount of bonded indebtedness permitted by the Plan; and

WHEREAS the City Council has given the taxing jurisdictions in which the Development Area is located an opportunity to meet with the City Council and to express their views and recommendations regarding the Plan Amendments, as required by the Act.

NOW, THEREFORE, THE CITY OF LAKE CITY ORDAINS:

1. Findings

(a) The Development Plan as amended by the Plan Amendments meets the requirements set forth in section 14(2) of the Act.
(b) The proposed method of financing the development is feasible and the Authority has the ability to arrange the financing.
(c) The development is reasonable and necessary to carry out the purposes of the Act.
(d) Any land included within the Development Area to be acquired is reasonably necessary to carry out the purposes of the Act.
(e) The Development Plan as amended is in reasonable accord with the master plan of the City.
(f) Public services, such as fire and police protection and utilities, are or will be adequate to service the Development Area.
(g) Changes in zoning, streets, street levels, intersections, and utilities, to the extent required by the Plan Amendments, are reasonably necessary for the Development Plan and for the City.

2. Public Purpose

The City Council hereby determines that the Plan as amended by the Plan Amendments constitutes a public purpose.

3. Best Interest of the Public

The City Council hereby determines that it is in the best interests of the public to halt property value deterioration, increase property tax valuation, eliminate the causes of the deterioration in property values, and to promote growth in the Downtown District to proceed with the Plan as amended by the Plan Amendments.

4. Approval and Adoption of Plan Amendments

Amendments are hereby approved and adopted. A copy of the Plan, the Plan Amendments and all later amendments thereto shall be maintained on file in the City Clerk’s office.

5. Amendment to Ordinance No. 32: Conflict and Severability

Ordinance No. 32 is hereby amended by this Ordinance. All ordinances, resolutions and orders or parts thereof in conflict with the provisions of the 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 of the Ordinance.

6. Paragraph Headings

The paragraph headings in this Ordinance are not intended to be used in any other section or subdivision of the Ordinance.

7. Publication and Recordation

The Ordinance shall be published in full promptly after its adoption in the Missaukee Sentinel, a newspaper of general circulation in the City, qualified under State law to publish legal notices, and shall be recorded in the Ordinance Book of the City, which recording shall be authenticated by the signature of the City Clerk.

8. Effective Date

The Plan Amendments are hereby determined by the City Council to be immediately necessary for the interests of the City and shall be in full force and effect from and after is passage and publication as required by law.

Passed and adopted by the City Council of the City of Lake City, County of Missaukee, State of Michigan, on March 13, 2000, and approved by the Mayor on March 13, 2000.

AYES: Members T. Cox, E. Buckeridge, L. Inglebright, K. Russell and R. Guest
ABSENT: Members E. Boetischer
NAYS: Members none

ORDINANCE DECLARED ADOPTED.

/\ Robin M. Peckham
Robin M. Peckham, City Clerk

/\ Robert Peckham
Robert Peckham, Mayor