

**VILLAGE COUNCIL
VILLAGE OF HOWARD CITY
MONTCALM COUNTY, MICHIGAN**

At a regular meeting of the Village Council for the Village of Howard City held on December 19, 2022, at Village Hall, Village Council Member VanWagner made a motion to adopt the following ordinance, which motion was seconded by the Village Council Member Hagstrom:

**AN ORDINANCE TO APPROVE AND ADOPT AN AMENDMENT TO
THE TAX INCREMENT FINANCING PLAN AND THE DEVELOPMENT
PLAN FOR THE DOWNTOWN DEVELOPMENT AUTHORITY OF THE
VILLAGE OF HOWARD CITY, MICHIGAN; AMEND ORDINANCE NO.
2000-4; AND RELATED MATTERS**

WHEREAS, on November 25, 1996, the Village Council of the Village of Howard City (the "Village") adopted Ordinance No. 1996-15 creating the Downtown Development Authority of the Village of Howard City (the "Authority").

WHEREAS, on March 13, 2000, the Village Council of the Village of Howard City adopted Ordinance No. 2000-4 approving a Tax Increment Financing Plan and a Development Plan (the "Original Plan") of the Authority.

WHEREAS, the Original Plan expires of its own terms on December 31, 2022.

WHEREAS, the Village seeks to amend the Original Plan to, among other things, update the information included in the Original Plan, update the list of improvements covered under the Original Plan, modify the estimate of the cost of certain improvements covered under the Original Plan, modify the schedule for completion of certain improvements covered under the Original Plan, and modify the term of the Original Plan ("Plan Amendments" the Original Plan as modified by the Plan Amendments is referred to herein as the "Amended and Restated Development Plan").

WHEREAS, on November 3, 2022, the Authority met and recommended the Amended and Restated Development Plan for approval by the Village Council.

WHEREAS, on December 19, 2022, the Village Council held a public hearing on the Amended and Restated Development Plan pursuant to the Recodified Tax Increment Financing Act, Act 57, Public Acts of Michigan, 2018, as amended (the "Act").

WHEREAS, the Village Council has given each taxing jurisdiction levying taxes that would be subject to capture if the Amended and Restated Development Plan is approved notice and an opportunity to meet with the Village Council and the Downtown Development Authority and to express their views and recommendations regarding the Amended and Restated Development Plan.

WHEREAS, after consideration of the Plan, the Village Council has determined to approve the Amended and Restated Development Plan.

NOW, THEREFORE, THE VILLAGE OF HOWARD CITY ORDAINS:

1. Findings:

- (a) The Village Council has considered the recommendations of the Authority regarding the Amended and Restated Plan.
- (b) The Amended and Restated Development Plan meets the requirements set forth in the Act.
- (c) The proposed method of financing set forth in the Amended and Restated Development Plan is feasible and the Authority has the ability to arrange the financing.
- (d) The development under the Amended and Restated Development Plan is reasonable and necessary to carry out the purposes of the Act.
- (e) The Amended and Restated Development Plan is in reasonable accord with the master plan of the Village.
- (f) Public services, such as fire and police protection and utilities, are or will be adequate to service the area subject to the Amended and Restated Development Plan.
- (g) Any changes in zoning, streets, street levels, intersections, and utilities are reasonably necessary for the improvements conducted pursuant to the Amended and Restated Development Plan and the Village.

2. Public Purpose. The Village Council hereby determines that the Amended and Restated Development Plan constitutes a public purpose.

3. Best Interest of the Public. The Village Council hereby determines that it is in the best interests of the public to proceed with the Amended and Restated Development Plan in order to halt property value deterioration, to increase property tax valuation, and to eliminate the causes of the deterioration in property values

4. Approval and Adoption of Amended and Restated Development Plan. The Amended and Restated Development Plan is hereby approved and adopted. A copy of the Amended and Restated Development Plan, and all later amendments thereto, shall be maintained on file in the Village Clerk's office.

5. Amendment of Ordinance No. 2000-4; Conflict and Severability. Ordinance No. 2000-4 is hereby amended to incorporate the changes to the Original Plan as amended by the Plan Amendments and is otherwise ratified and confirmed as being in full force and effect. 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 replaced, 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. The Village Clerk is authorized to take all actions reasonably necessary to effectuate this Ordinance and the Amended and Restated Development Plan.

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 Effective Date. This Ordinance or a synopsis of this Ordinance shall be published in accordance with law, and this Ordinance shall become effective immediately upon such publication.

The vote to adopt this Ordinance was as follows:

YEAS: Bassett, Hagstrom, Smith, VanWagner, Williams, Heckman

NAYS: None

ABSENT/ABSTAIN: MacTavish

ORDINANCE NO. 2022-1 DECLARED ADOPTED.

CERTIFICATION

I certify that the foregoing is a true copy of an Ordinance adopted by the Village Council of the Village of Howard City at the time, date and place as specified above, pursuant to the required statutory procedures.

Respectfully submitted,

By Melissa Kuzmik
Melissa Kuzmik, Village Clerk