

**MANISTEE CITY COUNCIL**  
**SPECIAL MEETING AGENDA**

**TUESDAY, FEBRUARY 11, 2020 – 6:45 P.M. – COUNCIL CHAMBERS**

**I. Call to Order.**

- a.) PLEDGE OF ALLEGIANCE.
- b.) ROLL CALL.

**II. Citizen Comments on Agenda Related Items.**

**III. New Business.**

- a.) CONSIDERATION OF ORDINANCE 20-02 APPROVING AMENDMENTS TO THE CITY OF MANISTEE DEVELOPMENT PLAN AND TAX INCREMENT FINANCING PLAN.

At the February 4, 2020 meeting City Council adopted the Manistee Downtown Development Authority amendments for the Development and Tax Increment Financing Plan. The original ordinance was adopted April 2, 1985, amended April 3, 1989, and amended September 16, 2008. Ordinance 20-02 approving the amendments adopted on February 4, 2020 repeals all ordinances in conflict.

As an ordinance two separate readings are required. If this Ordinance is introduced at this time, it could be adopted at the next regular meeting.

At this time Council could take action to introduce Ordinance 20-02 approving amendments to the City of Manistee Development Plan and Tax Increment Financing Plan.

**IV. Concerns and Comments.**

- a.) CITIZEN COMMENT. This is an opportunity for citizens to comment on municipal services, activities or areas of City involvement. Citizens in attendance shall be recognized by the Mayor for comments (limited to five minutes). Letters submitted to Council will not be publicly read.
- b.) OFFICIALS AND STAFF.
- c.) COUNCILMEMBERS.

**XI. Adjourn.**

TNT:km

**COUNCIL AGENDA ATTACHMENTS:**

- 1. Ordinance No. 20-02

ORDINANCE NO. 20-02

AN ORDINANCE APPROVING AMENDMENTS TO THE CITY OF MANISTEE DEVELOPMENT PLAN AND TAX INCREMENT FINANCING PLAN ADOPTED APRIL 2, 1985, AMENDED APRIL 3, 1989, AMENDED SEPTEMBER 16, 2008 AND AMENDED FEBRUARY 4, 2020, AND REPEALING ALL ORDINANCES IN CONFLICT HEREWITH.

WHEREAS, the Downtown Development Authority of the City of Manistee (the "Authority") has previously prepared and recommended for approval a Development Plan and Tax Increment Financing Plan (the "Original Plan") which was approved by the City of Manistee City Council (the "City") pursuant to an Ordinance adopted on April 2, 1985;

WHEREAS, the Authority prepared and recommended certain amendments to the Original Plan which were approved by the City Council on April 3, 1989, September 16, 2008 and February 4, 2020 (the "Amended Plan");

WHEREAS, the City has attempted to establish a development area citizens council, but has been unsuccessful in securing sufficient individuals to serve on such a council and now proposes to take action to eliminate the need for a development area citizens council;

WHEREAS, in accordance with the provisions of Act 57, Public Acts of Michigan, 2018, as amended (the "Act"), the Authority has prepared and recommended for approval amendments to the Amended Plan and has filed said amendments with the City Clerk, a copy of which is attached hereto as Exhibit A (the "Plan Amendments");

WHEREAS, on February 4, 2020, the City Council held a public hearing on the Plan Amendments pursuant to the Act;

WHEREAS, the City has given the taxing jurisdictions in which the Downtown 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;

WHEREAS, the City has published, posted and served the required notices of the public hearing as required by MCL 125.4218;

WHEREAS, the Authority on November 20, 2019 approved the Plan Amendments; and

WHEREAS, after consideration of the Plan Amendments, the City Council has determined to approve the Plan Amendments.

NOW, THEREFORE, THE CITY OF MANISTEE ORDAINS:

1. Findings.

(a) The Plan Amendments meet the requirements set forth in 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) The land included within the Downtown Development Area to be acquired, if any, is reasonably necessary to carry out the purposes of the Plan Amendments and the purposes of the Act in an efficient and economically satisfactory manner.

(e) The Plan Amendments are 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 project area.

(g) Changes in zoning, streets, street levels, intersections, and utilities, to the extent required by the Plan Amendments, are reasonably necessary for the project and for the City.

2. Public Purpose. The City Council hereby determines that the Plan Amendments constitute 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 proceed with the Plan Amendments in order to halt property value deterioration, to increase property tax valuation, to eliminate the causes of the deterioration in property values, and to promote growth in the Downtown Development Area District.

4. Approval and Adoption of Plan Amendments. The Plan Amendments are hereby approved and adopted. A copy of the Original Plan with the Plan Amendments and all later amendments thereto shall be maintained on file in the City Clerk's office.

5. Amendment to Chapter 7 of Code of Ordinances; Conflict and Severability. Chapter 7 of the Code of Ordinances 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 furnished for convenience of reference only and shall not be considered to be a part of the Ordinance.

7. Publication and Recordation. This Ordinance shall be introduced, adopted and published in full promptly after its adoption in the Manistee News Advocate, a newspaper of general circulation in the City, qualified under State law to publish legal notices, and shall be recorded in the Code of Ordinances of the City, which recording shall be authenticated by the signature of the City Clerk.

8. Effective Date. The Ordinance is 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 its passage and publication as required by law.

CERTIFICATES

I hereby certify that the foregoing is a true and complete copy of Ordinance 20\_\_-\_\_, duly adopted by the City Council of the City of Manistee, County of Manistee, State of Michigan, at a regular meeting held on February 18, 2020, and that said meeting was conducted and public notice of said meeting was given pursuant to and in full compliance with the Open Meetings Act, being Act 267, Public Acts of Michigan, 1976, as amended, and that the minutes of said meeting were kept and will be or have been made available as required by such Act.

I further certify that the following Councilmembers were present at said meeting:\_\_\_\_\_.

I further certify that Councilmember \_\_\_\_\_ moved adoption of said Ordinance and Councilmember \_\_\_\_\_ supported said motion.

I further certify that the following Councilmembers voted in favor of adoption of said Ordinance:\_\_\_\_\_.

\_\_\_\_\_  
Heather Pefley  
City Clerk

**EXHIBIT A**

**[Attach Plan Amendments Here]**