



**THE CITY OF THE VILLAGE OF DOUGLAS
REGULAR MEETING OF THE CITY COUNCIL
MONDAY, AUGUST 07, 2023 AT 7:00 PM
86 W CENTER ST., DOUGLAS MI**

AGENDA

To attend and participate in this remote meeting of the City of the Village of Douglas City Council, please consider joining online or by phone.

Join online by visiting: <https://us02web.zoom.us/j/81346844844>

Join by phone by dialing: +1 (312) 626-6799 | Then enter "Meeting ID": 813 4684 4844

1. **CALL TO ORDER:** By Mayor
2. **ROLL CALL:** By Clerk
3. **PLEDGE OF ALLEGIANCE:** Led by Mayor
4. **CONSENT CALENDAR**
 - A. Approve the Council Meeting Agenda for August 7, 2023
 - B. Approve the July 17, 2023 Council Meeting Minutes
 - C. Approve the July 31, 2023 Council Special Meeting Minutes
 - D. Approve the August 3, 2023 Council Special Meeting Minutes
 - E. Approve invoices in the amount of \$300,480.87

Motion to approve the Consent Calendar of August 7, 2023 – roll call vote

5. **PUBLIC COMMUNICATION - VERBAL (LIMIT OF 3 MINUTES)**
6. **PUBLIC COMMUNICATION - WRITTEN**
 - A. MML Meeting Notice
 - B. Peter Carideo Email
7. **UNFINISHED BUSINESS**
8. **NEW BUSINESS**

A. Interim City Manager Discussion

B. Baker Tilly - Water Rate Study Presentation

C. Resolution 29-2023 - Purchase of 415 Wiley Road

Motion to adopt Resolution 29-2023, to approve the purchase agreement between the City of the Village of Douglas and Galivan Corporation of Illinois to purchase the property located at 415 Wiley Road for a sum of \$1,500,000 plus closing costs with a transfer from the general fund balance. - roll call vote

D. Resolution 25-2023 - Approving Condominium Plan of Center Park Place

Motion to adopt Resolution 25-2023 - Approving the final Condominium Plan of Center Park Place. - roll call vote

E. Resolution 27-2023 - Temporary Traffic Control Order

Motion to adopt Resolution 27-2023 - amending the Blue Star Corridor Capital Outlay account to fund the selected option for a temporary all-way stop at the intersection of Blue Star Highway and Wiley Road. - roll call vote

F. Ordinance 05-2023; Downtown Development Authority's Updated Development Plan and Tax Increment Financing Plan - Second Public Hearing

Motion to open the Public Hearing for Ordinance 05-2023; Downtown Development Authority's Updated Development Plan and Tax Increment Financing Plan. - roll call vote

1. City Manager Comments
2. Public Comments
3. Council Comments

Motion to close the Public Hearing for Ordinance 05-2023; Downtown Development Authority's Updated Development Plan and Tax Increment Financing Plan. - roll call vote

Motion to adopt Ordinance 05-2023; amending the Downtown Development Authority Development Plan and Tax Increment Financing Plan, as determined by City Council to constitute a public purpose. - roll call vote

G. Ordinance No. 06-2023 Ground Floor Residential Ordinance Amendment – First Reading - (No Council action required)

H. Ordinance No. 07-2023 – Zoning Ordinance Amendment – Addition of Article 22, Signs - First Reading (No Council action required)

9. REPORTS

A. Commission/Committee/Boards

1. Planning Commission
2. Kalamazoo Lake Sewer Water
3. Downtown Development Authority

4. Kalamazoo Lake Harbor Authority
5. Douglas Harbor Authority
6. Douglas Brownfield Authority
7. Fire Board
8. Community Recreation
9. Playground Committee

B. City Manager Written Reports

10. PUBLIC COMMUNICATION – VERBAL (LIMIT OF 3 MINUTES)

11. COUNCIL COMMENTS

12. MAYOR’S REPORT/COMMENTS

13. ADJOURNMENT:

Motion to adjourn the meeting.

Please Note – The City of the Village of Douglas (the “City”) is subject to the requirements of the Americans with Disabilities Act of 1990. Individuals with disabilities who plan to attend this meeting and who require certain accommodations in order to allow them to observe and/or participate in this meeting, or who have questions regarding the accessibility of this meeting or the facilities, are requested to contact Laura Kasper, Interim City Clerk, at (269) 857-1438, or clerk@douglasmi.gov to allow the City to make reasonable accommodations for those persons. CITY OF THE VILLAGE OF DOUGLAS, ALLEGAN COUNTY, MICHIGAN



**THE CITY OF THE VILLAGE OF DOUGLAS
REGULAR MEETING OF THE CITY COUNCIL
MONDAY, JULY 17, 2023 AT 7:00 PM
86 W CENTER ST., DOUGLAS MI**

MINUTES

1. CALL TO ORDER: By Mayor

2. ROLL CALL: By City Clerk

PRESENT

Mayor Pro-Tem Cathy North
Mayor Jerome Donovan
Councilmember Neal Seabert
Councilmember Robert Naumann
Councilmember John O'Malley
Councilmember Gregory Freeman
Also Present - City Manager LaBombard

ABSENT

Councilmember Randy Walker

3. PLEDGE OF ALLEGIANCE: Led by Mayor

4. CONSENT CALENDAR:

- A. Approve the Agenda for July 17, 2023
- B. Approve the July 5, 2023 Closed Session Minutes
- C. Approve the July 5, 2023 City Council Meeting Minutes
- D. Approve invoices in the amount of \$204,053.34
- E. Appointments:
 - 1. Rick Zoet to the Parks and Recreation Ad Hoc Committee

Motion by Seabert, seconded by Naumann, to approve the Consent Calendar of July 17, 2023, with amendment to the July 17, 2023 agenda: removal of item 8. E. Resolution 25-2023; Center Park Place Condo Master Deed Amendment III. – Motion carried by unanimous roll call vote.

5. PUBLIC COMMUNICATION - VERBAL (LIMIT OF 3 MINUTES): Phyllis with Interurban gave an update on a grant they received for building upgrades. Jeff with Allegan County gave a couple updates on renewable energy efforts, and body cameras for Allegan County police use for training and safety. He also mentioned a grant received for broadband upgrades. Jeff Kerr stated that progress has been made on Centre Collective and is hoping to be on the next agenda.

6. PUBLIC COMMUNICATION – WRITTEN: None

7. UNFINISHED BUSINESS: None

8. NEW BUSINESS

A. Resolution 26-2023 - Appoint Interim City Clerk

Motion by North, seconded by Seabert, to adopt Resolution 26-2023 and appoint Ms. Laura Kasper as the City Clerk on an interim basis for the City of the Village of Douglas. – Motion carried by unanimous roll call vote.

Ms. Laura Kasper accepted her appointment of Interim City Clerk and received her Oath of Office from retiring City Clerk Pamela Aalderink.

B. Special Event - Labor Day Bridge Walk – Approval of special event permit from Scott Kierzek with Saugatuck Public Schools Community Recreation.

Motion Seabert, Seconded by O'Malley, to approve the September 4, 2023 Labor Day Bridge Walk special event application submitted by Saugatuck Public Schools Community Recreation. – Motion carried by unanimous roll call vote.

C. Park Use Policy - To establish written standards for the rental of specific park facilities.

Motion by Seabert, seconded by Naumann, to approve the Park Use Policy establishing a set of rules and regulations for the reservation of city public parks. – Motion carried by unanimous roll call vote.

D. Policy - Lost and Found - The policy provides standards for municipal staff for the handling of lost, found, abandoned, or unclaimed personal property.

Motion by Seabert, seconded by Freeman, to approve the Lost and Found Personal Property Policy establishing a standard for municipal staff regarding lost and found property. – Motion carried by unanimous roll call vote.

F. Viridis Proposal - Update 5-Year Park Plan – City Manager LaBombard gave a brief update stating the Cities of Douglas and Saugatuck, Saugatuck Township, and the Saugatuck Public Schools have agreed to work together to update the joint 5-Year Parks and Recreation Plan. The current Parks and Recreation Master Plan expires in February 2024, and the City has formed an Ad Hoc Parks and Recreation Committee.

Motion by Seabert, seconded by Naumann, to accept the proposal from Viridis Design group of Grand Rapids, Michigan, to update the joint 5-Year Parks and Recreation Plan, the cost of which is to be equally shared by the City of Douglas, Saugatuck Township, City of Saugatuck, and Saugatuck Public Schools. – Motion carried by unanimous roll call vote.

G. Baker Tilly - Water Agreement - EGLE requires that an updated water agreement be submitted no later than December 31, 2023. Baker Tilly will track and report actual hours spent with each unit to determine final cost share. The City has budgeted for this item.

Motion by Naumann, seconded by Seabert, to accept proposal from Baker Tilly of East Lansing, Michigan to act as advisory consultant in update of the KLSWA water agreement with the tentative cost share as proposed. – Motion carried by unanimous roll call vote.

H. Ordinance 05-2023; Downtown Development Authority's Updated Development Plan and Tax Increment Financing Plan - First Public Hearing

Motion by Seabert, seconded by North, to open the Public Hearing for Ordinance 05-2023; Downtown Development Authority's updated Development Plan and Tax Increment Financing Plan.

1. City Manager Comments – City Manager LaBombard explained that following the public hearing, City Council shall determine if the development plan and TIF constitutes a public purpose, and if so, the City Council shall then approve or reject the plan or approve it with modification by ordinance based on the considerations listed in the agenda packet. The City attorney has reviewed the ordinance. This ordinance will require two public hearings prior to approval. The second public hearing will be on August 7, 2023.
2. Public Comments – Phyllis with Interurban asked if anything would apply to her, which it would not.
3. Council Comments – No Council comments.

Motion by North, seconded by Seabert, to close the Public Hearing for Ordinance 05-2023, Downtown Development Authority's updated Development Plan and Tax Increment Financing Plan. – Motion carried by unanimous roll call vote.

I. Ordinance 02-2023 - To Sell 291 66th Street Property - Public Hearing and Second Reading

Motion by Freeman, seconded by Seabert, to open the Public Hearing for Ordinance 02-2023; Ordinance to sell 66th Street Property.

1. City Manager Comments – City Manager LaBombard gave a brief outline of the item. City Council had directed him to sell public property owned by the City of Douglas located at 291 66th Street. Per the requirements of Ordinance 02-2022, an ordinance to Establish Procedures for Transfer of Surplus Real Property for the City of the Village of Douglas, the sale of surplus real property shall be done by passing an ordinance. A review of Chapter 13 of the City Charter, also specifies that, “The City may not sell any cemetery, park or any part thereof unless approved by a majority vote of the electors voting thereon at any general or special election.” The property located at 291 66th Street is neither a park or cemetery. If approved the ordinance would be affective 20 days after publication and the method of sale would be through sealed bids/offers after a notice of intent- request for bid is advertised.
2. Public Comments – None
3. Council Comments – Naumann questioned if there was a minimum amount that the property could go for. North asked who appraised it. City Manager LaBombard said the ordinance states no lower than 80% of the appraised value and it was last appraised by our City Assessor in 2020. He also mentioned the property is zoned R1. Donovan also mentioned that the local paper had a front-page story on this and that seemed to get the word out.

Motion by North, seconded by Naumann, to close the Public Hearing for Ordinance 02-2023; Ordinance to sell 66th Street Property. – Motion carried by unanimous roll call vote.

Motion by Seabert, seconded by Freeman, to direct the City Manager to prepare a request for bids for disposal of public property located at 291 66th Street, Douglas, Michigan. – Motion carried by unanimous roll call vote.

- J. Shawn Phillip Morin - Sculpture Acquisition – Maryjo Lemanski, formerly of the Saugatuck Douglas Fennville Art Initiative (SDFAI) has approached the City of Douglas about an opportunity to acquire a new public art installation using insurance proceeds from a damaged sculpture. The damaged sculpture was located at Wades Bayou and was damaged in 2020 and found to be irreparable. A claim was filed, and the City received insurance proceeds in the amount of \$1,750 in April 2023. Ms. Lemanski proposes the City acquire a sculpture by artist Shawn Phillip Morin. Two sculptures are available for approximately \$4,500 each and were presented in the agenda packet. The City would have to contribute the balance of approximately \$2,750 from general fund or from community fund raising efforts. Council members favored the red piece titled “Courage Under Fire”.

Motion by Seabert, seconded by Naumann, to allow the use of insurance proceeds to acquire a sculpture by Shawn Phillip Morin to be located at Wades Bayou Park. – Motion carried by unanimous roll call vote.

9. REPORTS

A. Commission/Committee/Boards

1. Planning Commission – Met July 13th, ground floor residential change and sign ordinance passed.
2. Kalamazoo Lake Sewer Water – Link to minutes on website.
3. Downtown Development Authority – Meeting next week.
4. Kalamazoo Lake Harbor Authority – Cancelled, next meeting August 15th
5. Douglas Harbor Authority – Cancelled, bids for additional docs can go to Council
6. Douglas Brownfield Authority – No meeting
7. Fire Board – Met prior to Council meeting, and calls were up 3.5% as of June 2022.
8. Community Recreation – No meeting
9. Playground Committee – August 22nd fund raising event at Ivy House.

B. Staff Written Reports

1. City Manager – City Manager LaBombard - Parks and Recreation Ad Hoc Committee will meet for first session on Wednesday. Looking into the temporary stop signs at Wiley and Blue Star. Clerk position will be posted this week. EGLE is requesting sandbags to be removed at the beach, but the City is looking into options with them. Congratulations to Pam and Laura.

10. PUBLIC COMMUNICATION – VERBAL (LIMIT OF 3 MINUTES): None

11. **COUNCIL COMMENTS:** Freeman congratulated Laura and acknowledge the Root Beer Barrell for the recent positive media. Seabert mentioned a couple trees that needed attention, but stated the City was looking good and staff was doing a great job, and congratulated Pam and Laura. North stated Venetian Festival was coming up, and bike lanes on Blue Star need to be more visible. Naumann congratulated Laura and stated that he would not be running in the November election. O’Malley thanked Pam and congratulated Laura. He also stated that the City was looking great and DPW taking care of it.

12. **MAYOR’S REPORT/COMMENTS:** Mayor Donovan mentioned the upcoming Douglas Social event will take place at the Old School House. He also welcomed Laura to the Interim Clerk role and thanked the Police for their work.

13. ADJOURNMENT:

Motion by Seabert, seconded by Naumann, to adjourn the meeting.

Approved on this 7th day of August, 2023

Signed: _____ Date: _____
Jerome Donovan, Mayor

Signed: _____ Date: _____
Laura Kasper, Interim City Clerk

Certification of Minutes

I hereby certify that the attached is a true and correct copy of the minutes of a regular meeting of the City Council of the City of the Village of Douglas held on July, 17, 2023, I further certify that the meeting was duly called and that a quorum was present.

Signed: _____ Date: _____
Laura Kasper, Interim City Clerk



**THE CITY OF THE VILLAGE OF DOUGLAS
SPECIAL MEETING OF THE CITY COUNCIL
MONDAY, JULY 31, 2023 AT 4:00 PM
86 W CENTER ST., DOUGLAS MI**

MINUTES

1. CALL TO ORDER - By Mayor

2. ROLL CALL - By Clerk

PRESENT

Mayor Pro-Tem Cathy North

Mayor Jerome Donovan

Councilmember Robert Naumann

Councilmember John O'Malley

Councilmember Randy Walker

Councilmember Gregory Freeman

Also Present City Manager LaBombard

ABSENT

Councilmember Neal Seabert

3. PLEDGE OF ALLEGIANCE - Led by Mayor

4. PUBLIC COMMUNICATION - VERBAL (LIMIT OF 3 MINUTES): None

5. PUBLIC COMMUNICATION – WRITTEN: None

6. NEW BUSINESS

A. City Manager, Rich LaBombard Resignation – Resignation letter presented in the agenda packet.

B. Resolution No. 28-2023 - To accept the City Manager Resignation – City Manager, Rich LaBombard, thanked Council for his time with the City. Councilmembers thanked Mr. LaBombard and acknowledged the great work he has done for the City.

Motion by Freeman, seconded by Naumann, to adopt Resolution No. 28-2023, accepting the resignation of City Manager, Rich LaBombard, with an effective date of August 25th, 2023 honoring all terms of his contract. – Motion carried by unanimous roll call vote.

C. Naming Interim City Manager – Councilmembers discussed the review of the City Manager job description and posting of through the use of the City website and various municipal listings, and preparation of a special meeting for interviewing potential applicants for the Interim City Manager.

Per City Charter Section 7.3 City Manager-Appointment; Compensation. (a) The council shall appoint a city manager within ninety (90) days after any vacancy exists in such position or they may appoint an acting manager during the period of a vacancy in the office, or the city manager, with the consent and approval of the council, may designate an administrative officer or employee of the city to act as city manager if he or she is temporarily absent from the city, or unable to perform the duties of his or her office.

- 7. **PUBLIC COMMUNICATION – VERBAL (LIMIT OF 3 MINUTES):** None
- 8. **COUNCIL COMMENTS:** None
- 9. **MAYOR’S REPORT/COMMENTS:** Mayor Donovan thanked City Manager, Rich LaBombard, and complimented him for all the work he has done for the City.
- 10. **ADJOURNMENT:**

Motion by Freeman, seconded by O’Malley to adjourn.

Approved on this 7th day of August, 2023

Signed: _____ Date: _____
Jerome Donovan, Mayor

Signed: _____ Date: _____
Laura Kasper, Interim City Clerk

Certification of Minutes

I hereby certify that the attached is a true and correct copy of the minutes of a special meeting of the City Council of the City of the Village of Douglas held on July, 31, 2023, I further certify that the meeting was duly called and that a quorum was present.

Signed: _____ Date: _____
Laura Kasper, Interim City Clerk



**THE CITY OF THE VILLAGE OF DOUGLAS
SPECIAL MEETING OF THE CITY COUNCIL
THURSDAY, AUGUST 03, 2023 AT 9:30 AM
86 W CENTER ST., DOUGLAS MI**

MINUTES

1. **CALL TO ORDER:** By Mayor
2. **ROLL CALL:** By Clerk

PRESENT
Mayor Pro-Tem Cathy North
Mayor Jerome Donovan
Councilmember Robert Naumann
Councilmember Randy Walker
Councilmember Gregory Freeman

ABSENT
Councilmember Neal Seabert
Councilmember John OMalley
3. **PLEDGE OF ALLEGIANCE :** Led by Mayor
4. **PUBLIC COMMUNICATION - VERBAL (LIMIT OF 3 MINUTES):** None
5. **PUBLIC COMMUNICATION – WRITTEN:** None
6. **NEW BUSINESS**
 - A. Interviews - Interim City Manager -
Susan Montenegro - 9:30 am – Councilmembers interviewed the Interim City Manager applicant who joined remotely from Zoom.
7. **PUBLIC COMMUNICATION – VERBAL (LIMIT OF 3 MINUTES):** Suzanne Dixon, Douglas Resident, wanted more details on the hiring process.
8. **COUNCIL COMMENTS:** Councilmembers were all in agreement that the applicant was a great candidate and qualified for the Interim City Manager position. Council received one other applicant submission, and will set up a interview with them, prior to making a decision.
9. **MAYOR’S REPORT/COMMENTS:** Mayor Donovan stated that Susan Montenegro was a strong candidate, who came highly recommended, and the City will proceed with background checks.

10. ADJOURNMENT:

Motion by North, seconded by Naumann, to adjourn the meeting.

Approved on this 7th day of August, 2023

Signed: _____ Date: _____
Jerome Donovan, Mayor

Signed: _____ Date: _____
Laura Kasper, Interim City Clerk

Certification of Minutes

I hereby certify that the attached is a true and correct copy of the minutes of a special meeting of the City Council of the City of the Village of Douglas held on August 3, 2023, I further certify that the meeting was duly called and that a quorum was present.

Signed: _____ Date: _____
Laura Kasper, Interim City Clerk

08/03/2023

INVOICE REGISTER REPORT FOR CITY OF THE VILLAGE OF DOUGLAS
 EXP CHECK RUN DATES 08/07/2023 - 08/07/2023
 BOTH JOURNALIZED AND UNJOURNALIZED
 BOTH OPEN AND PAID

Inv Num Inv Ref#	Vendor Description GL Distribution	Inv Date Entered By	Due Date	Inv Amt
7-19-23				
46361	PAMELA AALDERINK MILEAGE 101-215.000-861.000	07/19/2023	08/07/2023	52.54
	MILEAGE REIMBURSEMENT			52.54
88945240				
46445	ABSOPURE WATER COMPANY CITY HALL WATER 101-265.000-740.000	08/03/2023	08/07/2023	23.85
	SUPPLIES			23.85
SIN037539				
46341	ALL TRAFFIC SOLUTIONS INC SPEED BOARDS 101-301.000-979.000	07/18/2023	08/07/2023	4,248.10
	CAPITAL OUTLAY			4,248.10
7-11-23				
46344	ALLEGAN CO TREASURER CHARGE BACKS 101-000.000-445.000	07/11/2023	08/07/2023	1,321.09
	INTEREST & PENALTIES: DELQ TAX			1,321.09
JUN23				
46398	ALLEGAN COUNTY SHERIFF'S DEPT. DEBT CREW JUNE 2023 101-463.000-802.000	07/27/2023	08/07/2023	198.00
	CONTRACTUAL			198.00
23735				
46376	AQUATIC DOCTORS AQUATIC WEED TREATMENT 594-597.002-802.000	07/20/2023	08/07/2023	37,835.00
	CONTRACTUAL			37,835.00
148391				
46335	B S & A SOFTWARE ANNUAL SERVICE SPECIAL ASESMENT MODULE 101-215.000-802.000	08/01/2023	08/07/2023	270.00
	CONTRACTUAL			270.00
147807				
46346	B S & A SOFTWARE BD MODULE TRAIING 101-701.000-718.000	07/14/2023	08/07/2023	1,185.00
	TRAINING FUNDS			1,185.00
7-21-23				
46371	BARBER FORD INC. PATROL CAR REPARIS 101-301.000-930.000	07/21/2023	08/07/2023	7,412.09
	REPAIRS & MAINTENANCE: GENERAL			7,412.09
2345				
46408	BILLS TREE SERVICE 244 WATER ST TREE REMOVAL 101-463.000-802.010	07/27/2023	08/07/2023	500.00
	CONTRACTUAL FORESTRY			500.00
2344				
46409	BILLS TREE SERVICE 111 WALL ST 101-463.000-802.010	07/14/2023	08/07/2023	900.00
	CONTRACTUAL FORESTRY			900.00

8-3-23					
46444	BOYD J REDNER	07/31/2023	08/07/2023		1,195.00
	REFUND ESCROW				
	101-000.000-283.000	ESCROW			1,195.00

7-13-23					
46354	COMCAST	07/13/2023	08/07/2023		402.31
	CITY HALL				
	101-265.000-851.000	TELEPHONE			402.31

7-15-23					
46355	COMCAST	07/15/2023	08/07/2023		402.35
	POLICE OFFICE				
	101-301.000-851.000	TELEPHONE			402.35

4323					
46380	COMMERCIAL RECORD	05/25/2023	08/07/2023		555.00
	PUBLIC NOTICES				
	101-215.000-900.000	PRINTING & PUBLISHING			555.00

206792031268					
46448	CONSUMERS ENERGY	08/01/2023	08/07/2023		11.88
	TRAFFIC LIGHTS				
	101-463.000-925.000	STREET LIGHTS			11.88

206792031276					
46449	CONSUMERS ENERGY	08/01/2023	08/07/2023		1,440.16
	STREET LIGHTS				
	101-463.000-925.000	STREET LIGHTS			1,440.16

205101590310					
46450	CONSUMERS ENERGY	08/01/2023	08/07/2023		664.31
	49406 LED LIGHT RD				
	101-463.000-925.000	STREET LIGHTS			664.31

202342917051					
46451	CONSUMERS ENERGY	08/01/2023	08/07/2023		520.71
	37 WASHINGTON - BEERY FIELD RESTROOMS				
	101-751.000-922.000	UTILITIES			520.71

204033733591					
46452	CONSUMERS ENERGY	08/01/2023	08/07/2023		281.07
	503 W CENTER - CENTER ST LIGHTS				
	101-463.000-922.000	UTILITIES			281.07

201897948262					
46453	CONSUMERS ENERGY	08/01/2023	08/07/2023		245.82
	POLICE				
	101-301.000-922.000	UTILITIES			245.82

201897948263					
46454	CONSUMERS ENERGY	08/01/2023	08/07/2023		219.79
	86 W CENTER				
	101-265.000-922.000	UTILITIES			219.79

202342917050					
46455	CONSUMERS ENERGY	08/01/2023	08/07/2023		211.81
	DPW				
	101-265.000-922.000	UTILITIES			211.81

207147193013					
46456	CONSUMERS ENERGY	08/01/2023	08/07/2023		47.95
	250 WILEY SCHULTZ PARK RAMP				
	213-753.000-922.000	UTILITIES			47.95

203321802511					
46457	CONSUMERS ENERGY	08/01/2023	08/07/2023		43.96
	177 WASHINGTON - POINT PLEASANT				
	594-597.000-922.000 UTILITIES				43.96
201630963125					
46458	CONSUMERS ENERGY	08/01/2023	08/07/2023		37.23
	PRIDE GARDEN				
	101-751.000-922.000 UTILITIES				37.23
202342917052					
46459	CONSUMERS ENERGY	08/01/2023	08/07/2023		30.96
	25 MAIN ST BEERY FIELD BALL FIELD				
	101-751.000-922.000 UTILITIES				30.96
203321802510					
46460	CONSUMERS ENERGY	08/01/2023	08/07/2023		43.30
	201 WASHINGTON - POINT PLEASANT DOCKS				
	594-597.000-922.000 UTILITIES				43.30
100136					
46329	CORPORATE TECHNOLOGIES LLC	07/17/2023	08/07/2023		1,758.06
	IT SERVICES				
	101-215.000-802.000 CONTRACTUAL				1,758.06
100137					
46330	CORPORATE TECHNOLOGIES LLC	07/17/2023	08/07/2023		1,050.00
	IT SERVICES				
	101-215.000-802.000 CONTRACTUAL				1,050.00
15738					
46333	DOUGLAS SHELL	07/06/2023	08/07/2023		219.95
	CAR SERVICING				
	101-301.000-930.004 VEHICLE MAINTENANCE & REPAIRS				219.95
15758					
46400	DOUGLAS SHELL	07/21/2023	08/07/2023		80.45
	SERVICE CAR 5				
	101-301.000-930.004 VEHICLE MAINTENANCE & REPAIRS				80.45
7-15-23					
46353	TREVOR DYER	07/15/2023	08/07/2023		157.30
	POLICE UNIFORM REIMBURSEMENT				
	101-301.000-750.000 UNIFORMS				157.30
10-983890					
46433	ECONO SIGNS, LLC	07/17/2023	08/07/2023		296.42
	TRAFFIC SIGNS				
	203-463.000-746.000 TRAFFIC SIGNS & SERVICES				148.21
	202-463.000-746.000 TRAFFIC SIGNS & SERVICES				148.21
10-984002					
46434	ECONO SIGNS, LLC	07/20/2023	08/07/2023		841.13
	WATER STREET IMPROVED SIGNAGE				
	202-463.000-746.000 TRAFFIC SIGNS & SERVICES				841.13
10-983377					
46435	ECONO SIGNS, LLC	07/01/2023	08/07/2023		1,329.84
	TRAFFIC SIGNS				
	202-463.000-746.000 TRAFFIC SIGNS & SERVICES				1,329.84
S105211086.001					
46436	ETNA SUPPLY CO.	07/26/2023	08/07/2023		234.60
	BEERY BATHROOM REPAIR				

	101-751.000-930.000	REPAIRS & MAINTENANCE: GENERAL			234.60
INV-54675					
46401	EXTREME GRAFFIX		07/17/2023	08/07/2023	145.65
	TABLE AND BANNER FOR POLICE				
	101-301.000-740.000	SUPPLIES			145.65
MIHOL458101					
46415	FASTENAL COMPANY		07/20/2023	08/07/2023	429.70
	PARK SUPPLIES				
	101-751.000-740.000	SUPPLIES			429.70
MIHOL458400					
46442	FASTENAL COMPANY		07/28/2023	08/07/2023	24.47
	BATHROOM SOAP				
	101-751.000-740.000	SUPPLIES			24.47
MIHOL458459					
46443	FASTENAL COMPANY		07/31/2023	08/07/2023	73.42
	BATHROOM SOAP				
	101-751.000-740.000	SUPPLIES			73.42
193502					
46332	GRAPHIX EMBROIDERY		06/28/2023	08/07/2023	80.96
	POLICE UNIFORM				
	101-301.000-750.000	UNIFORMS			80.96
281737					
46405	IHLE AUTO PARTS		07/19/2023	08/07/2023	130.04
	FIX TRUCK 7				
	660-903.000-930.004	VEHICLE MAINTENANCE & REPAIRS			130.04
7-21-23					
46368	LAURA KASPER		07/21/2023	08/07/2023	98.47
	MAMC EDUCATION DAY & MILEAGE				
	101-215.000-718.000	TRAINING FUNDS			50.00
	101-215.000-861.000	MILEAGE REIMBURSEMENT			48.47
229095					
46461	KERKSTRA RESTROOM SERVICE		08/02/2023	08/07/2023	105.00
	UNION BOAT LAUNCH				
	101-751.000-802.000	CONTRACTUAL			105.00
229096					
46462	KERKSTRA RESTROOM SERVICE		08/02/2023	08/07/2023	105.00
	VETERANS PARK				
	101-751.000-802.000	CONTRACTUAL			105.00
229090					
46463	KERKSTRA RESTROOM SERVICE		08/02/2023	08/07/2023	105.00
	DOG PARK				
	101-751.000-802.000	CONTRACTUAL			105.00
229092					
46464	KERKSTRA RESTROOM SERVICE		08/02/2023	08/07/2023	285.00
	SCHULTZ PARK				
	101-751.000-802.000	CONTRACTUAL			285.00
229094					
46465	KERKSTRA RESTROOM SERVICE		08/02/2023	08/07/2023	285.00
	THE BARREL				
	101-751.000-802.000	CONTRACTUAL			285.00
229091					
46466	KERKSTRA RESTROOM SERVICE		08/02/2023	08/07/2023	180.00

	DOUGLAS MARINA				
	594-597.000-802.000	CONTRACTUAL			180.00
229093					
46467	KERKSTRA RESTROOM SERVICE		08/02/2023	08/07/2023	105.00
	SCHULTZ LAUNCH				
	213-753.000-958.000	MISCELLANEOUS			105.00
229097					
46468	KERKSTRA RESTROOM SERVICE		08/02/2023	08/07/2023	180.00
	WADES BAYOU				
	594-597.001-930.000	REPAIRS & MAINTENANCE: GENERAL			180.00
BYR-1030912					
46416	KUBOTA OF WEST MICHIGAN		07/17/2023	08/07/2023	498.38
	REPAIRS				
	660-903.000-930.004	VEHICLE MAINTENANCE & REPAIRS			498.38
2386					
46446	LAKESHORE OUTDOORS LLC		08/03/2023	08/07/2023	117.00
	BRUSH				
	101-463.000-802.000	CONTRACTUAL			117.00
219901					
46395	LAW ENFORCEMENT SYSTEMS, INC.		07/18/2023	08/07/2023	253.00
	PARKIING TICKETS				
	101-301.000-740.000	SUPPLIES			253.00
37257064					
46407	LINDE GAS & EQUIPMENT		07/22/2023	08/07/2023	40.19
	HI-LO GAS				
	660-903.000-860.000	GAS & OIL			40.19
7-11-23					
46334	MACMEDIA		07/11/2023	08/07/2023	630.00
	ART IN DOUGLAS				
	248-728.000-880.000	COMMUNITY PROMOTION			630.00
65075					
46410	MCNALLY ELEVATOR COMPANY, INC.		08/01/2023	08/07/2023	575.00
	CATEGORY 1 TEST - 137 W CENTER				
	101-265.000-802.000	CONTRACTUAL			575.00
12327					
46404	MENARDS-HOLLAND		07/19/2023	08/07/2023	40.56
	DOOR CLOSER DOUGLAS BEACH				
	101-751.000-930.000	REPAIRS & MAINTENANCE: GENERAL			40.56
4664262956					
46377	MICHIGAN GAS UTILITIES		07/20/2023	08/07/2023	44.19
	86 CENTER				
	101-265.000-922.000	UTILITIES			44.19
4664440541					
46378	MICHIGAN GAS UTILITIES		07/20/2023	08/07/2023	37.00
	47 CENTER				
	101-301.000-922.000	UTILITIES			37.00
4664310552					
46379	MICHIGAN GAS UTILITIES		07/20/2023	08/07/2023	12.45
	201 WASHINGTON ST POINT PLEASANT				
	594-597.000-922.000	UTILITIES			12.45
4666748252					
46391	MICHIGAN GAS UTILITIES		07/21/2023	08/07/2023	39.77

	486 WATER				
	101-265.000-922.000	UTILITIES			39.77

PAY APP1					
46392	MICHIGAN PAVING & MATERIALS CO		07/06/2023	08/07/2023	132,673.39
	2023 ROAD IMPROVEMENTS				
	202-463.000-979.000	CAPITAL OUTLAY			73,587.89
	203-463.000-979.000	CAPITAL OUTLAY			59,085.50

1885193					
46369	MILLER JOHNSON		07/18/2023	08/07/2023	330.00
	LABOR & EMPLOYMENT MATTERS				
	101-266.000-801.000	CONTRACTUAL ATTORNEY			330.00

26289					
46364	NEW DAWN LINEN SERVICE		07/24/2023	08/07/2023	42.78
	COMMERCIAL CLEANING				
	101-265.000-802.000	COMMERCIAL CLEANING			15.01
	101-301.000-802.000	COMMERCIAL CLEANING			27.77

70210					
46432	NICK UNEMA PLUMBING & HEATING INC		07/19/2023	08/07/2023	3,277.50
	STORM SEWER JETTING				
	202-463.000-802.000	CONTRACTUAL			1,638.75
	203-463.000-802.000	CONTRACTUAL			1,638.75

69831					
46447	NICK UNEMA PLUMBING & HEATING INC		05/25/2023	08/07/2023	855.00
	STORM SEWER CLEANING				
	202-463.000-802.000	CONTRACTUAL			427.50
	203-463.000-802.000	CONTRACTUAL			427.50

714908695					
46347	OCCUPATIONAL HEALTH CENTERS		07/04/2023	08/07/2023	130.00
	DOT PHYSICAL				
	101-463.000-802.000	CONTRACTUAL			130.00

2307-681286					
46419	OVERISEL LUMBER CO.		07/14/2023	08/07/2023	16.49
	INSTALL MUTT MITT CONTAINER				
	101-265.000-930.000	REPAIRS & MAINTENANCE: GENERAL			16.49

2307-681993					
46420	OVERISEL LUMBER CO.		07/17/2023	08/07/2023	37.99
	BEERY BATHROOM REPAIR				
	101-751.000-930.000	REPAIRS & MAINTENANCE: GENERAL			37.99

2307-684104					
46421	OVERISEL LUMBER CO.		07/24/2023	08/07/2023	16.49
	REPAIRS PARKING LOT BEHIND COSTAL SOCIETY				
	101-265.000-930.000	REPAIRS & MAINTENANCE: GENERAL			16.49

2308-686920					
46422	OVERISEL LUMBER CO.		08/01/2023	08/07/2023	21.98
	FIX NON-WORKING LIGHT BEACH MONUMENT				
	101-751.000-930.000	REPAIRS & MAINTENANCE: GENERAL			21.98

2307-685783					
46423	OVERISEL LUMBER CO.		07/28/2023	08/07/2023	47.96
	WASP HORNET KILLER				
	101-751.000-740.000	SUPPLIES			47.96

2307-685337					
46424	OVERISEL LUMBER CO.		07/27/2023	08/07/2023	11.96

	BEERY FIELD BASKETBALL CT REPAIRS				
	101-751.000-930.000	REPAIRS & MAINTENANCE: GENERAL			11.96
2307-685138					
46425	OVERISEL LUMBER CO.		07/26/2023	08/07/2023	9.58
	DPW BUILDING PEST CONTROL				
	101-265.000-740.000	SUPPLIES			9.58
2307-680950					
46426	OVERISEL LUMBER CO.		07/13/2023	08/07/2023	39.96
	HANG DOUGLAS FLAG AT POLICE DEPARTMENT				
	101-265.000-930.000	REPAIRS & MAINTENANCE: GENERAL			39.96
2307-681387					
46427	OVERISEL LUMBER CO.		07/14/2023	08/07/2023	27.56
	ATTACH BANNERS ON GATEWAY SIGNS				
	101-265.000-930.000	REPAIRS & MAINTENANCE: GENERAL			27.56
2307-681444					
46428	OVERISEL LUMBER CO.		07/14/2023	08/07/2023	9.00
	ATTACH BANNERS ON GATEWAY SIGN				
	101-265.000-930.000	REPAIRS & MAINTENANCE: GENERAL			9.00
2307-681784					
46429	OVERISEL LUMBER CO.		07/17/2023	08/07/2023	7.84
	ATTACH BANNERS ON GATEWAY SIGN				
	101-265.000-930.000	REPAIRS & MAINTENANCE: GENERAL			7.84
2307-681965					
46430	OVERISEL LUMBER CO.		07/17/2023	08/07/2023	10.89
	ATTACH BANNERS ON GATEWAY SIGN				
	101-265.000-930.000	REPAIRS & MAINTENANCE: GENERAL			10.89
2307-681356					
46431	OVERISEL LUMBER CO.		07/14/2023	08/07/2023	91.98
	GATEWAY SIGN WORK				
	101-265.000-930.000	REPAIRS & MAINTENANCE: GENERAL			91.98
7-16-23					
46352	PITNEY BOWES INC		07/16/2023	08/07/2023	301.50
	POSTAGE				
	101-215.000-901.000	POSTAGE			301.50
10889757					
46356	PLUNKETT COONEY		07/14/2023	08/07/2023	5,745.50
	LEGAL SERVICES GENERAL				
	101-701.000-801.000	CONTRACTUAL ATTORNEY			3,765.00
	101-266.000-801.000	CONTRACTUAL ATTORNEY			1,980.50
7-12-23					
46345	PRAISE SIGN COMPANY LLC		07/12/2023	08/07/2023	31,422.50
	WAY FINDING DOWN PAYMENT				
	248-728.000-979.000	CAPITAL OUTLAY			19,258.97
	403-463.000-979.000	CAPITAL OUTLAY			12,163.53
75548					
46336	PREIN & NEWHOF		07/10/2023	08/07/2023	1,254.00
	333 BLUE STAR HIGHWAY SIDEWALK PLANNING				
	403-463.000-806.000	CONTRACTUAL ENGINEERING			1,254.00
75554					
46337	PREIN & NEWHOF		07/10/2023	08/07/2023	672.50
	FOREST GATE CONDOS				
	101-701.000-806.000	CONTRACTUAL ENGINEERING			672.50

75655					
46338	PREIN & NEWHOF 2023 ROAD IMPROVEMENTS	07/10/2023	08/07/2023		837.60
	202-463.000-806.000			CONTRACTUAL ENGINEERING	418.80
	203-463.000-806.000			CONTRACTUAL ENGINEERING	418.80
75605					
46339	PREIN & NEWHOF DWAM AMP	07/10/2023	08/07/2023		15,974.00
	450-000.000-806.000			CONTRACTUAL ENGINEERING	15,974.00
75610					
46340	PREIN & NEWHOF DWAM DSMI	07/10/2023	08/07/2023		8,858.00
	450-000.000-806.000			CONTRACTUAL ENGINEERING	8,858.00
75559					
46348	PREIN & NEWHOF WESTSHORE PUD AMEDMENT	07/10/2023	08/07/2023		495.00
	101-701.000-806.000			CONTRACTUAL ENGINEERING	495.00
75528					
46349	PREIN & NEWHOF GENERAL CONSULTING	07/10/2023	08/07/2023		4,793.70
	101-701.000-806.000			CONTRACTUAL ENGINEERING	864.00
	450-000.000-806.000			CONTRACTUAL ENGINEERING	1,757.50
	101-463.000-806.000			CONTRACTUAL ENGINEERING	136.00
	450-000.000-806.000			CONTRACTUAL ENGINEERING	1,937.50
	101-463.000-806.000			CONTRACTUAL ENGINEERING	98.70
75521					
46350	PREIN & NEWHOF CENTER ST DEVELOPMENT	07/10/2023	08/07/2023		1,387.50
	101-701.000-806.000			CONTRACTUAL ENGINEERING	1,387.50
0240-009287145					
46438	REPUBLIC SERVICES #240 REFUSE PICKUP	07/31/2023	08/07/2023		275.00
	101-463.000-802.003			CONTRACTUAL- REFUSE	275.00
5067803375					
46439	RICOH U.S.A, INC. POLICE COPIES	08/01/2023	08/07/2023		97.79
	101-301.000-740.000			SUPPLIES	97.79
60858103					
46411	ROSE PEST SOLUTIONS PEST CONTROL CITY HALL	07/26/2023	08/07/2023		157.00
	101-265.000-802.000			CONTRACTUAL	157.00
60858104					
46412	ROSE PEST SOLUTIONS PEST CONTROL MARINA	07/26/2023	08/07/2023		157.00
	594-597.000-802.000			CONTRACTUAL	157.00
60858131					
46413	ROSE PEST SOLUTIONS PEST CONTROL POLICE DEPT	07/26/2023	08/07/2023		51.00
	101-301.000-802.000			CONTRACTUAL	51.00
717546					
46365	S.A. MORMAN & CO DOUGLAS BEACH RESTROOM LOCKS	07/21/2023	08/07/2023		2,935.00

	101-751.000-979.000	CAPITAL OUTLAY			2,935.00
23-611					
46360	SAUGATUCK TWP FIRE DISTRICT		07/17/2023	08/07/2023	75.00
	RENTAL HOME INSPECTIONS				
	101-701.000-802.000	CONTRACTUAL			75.00
23-614					
46396	SAUGATUCK TWP FIRE DISTRICT		07/25/2023	08/07/2023	125.00
	RENTAL HOME INSPECTIONS				
	101-701.000-802.000	CONTRACTUAL			125.00
23-615					
46397	SAUGATUCK TWP FIRE DISTRICT		07/27/2023	08/07/2023	125.00
	RENTAL HOME INSPECTIONS				
	101-701.000-802.000	CONTRACTUAL			125.00
241113					
46417	SHARE CORPORATION		07/28/2023	08/07/2023	213.33
	WATER STREET IMPROVED SIGNAGE				
	202-463.000-746.000	TRAFFIC SIGNS & SERVICES			213.33
239839					
46418	SHARE CORPORATION		07/17/2023	08/07/2023	102.27
	TIE DOWN STRAPS				
	101-751.000-977.000	EQUIPMENT			102.27
5770-7					
46403	SHERWIN WILLIAMS		07/24/2023	08/07/2023	75.00
	FIX SPRAYER				
	203-463.000-930.000	REPAIRS & MAINTENANCE: GENERAL			75.00
2847					
46440	SLANT		08/02/2023	08/07/2023	200.00
	WEBSITE UPDATES				
	101-215.000-806.006	WEBSITE			200.00
150497					
46359	SOURCE ONE DIGITAL		07/18/2023	08/07/2023	340.55
	DOWNTOWN SIGN				
	248-728.000-979.000	CAPITAL OUTLAY			340.55
75264					
46374	SPECTRUM PRINTERS, INC		07/19/2023	08/07/2023	430.27
	ELECTION ID CARDS AND ENVELOPES				
	101-262.000-740.000	SUPPLIES			430.27
148818-1					
46414	TAYLOR RENTAL CENTER		08/02/2023	08/07/2023	190.00
	DUNK TANK NATIONAL NIGHT OUT				
	101-802.000-958.000	MISCELLANEOUS			190.00
60113-00					
46437	TERMINAL SUPPLY CO		08/01/2023	08/07/2023	127.68
	EQUIPMENT AND ELECTRICAL IMPROVEMENT				
	660-903.000-930.004	VEHICLE MAINTENANCE & REPAIRS			127.68
9939520487					
46357	VERIZON WIRELESS		07/12/2023	08/07/2023	595.77
	CITY ISSUED PHONES				
	101-215.000-851.000	TELEPHONE			87.36
	101-301.000-851.000	TELEPHONE			43.68
	101-463.000-851.000	TELEPHONE			421.05
	101-101.000-851.000	TELEPHONE			43.68

9940463371					
46399	VERIZON WIRELESS DPW IPADS 101-463.000-851.000	TELEPHONE	07/24/2023	08/07/2023	134.80 134.80
96809					
46358	WILLIAMS AND WORKS PLANNING CONSULTING SERVICES 101-701.000-806.000	CONTRACTUAL ENGINEERING	07/18/2023	08/07/2023	9,235.00 9,235.00
96670					
46366	WILLIAMS AND WORKS DDA PLAN UPDATE 248-728.000-802.001	CONTRACTUAL-PLANNING STUDY	07/06/2023	08/07/2023	275.00 275.00
Purchase Card Vendor: 10071 CARDMEMBER SERVICE					
25440103					
46390	4 IMPRINT JUNIOR OFFICER BADGE STICKERS 101-301.000-740.000	SUPPLIES	07/17/2023	08/07/2023	191.89 191.89
13234					
46406	A&J AUTOMOTIVE LLC HOLDER REPAIRS 660-903.000-930.004	VEHICLE MAINTENANCE & REPAIRS	07/12/2023	08/07/2023	474.72 474.72
2501566201					
46351	ADOBE ACROBAT PRO ADOBE SUBSCRIPTION 101-172.000-740.000 101-215.000-740.000 101-701.000-740.000 101-463.000-740.000	SUPPLIES SUPPLIES SUPPLIES SUPPLIES	07/13/2023	08/07/2023	265.94 45.24 132.97 66.49 21.24
114-3400525-5534630					
46343	AMAZON MARKETPLACE CITY HALL SUPPLIES 101-265.000-740.000	SUPPLIES	07/12/2023	08/07/2023	31.59 31.59
7-19-23					
46362	FOUR ROSES CAFE CLERKS TRAINING LUNCH 101-215.000-718.002	MISC TRAVEL EXPENSES-TRAINING	07/19/2023	08/07/2023	31.50 31.50
7-19-23					
46363	FOUR ROSES CAFE CLERKS TRAINING LUNCH 101-215.000-718.002	MISC TRAVEL EXPENSES-TRAINING	07/19/2023	08/07/2023	29.65 29.65
7-14-23					
46375	GRAND TRAVERSE RESORT AND SPA ROOM DEPOSIT 101-701.000-718.002	MISC TRAVEL EXPENSES-TRAINING	07/14/2023	08/07/2023	165.00 165.00
51330					
46370	GRAPHIX EMBROIDERY BRANDING ITEMS 101-802.000-958.000	MISCELLANEOUS	07/18/2023	08/07/2023	305.53 305.53
193813					
46372	GRAPHIX EMBROIDERY BRANDING ITEMS 101-802.000-958.000	MISCELLANEOUS	07/24/2023	08/07/2023	542.40 542.40

193812					
46373	GRAPHIX EMBROIDERY BRANDING ITEMS 101-802.000-958.000	MISCELLANEOUS	07/24/2023	08/07/2023	1,568.40 1,568.40
51348					
46394	GRAPHIX EMBROIDERY BRANDING ITEMS 101-802.000-958.000	MISCELLANEOUS	07/25/2023	08/07/2023	423.76 423.76
8-1-23					
46402	LAKE VISTA SUPER VALU NATIONAL NIGHT OUT 101-301.000-740.000	SUPPLIES	08/01/2023	08/07/2023	44.72 44.72
11342778					
46367	SIGNS.COM BEACH SIGNS KEEP DOOR CLOSED 101-751.000-740.000	SUPPLIES	07/20/2023	08/07/2023	71.16 71.16
7-14-23					
46331	US POSTAL SERVICE POSTAGE 101-301.000-740.000	SUPPLIES	07/14/2023	08/07/2023	9.50 9.50
7-10-23					
46342	US POSTAL SERVICE POSTAGE 101-301.000-740.000	SUPPLIES	07/10/2023	08/07/2023	11.64 11.64
7-18-23					
46388	US POSTAL SERVICE POSTAGE 101-301.000-740.000	SUPPLIES	07/18/2023	08/07/2023	5.50 5.50
VP_4B6PS30L					
46389	VISTAPRINT OFFICER BUSINESS CARDS 101-301.000-740.000	SUPPLIES	07/17/2023	08/07/2023	67.83 67.83
7-26-23					
46441	WALMART BASKETBALL NET 101-751.000-740.000	SUPPLIES	07/26/2023	08/07/2023	5.27 5.27
INV211898742					
46393	ZOOM VIDEO COMMUNICATIONS, INC MONTHLY ZOOM 101-101.000-958.000	MISCELLANEOUS	07/24/2023	08/07/2023	29.98 29.98
Total Purchase Card Vendor: 10071 CARDMEMBER SERVICE					4,275.98
# of Invoices:	133	# Due: 133	Totals:		300,480.87
# of Credit Memos:	0	# Due: 0	Totals:		0.00
Net of Invoices and Credit Memos:					300,480.87

--- TOTALS BY FUND ---

101 - GENERAL FUND	57,756.94
202 - MAJOR STREET FUND	78,605.45
203 - LOCAL STREETS FUND	61,793.76
213 - SCHULTZ PARK LAUNCH RAMP	152.95

248 - DOWNTOWN DEVELOPMENT AUTHORITY	20,504.52
403 - BLUE STAR CORRIDOR IMPROVEMENT FUND	13,417.53
450 - WATER SEWER FUND	28,527.00
594 - DOUGLAS MARINA	38,451.71
660 - EQUIPMENT RENTAL FUND	1,271.01

--- TOTALS BY DEPT/ACTIVITY ---

000.000 -	31,043.09
101.000 - LEGISLATIVE	73.66
172.000 - MANAGER	45.24
215.000 - CLERK/TREASURER	4,567.05
262.000 - ELECTION	430.27
265.000 - BUILDING & GROUNDS	1,950.11
266.000 - ATTORNEY	2,310.50
301.000 - POLICE	13,833.99
463.000 - GENERAL STREETS & ROW	159,145.95
597.000 - POINT PLEASANT	436.71
597.001 - WADES BAYOU	180.00
597.002 - DOUGLAS HARBOR AUTHORITY	37,835.00
701.000 - PLANNING & ZONING	18,160.49
728.000 - DOWNTOWN DEVELOPMENT AUTHORITY	20,504.52
751.000 - PARKS & RECREATION	5,510.24
753.000 - LAUNCH RAMPS	152.95
802.000 - COMMUNITY PROMOTIONS	3,030.09
903.000 - EQUIP. REPAIRS & MAINTENANCE	1,271.01

July 10, 2023

Michigan Municipal League Annual Meeting Notice

(Please present at the next Council, Commission or Board Meeting)

Dear Official:

The Michigan Municipal League Annual Convention will be held in Traverse City, October 18-20, 2023. The League's "**Annual Meeting**" is scheduled for 4:30 pm on Wednesday, October 18 in Governors' Hall A at the Grand Traverse Resort & Spa. The meeting will be held for the following purposes:

1. Election of Trustees. To elect five members of the Board of Trustees for terms of four years each (see #1 on page 2).
2. Policy. A) **To vote on the Core Legislative Principles document.**

In regard to the proposed League Core Legislative Principles, the document is available on the League website at <https://mml.org/resources-research/delegate/>. If you would like to receive a copy of the proposed principles by fax, please call Monica Drukis at the League at 800-653-2483.

B) If the League Board of Trustees has presented any resolutions to the membership, they also will be voted on. (See #2 on page 2.)

In regard to resolutions, member municipalities planning on submitting resolutions for consideration by the League Trustees are reminded that under the Bylaws, they must be submitted to the Trustees for their review by **September 18, 2023**.

3. Other Business. To transact such other business as may properly come before the meeting.

Designation of Voting Delegates

Pursuant to the provisions of the League Bylaws, you are requested to designate by action of your governing body one of your officials who will be in attendance at the Convention as your official representative to cast the vote of the municipality at the Annual Meeting, and, if possible, to designate one other official to serve as alternate. Please submit this information through the League website by visiting <https://mml.org/resources-research/delegate/> **no later than September 18, 2023.**

We love where you live.



Regarding the designation of an official representative of the member to the annual meeting, please note the following section of the League Bylaws:

“Section 4.4 - Votes of Members. Each member shall be equally privileged with all other members in its voice and vote in the election of officers and upon any proposition presented for discussion or decision at any meeting of the members. Honorary Members shall be entitled to participate in the discussion of any question, but such members shall not be entitled to vote. The vote of each member shall be cast by its official representative attending the meeting at which an election of officers or a decision on any proposition shall take place. Each member shall, by action of its governing body prior to the annual meeting or any special meeting, appoint one official of such member as its principal official representative to cast the vote of the member at such meeting, and may appoint one official as its alternate official representative to serve in the absence or inability to act of the principal representative.”

1. Election of Trustees

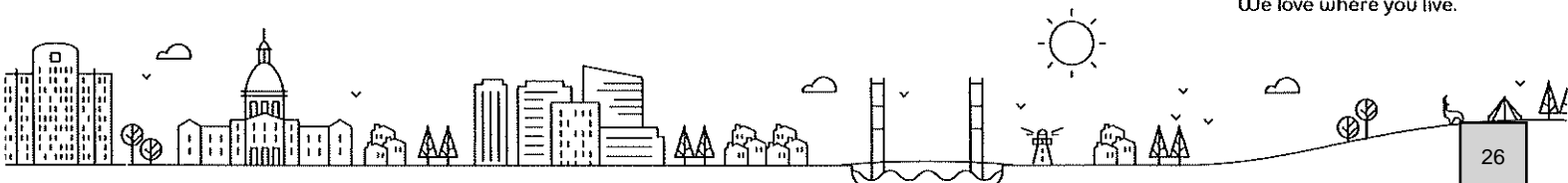
Regarding election of Trustees, under Section 5.3 of the League Bylaws, five members of the Board of Trustees will be elected at the annual meeting for a term of four years. The regulations of the Board of Trustees require the Nominations Committee to complete its recommendations and post the names of the nominees for the Board of Trustees on a board at the registration desk at least four hours before the hour of the business meeting.

2. Statements of Policy and Resolutions

Regarding consideration of resolutions and statements of policy, under Section 4.5 of the League Bylaws, the Board of Trustees acts as the Resolutions Committee, and “no resolution or motion, except procedural and incidental matters having to do with business properly before the annual meeting or pertaining to the conduct of the meeting, shall be considered at the annual meeting unless it is either (1) submitted to the meeting by the Board of Trustees, or (2) submitted in writing to the Board of Trustees by resolution of the governing body of a member at least thirty (30) days preceding the date of the annual meeting.” Thus, the deadline this year for the League to receive resolutions is **September 18, 2023**. Please submit resolutions to the attention of Daniel P. Gilmartin, Executive Director/CEO at 1675 Green Rd., Ann Arbor, MI 48105. **Any resolution submitted by a member municipality will go to the League Board of Trustees, serving as the resolutions committee under the Bylaws, which may present it to the membership at the Annual Meeting or refer it to the appropriate policy committee for additional action.**

Further, “Every proposed resolution submitted to the Board of Trustees by a member shall be stated in clear and concise language and shall be accompanied by a statement setting forth the reasons for recommending the proposed resolution. The Board shall consider the proposal at a Board meeting prior to the next annual meeting and, after consideration, shall make a recommendation as to the advisability of adopting each such resolution or a modification thereof.

We love where you live.



3. Posting of Proposed Resolutions and Core Legislative Principles

The proposed Michigan Municipal League Core Legislative Principles and any new proposed Resolutions recommended by the Board of Trustees for adoption by the membership will be available on the League website, or at the League registration desk to permit governing bodies of member communities to have an opportunity to review such proposals and delegate to their voting representative the responsibility for expressing the official point of view of the member at the Annual Meeting.

The Board of Trustees will meet on Tuesday, October 17, 2023 at the Grand Traverse Resort & Spa for the purpose of considering such other matters as may be requested by the membership, in addition to other agenda items.

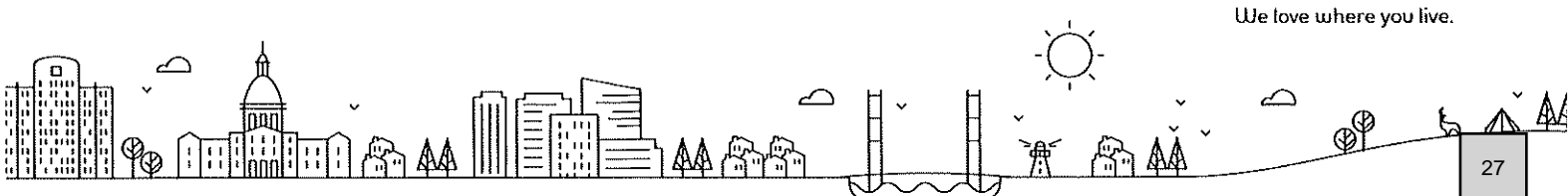
Sincerely,



Barbara Ziarko
President
Councilmember, City of Sterling Heights



Daniel P. Gilmartin
Executive Director & CEO



City of Douglas

From: City of the Village of Douglas <dburdick@slantcom.com>
Sent: Tuesday, August 1, 2023 2:20 PM
To: City of Douglas
Subject: Douglas Contact Form

From: Peter Carideo
Subject: Stops Slgns at Wiley & Blue Star

Message Body:

Your Name
Peter Carideo

Email
peter@crctravel.com

Subject
Stops Slgns at Wiley & Blue Star

Message
I read that these have been approved. How much longer must we wait to get them installed. It is getting worse by the day. Please- this is a small town and it shouldn't take an act of Congress to make things happen for us . Thank you very much.

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MEMORANDUM
REGULAR CITY COUNCIL MEETING
August 7, 2023, at 7:00 PM

TO: City Council

FROM: Rich LaBombard, City Manager

SUBJECT: Baker Tilly – Water Rate Study Presentation

As required by the Michigan Department of Environment, Great Lakes, and Energy, the City is preparing a water system capital improvement plan (CIP). The CIP outlines the City's methodology to maintain the underground water system infrastructure. Underground water infrastructure items include water mains, valves, hydrants, etc. A key component of a properly developed CIP is a funding source to accomplish the objectives of the plan. Funding sources for CIP typically come from connection fees, user capital charges, special assessments, and contributions from the general fund. The City does not currently charge residents a capital improvement charge on their water bill.

Working with Prein & Newhof and BakerTilly, the City is on schedule to complete the plan by the mid-August deadline. Prein & Newhof developed the water infrastructure CIP by reviewing water asset age, condition, material type, size, break history, and other factors. With that review complete, the list of capital improvement priorities and target completion dates was developed. Using the capital improvement list, BakerTilly has developed a funding methodology to finance the capital improvements. Andy Campbell from BakerTilly will present the financial analysis to the City Council.

Presentation – No Action Required

CITY OF THE VILLAGE OF DOUGLAS (MICHIGAN) WATER FUND

COMPARATIVE STATEMENT OF NET POSITION

	As Of		
	<u>6/30/2020</u>	<u>6/30/2021</u>	<u>6/30/2022</u>
	(-----Per Audit-----)		
Assets			
Cash	<u>\$527,424</u>	<u>\$295,555</u>	<u>\$37,540</u>
Liabilities			
Liabilities - payables	<u>\$58,374</u>	<u>\$1,241</u>	<u>\$1,028</u>
Fund Balances			
Restricted for capital improvements	<u>469,050</u>	<u>294,314</u>	<u>36,512</u>
Total Liabilities and Net Position	<u>\$527,424</u>	<u>\$295,555</u>	<u>\$37,540</u>

CITY OF THE VILLAGE OF DOUGLAS (MICHIGAN) WATER FUND

COMPARATIVE STATEMENT OF REVENUES, EXPENSES AND CHANGES IN NET POSITION

	Fiscal Year Ended		
	6/30/2020	6/30/2021	6/30/2022
	(-----Per Audit-----)		
Operating Revenues			
Charges for services - Connection fees	\$45,575	\$74,000	\$49,075
Investment return and rentals	23,173	935	-
Total operating revenues	<u>68,748</u>	<u>74,935</u>	<u>49,075</u>
Operating Expenses			
Public works	42,151	69,671	70,041
Capital outlay	57,378	-	236,836
Total operating expenses	<u>99,529</u>	<u>69,671</u>	<u>306,877</u>
Net operating income (loss)	<u>(30,781)</u>	<u>5,264</u>	<u>(257,802)</u>
Other Financing Sources (Uses)			
Transfers out	<u>-</u>	<u>(180,000)</u>	<u>-</u>
Change in net position	(30,781)	(174,736)	(257,802)
Net position, beginning of year	<u>499,831</u>	<u>469,050</u>	<u>294,314</u>
Net position, end of year	<u>\$469,050</u>	<u>\$294,314</u>	<u>\$36,512</u>

CITY OF THE VILLAGE OF DOUGLAS (MICHIGAN) WATER FUND

COMPARATIVE DETAIL OF OPERATING EXPENSES

	Fiscal Year Ended				Test Year	Multiplier
	6/30/2021	6/30/2022	6/30/2023	6/30/2024		
	(-----Per Client-----)					
Expenditures						
806.000 Contractual Engineering	\$69,671	\$70,041	\$88,800	\$20,000	\$20,000	3.0%
974.000 Construction	-	236,836	540,000	447,359 [1]	-	0.0%
995.101 Transfer out GF	180,000	-	-	-	-	0.0%
Salaries, Wages, & Benefits	-	-	-	-	5,000	3.0%
Total Water Operating Expenses	\$249,671	\$306,877	\$628,800	\$467,359	\$25,000	

[1] Lead Service Line Replacement is removed from this section of the report. This item is addressed later in the report.

CITY OF THE VILLAGE OF DOUGLAS (MICHIGAN) WATER FUND
SCHEDULE OF ESTIMATED CAPITAL IMPROVEMENTS

User Rate Supported Capital Improvements										
Project Name/Description	2023/24	2024/25	2025/26	2026/27	2027/28	2028/29	2029/30	2030/31	2031/32	2032/33
Lead Water Service Inventory		\$500,000								
Lead Water Service Replacement	\$104,000	108,200	\$112,500	\$117,000	\$121,700	\$126,500	\$131,600	\$136,900	\$142,300	\$148,000
Center WM Repl. From Ferry to E. of Blue Star & St Peters WM Aband. from Center to St Peters		1,687,900								
Lakeside WM Replacement from May to Lakeshore			550,100							
Chestnut WM Repl. From Union to Main; Spring WM Repl. From Chestnut to Lawn					584,000					
Lakeshore WM Replacement from Center to South City Limits								831,400		
Lakeshore WM Repl. From Center to Campbell; Campbell WM Repl. From Lakeshore to McVea								2,219,700		
Total User Rate Supported Capital Improvements:	\$104,000	\$2,296,100	\$662,600	\$117,000	\$705,700	\$126,500	\$131,600	\$3,188,000	\$142,300	\$148,000
Cash Funded:	\$104,000	\$608,200	\$112,500	\$117,000	\$705,700	\$126,500	\$131,600	\$136,900	\$142,300	\$148,000
Bond Funded:	-	2,238,000 [1]	-	-	-	-	-	3,051,100 [2]	-	-

Note: These capital improvement estimates were inflated by 4% every year.

[1] Includes 2024/25 and 2025/26 capital improvements.

[2] Includes 2030/31 capital improvements.

Special Assessment Supported Capital Improvements										
Project Name/Description	2023/24	2024/25	2025/26	2026/27	2027/28	2028/29	2029/30	2030/31	2031/32	2032/33
Fremont WM from Ferry to Lebarre; Lebarre WM Repl. from Fremont to Center		\$682,800								
Felkers WM			\$1,013,400							
Crest and Riverview Water Main									\$1,990,400	
Mountain Ash WM Replacement										\$1,261,700
Total Special Assessment Supported Capital Improvements:	-	\$682,800	\$1,013,400	-	-	-	-	-	\$1,990,400	\$1,261,700

Note: These capital improvement estimates were inflated by 4% every year.

CITY OF THE VILLAGE OF DOUGLAS (MICHIGAN) WATER FUND

CASH FLOW ANALYSIS

	2023/24 July - Dec.	2023/24 Jan. - June	Increases Per Year		2024/25	2025/26	2026/27	2027/28	2028/29	Increases Per Year		2029/30	2030/31
Assumptions													
Meter Equivalent Units (MEU) Billed	1,749	1,749			1,749	1,749	1,749	1,749	1,749			1,749	1,749
MEU Charge (monthly)	-	\$15.00	\$3.00		\$18.00	\$21.00	\$24.00	\$27.00	\$30.00	\$1.00		\$31.00	\$32.00
<i>Typical homeowner's monthly bill</i>													
Charges from City	-	\$15.00			\$18.00	\$21.00	\$24.00	\$27.00	\$30.00			\$31.00	\$32.00
Charges from KLSWA	\$25.40	25.40			26.16	26.95	27.76	28.59	29.45			30.33	31.24
Total typical homeowner's monthly water bill (assumes 4,500 gallons/month)	\$25.40	\$40.40			\$44.16	\$47.95	\$51.76	\$55.59	\$59.45			\$61.33	\$63.24
Revenue													
MEU Charge	-	\$157,410			\$377,784	\$440,748	\$503,712	\$566,676	\$629,640			\$650,628	\$671,616
Connection Fees	\$30,000	-			-	-	-	-	-			-	-
DWAM Grant	329,687	-			-	-	-	-	-			-	-
Transfer In - General Fund	100,000	-			275,000	100,000	80,000	60,000	40,000			20,000	-
Total Revenues	459,687	157,410			652,784	540,748	583,712	626,676	669,640			670,628	671,616
Less: Total Operating Expenditures	(233,680)	(233,680)			(30,750)	(36,673)	(42,773)	(49,056)	(50,528)			(52,043)	(53,605)
Net Operating Revenue	226,008	(76,270)			622,034	504,076	540,939	577,620	619,112			618,585	618,011
Less: Estimated Cash-Funded Capital Improvements	(104,000)	-			(608,200)	(112,500)	(117,000)	(705,700)	(126,500)			(131,600)	(136,900)
Estimated Debt Service #1 2024/25 Open Market Bonds [1]	-	-			(55,000)	(180,000)	(180,000)	(180,000)	(180,000)			(180,000)	(180,000)
Estimated Debt Service #2 2030/31 Open Market Bonds [2]	-	-			-	-	-	-	-			-	(255,000)
Net Cash Flow	\$122,008	(\$76,270)			(\$41,166)	\$211,576	\$243,939	(\$308,080)	\$312,612			\$306,985	\$46,111
Cash & Investments	\$18,770	\$140,778	\$64,508		\$23,342	\$234,918	\$478,857	\$170,777	\$483,390			\$790,374	\$836,486

[1] Estimated debt service payments based on \$2,238,000 20-year open market bond issue at an estimated interest rate.

[2] Estimated debt service payments based on \$3,051,100 20-year open market bond issue at an estimated interest rate.



MEMORANDUM

City Council

August 7, 2023, at 7:00 PM

TO: City Council

FROM: Rich LaBombard, City Manager

SUBJECT: Resolution to purchase 415 Wiley Road– Resolution 29-2023

The City of Douglas has negotiated a purchase agreement for \$1,500,000 for property located at 415 Wiley Road. The present value of the property is approximately \$2,000,000. The nearly 8-acre parcel and 18,000 square foot facility is proposed to be purchased for the future consolidation of all Douglas municipal services at one location.

The City currently operates at four key locations (not including parks):

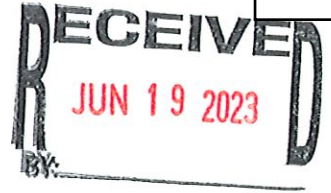
- City Hall – 86 West Center Street
- Police Department – 47 West Center Street
- Department of Public Works – 486 Water Street
- 17 acres – 6825 W. Wiley Road (west of Northern Lights)

The Douglas City Council spent several years discussing the consolidation of services and facilities to improve the delivery of municipal services and government efficiency. After a search of available properties, the 415 Wiley location is the best available location within the City boundaries to accommodate the future needs of the City. The site is situated on commercial property and has a facility that could be retrofitted to suit municipal government needs. Approximately four acres of the land are needed for the consolidation of the Department of Public Works (DPW) activities and equipment.

The facility at 415 Wiley is currently occupied by the Douglas Family Clinic. The clinic recently announced the construction of a new facility on Blue Star Highway in Saugatuck Township. The clinic anticipates moving in the summer of 2024 to its new location. Rent payments currently paid by the clinic will be made to the City of Douglas if the purchase is approved. The monthly income from the rental payment is currently \$3,000 per month.

Funds for the purchase will be made with an amendment to the budget by a transfer from the general fund balance. The City has approximately \$2.1 million of investments maturing by the end of 2023 and will be able to cash flow the purchase of the property.

Sample Motion: I motion to approve Resolution 29-2023 and approve the purchase agreement between the City of the Village of Douglas and Galivan Corporation of Illinois to purchase the property located at 415 Wiley Road for a sum of \$1,500,000 plus closing costs with a transfer from the general fund balance.



PURCHASE AGREEMENT

This Purchase Agreement (this "Agreement") is entered into as of the 16th day of June, 2023 ("Effective Date"), by and between **GALLIVAN CORPORATION**, an Illinois corporation, whose address is 2918 Crossing Court, Suite C-1, Champaign, Illinois 61822 (the "Seller") and the **CITY OF THE VILLAGE OF DOUGLAS**, a Michigan municipal corporation, whose address is 86 W. Center Street, Douglas, Michigan 49406 (the "Purchaser") (individually, a "Party" and collectively, the "Parties"), for the transfer of real property located at 415 Wiley Road within the City of the Village of Douglas, Allegan County, Michigan, and legally described in Exhibit "A" attached hereto.

I. Property Transferred. The Purchaser shall purchase and receive, and the Seller shall sell the above real property consisting of approximately 7.8 acres, along with any structures thereon situated, which property is commonly known as "professional building at 415 Wiley Road" and includes Tax Parcel Nos. 59-021-015-10, 59-021-016-00 and 59-021-017-00, including all easements and all other interests and rights of the Seller which are appurtenant to the real estate, including, but not limited to, all rights, title, and interest, if any, of the Seller in and to any land lying in the street, road, or avenue in front of, within, adjacent to, or adjoining such land (collectively, the "Property").

II. Closing. Provided that this Agreement shall not previously have been terminated as permitted herein, the closing of the sale described herein shall take place at the office of the title company, or at another location mutually agreed upon by the Parties, no later than September 29, 2023, or on such other date as the Parties agree in writing (the "Closing"). The Closing shall occur with all originally and fully executed closing documents provided by hand-delivery or by overnight mail delivery to the title company.

III. Purchase Price. The Property shall be purchased for the sum of One Million Five Hundred Thousand and 00/100 Dollars (\$1,500,000.00) (the "Purchase Price"). The Purchase Price shall be paid by the Purchaser to the Seller in certified funds at Closing.

IV. Evidence of Title. The Seller shall, at its expense, as soon as practical, and in any event by no later than September 1, 2023, obtain and cause to be delivered to Purchaser a commitment for an owner's policy of title insurance in the amount of the purchase price, with standard exceptions removed at Closing, showing the Seller's title to be in the condition called for under this Agreement, except for mortgages, judgments, and other liens which can and will be satisfied out of the proceeds of sale. Within ten (10) days of receipt of the commitment for title insurance, the Purchaser shall notify the Seller of any restrictions, reservations, limitations, easements, liens, and other conditions of record (together hereinafter called "Title Defects"), disclosed in such commitment which would interfere with Purchaser's proposed use of the Property and are therefore objectionable to the Purchaser. Should the Purchaser notify the Seller of any such Title Defects, the Seller shall have until Closing to cure or remove same. If such Title Defects are not cured by Closing, the Purchaser may, at the Purchaser's option, terminate this Agreement, or alternatively set a date with the Seller to extend the closing date to a mutually agreed upon closing date so as to provide the Seller with an additional opportunity to cure said Title Defects.

In the event such Title Defects are not cured by the date set Closing, or any extension thereof, and the Purchaser elects not to waive its title objections, the Purchaser may terminate this Agreement.

V. Survey Matters. The Purchaser may, at its expense, as soon as practical and in any event within sixty (60) days from the Effective Date, obtain a Survey of the Property (the "Survey"). Within five (5) days of receipt of the Survey, the Purchaser shall notify the Seller of any encumbrances, easements, or other conditions (together hereinafter called "Survey Defects"), disclosed in such Survey which would interfere with the Purchaser's proposed use of the Property and are therefore objectionable by the Purchaser. Should the Purchaser notify the Seller of any such Survey Defects, the Seller shall have until the closing date to cure or remove same. If such Survey Defects are not cured by the closing date, the Purchaser may, at the Purchaser's option, terminate this Agreement, alternatively set a date with the Seller to extend Closing to a mutually agreed upon closing date so as to provide the Seller with an additional opportunity to cure said Survey Defects. In the event such Title Defects are not cured by the closing date, or any extension thereof, and the Purchaser elects not to waive its survey objections, the Purchaser may terminate this Agreement.

VI. Environmental and Inspection Matters. Within seven (7) days of the Effective Date, Seller shall make available to Purchaser for inspection copies of all existing reports of soil conditions, ground water, wetlands, underground storage tanks, subsurface conditions and/or other environmental or physical conditions relating to the Property as are in the possession of Seller or under its control, without responsibility, however, to obtain for Purchaser from the person making any such report the right to rely thereon and without representation or warranty by Seller concerning the truth, accuracy or completeness of any information or conclusion contained therein, all of which are disclaimed by Seller. The Purchaser or its agents, representatives, and/or independent contractors shall have the right and license to enter the Property upon reasonable advance notice to the Seller, for all purposes relative to Purchaser's inspection of the condition of the Property, including without limitation building inspection, soil boring and testing, wetland, a Phase I environmental audit and any other environmental and toxic inspections and studies, all of which shall be completed within one hundred twenty (120) days from the Effective Date. The Purchaser shall then have five (5) days thereafter to determine whether it is satisfied with the condition of the Property. The Purchaser shall advise the Seller within this five (5) day period if it is not satisfied with the condition of the Property. In the event the Purchaser is not satisfied with the condition of the Property and so notifies the Seller in writing, this Agreement shall terminate and neither party shall have any further liability or responsibility thereunder. In lieu of termination of this Agreement, the Purchaser or its agents, representatives, and/or independent contractors may in Purchaser's sole discretion conduct a Phase II environmental audit and prepare a due care plan and Baseline Environmental Assessment ("BEA") to be filed with the Michigan Department of Environmental, Great Lakes and Energy.

VII. Seller's Covenants. Between the Effective Date and Closing, Seller shall, unless otherwise consented to in writing by Purchaser:

~~2 of 9~~ 2 of 12



(a) Not suffer or permit any new easements, encumbrances, liens or security interests to attach to the Property, or transfer or convey the Property or any portion or portions of the Property.

(b) Not enter into any contract with respect to the Property that shall survive Closing.

(c) At Seller's sole cost and expense: (i) maintain and operate the Property in compliance with all laws, ordinances and other requirements of any governmental authority having jurisdiction and substantially in the same manner in which it maintained and operated the Property immediately before entering into this Agreement, and Seller shall not diminish the quality or quantity of maintenance and upkeep services heretofore provided to the Property, (ii) maintain and keep Seller's insurance in full force and effect, and (iii) pay all outstanding taxes, assessments, maintenance and other charges related to the Property.

(d) Not convey or remove from the Property any Improvements.

(e) Pay and satisfy in full or otherwise remove from the Property any and all liens, liabilities and encumbrances placed, or caused to be placed, of record against the Property evidencing a monetary obligation which can be removed by the payment of money, including, without limitation, delinquent real property taxes and assessments, mortgages, construction liens, attachment liens, execution liens, tax liens and judgment liens on or before the Closing Date, provided that Seller may use the proceeds of the sale to do so.

(f) Not negotiate with any other party for the purchase and sale of the Property. Furthermore, Seller shall not enter into any contracts or agreements pertaining to the Property, which would survive the Closing and be binding upon Purchaser without obtaining Purchaser's prior written consent, which consent may be withheld in Purchaser's sole discretion.

VIII. Seller's Representations. Seller represents, warrants, and covenants to Purchaser that, except as set forth or otherwise disclosed in this Agreement:

(a) This Agreement constitutes a valid and binding agreement of Seller, enforceable in accordance with its terms. Seller has obtained all consents, releases and permissions and given all required notifications related to the transactions herein contemplated and required under any covenant, agreement, encumbrance, law or regulation to which Seller is a party or by which Seller is bound.

(b) Seller is the fee simple owner of the Property. Other than this Agreement, Seller is not a party to any contract, agreement or commitment to sell, convey, assign, transfer or otherwise dispose of any portion or portions of the Property.

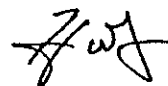
(c) Seller has the right to execute this Agreement and to sell the Property without obtaining the consent, approval, release, or signature of any other party. The signatories hereto on behalf of Seller have been duly authorized to execute and deliver this Agreement and to bind Seller hereto. Seller has full power to consummate the transaction described in this Agreement, the execution and delivery of this Agreement by Seller and the consummation by Seller of the transaction described herein has been duly and validly authorized by all necessary action and the observance of all required formalities on the part of Seller such that this Agreement constitutes a valid and legally binding obligation of Seller, enforceable against Seller in accordance with its terms.

(d) Seller has not received notice of violation of any applicable law, ordinance, regulation, order or requirement relating to Seller's ownership or use of the Property.

(e) As of Closing, there will be no obligations or liabilities of any kind or nature whatsoever, actual or contingent, including, but not limited to, any tax liabilities, contract liabilities or tort liabilities relating to the Property for which or to which Purchaser or the Property will be liable.

(f) To the best of Seller's knowledge: (i) neither the Property nor any part thereof is in breach of any environmental laws; (ii) no part of the Property has ever been used as a landfill, dump, toxic or waste disposal site or storage area; (iii) there are no underground storage tanks at the Property, or, with respect to removed tanks, at the time of removal, any contaminated soil was removed; and (iv) the Property is free of any Hazardous Materials that would trigger response or remedial action under any environmental laws or any existing common law theory based on nuisance or strict liability. As used in this Agreement, the term "Hazardous Material" means any flammable items, explosives, radioactive materials, hazardous or toxic substances, material or waste or related materials, including any substance defined as or included in the definition of "hazardous substances", "hazardous wastes", "hazardous materials" or "toxic substances" now or subsequently regulated under any applicable federal, state or local laws or regulations, including, without limitation, petroleum-based products, paints, solvents, lead, cyanide, DDT, printing inks, acids, pesticides, ammonia compounds and other chemical products, asbestos, PCBs and similar compounds, and including any different products and materials which are subsequently found to have adverse effects on the environment or the health and safety of persons.

(g) To Seller's knowledge, all of the improvements upon the Real Property have been constructed and installed in substantial accordance with applicable codes, laws, ordinances, rules, regulations, permits and approvals and have been completed in a professional and workmanlike manner and are in good operating condition and repair other than ordinary wear and tear. All utilities, including, but not limited to, electric, gas, water, sanitary and storm sewer, cable and telephone are located on or adjacent to the Property.



(h) There are no unpaid commissions, finder's fees or similar payments in connection with any lease, including with respect to any options to extend, expand or renew.

(i) There are no claims of unpaid contractors, materialmen, or laborers, which could result in a lien on the Property.

IX. Property Taxes. All property taxes and assessments, if any, which have been billed for the Property in the years prior to closing shall be paid by the Seller at or prior to closing. Property taxes and assessments which are billed in the year of closing, if any, shall be prorated so that the Seller shall be charged with taxes and assessments from the first of the year to the closing date and Purchaser shall be charged with any taxes and assessments due for the balance of the year (as if paid in arrears). All other taxes, rents, utility charges, and similar items of income or expense shall be adjusted pro rata as of the date of closing.

X. Attorney's Opinion. The Purchaser acknowledges that the Seller has recommended that the Purchaser retain an attorney to pass on the marketability of the title to the Property and to review the details of the sale before the Closing.

XI. Special Assessments. Special Assessments which are or become a lien on the Property before the date of the Closing shall be paid by the Seller. Special assessments which become a lien on the Property on or after the Closing shall be paid by the Purchaser.

XII. Due Diligence and Zoning Approvals. The Purchaser or its agents, representatives and/or independent contractors shall have the right and license to enter the Property, for the purposes of making any and all surveys, appraisals, roofing and mechanical and electrical system inspections and the like, and zoning or rezoning approvals, all of which inspections, approvals and due diligence shall be at the Purchase's sole expense and completed within seventy-five (75) days from the Effective Date (the "Due Diligence Period"). The Purchaser shall advise the Seller on or before the expiration of the Due Diligence Period if it is not satisfied with the condition of the Property. In the event the Purchaser is not satisfied with the condition of the Property and so notifies the Seller as set forth herein, the Agreement shall terminate, and neither party shall have any further liability or responsibility thereunder.

XIII. Warranty Deed. At the Closing, the Seller shall deliver to the title company a good and sufficient Warranty Deed. Said Deed shall warrant title to the Property free and clear of all liens.

XIV. Time of Essence. Time is of the essence with respect to all dates and times set forth in this Agreement.

XV. Closing Costs. The Seller shall pay the costs of preparation of the warranty deed, title policy, transfer tax (if any), and any attorneys' fees incurred by the Seller. At the Closing, the Purchaser shall pay the costs of recording the Warranty Deed, attorneys' fees incurred on behalf of the Purchaser, and any inspection costs initiated by the Purchaser. In addition, the Seller and

the Purchaser shall each pay one half (1/2) of all other closing costs imposed by the title company for the transaction described in this Agreement.

XVI. Litigation. The Seller is not now engaged in, or to the best of its knowledge, threatened with any litigation or legal or other proceeding in connection with the ownership and operation of the Property or because of selling the Property pursuant to this Agreement.

XVII. Possession and Occupancy. At the Closing, the Purchaser shall take possession of the Property.

XVIII. City Council Approval. This Agreement also is contingent upon the approval of its execution by the Purchaser's City Council. In addition to the foregoing, the Parties recognize that the Purchaser's intended use of the Property will require the City incur substantial additional costs for the rehabilitation and improvement of the Property and the disposition of existing City facilities no longer required. The aggregate amount of such costs is presently unknown and, consequently, the Purchaser's City Council is unable to fairly evaluate whether, after giving consideration to such costs, consummation of Purchaser's purchase of the Property is in the best interest of the Purchaser or, instead, alternatives for the location of Purchaser's municipal operations should be pursued. As a result, Purchaser is presently unable to provide, and does not provide, any assurance that the Purchaser's City Council will approve the Closing of this transaction. Consequently, if for any reason, or for no reason, on or before September 7, 2023 (the "City Council Closing Approval Deadline"), the Purchaser's City Council either (i) adopts a Resolution determining that the City shall terminate this Agreement, or (ii) fails to adopt a Resolution approving the Closing of this transaction in accordance with the terms of this Agreement, and in either case the Purchaser so notifies the Seller within five (5) calendar days thereof, then this Agreement shall terminate, and neither party shall have any further liability or responsibility thereunder.

XIX. Notices. All notices required or given under this Agreement shall be in writing and either delivered personally or mailed by regular mail addressed to the Parties at their addresses specified above. Mailed notices shall be effective upon mailing.

XX. Whole Agreement. This Agreement constitutes the entire agreement between the Parties and shall be deemed to supersede and cancel any other agreement between the Parties relating to the transactions herein contemplated. Each Party acknowledges that no representation, inducement, or condition not set forth herein has been made or relied upon by either Party.

XXI. Amendments. This Agreement may be amended or modified only by a document in writing executed by each of the Parties.

XXII. Successors and Assigns. This Agreement shall bind and benefit the Parties hereto and their respective successors and assigns.

XXIII. Governing Law. This Agreement shall be construed in accordance with and governed by the laws of the State of Michigan.

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[Handwritten signature]

XXIV 1. **LEASES AND RENT ROLL.** Purchaser acknowledges receipt of copies of (i) Commercial Lease dated February 13, 2003 between Seller as lessor and Holland Community Hospital ("Lessee") with Lease Extension Agreements dated December 14 2007, July 27, 2017 and December 21, 2022 for certain space generally known as Suite 101; and (ii) Lease dated September 22, 2014 between Seller as lessor and Lessee with Lease Extension Agreements dated July 27, 2017 and December 21, 2022 for certain space generally known as Suite 102 and that Seller has agreed (via e mail) to allow Lessee to lease the respective spaces on a month-to-month basis upon the expiration of the terms on March 31, 2024 (both leases "Leases")

XXV 2. **LEASES, RENTS AND SECURITY DEPOSITS.** At closing, Seller and Purchaser shall execute an Assignment and Assumption of Leases substantially in the form attached hereto as Exhibit B and incorporated herein by this reference ("Assignment of Leases"). Rents shall be prorated as of the date of closing.

Seller agrees to indemnify, defend and hold Purchaser harmless from and against any and all liability (including attorneys' fees) arising out of defaults of Seller as Lessor under any of the Leases in existence on the Real Estate, and which occur prior to the date of the closing of this transaction. Purchaser agrees to indemnify, defend and hold Seller harmless from and against any and all liability (including attorneys' fees) arising out of defaults of Purchaser as Lessor under any of the leases in existence on the Real Estate, and which occur on or after the date of the closing of this transaction. This provision shall survive closing of this transaction.

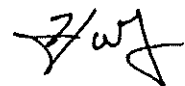
Seller shall deliver to Purchaser at closing, the amounts of all unapplied security deposits without interest which have been received from tenants under the Leases in effect on the date of closing.

All payments to be made from Seller to Purchaser pursuant to this Section shall be given as a credit to the amount to be paid by Purchaser at closing.

~~XXVI~~ ~~XXIV~~. Counterparts. This Agreement may be executed in one or more counterparts, including facsimile copies, each of which shall be deemed an original, but all of which shall together constitute one and the same instrument.

~~XXVII~~ ~~XXV~~. Offer and Acceptance. Purchaser has extended its offer to purchase on May 25, 2023, which offer and Agreement will be void if not accepted by Seller execution and return of this Agreement by the Effective Date.

[SIGNATURES APPEAR ON FOLLOWING PAGE.]



SELLER:

**GALLIVAN CORPORATION,
an Illinois corporation**

By: Nancy R. Cleveland / [Signature]
Nancy R. Cleveland
Its: President

Dated: JUNE 16, 2023

PURCHASER:

**VILLAGE OF THE CITY OF DOUGLAS,
a Michigan municipal corporation**

By: Jerome Donovan [Signature]
Its: Jerome Donovan, Mayor

Dated: May 25, 2023

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[Signature]

EXHIBIT "A"

Real property consisting of the following parcel located within the City of the Village of Douglas, Allegan County, Michigan, and legally described as follows:

Property Identification No. 59-021-015-10:

COM AT NW COR SEC 21 TH S 87 DEG 20' 10" E ON N LIN SD SEC 260' TO POB. TH S 87 DEG 20' 10" E ON SD N SEC LIN 93.45' TH S 2 DEG 52' 30" W 660' TH N 87 DEG 20' 10" W 93.93" TH N 2 DEG 55' E PPL WITH W LIN SD SEC 660' TO POB. SEC 21 T3N R16W. TAX MAP: 1.42 AC.

Property Identification No. 59-021-016-00:

COM AT NE COR W 1/2 W 1/2 NW 1/4 TH S 330 FT TO PL OF BEG TH W 300 FT TH S 330 FT TH E 300 FT TH N 330 FT TO BEG. ALSO E 300 FT OF N 330 FT NW 1/4 NW 1/4 NW 1/4 SEC 21, T3N R16W. TAX MAP: 4.57 AC (70)

Property Identification No. 59-021-017-00:

THE N 333 FT OF THE W 260 FT OF NW 1/4, SEC 21 T3N R16W.

Open.20448.13353.30919418-1

~~9 of 9~~ 10 of 12

EXHIBIT "B" (Page 1 of 2)

ASSIGNMENT AND ASSUMPTION OF LEASE

THIS ASSIGNMENT AND ASSUMPTION OF LEASE (this "Assignment") is entered into as of the ___ day of August, 2023 by and between GALLIVAN CORPORATION, ("Assignor") and CITY OF THE VILLAGE OF DOUGLAS ("Assignee").

1. Assignment. For good and valuable consideration received by Assignor, the receipt and sufficiency of which are hereby acknowledged, Assignor hereby forever grants, assigns, conveys and delivers to Assignee the entire right, title and interest of Assignor in and to that certain lease(s), as may be amended, listed on Exhibit A attached hereto and incorporated herein by reference, including any and all security deposit (the "Lease"), and true, correct and complete copy of which has been previously delivered to Assignee and which Assignee hereby acknowledges. Assignor hereby agrees to indemnify Assignee against, and hold Assignee harmless from any and all costs, liability, loss, damage or expense, including without limitation, reasonable attorneys' fees and court costs, relating to any of the Assignor's obligations under the Lease which have originated prior to the date hereof.

2. Assumption. For good and valuable consideration received by Assignee, the receipt and sufficiency of which are hereby acknowledged, Assignee hereby assumes all of the covenants, agreements and obligations of Assignor under or in connection with the Lease, as applicable to, the period from and after the date hereof. Assignee hereby agrees to indemnify Assignor against, and hold Assignor harmless from any and all costs, liability, loss, damage or expense, including without limitation, reasonable attorneys' fees and court costs, relating to any of the Assignee's obligations under the Lease which have originated on or after the date hereof.

3. Counterparts and Copies. This Assignment may be executed in one or more counterpart signature pages (including facsimile or electronic [including, without limitation, "pdf", "tif", "jpg", DocuSign or AdobeSign] or other counterpart signature pages), each of which shall be deemed an original, and all of which together shall constitute one and the same instrument.

IN WITNESS WHEREOF, Assignor and Assignee have executed this Assignment the day and year first above written.

ASSIGNOR:
GALLIVAN CORPORATION

By: _____
Nancy R. Cleveland, President

[the remainder of this page intentionally blank- signature to follow]

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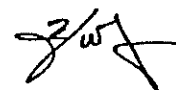


EXHIBIT "B" (page 2 of 2)

ASSIGNEE:
CITY OF THE VILLAGE OF DOUGLAS

By: _____
Jerome Donovan, Mayor





August 7, 2023

Municipal Facilities Presentation

Goal of Presentation

- Review municipal facilities and space needs
- Discuss consolidation of services
- Review decision to look at other sites for municipal services
- Provide overview of 415 Wiley Road – Douglas Professional Building
- Funding facility projects

Inventory of Municipal Facilities and Property

- City Hall – 86 W. Center Street – 2,800 sq ft occupied - \$375,000 ('20 appraisal)
- Police Department – 47 W. Center Street – 2,560 sq ft building - \$230,000 ('20 appraisal)
- Department of Public Works – 486 Water Street – 2,300 sq ft building - \$200,000 ('20 appraisal)
- Old Library – 137 W. Center Street – 6,000 sq ft building leased to OxBow with option to purchase - \$430,000 ('20 appraisal)
- 17-acre property – 6825 W. Wiley Road – 575 sq ft building - \$1,450,000 (2023 assessor value)
- Brownfield site – Former Haworth – 200 Blue Star Highway – not appraised
- 10-acre property – 291 66th Street – Will be sold as surplus property - \$150,000 ('20 appraisal)
- Various park spaces (Douglas Beach, Wades Bayou, Beery Field, Douglas Marina, Schultz Park, Root Beer Barrel, Pride Garden, etc.)
- Total - \$2,835,000 (\$3,000,000± adjusted for inflation)

Department of Public Works – 486 Water St.

- The conversion of municipal facilities started with an improved space / location for the Department of Public Works
- Existing DPW was a former County Highway Department Garage
- Site is too small to accommodate all the City's Public Work needs creating inefficiency in delivering services
- Building floods with heavy rains
- Inefficient – lacks insulation
- DPW occupies space at:
 - 486 Water Street – 375 sq ft staff area / 1,950 sq ft garage / 575 sq ft salt barn
 - 6825 W. Wiley Road – 575 sq ft shed for traffic items plus fenced yard storage
 - Former storage garage at Wades Bayou was demolished in 2020
 - Beery Field, City Hall basement, and Douglas Marina are also used for storage

City Hall – 86 W. Center

- The current City Hall (aka Dutcher Lodge) is a historic structure that was constructed in 1875 and 1902.
- Dutcher Lodge was renovated in the early 2000s and converted to City Hall use.
- 2,800 sq ft occupied (1,050 council chamber, 750 sq ft office, 1,000 sq ft common area)
- The upper level of the building is not finished
- Lacks ADA compliance for elevator, restrooms, lobby
- Safety and security has been an issue
- Staff double up in offices or occupy closet converted to office space

Police Department – 47 W. Center

- Existing Police Department was formerly the fire station and Village of Douglas hall.
- 2,560 square feet
- Used 24/7
- Insufficient space for proper evidence storage
- No private / secure interview rooms
- No indoor parking available (current garage space is used for storage)
- No ADA restroom facilities
- Lacks necessary security measures for a Police Department

Old Library – 137 W. Center St.

- Currently leased by Ox Bow Art Institute with option to buy
- 6,000 sq ft
- Ownership reverted to the City when vacated by the library

Municipal Space Needs

- Based on industry standards, the municipality needs approximately 6,500+ square feet of interior space for the following:
 - Council chamber – 1,000 sq ft
 - Enclosed offices – 1,600 sq ft
 - Open workstations – 1,100 sq ft
 - Conference rooms – 500 sq ft
 - Reception / waiting rooms – 600 sq ft
 - Staff break rooms – 400 sq ft
 - Restrooms / corridors – 1,300 sq ft

Consolidate Facilities

- The City Council in 2019 directed the City Manager to evaluate blending municipal services into the existing City Hall.
- Finishing the basement and second floor of City Hall would be necessary to accommodate most municipal needs. A building addition would be ideal.
- A designer proposed a revised floor plan (no building addition) and quotes were obtained in 2019 to renovate just the interior of Dutcher Lodge. No exterior renovations were proposed.
- Renovation costs were estimated to be \$927,500 in 2019 plus fees and 10 percent contingency. Adjusted for inflation that would be over \$1,100,000 in today's value.
- The elevator and interior stairs were not included in the estimate. The cost to upgrade the elevator and staircase to meet ADA compliance would be approximately \$300,000.
- Exterior renovations would be additional cost to repair siding, windows, and doors.
- Parking was always an issue that had to be addressed if adding more staff to Dutcher Lodge
- Evaluated purchasing neighboring property to accommodate more parking and / or a building expansion

Summary to Renovate Dutcher Lodge

- \$1,100,000 to renovate interior
- \$300,000 to renovate elevator / stairs for ADA compliance
- Unknown cost to complete exterior renovations

- \$1,400,000+ total

- Still didn't resolve the Public Works issues

Positives of Dutcher Lodge

- Familiar location for the past 25+ years.
 - The village hall was formerly located at the police station
 - Prior village hall was located west of Wild Dog café
- Quaint and charming historic structure in the downtown
- Listed on the Michigan Historic Register
- Convenient location for many residents

Challenges of Dutcher Lodge

- High cost to renovate for municipal services and ADA compliance
- Small site to accommodate police vehicles and staff parking
- Routine elevator inspection and maintenance process
- Not much space to expand the building
- Not sufficient space to accommodate all municipal service needs
- Disruption of renovating a building while being occupied
- Unknowns will add to the overall project cost as issues are uncovered
- Skill gap to maintain a historic structure
- Valuable space in the downtown that could be used for development

Decision Point

- With a better understanding of the long-term space needs and costs to renovate Dutcher Lodge, City Council began to think about other options.
- Consolidating staff at Dutcher Lodge still didn't resolve the space needs for the Department of Public Works.
- A search for property was initiated.
 - Unbuilt property on Blue Star Highway was evaluated but wetlands made the site impractical
 - 200 Blue Star was not a good option because the City plans to use Tax Increment Financing to fund the clean up the brownfield site
 - 415 Wiley was found to be the best option available

Adding to the Downtown District

- The City occupies three locations within the Downtown Development Authority district—City Hall, Police Department, and Old Library.
- Selling the facilities will encourage development of the downtown district with new commercial opportunities and potentially additional residential units.
- The DDA would capture additional revenue if existing downtown municipal buildings were sold. The revenue captured by the DDA will help to make additional improvements to the downtown district.
- Additional shops, dining, and boutiques will increase tourism opportunities in the community

Purchase Agreement

- The City negotiated a purchase agreement for 415 Wiley Road in the amount of \$1,500,000.
- Assessor values the property at \$2,000,000
- Holland Hospital currently rents about 8,000 square feet for \$3,000 per month.
- Holland Hospital will vacate the building in 2024.

Positives of 415 Wiley Road

- 7.8-acre site on the Blue Star Highway commercial corridor
- Sale of existing municipal facilities could pay for the purchase
- Consolidate all staff, municipal services, and resources on one site (network, phone system, etc.)
- Fewer buildings to maintain
- Space to grow as the municipality grows
- Sufficient parking
- Significant storage space and a basement for storage
- Propose to renovate the former doctor's office suites for all municipal services
 - Current estimate for interior renovation costs will be approximately \$1,000,000-\$1,500,000
- Sufficient outdoor space
 - Construct Public Works facility - \$1,500,000 estimate
 - Construct Police Department garage - \$300,000 estimate
- Surplus space for other community needs such as:
 - Emergency Shelter
 - Community Room
 - Remote work location
 - Other government / non-profit services

Challenges of 415 Wiley

- City services not in the downtown
- Timeline to complete renovations and build out could span 2-5 years

Competing Priorities

- Road Projects
- Utility Projects
- Marina
- 200 Blue Star – Brownfield Cleanup

Funding

- The general fund balance is sufficient to purchase the facility
- Building renovations can be funded from the general fund balance, bonds, loans, or partially through any grant opportunities the City qualifies for
- The sale of existing buildings and property will replenish the general fund

Conclusion

- The City Council has evaluated the municipal facility issue for some time
- Consolidation of services on one location will be beneficial to the community
- Additional commercial properties in the downtown will help to expand retail and rental opportunities
- The City can cash flow the purchase and renovations over a number of years with careful budgeting





CITY OF THE VILLAGE OF DOUGLAS
COUNTY OF ALLEGAN
STATE OF MICHIGAN

RESOLUTION NO. 29-2023

A RESOLUTION TO APPROVE THE PURCHASE AGREEMENT BETWEEN THE CITY OF
THE VILLAGE OF DOUGLAS AND GALIVAN CORPORATION OF ILLINOIS TO
PURCHASE PROPERTY LOCATED AT 415 WILEY ROAD

At a regular meeting of the City Council for the City of the Village of Douglas,
Michigan, held at the City of the Village of Douglas City Hall, Douglas, Michigan, on the 7th
day of AUGUST, 2023, at 7:00 p.m. with

PRESENT:

ABSENT:

The following Resolution was offered by _____ and supported by _____.

RESOLUTION

WHEREAS, the City of Douglas has negotiated a purchase agreement for \$1,500,000 for
property located at 415 Wiley Road, and

WHEREAS, the nearly 8-acre parcel and 18,000 square foot facility is proposed to be
purchased for the future consolidation of all Douglas municipal services at one location, and

WHEREAS, the City currently operates at four separate locations (not including parks):
City Hall – 86 West Center Street, Police Department – 47 West Center Street, Department
of Public Works – 486 Water Street, 17 acres – 6825 W. Wiley Road (west of Northern
Lights), and

WHEREAS, City Council is discussing the consolidation of services and facilities to improve
the delivery of municipal services and government efficiency, and

WHEREAS, funds for the purchase will be made with an amendment to the budget by a
transfer from the general fund balance.

NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS: The City Council does hereby adopt Resolution 29-2023 and approve the purchase agreement between the City of the Village of Douglas and Galivan Corporation of Illinois to purchase the property located at 415 Wiley Road for a sum of \$1,500,000 plus closing costs with a transfer from the general fund balance.

YEAS: Council Members:

NAYS: Council Members:

ABSTAIN: Council Members:

ABSENT: Council Members:

ADOPTED this 7th day of August, 2023

CITY OF THE VILLAGE OF DOUGLAS

BY: _____ Date:
Jerome Donovan, Mayor

BY: _____ Date:
Laura Kasper, Interim City Clerk

CERTIFICATION

I, Laura Kasper, the duly appointed Interim Clerk of the City of the Village of Douglas, do hereby certify that the foregoing is a true and complete copy of a Resolution adopted by the Douglas City Council at a regular meeting held on Monday, August 7, 2023 in compliance with the Open Meetings Act, Act No. 267 of the Public Acts of Michigan, 1976, as amended, the minutes of the meeting were kept and will be or have been made available as required by said Act.

CITY OF THE VILLAGE OF DOUGLAS

BY: _____
Laura Kasper, Interim City Clerk



MEMORANDUM

The Village of Friendliness – Since 1870

Date: August 4th, 2023
 To: Douglas City Council
 From: Joe Blair, AICP
 Planning & Zoning Administrator
 Re: **423 Center and 424 Fremont - Center Park Place
 Condominiums**

When an approved condominium proposes a change that does not fall under an exempt or minor amendment (as detailed in Section 16.24(11), Section 16.24(11)(c) indicates that the proposed amendment shall follow the same process as a new condo project.

In this case, the Association for the Center Park Place condominiums has proposed an expansion of an existing condominium, specifically the units along Center Street, which are proposed to be expanded to add additional living space, while encroaching into the common element.

Procedurally, the Planning Commission first provides a recommendation to the City Council for approval, approval with conditions, or denial of the change. At their meeting on September 21st, 2022, the Planning Commission forwarded a favorable recommendation to City Council with the understanding that the standards of approval found in Section 16.24.7 have been met. This recommendation has come with the following condition:

- A draft of the master deed amendment must be submitted for review by the City Attorney.

The City Council is being asked to approve the Final Condominium Plan for expansion of the existing Center Park Place Condominiums, based on the favorable recommendation forwarded by the Planning Commission. The resolution to approve this amendment has been provided for your review. If the Council is inclined to approve the amendment to the Final Condominium Plan, it is recommended that the approval be subject to the following condition:

- The final draft of the Master Deed Amendment shall be provided to the City Attorney for review, and the applicant shall then record the document and provide the City a copy of the recorded version prior to the issuance of any Zoning Permit or the expansion of any condominium units.

The following materials are provided for your reference and review:

- Williams and Works Memorandum dated: 9/15/2022
- Planning Commission Meeting Minutes dated: 9/21/2022
- Application for Condominium Amendment dated: 8/10/2022

williams&works

engineers | surveyors | planners

MEMORANDUM

To: City of The Village of Douglas Planning Commission
Date: September 15, 2022
From: Tricia Anderson
 Andy Moore, AICP
RE: **423 West Center St./424 Fremont St. – Zoning Map Amendment, Condominium Amendment and Site Plan Approval Update**

Background. The subject parcel contains two 5-unit condominium buildings. The existing buildings were originally constructed as apartments. In 2000, the buildings were converted to owner-occupied condominiums and the Center Park Place Association was established. On June 24, 2020, the Planning Commission approved the final PUD plan amendment and site plan review for an expansion of the four units that front Fremont Street (units 6-9). Following the approval of the site plan and final PUD amendment in 2020, the applicant the association ran into some challenges with securing a builder for the expansion due to the Covid-19 pandemic, and has not yet commenced construction.

Zoning Map Amendment. This agenda item was noticed as a Zoning Map Amendment, Condominium Plan Amendment and Site Plan Review for the subject site. The applicant has requested the zoning of the parcel to revert back to R-5, Multiple Family District, based on the recommendation of the former zoning administrator. We were unable to uncover historical information related to the rezone from R-5 to PUD and we have received conflicting information as to whether the zoning ever changed. We are also unclear as to the rationale behind zoning back to R-5.

Condo Amendment. Section 16.24(11) Revisions of Approved Final Condominium Project Plan provides procedural steps for the review and approval of changes exempt from the City's review, minor changes and major changes. It is our interpretation that



the expansion of the living space would be considered a major amendment. Procedurally, the Planning Commission will provide a recommendation to the City Council for the approval, approval with conditions or denial of the change. The condo amendment was not considered at the June 24, 2020 Planning Commission meeting. The City should confirm with the City Attorney if the master deed must be amended to reflect the expansion of the units. The applicant has not submitted a master deed amendment for our review. If the City Attorney determines that the master deed must be amended, we would ask that the applicant submit the draft to the City for the attorney's review, prior to recording the document.

Site Plan Review. Section 24.06(2), Conformity to Approved Site Plans, Time Limit, states that the approval of a site plan is valid for a period of one year, and construction is not commenced and proceeded meaningfully toward completion within that timeframe, the site plan approval shall become null and void. Since the applicant has indicated that nothing has changed since the approval in June of 2020, the Planning Commission is tasked with procedurally, providing an updated approval of the same request.

Recommendations.

Zoning Map Amendment from PUD to R-5. We would recommend that the Planning Commission not take any action on this item and allow staff some time to do more fact finding and to consult with the City Attorney on process if the PUD zoning has been determined to be an error. This should not impact the applicant's ability to move forward with the construction process on the condo expansion.

Condo Amendment. It is recommended that the Planning Commission approve this request, subject to the condition that the applicant submit a draft of the master deed amendment for review by the City Attorney, if found to be necessary.

Site Plan Review. It is recommended that the Planning Commission approve the site plan to allow the expansion of units 6-9 of the Center Park Place condominium based on the following findings, and subject to the same conditions attached to the June 24, 2020 approval:

1. The Planning Commission voted unanimously to approve the site plan for the same request on June 24, 2020.
2. The plans for the expansion have not changed since the June 24, 2020 approval.

Please feel free to reach out with questions or concerns related to this item.



Minutes
THE CITY OF THE VILLAGE OF DOUGLAS
REGULAR MEETING OF THE PLANNING COMMISSION
86 W CENTER ST – DOUGLAS, MI
SEPTEMBER 21, 2022 – 7:00 P.M.

A. Call to Order: by Chair Buszka. Chair recognized New Planners Trisha Anderson and Andy Moore from Williams and Works. Also recognized was Mr. Florian for his insight into Planning while on the Commission.

B. Roll Call: Present – Heneghan, O’Malley, Pattison, Seabert, Buzska, Whiteley
Absent - None

1. Approval of Agenda: September 21, 2022
Motion by Seabert, with support from Pattison, to approve the Agenda for September 21, 2022, as amended, pulling agenda item 3 Public Hearing for 324 West Center St. – Motion carried by roll call vote.
2. Approval of the Meeting Minutes for July 13, 2022
Motion by Seabert, with support from Pattison, to approve the Meeting Minutes of July 13, 2022, as presented. Motion carried by roll call vote.

C. Public Comments (limit of 5 minutes):

Dawn Shuman, Lakeshore Dr resident – Has sat on Planning Commission and wanted to preserve the scale of the community. Currently she cannot get enough water on Lakeshore, have water studies been done? There seems to be a disconnect between the City and Residents.

D. Communications:

- a. Fran & Jim Martin
- b. Louise Patrick
- c. Phyllis Johnson
- d. Debra Larsen
- e. Olaf Heubner

E. New Business:

1. Public Hearing – 423 West Center St/424 Fremont St. – Zoning Map Amendment, Condominium Amendment, and Site Plan Approval Update.

Motion by Seabert, with support from Whiteley, to open the public hearing. Motion carried by roll call vote.

- a. Applicant presentation – Michael Pezok, the existing development has 9 units, 5 facing Center St. and 4 facing Fremont St. They are mixed use, owner occupied, and short-term rentals. The proposal is to expand the back of units 6-9 which face Fremont St. This project was to begin around the time Covid hit and it was on hold, would like to continue the building.



b. Public Comments – Rob Joon, 423 Center St. stated he has no objection to this build.

c. Staff Remarks – Staff recommends that the Planning Commission not take action on the Amendment from PUD to R-5 and allow staff time to do more fact finding and to consult with the City Attorney on process if the PUD zoning has been determined to be an error. This should not impact the applicant’s ability to move forward with the construction process. In the matter of Condo Amendment, staff recommends approving this request, subject to the applicant submitting a draft of the master deed amendment for review by the City Attorney. In the matter of the site plan review, it is recommended Planning approve the site plan to allow the expansion of units 6-9 of the Center Park Place condominium based on the following findings:

1. The Planning Commission voted unanimously to approve the site plan for the same request on June 24, 2020.
2. The plans for the expansion have not changed since the June 24, 2020 approval.

d. Commission questions – Is there a height issue that will need review? There was a letter regarding the fencing, will that require review? Will a new survey be required? One handicapped parking was removed, will it be replaced elsewhere?

Motion by Seabert, with support from Whiteley to close the public hearing. Motion carried by roll call vote.

Motion by Pattison, with support from Whiteley, to take no action on the PUD to R-5 Amendment allowing staff additional time to speak with the City Attorney. Motion carried by roll call vote.

Motion by Seabert, with support from Pattison, to approve the Condo Amendment contingent upon the submittal of a draft of the master deed amendment for review by the City Attorney. Motion carried by roll call vote.

Motion by Seabert, with support from Heneghan, to approve the site plan allowing for the expansion of units 6-9 of the Center Park Place Condominiums. Motion carried by roll call vote.

2. 39 Washington St. Site Plan Approval

Motion by Pattison, with support from Seabert, to open the public hearing. Motion carried by roll call vote.

a. 42 North Builders addressed Planning Commissioners regarding why they went with a new building rather than adding on to the original home.

b. Sam Phillippe, 31 Washington St. stated he had no qualms with the proposed build.



c. Staff – The applicant has applied for site plan review for changes to a residential home proposed at 39 Washington St. The applicant intends to move and modify the home on the lot. The proposed move of the home to the south makes the proposed dwelling more conforming. The Planning Commission has already approved the previous plan, so there should be no further action required by the Commission. Staff recommends that since this project has been noticed as a public hearing, Planning should leave the item on the agenda and take public comments that is received and refer them back to staff for review.

d. Commission Comments – Sad to see another historic home destroyed. The second drawings were nowhere near the first drawings, hate when we approve something, and it is changed. What about the trees?

Motion by Seabert, with support from Whiteley, to close the public hearing. Motion carried by roll call vote.

Motion by Pattison, with support from Heneghan, to send the application back to the Zoning Administrator for further review and research. Motion carried by roll call vote.

3. 324 West Center St. Site Plan Review and Condominium Approval (*pulled from the agenda by applicant*).

4. 485 Ferry St. Site Plan Review and Condominium Approval

Motion by Heneghan, with support from Seabert, to open the Public Hearing. Motion carried by roll call vote.

a. Applicant Dave Barker on behalf of Taurus Exploration, Inc submitted a site plan review for a 90 Unit Townhome condominium development.

b. Public Comments –
Suzanne Dixon, address the contaminants found on the property stating that Mr. Barker was informed, and agreed, to use the soil he moved on the berms. She also stated her concerns with the high density of the proposed project. Ms. Michelle Zin objected to Ms. Pattison attending the discussion. Chair Buszka stated Pattison had excused herself in a letter from any discussions or voting. Renee Miller, concerned with how busy Ferry St is and will there be a traffic study done.
Sara Aumaugher, concerned with the increase in people within her area and arsenic. There needs to be more community feedback.

c. Staff remarked on how caring the community is with this property. A list of staff concerns is included in the staff report which includes concerns from citizens. Suggested a good beginning would be for Planning Commission to table this item until the plans with revisions is submitted.



d. Commission remarks included the concern with the lack of information in the plans. Would there be enough water to support this amount of growth in the area. Has the City Attorney reviewed the information. Is there updated information regarding the plume. What about stormwater runoff/overflow. Parking for guests, air conditioning unit locations, and so forth. There is really not enough information here.

Motion by Seabert, with support from Heneghan, to close the public hearing. Motion carried by roll call vote.

Motion by Seabert, with support from O'Malley, to table this application until more information has been obtained. Motion carried by roll call vote.

F. Old Business - None

G. Reports of Officers, Members, Committees

- Seabert Center Collective came before Council stating the then City Planner didn't with them, but they have pulled out so many times.
- Heneghan The city is losing its small-town charm when older homes are torn down to build new.
- Buszka A coming attraction is the Kayak Rental and new building they want to build, this decision was tabled in November, and we committed to revisit it.

H. Public Comment (limit 5 minutes)

Tony Pastor questioned if members of Planning can guarantee that drainage, water quality, and the plume on Ferry St. would be looked into. Your jobs seem to be reactive, who is responsible for the vision of Douglas?

I. Adjournment

Motion by Seabert, with support from Heneghan, to adjourn. Meeting adjourned by roll call vote at 9:13 pm

CITY OF THE VILLAGE OF DOUGLAS

Signed: _____ Date: _____
Paul Buszka, Chair

Signed: _____ Date: _____
Pamela Aalderink, City Clerk

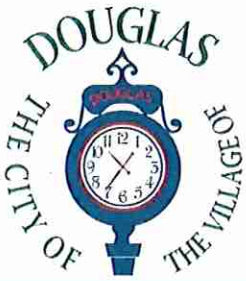


Certification of Minutes

I hereby certify that the attached is a true and correct copy of the minutes of a regular meeting of the City Council of the City of the Village of Douglas held on September 21, 2022. I further certify that the meeting was duly called and that a quorum was present.

Pamela Alderink, City Clerk

Date



Item 8D.

Site Plan Review Application

Application Fee \$300
Additional Fees May Apply

RECEIVED
AUG 10 2022
BY: _____

The Village of Friendliness - Since 1870

Property Information:

Address or Location: 423 Center Street + 424 Fremont Street

Parcel Number: 03-59 Property Size: 52,708 Lot Size: 52,708

Zoning District - Current: PUD overlay of R-5 Proposed Zoning District (if applicable): R-5 Petition submitted to remove PUD

Existing Use of Building/Property: Condominiums/Residential Special Use (if applicable): N/A

Type of Project (Residential or Commercial): Residential

Describe Proposed Project: The existing development has 9 units; 5 face Center Street and 4 face Fremont Street, The properties are a mix of owner occupied and short/long term rentals. The proposal is to expand the back of units 6-9 which face Fremont street.

Estimated Project Cost: \$630,000.00

Site Plan Review Application Requirements

Yes, I have read the City of Douglas Zoning Ordinance Article 24 Site Plan Review (Sec. 24.02)

Y N N/A

- Completed Site Plan Review application
- Plot Plan
- Legal Description
- Narrative Description

I Michael Perok hereby state that all the above statements and all the accompanying information are true and correct.

Michael Perok Signature of Owner/General Contractor Date 8/9/22

Email Address: mp939@comcast.net

Phone: (248) 703-5784

CITY OF DOUGLAS ZONING REVIEW

Approved Conditional Approval Denied Permit Number _____

Rationale _____

Fee Paid Plot Plan Submitted Application Complete Legal Description Included Narrative Description Included
MDEQ Permit Required Allegan Health Dept. Permit Required

Plans sent to Saugatuck Township Fire Department on: _____ Approved on: _____

Plans reviewed by Planning Commission on: _____ Approved on: _____ (Attach Minutes)

Submitted By: _____ To: _____ Date: _____
City Staff (Initials) & Delivery Method KLSWA Representative

Submitted By: _____ To: _____ Date: _____
City Staff (Initials) & Delivery Method MTS Representative

Signature of Planning & Zoning Administrator *Date*

KALAMAZOO LAKE SEWER AND WATER AUTHORITY REVIEW

Connection to Water / Wastewater System (Subject to appropriate connection and inspection fees)

Approved Conditional Approval Denied Permit Number _____

Rationale _____

Street and Number _____

Signature of KLSWA Administrator *Date*

P012092021PZ

Dear Planning Commission:

Please accept the following comments on the 423 Center 424 Fremont Public Hearing.

My daughter and I own 447 and 453 Center St which is homesteaded property adjacent to the west of 423 Center Street. My property is a single-family home and studio/garage.

1. PUD Overlay

2. I do not support the PUD overlay being removed. The request does not highlight why the PUD might have been placed in error, but the existing development is not compliance with the R-5 multi-family nor will the new work be for the following reasons:
 - Where multiple buildings are proposed on a single site, the application is to be processed as a PUD. This property is made up of multiple, non-connected buildings.
 - The Maximum building width of R-5 is 120 foot long. The image reflects 423 Center St is 148'1" long. These long buildings and parking without much landscaping loses the rural character of the city.
 - The 9-unit garage is built almost on the East property line and lacks the proper setback
 - Page 1 table of the compliance lists the property square footage as 52,708 sq feet. This property consists of 6 Blocks from Helmers addition which are each 66x132 sq ft, which would correctly be 52,272 for existing and proposed lot size.
 - 423 Center St building lacks the proper 25 ft front setback.

3. New Fence Work #3 on West Property Line

1. It's not clear what fence work is planned for the West Property Line
2. Currently, there is a mature tree line planted by the original apartments before the PUD redevelopment of apartments to condominium change was made in 2001. The tree line is overgrown on my adjacent lot and it now becomes a boundary tree line. This limited them to placing their existing fence between the condominiums and tree line. This space is about 700 ft of unavailable open space. Please ensure the current fence location remains and if it is moved on the Douglas Boathouse parcel, that it remains a continuous fence line without open gaps. They can contact me directly if they want to review.
3. The drawing for courtyard #1 and distance to the fence line isn't accurate and does not account for the boundary tree line which has about a 4'4" to 5'7" down our shared West property line.
4. This fencing should continue to buffer my adjacent property from parking and open space noise.

4. Parking impacts

- a) The plan fails to address parking. With the increase in the area to visitors needing parking, there are existing problems with people parking in our driveways and on our property when they visit the area. This comes from existing area vacation rentals without enough parking, park and commercial activity.

- b) Existing parking should be preserved. Unit 6 should not be expanded to remove parking from the main parking area.
- c) Current rental postings for these properties show 5 or 6 guests and that guest number may increase if building additions are approved. Consider adding a recorded deed restriction that rentals include garage parking for rentals.
- d) The additional bedrooms will increase people using the properties and parking needs during peak rental seasons.

Rental Unit #8 Audrey Dormanen

<https://www.vrbo.com/3751854ha?adultsCount=2&noDates=true&unitId=3766607>

Rental Unit #4 and other units from Rob Joon

[Superhost. CLEAN. Walk town, near BEACH, PETS ok. - Condominiums for Rent in Douglas, Michigan, United States - Airbnb](#)

Table 1 (Compiled from the Allegan County property site)

Unit	Principal Residence	Owner
#1	100%	Robert Joon
#2	0%	Robert Joon
#3	0%	MARTIN DAVE & WISNIEWSKI GARY
#4	0%	Robert Joon
#5	100%	MCDOWELL LIVING TRUST
#6	0%	KUNTZ KYLE & ABIGAIL
#7	0%	ROGERS KATHY B
#8	0%	JULIAIRE PROPERTIES LLC
#9	0%	PEZOK MICHAEL J & KAREN J

5. **Buffer zone along West property line isn't addressed** Natural vegetation planted or landscaped buffer areas of twenty-five (25) feet width are required along all exterior boundaries of the property to be developed as a PUD. The west property line is not buffered like this.

6. **Application property owner information**

Is the property owner information accurate? Should all property owners be listed. Unit 6 sold for \$310,000 in May of 2022 but their information KUNTZ KYLE & ABIGAIL isn't listed in the application. I don't see property owner information for Kathy Rogers in the application.

7. **Vicinity Map**

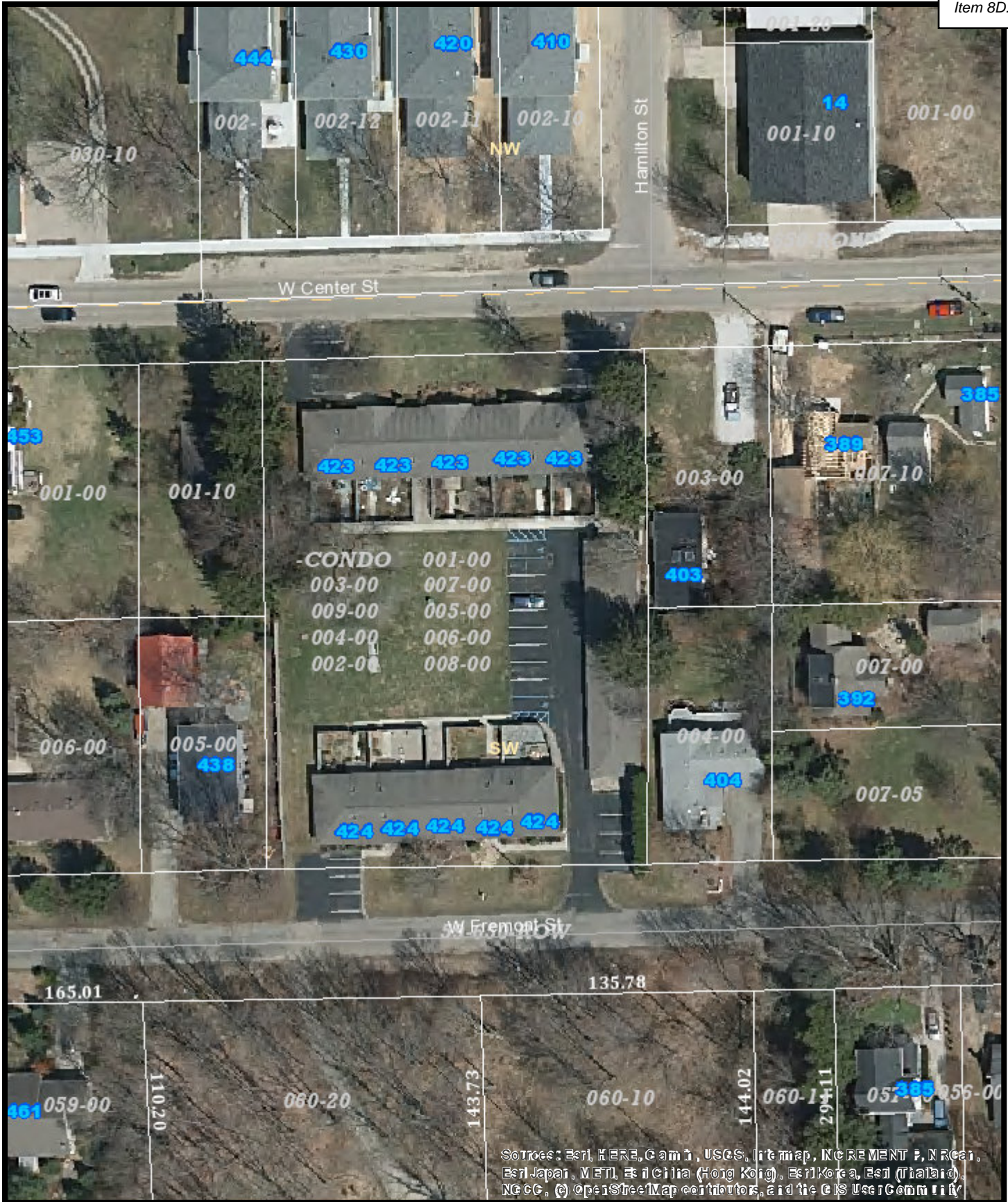
The Vicinity Map incorrectly shows the park incorrectly as C1. The park with the Barrell at the corner of Center/Ferry is zoned R-5.

Sincerely,

Phyllis Johnson

Cell: 734-649-4862

Address: 39357 Palmer, Westland MI 48186

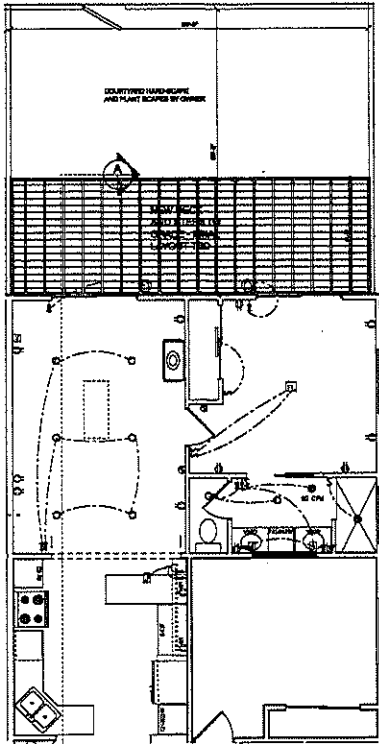


Sources: Esri, HERE, DeLorme, USGS, Imagery, NRC, Esri, Japan, METI, Esri, Swisstopo, Esri, Korea, Esri, Thailand, NCCO, © OpenStreetMap contributors, and the GIS User Community



Allegan County GIS Services assumes no liability for the conclusions drawn from the use of these data.

1 inch = 94 feet
Map Printed: 9/15/2022



UNIT 6 ELECTRICAL LAYOUT

PROJECT DESCRIPTION

The project will consist of a separate contract. The Building Permit will encompass all contracts.

Base Bid: Construction of addition to condo unit to "white box" condition through exterior & finished drywall. The contract shall include all infrastructure required for new finishes, equipment and fixtures, site work, excavation, foundation, demolition limited to the addition only, heating, cooling, wiring, windows & doors (as indicated), insulation, drywall, finish.

Unit 6: Provide to include any mechanical equipment and utility upgrades necessary for accommodating new addition, removal of existing partitions to relocate laundry, bedroom & entry nook, new flooring throughout existing areas, regrading of existing kitchen cabinetry, addition of cabinetry per plan and final finish of all new addition areas based on owner finish selections.

PROVIDE ALLOWANCE FOR NEW CABINETRY AND COUNTERTOP AT KITCHEN ACROSS FROM EXISTING STYLE TO MATCH EXISTING, PAINTED FINISH ON CABINETS.

PROVIDE BUDGET TO REPAIR EXISTING KITCHEN CABINETRY.

PROVIDE ALLOWANCE FOR NEW VANITY AND COUNTERTOP AT BATH 3.

PROVIDE ALLOWANCE FOR ALL NEW PLUMBING FIXTURES AND EQUIPMENT PER PLANS TO BE SELECTED BY OWNER.

PROVIDE MATERIALS AND INSTALLATION ALLOWANCE FOR NEW FLOORING THROUGHOUT AS FOLLOWS: LAMINATE WOOD AT ALL AREAS EXCEPT BATH ROOMS, CERAMIC TILE AT NEW BATH 3. (NO CHANGE AT OLD BATH)

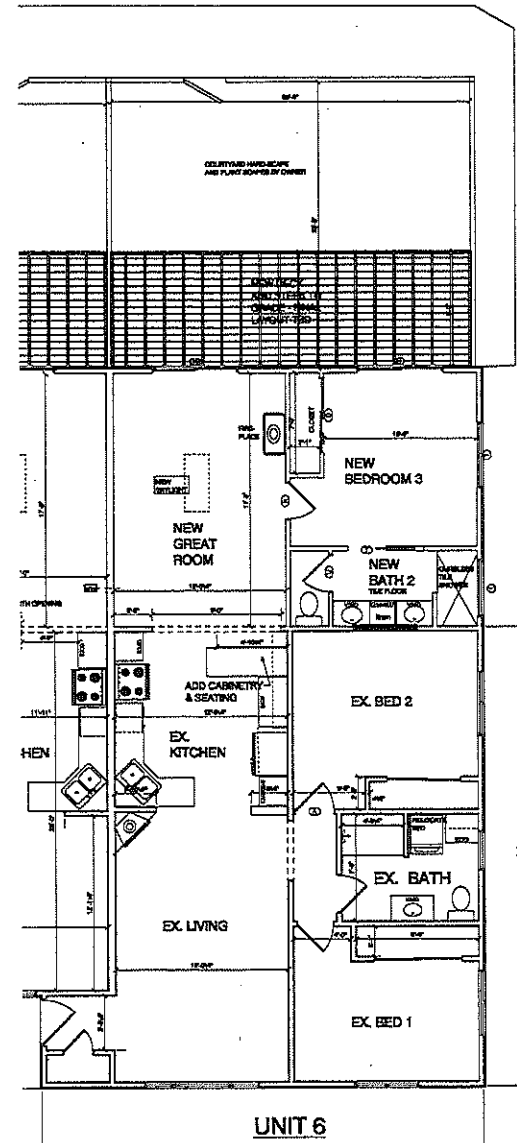
PROVIDE ALLOWANCE FOR NEW GAS FIREPLACE WITH TILE SURROUND, INSTALLATION, FRAMING AND DUCTWORK AS REQUIRED BY MANUFACTURER.

PROVIDE ALLOWANCE FOR NEW SHOWER AT EXISTING BATH - TILE SURROUND AND NEW FIXTURES.

PROVIDE NEW DECK AND STEPS AS SHOWN.

PROVIDE NEW RAIL FENCE AND GATE.

MECHANICAL LISTING			
DESCRIPTION	QTY	UNIT	REMARKS
WIRELESS CONNECTOR	6		
Amazon Echo/Alexa/Google Home	10		
LED CLOSET LIGHT	8		
Chromecast LED strip lighting	4		
new light switch	30		
switch outlets	4		
Chromecast - single port	10		
Amazon Echo for front entry control	4		
media console	3		
new TV	3		
new	3		
new	2		
new	1		
new	1		
new	1		
new	1		



UNIT 6



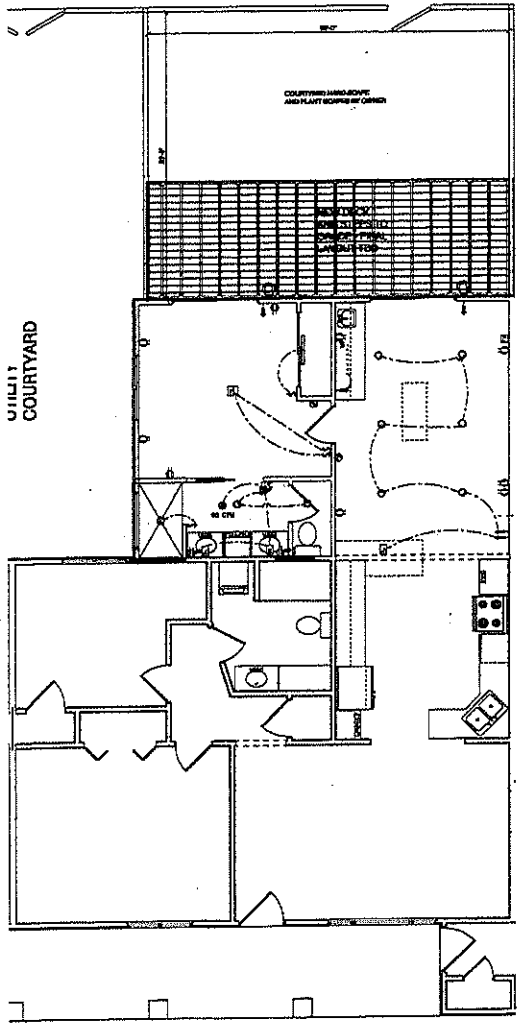
Doyle, Inc. Any Code
 10000 N. 10th St. Suite 100
 Portland, OR 97228
 Tel: 503-255-5117
 www.dovetaildesignstudio.com

DATE: 11/11/2017
 DRAWING NO.: 18-000X
 RELEASE DATE: 5-11-21

FREEHOLD STREET
 CONDO EXPANSION
 434 Fremont Street - Douglas

UNIT 6 - FINISHING PLAN
 SPECIFICATIONS &
 INTERIOR ELEVATIONS

A6.1

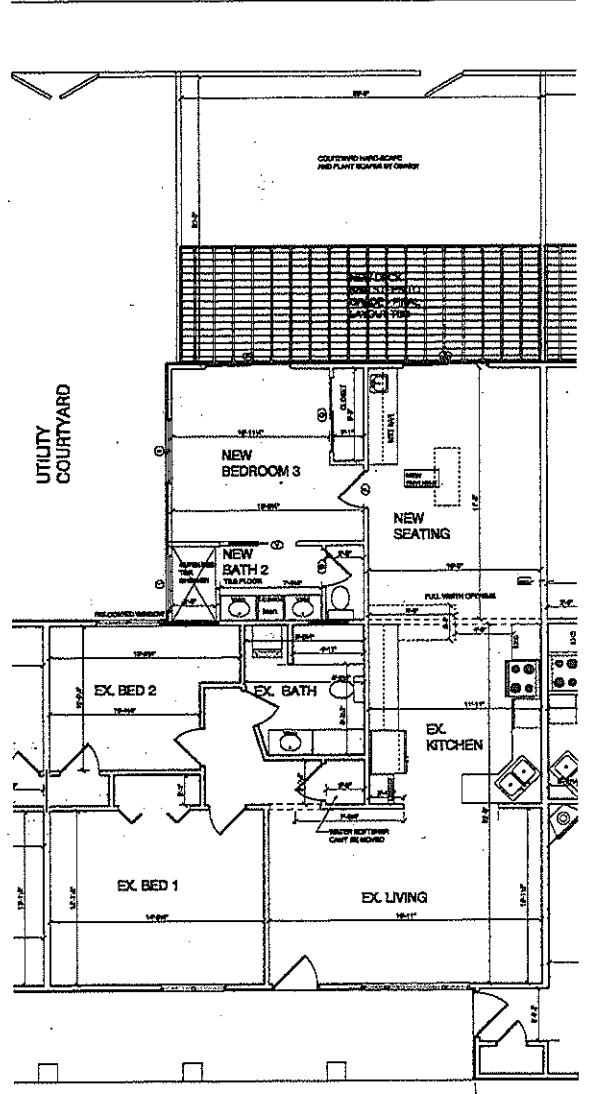


UNIT 7 ELECTRICAL LAYOUT

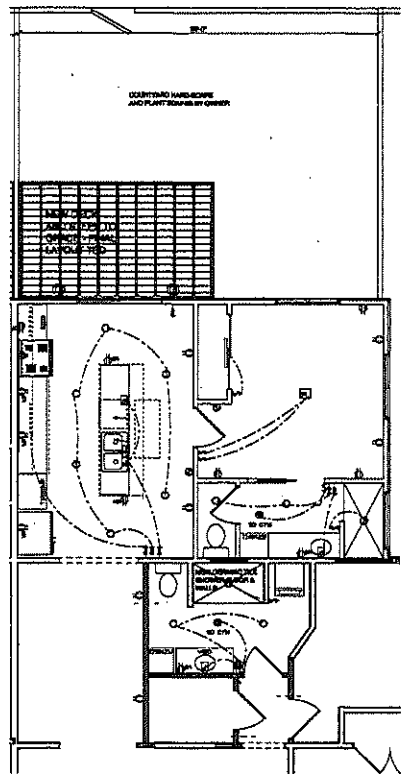
PROJECT DESCRIPTION

The project will consist of 2 separate contracts. The Building Permit will encompass all structure.
 Base Bid: Construction of addition to comply with the "white box" condition through exterior & finished drywall. This contract shall include all infrastructure required for new features, equipment and fixtures, site work, excavation, foundation, demolition related to the addition only, heating, cooling, siding, windows & doors (as addition), insulation, drywall, flooring.
 Unit 7: Permit to install any mechanical equipment and utility upgrades necessary for accommodating new addition, removal of existing bathroom, new kitchen and final finish of all new addition areas based on owner finish selections.
PROVIDE ALLOWANCE FOR NEW CABINETS AND COUNTERTOPS AT KITCHEN ACROSS FROM EXISTING - TO MATCH EXISTING.
PROVIDE ALLOWANCE FOR NEW VANITY AND COUNTERTOP AT BATH.
PROVIDE ALLOWANCE FOR ALL NEW PICTURE FRAMES AND EQUIPMENT PER PLANS TO BE RECEIVED BY OWNER.
PROVIDE MATERIALS AND INSTALLATION ALLOWANCE FOR NEW FLOORING AS FOLLOWS: LAMINATE WOOD AT EXISTING BEDROOMS 1 & 2, NEW BEDROOM 3 & NEW SEATING ROOM. COPPER TILE AT NEW BATH 2, (NO CHANGE AT EX. LIVING, KITCHEN, HALL AND EX. BATH).
PROVIDE ALLOWANCE FOR NEW SHOWER AT EXISTING BATH - TILE SURROUND AND NEW FIXTURES.
PROVIDE NEW DECK AND STEPS AS SHOWN.
PROVIDE NEW VINYL FENCE AND GATE.

SUBTRACTED QUANTITIES	
DESCRIPTION	QUANTITY
MINOR CONSTRUCTION	0
Removal of Existing Bathroom	1
NEW CLOSET	0
Removal of Existing Living Room	0
NEW LIGHT FIXTURE	0
Removal of Existing Kitchen	0
Removal of Existing Bath	0
Removal of Existing Hall	0
Removal of Existing Bedroom 1	0
Removal of Existing Bedroom 2	0
Removal of Existing Living Room	0
Removal of Existing Kitchen	0
Removal of Existing Bath	0
Removal of Existing Hall	0
Removal of Existing Bedroom 1	0
Removal of Existing Bedroom 2	0



UNIT 7



UNIT 8 ELECTRICAL LAYOUT

PROJECT DESCRIPTION
The project will consist of 5 separate contracts. The Building Permit will encompass all contracts.

Base Bid: Construction of addition to condo units to bring back condition through addition & finished drywall. This contract shall include all infrastructure required for new kitchen, equipment and fixtures, site work, excavation, foundation, demolition related to the addition only, heating, roofing, siding, windows & doors (as specified), insulation, drywall, flooring.

Unit 8 Finish: to include any mechanical equipment and utility upgrades necessary for accommodating new addition, demolition of existing bathroom and hallway to accommodate renovated bathroom 1 and new separate closet, demolition of existing kitchen cabinets, plumbing and construction of new kitchen and final finish of all new utilities as well based on owner finish selections.

PROVIDE ALLOWANCE FOR MATERIALS AND INSTALLATION FOR ALL NEW CABINETS AND COUNTERTOPS IN NEW KITCHEN, MASTER BATHROOM AND RENOVATED BATH. FINAL LAYOUT TBD.

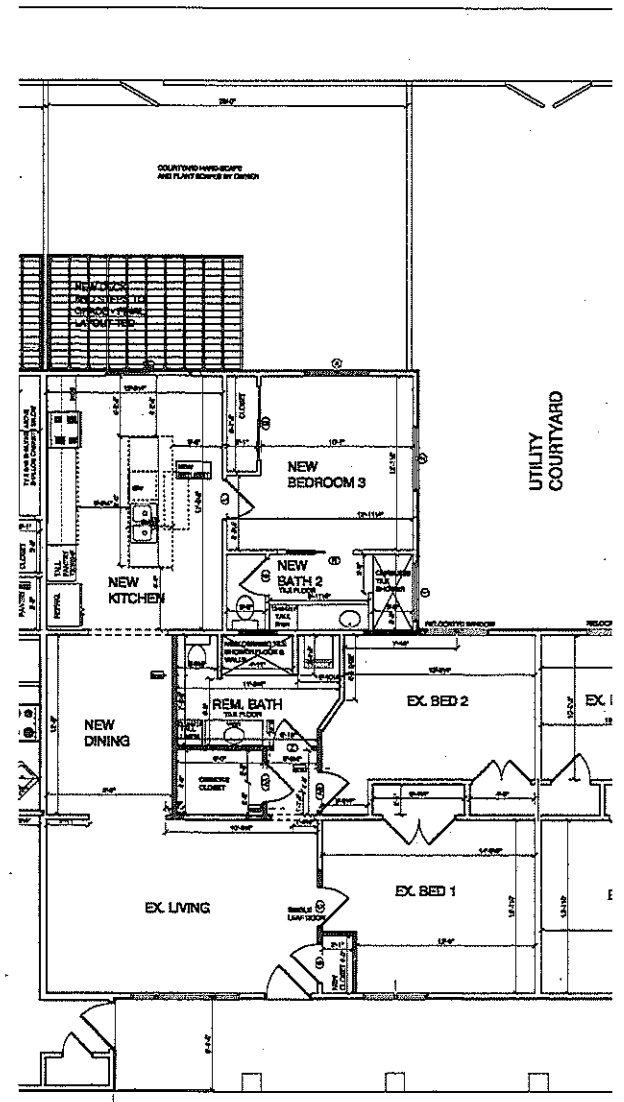
PROVIDE ALLOWANCE FOR ALL NEW PLUMBING FIXTURES AND EQUIPMENT PER PLANS TO BE SELECTED BY OWNER.

**PROVIDE MATERIAL AND INSTALLATION FOR NEW FLOORING AS FOLLOWS:
WOOD AT KITCHEN, NEW BEDROOMS 2 AND NEW DINING.
CEMENT TILE AT BATHROOM FLOORS, SHOWER SURFACES.**

PROVIDE NEW DECK AND SETING AS SHOWN

PROVIDE NEW VINYL FENCE AND GATE

ELECTRICAL LEGEND		
SYMBOL	QUANTITY	REMARKS
PROJECT DESCRIPTION	1	
Remodeling for electrical details	10	
LED CLOSET LIGHT	4	
Undercabinet LED strip lighting	4	
Recessed lighting	10	
Recessed light 2x4	4	
Recessed light 2x6	4	
Recessed light 2x8	4	
Recessed light 2x10	4	
Recessed light 2x12	4	
Recessed light 2x14	4	
Recessed light 2x16	4	
Recessed light 2x18	4	
Recessed light 2x20	4	
Recessed light 2x22	4	
Recessed light 2x24	4	
Recessed light 2x26	4	
Recessed light 2x28	4	
Recessed light 2x30	4	
Recessed light 2x32	4	
Recessed light 2x34	4	
Recessed light 2x36	4	
Recessed light 2x38	4	
Recessed light 2x40	4	
Recessed light 2x42	4	
Recessed light 2x44	4	
Recessed light 2x46	4	
Recessed light 2x48	4	
Recessed light 2x50	4	
Recessed light 2x52	4	
Recessed light 2x54	4	
Recessed light 2x56	4	
Recessed light 2x58	4	
Recessed light 2x60	4	
Recessed light 2x62	4	
Recessed light 2x64	4	
Recessed light 2x66	4	
Recessed light 2x68	4	
Recessed light 2x70	4	
Recessed light 2x72	4	
Recessed light 2x74	4	
Recessed light 2x76	4	
Recessed light 2x78	4	
Recessed light 2x80	4	
Recessed light 2x82	4	
Recessed light 2x84	4	
Recessed light 2x86	4	
Recessed light 2x88	4	
Recessed light 2x90	4	
Recessed light 2x92	4	
Recessed light 2x94	4	
Recessed light 2x96	4	
Recessed light 2x98	4	
Recessed light 2x100	4	



UNIT 8



Michael Pezok
President Center Park Place Condominium Association

August 10, 2022

Nicholas Wikar, Planning and Zoning Administrator
86 W. Center Street, P.O. Box 757
Douglas, MI 49406

Dear Nicholas,

It was brought to my attention that the Center Park Place Condominiums at 423 Center Street and 424 Fremont Street zoning district, PUD Overlay R-5, is an error by The City of the Village of Douglas.

Please accept this petition to remove the PUD Overlay from the Center Park Place Condominiums at 423 Center Street and 424 Fremont Street. Once the PUD Overlay is removed the zoning district will be R-5.

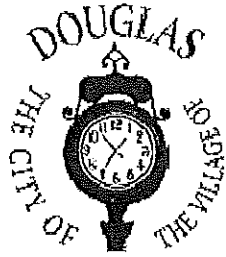
Since the PUD Overlay was an error by The City of the Village of Douglas any fees to change the zoning district would be absorbed by The City of the Village of Douglas.

Sincerely,

A handwritten signature in black ink that reads 'Michael J. Pezok'.

Michael J. Pezok

President Center Park Place Condominium Association



CITY OF DOUGLAS

86 W CENTER ST.
PO BOX 757
DOUGLAS MI 49406-0757

269-857-1438
TREASURER@DOUGLASMI.GOV
HTTPS://DOUGLASMI.GOV

Receipt: 4695

08/10/22

Cashier: JPEARSON
Received Of: CENTER PARK PLACE CONDO

The sum of: \$325.00

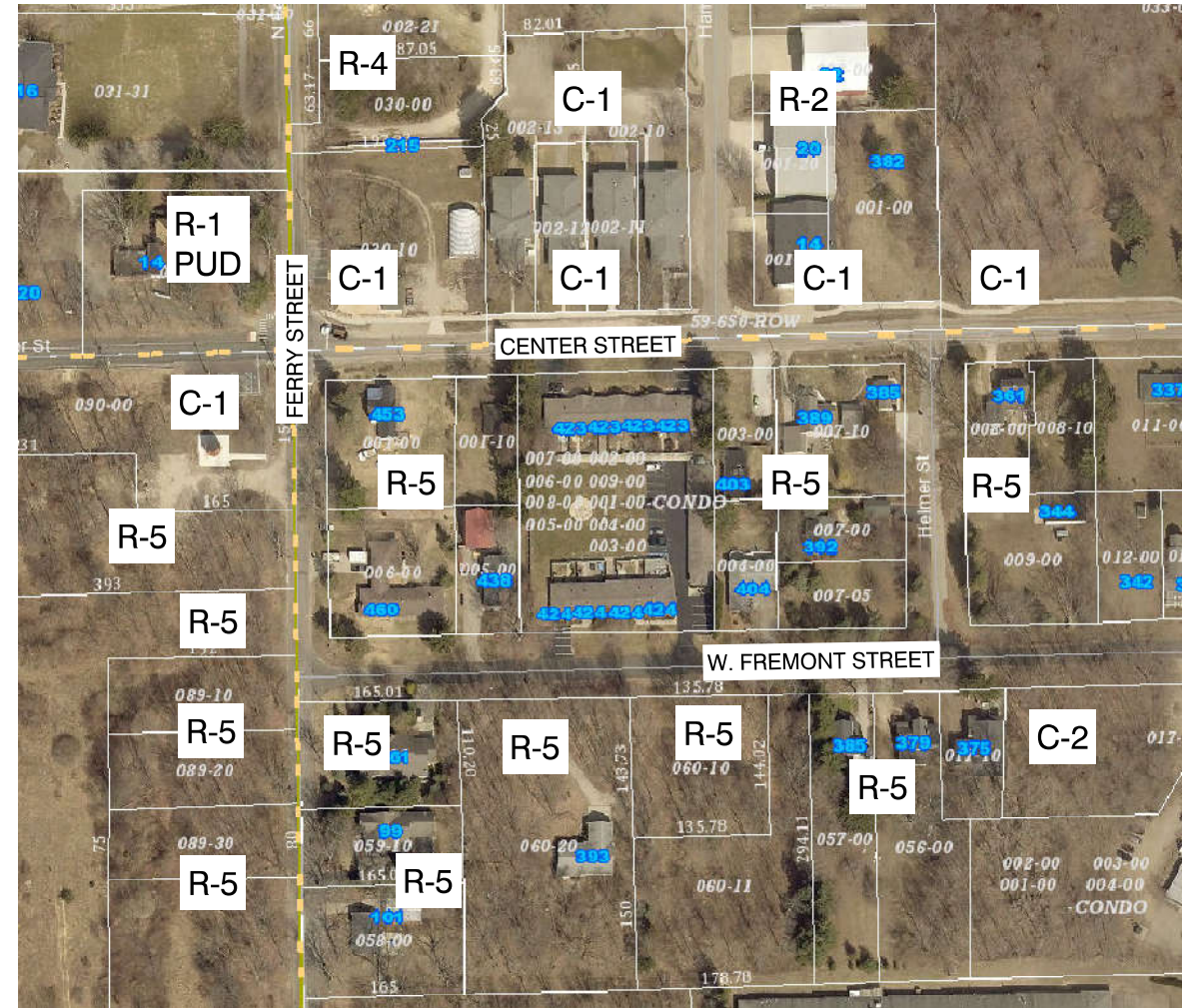
Notes: MICHAEL PEZOK
PRESIDENT CENTER PARK PLACE
CONDO ASSOCIATION

SITEPLAN	SITE PLAN REVIEW	300.00
SITEPLAN	SITE PLAN REVIEW	25.00
Total		325.00

TENDERED: CHECK 1003 325.00

*should be
Condos Preliminary Plan*

Signed: _____



VICINITY MAP
SCALE: 1" = 200'

BUILDING ADDITION & RENOVATION

**FREMONT STREET CONDOMINIUMS of
CENTRAL PARK PLACE CONOMINIUMS**
423 Center Street & 424 Fremont Street

Douglas, MI 49406

MUNICIPALITY:
CITY OF THE VILLAGE OF DOUGLAS

OWNER:
FREMONT STREET CONDOMINIUMS
424 FREMONT STREET
DOUGLAS, MI 49406

CONTACT: ROBERT JOON
616-836-2816

PROJECT DESIGN:
DOVETAIL DESIGN STUDIO
6207 122ND AVE.
FENNVILLE, MI 49408
PROJECT MANAGER
AMY COOK 269-355-2112
amy@dovetail-design-studio.com

GENERAL CONTRACTOR:
T.B.D.

ARCHITECT:
JEFFERY M. SAYLOR
3647 PARK PLACE
ST. JOSEPH, MI 49085

PUD Amendment Proposal
Site Plan Review - Public Hearing
June 17, 2020
Applicant: Fremont Street Condominiums of Center Park Place Association
423 Center Street & 424 Fremont Street, Douglas

Represented by: Rob Joon, Owner & Amy Cook, Design Consultant, Dovetail Design Studio

Project Description:
The existing development, built as a Planned Unit Development in 2001, currently has 9 units: five face Center Street and the other four face Fremont Street. These properties are a mix of owner-occupied and short or long term rental units. This proposal is for an expansion to the back of units 6-9 which face Fremont Street.

This existing development meets all the regulations for the underlying R-5 zoning designation with the exception of the front setback on Fremont Street. The required setback is 25 feet and this building is 15'-10" from the road right-of-way which is an existing non-conformity. The proposed additions however, meet all required setbacks and coverage limits.

The City's current Planned Unit Development Design Standards require that half the required 65% open space be held in common (or 32.5%). Please note the general common area on the attached proposed drawing (sheet 2) which is 33,836 square feet or 64%.

Currently all 9 units have 2 bedrooms and 2 baths. The planned expansion adds 1 bedroom and 1 bathroom to 4 units facing Fremont street. Parking will be reduced by 2 spaces to accommodate the addition, however there remains more than adequate parking on surface and in the garages.

The attached parcel map overlay aerial photo from the Allegan County GIS system illustrates the natural features of the property which are primarily level grass covered lawn areas aside from paving and small landscaping beds near the buildings. The area between the residential unit buildings is gently sloped and had at one time been designated for a future pool. The proposed expansion does not impact this future plan and does not create any difficulties in grading.

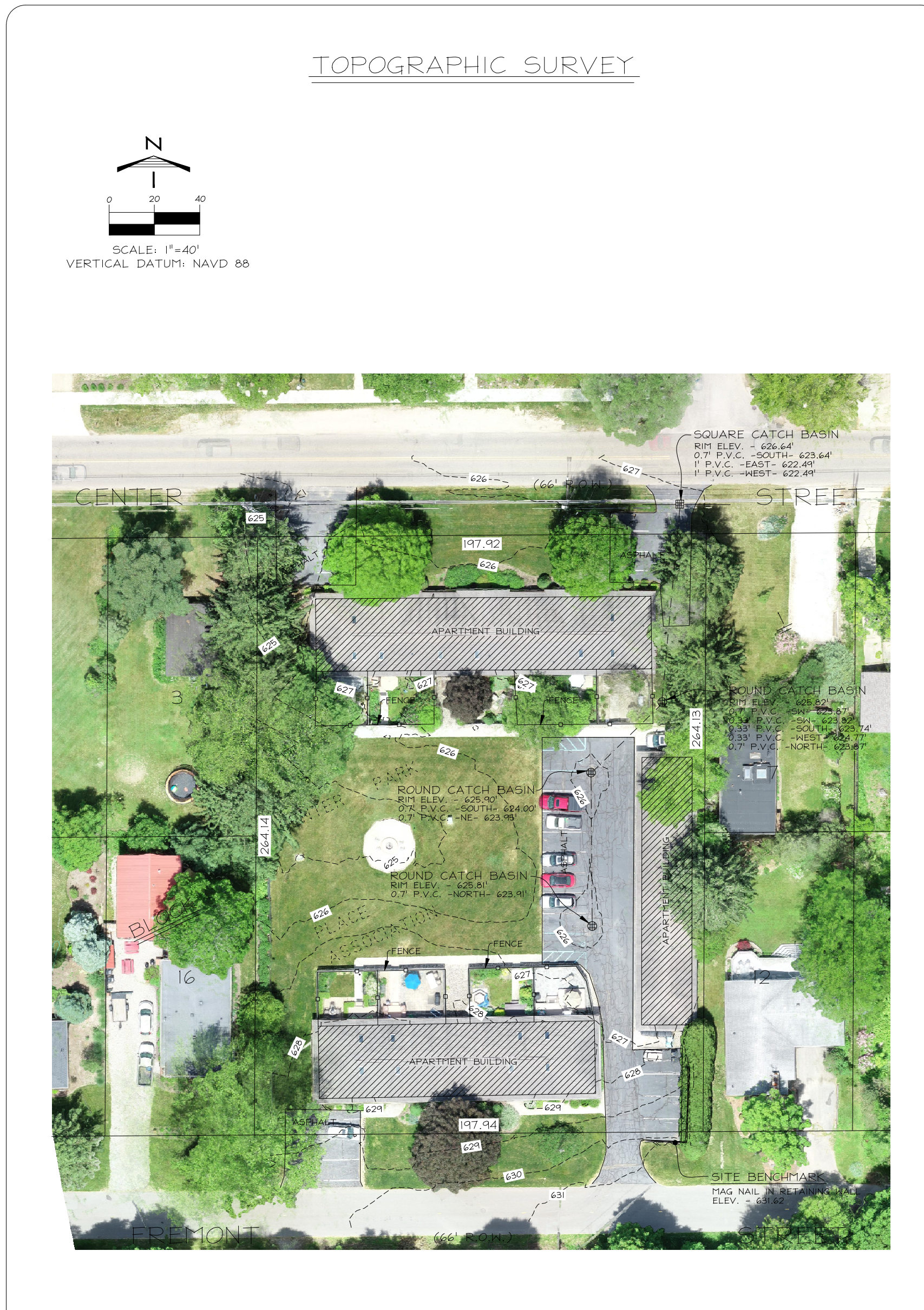
Please refer to the enclosed grading plan (sheet 3) which denotes existing drainage to two catch basins within the parking area. The proposed expansion does not impact the current topography and will not need extensive re-grading to accommodate. The building has eave gutters and downspouts that direct all storm water to the asphalt surface and subsequently to the catch basins.

Exterior materials on the addition will match the types existing. Building mounted lighting will match existing and meet all dark sky requirements.

The current schedule for construction is as follows:
Site plan approval June 2020
Construction documents July 2020
Pricing/contractor selection August 2020
Permitting September 2020
Construction September 2020 - April 2021

The table below illustrates compliance with zoning regulations for the R-5 zoning district as noted above.

Zoning Information			
Address	423 Center Street & 424 Fremont Street		
Municipality	City of the Village of Douglas		
Zoning District	PUD overlay of R - 5		
	Required	Existing	Proposed
Minimum Lot Size	20,000	52,708	52,708
Minimum Lot Width	100 ft	198 ft	198 ft
Lot Coverage Max. %	35.00%	21.6%	27.0%
Area allowed	18,448	12,322	14,234
Setbacks			
Front	25	15'-10" to 27'-5"	
Side	20	21'-3" to 47'-4"	
Rear	35	N/A	
Height Restriction	28	17	18'-4"
Parking Requirement	20	33	31
Lot Coverage Calculation			
Existing buildings	7,756.7		
Existing Garages	2,619.5		
Decks	1,024.0		
Covered porches	921.6		
New Addition	1,912.1		
Other			
Total	14,233.9		



MITCHELL & MORSE LAND SURVEYING
A DIVISION OF MITCHELL SURVEYS, INC.
234 Veterans Blvd.
South Haven, Michigan 49090
Phone (269) 637-1107
Fax (269) 637-1907

Client: ROB JOON
Date: 6-10-2020 Job No. 20-600 Sheet 1 of 1
Dwg. By: MITCHELL Dwg. Ck. Desc. By: Desc. Ck. Desc.
Being in the SW 1/4 Section 16, T. 3 N., R. 16 W.,
SAUGATUCK Twp., ALLEGAN Co., Michigan



Designer: Amy Cook
6207 122nd Avenue
Fennville, MI 49408
PH: 269-355-2112
amy@dovetail-design-studio.com

REVISIONS:
SCALE: 1/4" = 1'-0"
Unless Noted Otherwise
DRAWN BY: a.cook
RELEASE DATE: 6-17-20

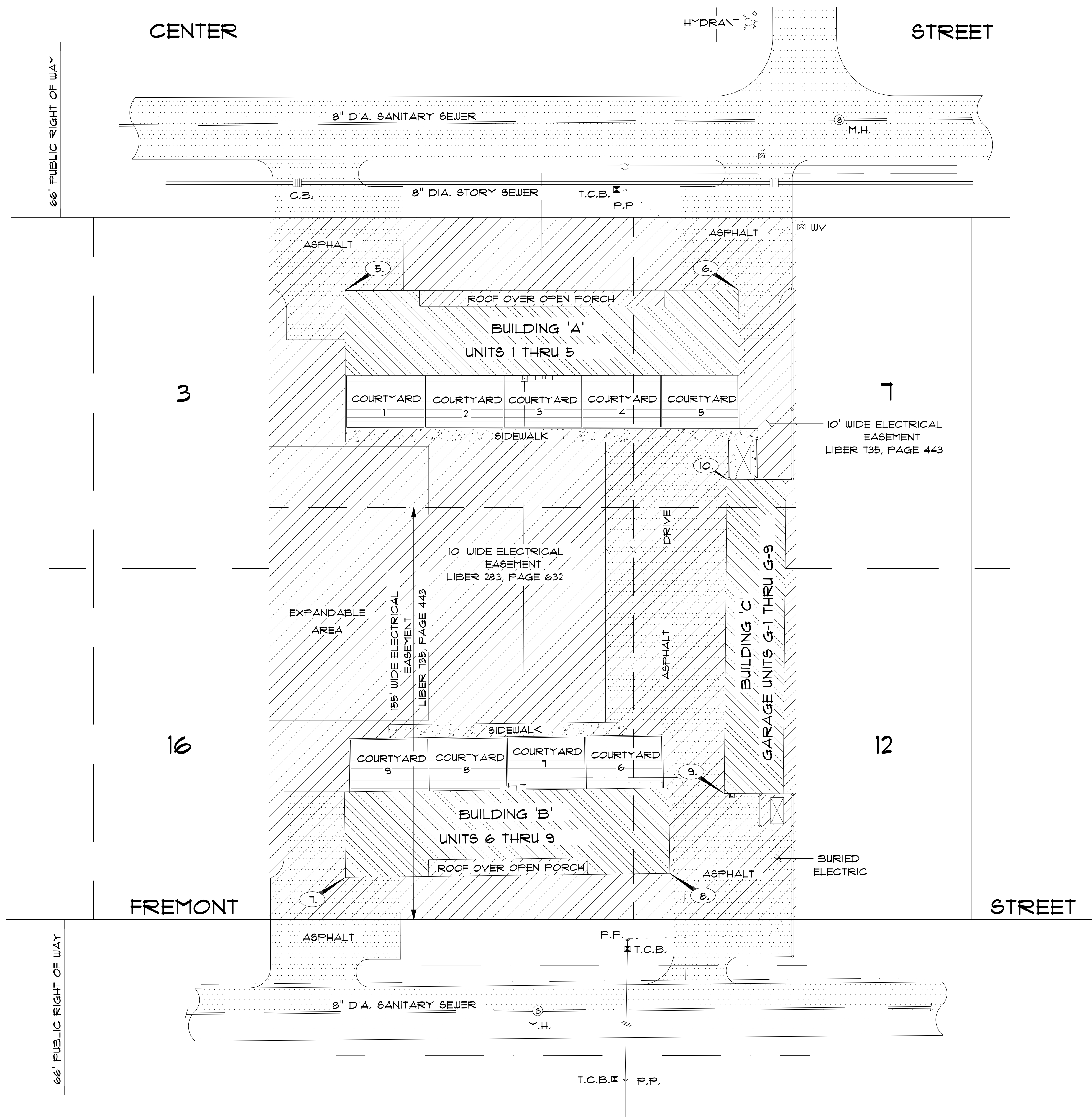
**FREMONT STREET
CONDO EXPANSION**
424 Fremont Street - Douglas

**PROJECT INFORMATION
SITE PLAN**

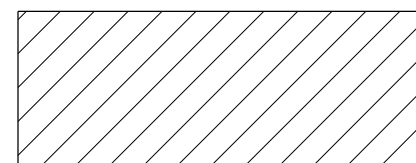
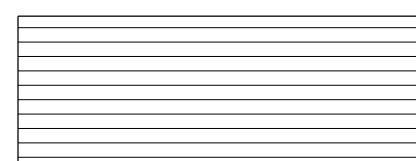
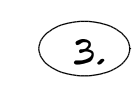
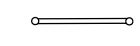
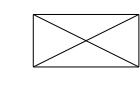
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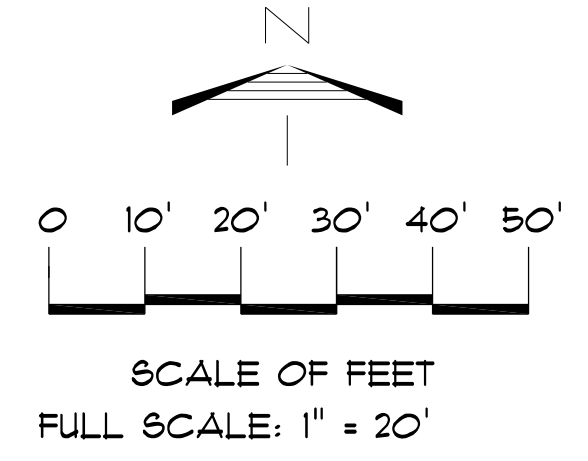
A0.0

DRAWING INDEX	
A1.0	VICINITY MAP + PROJECT INFORMATION
SHEET 1	EXISTING PROPERTY SURVEY
SHEET 2	PROPOSED SITE PLAN
SHEET 3	SITE PLAN WITH CONTOURS + DRAINAGE
A1.1	FLOOR PLAN
A2.1	EXTERIOR ELEVATIONS



LEGEND

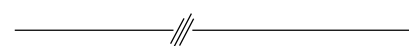
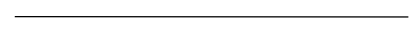





-  GENERAL COMMON ELEMENT
-  LIMITED COMMON ELEMENT
-  COORDINATE POINT
-  6' FENCING
-  DUMPSTER



BUILDING COORDINATES

POINT	NORTHING	EASTING
5	5236.553	5028.563
6	5236.644	5176.625
7	5015.881	5028.693
8	5017.318	5150.673
9	5041.332	5171.108
10	5165.535	5172.141

UTILITY LEGEND

SYMBOL	UTILITY	SOURCE
	ELECTRIC	CONSUMERS POWER
	WATER	KAL-LAKE SEWER & WATER AUTHORITY
	SANITARY	KAL-LAKE SEWER & WATER AUTHORITY
	STORM	KAL-LAKE SEWER & WATER AUTHORITY
	GAS	MICHIGAN GAS UTILITIES
	TELEPHONE	G.T.E.
	CATV	TCI

NOTES:

- 1.) ALL UTILITIES ARE APPROXIMATE LOCATIONS DERIVED FROM FIELD MEASUREMENTS, OBSERVATIONS AND AVAILABLE RECORDS. THEY SHOULD NOT BE INTERPRETED TO BE EXACT LOCATIONS NOR SHOULD IT BE ASSUMED THAT THEY ARE THE ONLY UTILITIES IN THIS AREA.

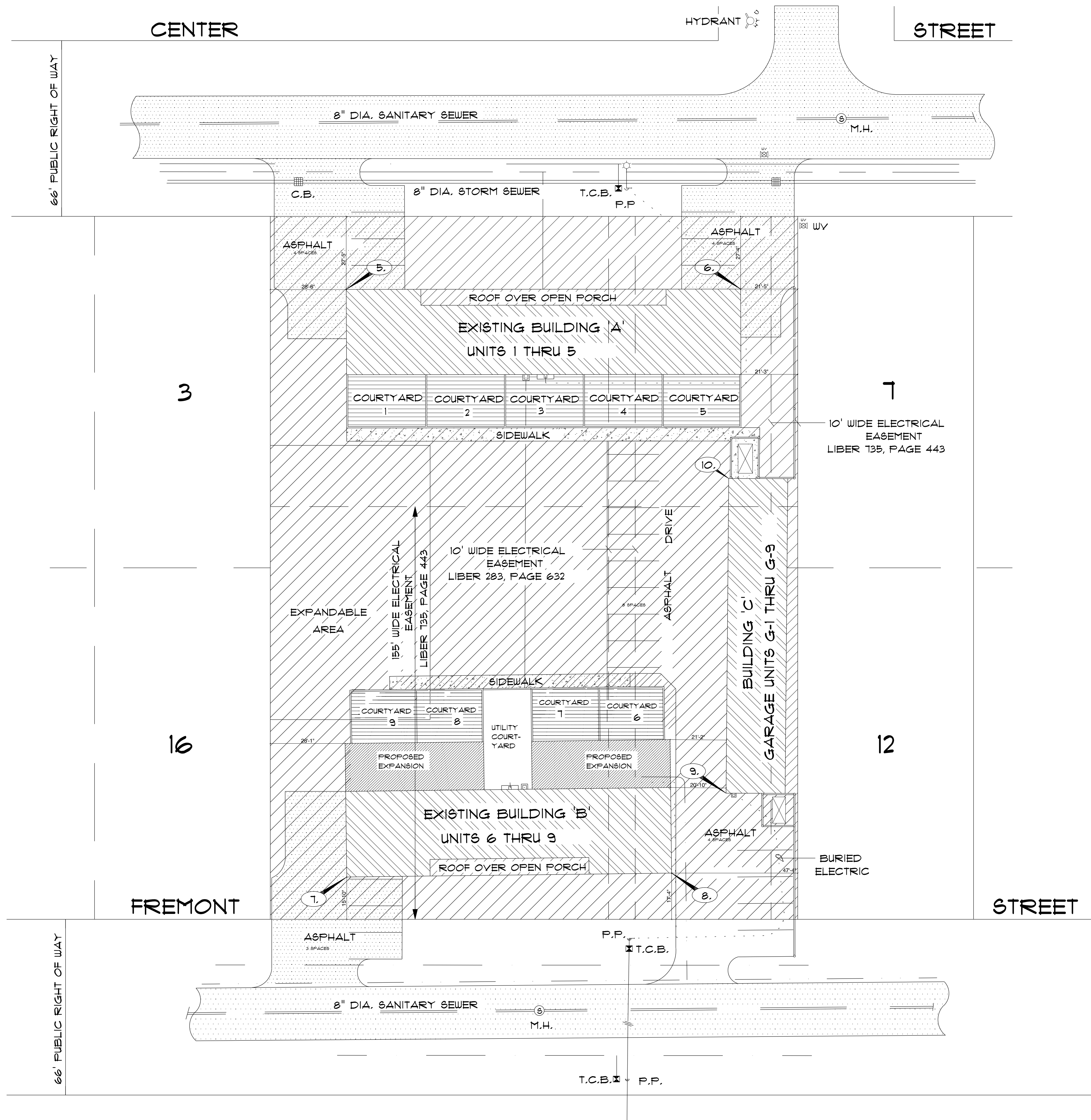
**EXISTING
SITE AND
UTILITY PLAN**

**CENTER PARK PLACE
ASSOCIATION**

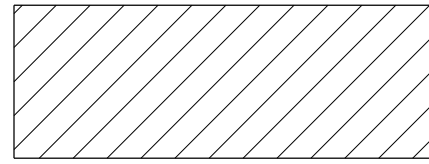
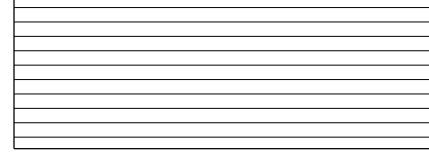
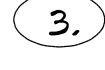
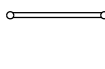
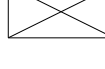
PREPARED BY
MITCHELL SURVEYS, INC.
404 BROADWAY
SOUTH HAVEN, MI 49090

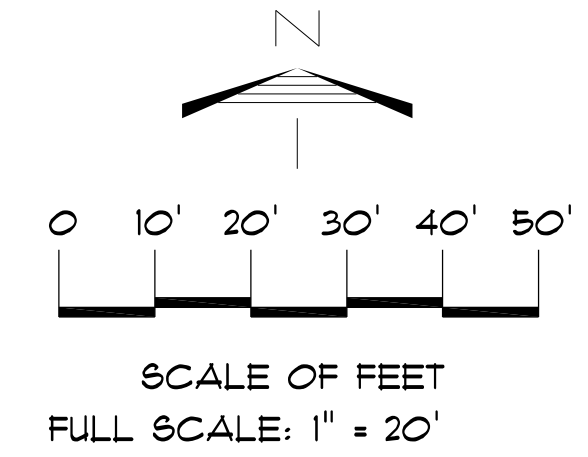
SHEET 1

EXISTING
DATED: NOVEMBER 10, 2000



LEGEND


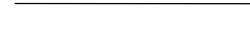





-  GENERAL COMMON ELEMENT
-  LIMITED COMMON ELEMENT
-  COORDINATE POINT
-  6' FENCING
-  DUMPSTER



BUILDING COORDINATES

POINT	NORTHING	EASTING
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UTILITY LEGEND

SYMBOL	UTILITY	SOURCE
	ELECTRIC	CONSUMERS POWER
	WATER	KAL-LAKE SEWER & WATER AUTHORITY
	SANITARY	KAL-LAKE SEWER & WATER AUTHORITY
	STORM	KAL-LAKE SEWER & WATER AUTHORITY
	GAS	MICHIGAN GAS UTILITIES
	TELEPHONE	G.T.E.
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PROPOSED P.U.D.
 AMENDMENT AND
 UTILITY PLAN
**CENTER PARK PLACE
 ASSOCIATION**

PREPARED BY
 MITCHELL SURVEYS, INC.
 404 BROADWAY
 SOUTH HAVEN, MI 49090

SHEET 2

PROPOSED
 DATED: JUNE 17, 2020

REVISIONS:

SCALE: 1/4" = 1'-0"
Unless Noted Otherwise

DRAWN BY: a.cook

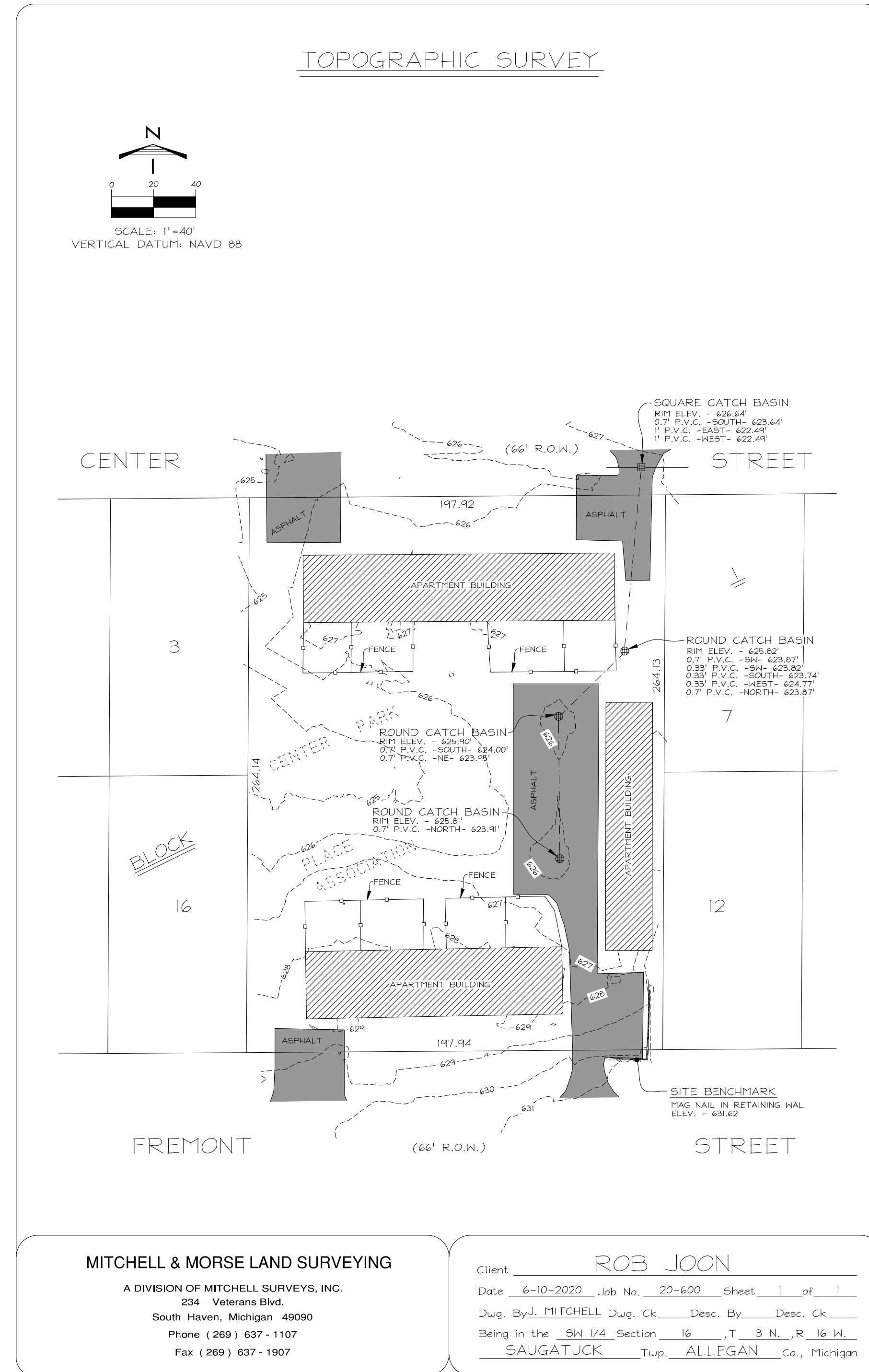
RELEASE DATE: 6-17-20

FREEMONT STREET CONDO EXPANSION
424 Freemont Street - Douglas

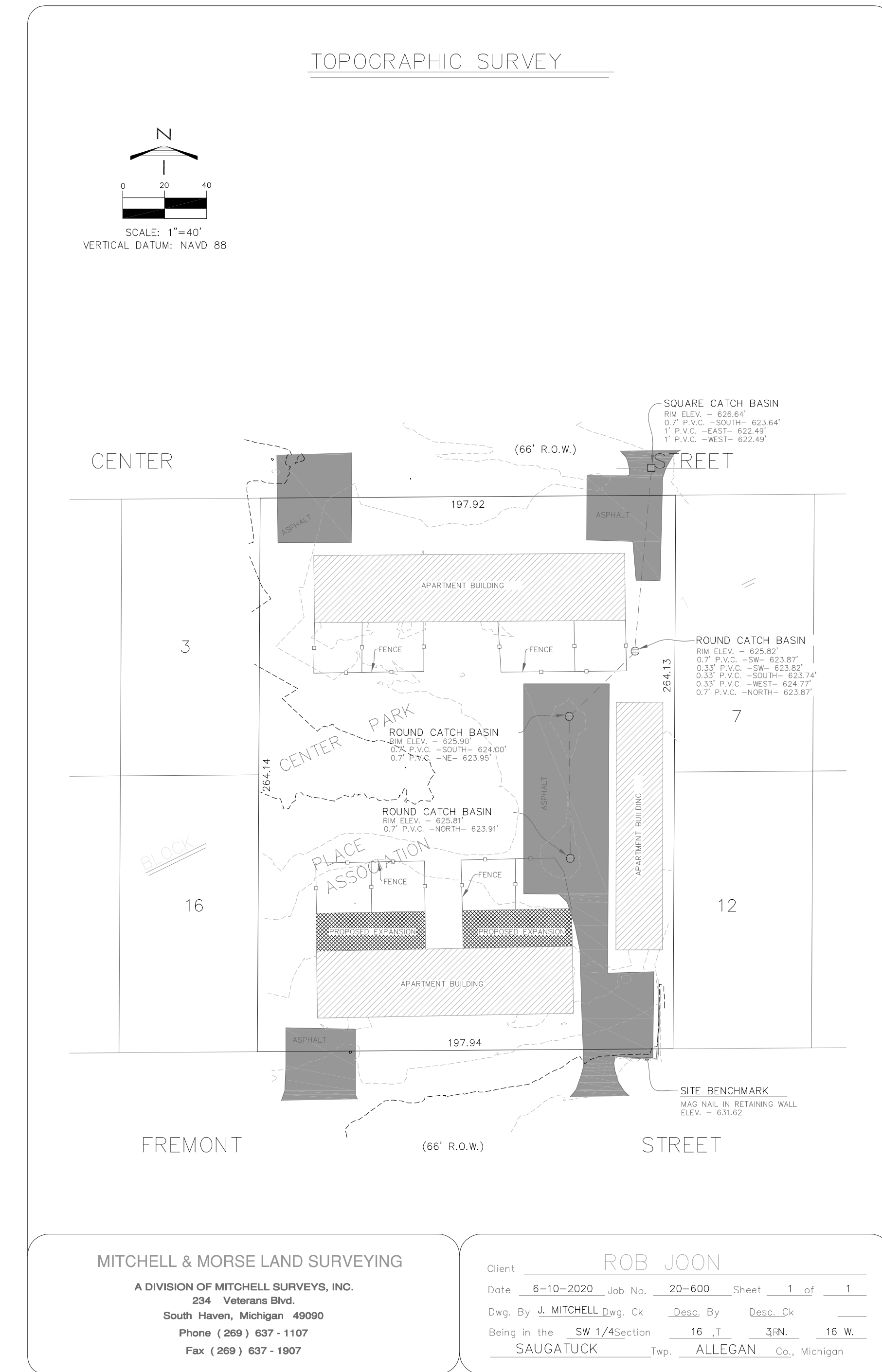
EXISTING & FUTURE GRADING PLANS

sheet

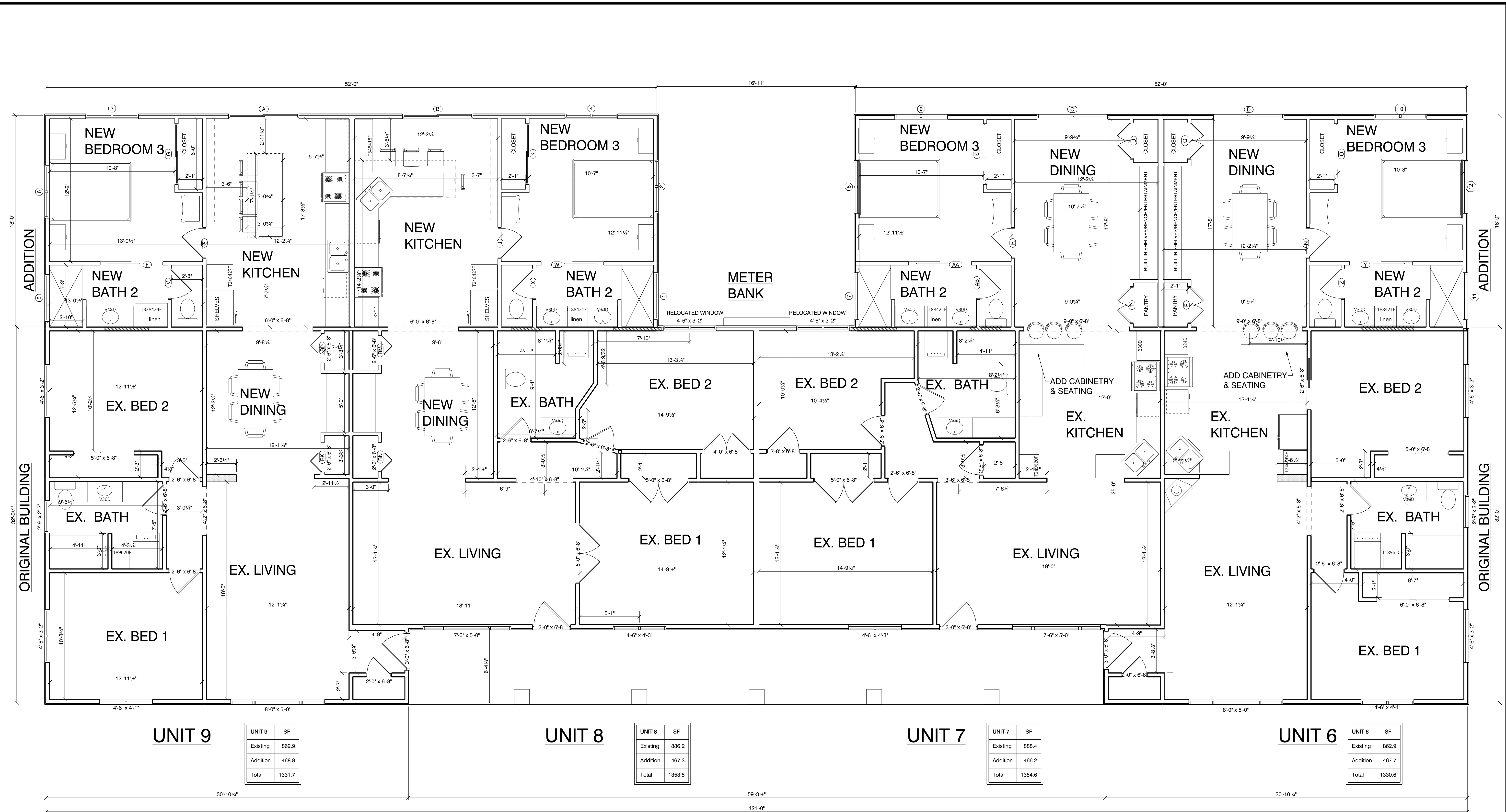
SHEET 3



EXISTING GRADING & DRAINAGE PLAN



FUTURE GRADING & DRAINAGE PLAN



UNIT 9

UNIT 9	SF
Existing	862.9
Addition	468.8
Total	1331.7

UNIT 8

UNIT 8	SF
Existing	886.2
Addition	467.3
Total	1353.5

UNIT 7

UNIT 7	SF
Existing	886.4
Addition	466.2
Total	1354.6

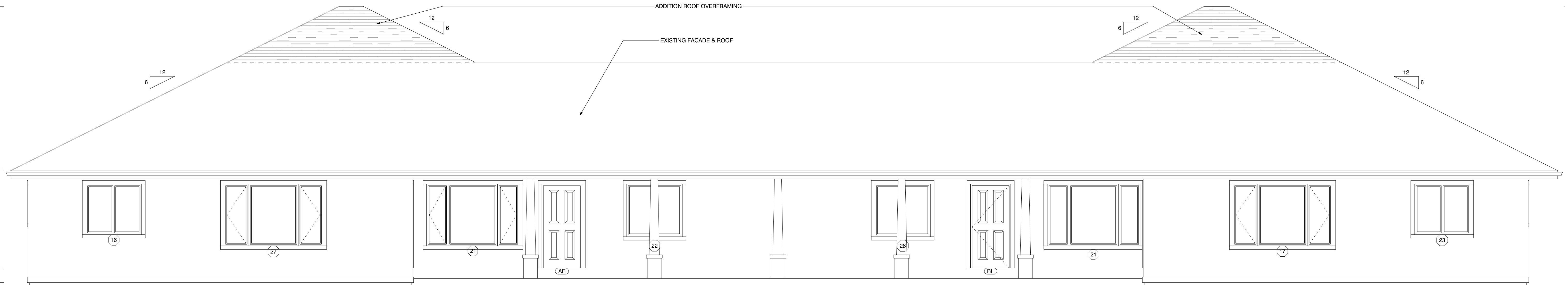
UNIT 6

UNIT 6	SF
Existing	862.9
Addition	467.7
Total	1330.6

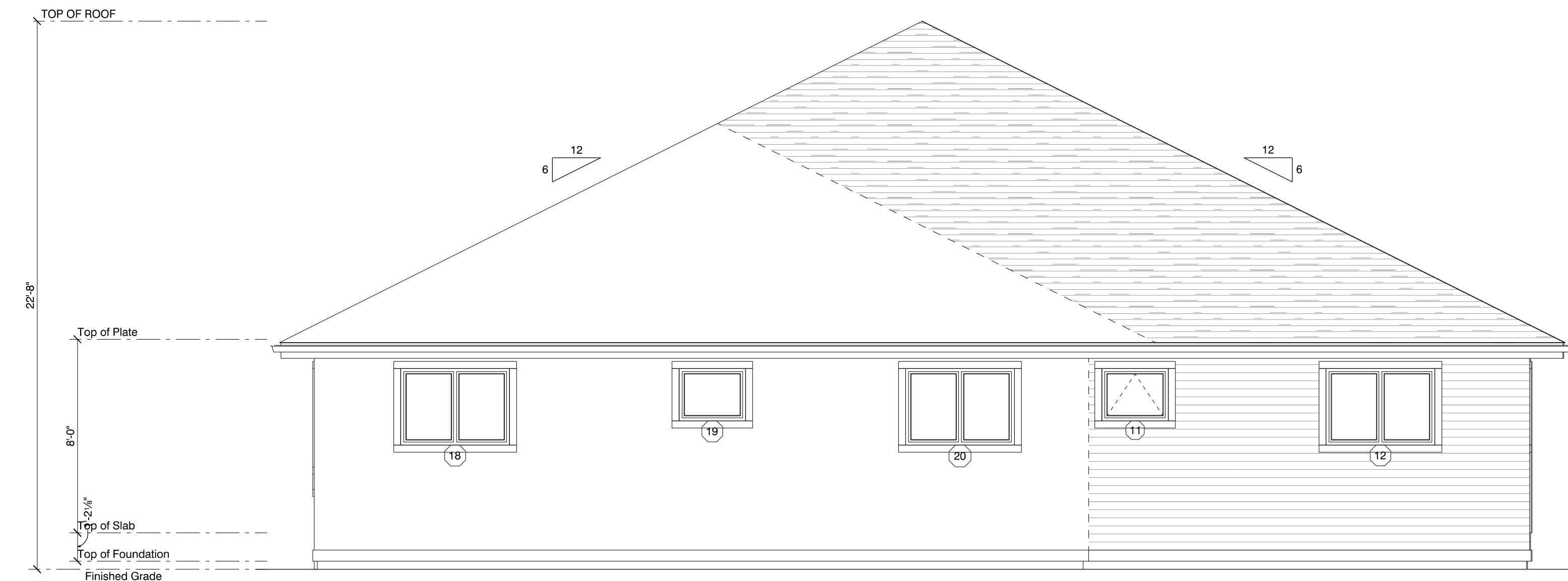
MAIN FLOOR PLAN

REVISIONS:

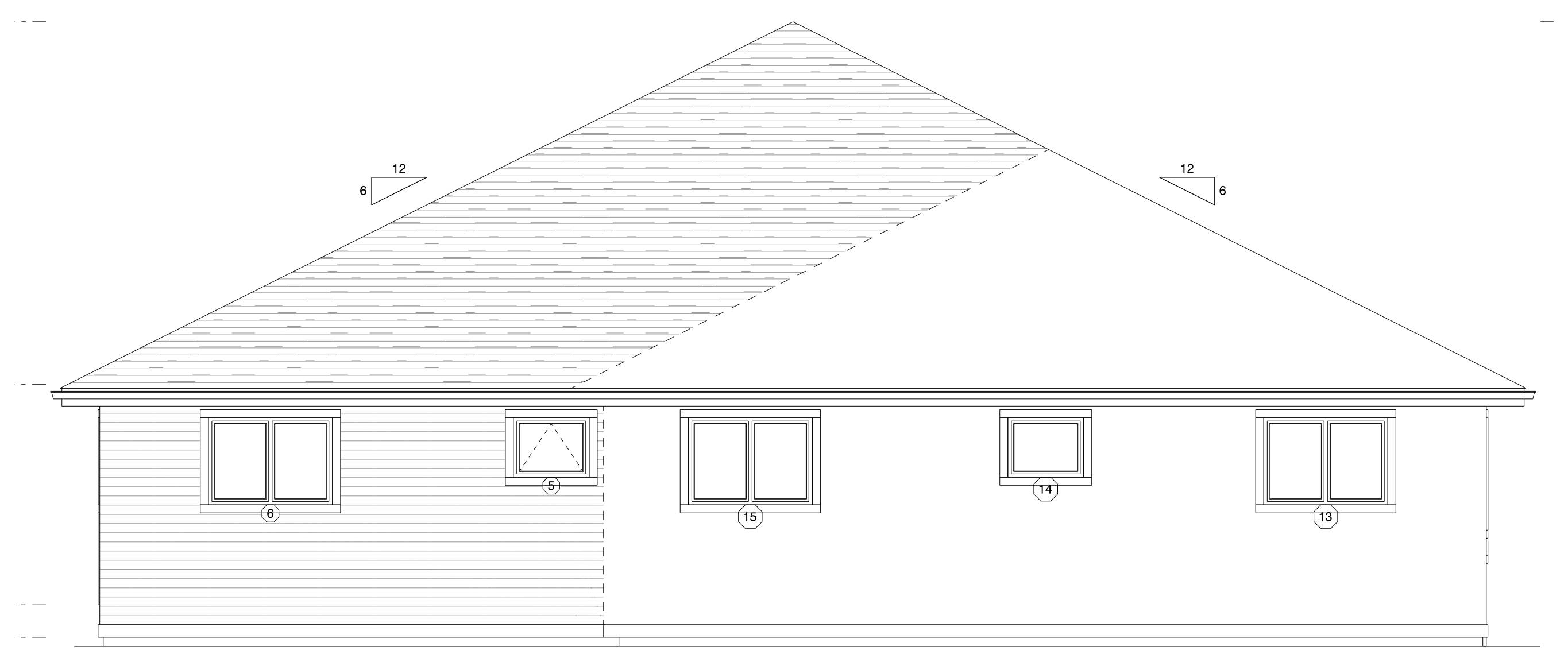
SCALE:	1/4" = 1'-0"
Unless Noted Otherwise	
DRAWN BY:	a.cook
RELEASE DATE:	6-17-20



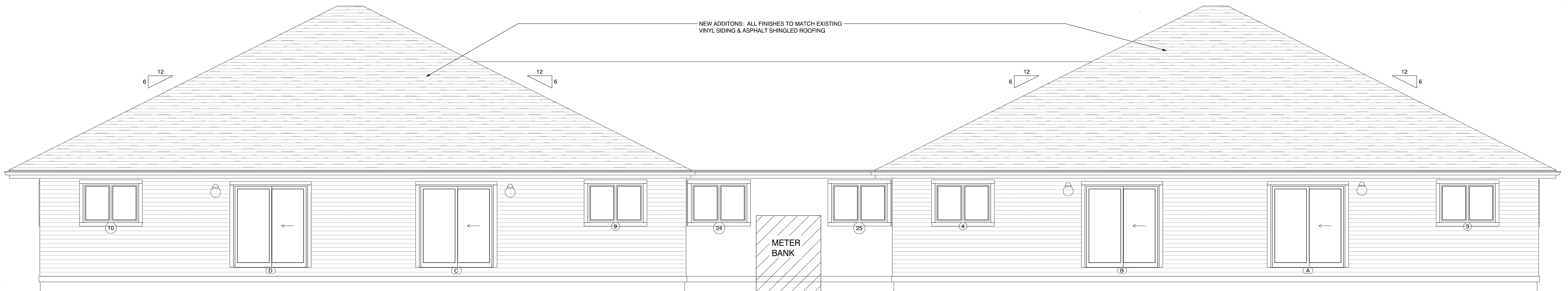
SOUTH (FREMONT STREET) ELEVATION



EAST ELEVATION



WEST ELEVATION



NORTH BUILDING ELEVATION

FREMONT STREET CONDO EXPANSION
424 Fremont Street - Douglas

EXTERIOR ELEVATIONS

sheet

A2.1

Michigan
CLASS

9-14 Planning
Commission

Steve stopped
by 7-28-22
to Follow up
on Application
Submitted on Monday.
Verify - Sept PC meeting



Application for Site Plan Review
CITY OF THE VILLAGE OF DOUGLAS, MICHIGAN
Phone: 269-857-1438 Fax: 269-857-4751
<http://ci.douglas.mi.us>

PROPERTY INFORMATION

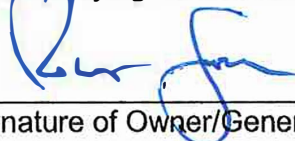
Address or Location 423 Center Street & 424 Fremont Street
Permanent Parcel # 59-075-001, 003, 004, 005, 006, 007, 008, 009
Zone District (Current) R-5 PUD OVERLAY (Proposed) NO CHANGE
Property Size 1.21 ACRES
Existing Use RESIDENTIAL Proposed Use RESIDENTIAL

Describe Proposed Project

AMENDMENT TO PUD ESTABLISHED IN 2000. THIS IS A PROPOSED SINGLE STORY
EXPANSION TO 4 OF 9 UNITS. ALL 9 UNITS ARE CURRENTLY 2 BEDROOM,
1 BATH UNITS. THIS PROPOSAL WOULD ADD 1 BEDROOM & 1 BATH TO THE 4
UNITS FACING FREMONT STREET.

Estimated Project Cost \$600,000

I Rob Joon (owner/contractor) hereby state that all of the above statements and all of the accompanying information are true and correct.


Signature of Owner/General Contractor

6/17/2020
Date

Email address: robjoon@gmail.com

Phone: 616-836-2816

Fee:
Site Plan Review \$300

DO NOT WRITE IN THIS BOX

Date Received _____ Application Accepted By _____ Fee Paid \$ _____
Submitted Materials: _____ Plot Plan _____ Application _____ Legal Description _____ Narrative Description

For Office Use Only

REMARKS

Plans sent to Saugatuck Fire District on: _____ N/A
Approved on: _____

Planning Commission Review on: _____ N/A
Minutes attached: _____

MDEQ Permit Required: Yes No N/A

Allegan County Health Dept. Permit Required: Yes No N/A

Faxed to KLWSA (269-857-1565) on: _____

Faxed to MTS (269-673-9583) on: _____

KLSWA APPROVAL

APPROVED FOR CONNECTION TO WATER/WASTEWATER SYSTEM
(Subject to appropriate connection fees and charges)

Street and Number _____

KALAMAZOO LAKE SEWER AND WATER AUTHORITY

APPROVED

Date: _____ By: _____

DENIED

Date: _____ By: _____

ZONING APPROVAL

APPROVED: _____

By: _____ Date: _____

Zoning Administrator

DENIED: _____

By: _____ Date: _____

Zoning Administrator

**PLANNING COMMISSION
CITY OF THE VILLAGE OF DOUGLAS
CITY HALL - 86 W. CENTER STREET, DOUGLAS, MI**

**SPECIAL MEETING
WEDNESDAY, JUNE 24, 2020 – 7:00 P.M.**

MINUTES

A. Call to Order Chair Pattison called the meeting at 7:00 PM. Motion by Kenny, supported by Stewart, to adopt the remote meeting special procedures as read by Pattison. Motion approved by unanimous voice vote.

B. Roll Call: – Present: Buszka, Pattison, Heneghan, Seabert, McWebb, Kenny, Stewart
Absent – None
Also Present – City Planner, Nick Wikar

1. Kenny, supported by Heneghan, made a motion to approve the Special Planning Commission Agenda for June 24, 2020 as amended by including the site plan review to the PUD plan for Center Park Place. Motion approved by unanimous voice vote.
2. Kenny, supported by Stewart, made a motion to approve the minutes for March 11, 2020 as presented. Motion approved by unanimous voice vote.

C. Public Comment:

Dave Burdick, 385 Fremont – Dave thanked the developers for affordable housing and voiced concerns regarding the Tannery Creek development.

Ronna Alexander, 265 Water St – Opposed to the Tannery Creek PUD.

D. Communications: Written communications were read with the correlating new business.

E. New Business:

1. Nomination of Officers:

(Planning Commission Bylaws, Article 4, Section 1)

- a. Chairman – Kenny volunteered to be Chairman.
- b. Vice Chairman – Stewart volunteered to be Vice Chairman.
- c. Secretary – Commissioners would like to leave it vacant at this time.

2. Election of Officers:

(Planning Commission Bylaws, Article 5)

- a. Chairman – Buszka, supported by Stewart, made a motion to appoint Kenny as Chairman of the Planning Commission. Motion approved by unanimous roll call vote.
- b. Vice Chairman – Kenny, supported by Pattison, made a motion to appoint Stewart as Vice-Chairman of the Planning Commission. Motion approved by unanimous roll call vote.

- c. Secretary – Kenny, supported by Heneghan, made a motion to leave the Secretary position open for the Planning Commission. Motion approved by unanimous roll call vote.

3. Special Land Use / Site Plan Review, 26 Hamilton – Seabert, supported by Buszka, made a motion to open the public hearing. Motion approved by unanimous voice vote. Applicant, Jeff Klemm, is requesting approval for a special land use and site plan for an addition of a 3,600 sq ft unit located to the east side of the existing unit. The new addition will be for professional services for a construction consulting business with no living space. Ryan Ysseldyke, from Holland Engineering, stated that the addition will be to the rear with a secondary driveway. Screening is proposed on the rear property line. Parking is proposed as two indoor parking spots since the business is not expected to generate a lot of traffic. Steve Price, from McShane & Bowie Law Firm, stated that the preexisting building is conforming, and the preexisting use is non-conforming that is grand fathered in. The addition is a separate building being constructed against the first building and complies with all zoning and set back requirements as is the intended use. Commissioners had several concerns/questions that the applicant was unable to answer at this time. Commissioners will gather their questions and email them to Wikar to be forwarded to Klem to be addresses at the next meeting. Wikar expressed concerns about meeting the public hearing deadlines for the July 8th meeting. Seabert, supported by Pattison, made a motion to continue the public hearing on July 8th. Motion approved by unanimous voice vote.

4. Final PUD Plan (Amendment) – Center Park Place (Fremont Street Condominiums) PUD, 423 Center Street / 424 Fremont Street – Pattison, supported by McWebb, made a motion to open the public hearing. Motion approved by unanimous voice vote. Applicant, Rob Joon, is requesting final approval for an amended PUD established in 2000. The proposed is an expansion to building B (units 6-9) on Fremont St. Units are currently 2 bedrooms and 1 bath and will be expanded by an additional bedroom and bath. Commissioners concerns included the 2 parking spaces in the right-of-way on Fremont St. and the required 24ft of driveway space from building C (garage units G-1 through G-9) to building B (units 6-9). Seabert, supported by Buszka, made a motion to close the public hearing. Motion approved by unanimous voice vote. Pattison, supported by Stewart, made a motion to approve the final PUD plan with the addition of greenspace approximately the size of 10’x18’ by removing existing pavement adjacent to the road in the public right-of-way on Center Street and Fremont Street, located at the NW and SW corners of the development and follows the originally approved PUD site plans. Two parking spaces will likely be lost. Additionally, to grant a waiver of the 24ft required space between building C and B. Motion approved by unanimous roll call vote.

5. Advisory Public Hearing – Proposed “Tannery Creek” PUD, 64 Wiley Road - Seabert, supported by Buszka, made a motion to open the public hearing. Motion approved by unanimous voice vote. Wikar gave a summary of section 27.05 on PUD regulation in the zoning ordinance, sub section C, optional advisory public hearing. Applicant, Dave Schermer, is requesting public feed back on the proposed “Tannery Creek” PUD at 64 Wiley Rd. The proposed is a high-density development with affordable housing on 19.77 acres. Schermers objective is to understand density and create affordable

housing. Rick Pulaski, Project Manager with Nederveld & Associates, stated that tonight's meeting is 40% proposal and 60% feedback. Pulaski referenced the Master Plan regarding Douglas facilitating the development of a diversity of housing types to meet the needs of current and projected future populations. Their objective is to ensure that owner-occupied and rental housing is available and affordable in new master planned development project, encourage housing communities for "aging in place" and housing communities that are LGBTQ+ friendly featuring a range of lifestyle amenities, and to ensure housing stock is inclusive of all age groups and attractive to the younger demographic. The Master Plan calls for compact residential which is classified as 8 developed units per acres. Desired building types include single family detached housing, two-unit housing, courtyard housing, townhouses, and apartment housing. Their intent is to address the need for walkable, mixed density, and mixed income neighborhoods in close proximity to the existing commercial corridor. Tannery Creek will offer 120 units, 1,300-1,400 sq ft in size. Schermer presented an attainability and affordability analysis and estimated the mortgage payment of each unit to be \$1,500 per month.

Commissioners like the financial report with the proposal and asked about amenities, how they will control short term rentals, and safety regarding the Wiley Rd. entrance. Schermer stated for amenities they will provide sidewalks for walkability, gathering areas with pond views, a grilling area, water elements, and a courtyard to name a few. Schermer stated they could put in the homeowner's association bylaws that a one-year lease is required for rentals. Commissioners liked the concept but were still concerned about the price point comparing it to Summer Grove buyers that are mostly second homeowners. Schermer suggested a focus group in Douglas to address these concerns. Commissioners would like to see a traffic study done and will give a list of questions/concerns to Nick for the applicant to review. Wikar would like to see a map or site plan divided by use with some rental units worked into it.

Public Comments:

John Rice – 294 Water St. Submitted a written statement stating he is strongly opposed to the zoning change.

Chris Johnson – 416 Water St. Chris understands that this is just a start and is supportive of affordable housing. He stated he would like to see the trees preserved and that the applicant take into consideration the character of the Douglas neighborhoods. Enjoyed the presentation.

Tracy Shafroth – 271 Water St. Tracy was very active when the Furrows development was proposed. She is extremely concerned about safety and how the new density, approximately 200-250 cars with multiple trips, will impact Water St. and Wiley Rd. She stated in its current condition it is already unsafe to walk or bike on and only thinks it will become more dangerous with all the new traffic. Supportive of affordable housing but is opposed to this development.

Missy Rininger – 274 Water St. Missy is concerned with the safety on Wiley Rd. on the hill where the entrance will be located. She stated she likes her peace and quiet and does not think it is a good fit for this location. She is opposed to this development.

Dave Burdick – 385 Fremont St. Dave was concerned for safety on Water St. and Wiley Rd. stating that they are both very busy roads. He suggested the developers stick with the process and work through the concerns regarding safety.

Greg Plowe – 325 Water St. Greg is concerned with safety and speeding regarding the sheer number of vehicles that would increase on Wiley Rd. He was concerned about safety on Water St. where it crosses over the bridge and Wiley Rd with the steep drop.

Fred Royce – 144 Lakeshore Dr. Fred suggested doing a study on how to make Water St. safe.

Pattison, supported by Buszka, made a motion to close the public hearing. Motion approved by unanimous voice vote.

6. Advisory Public Hearing – Proposed “West Center” PUD, 324 W. Center Street -
Seabert, supported by Kenny, made a motion to open the public hearing. Motion approved by unanimous voice vote.

Applicant, Kerr Real Estate, is requesting public feedback on the proposed “West Center” PUD at 324 W Center St. Kelly Kuipers, Project Manager with Nederveld & Associates, along with Alec Kerr, Kerr Real Estate, Doug Damstra, 42 North Custom Homes, Bill Underdown, Century 21 Affiliated, John Blair, r2 Design Group is the team behind this project. The proposed development is a multi-use PUD on 9.5 acres and will include commercial use fronting along Center St. such as retail, office, restaurant, and/or personal services with condominiums above the commercial use. The development will also include cottages, attached single family residential, and standalone condominiums. The proposed development has approximately 4 acres of green space for many uses, a pool, a playground, and numerous sidewalks to invite pedestrians into the development. Developers see this project being built in phases with the commercial building being developed first. Alec Kerr stated their will be established uses for each style of unit. Doug Damstra stated that a housing study that was done showed a majority of those looking for homes is the single young professionals, young couples, or friends that chose to cohabitate.

Commissioners did not like the angled parking on Center St. and were concerned with the character of the commercial units and would like to see them look similar to downtown. They are concerned about short term rentals and suggested no less than a one-year lease for rentals. The bike path was also a concern. Kenny stated that it seems like a lot of commercial space when we still have vacancies for commercial units around Douglas. He would like to see more outdoor seating and was concerned about the traffic that the pool would draw and whether it would be open to public or just private. McWebb suggested checking out 2 locations in Grand Rapids that he thinks the development should follow.

Public Comments:

Dean & Kathy Johnson – 314 Fremont. Submitted a written statement stating they are against the plans as they stand.

Kimberly Vivian – 337 Center St. Submitted a written statement stating that she is not against the development of the property but is concerned about the overall size and scope of the project. She stated that there are numerous empty spaces already and the need for more restaurants or retail space does not make sense to her.

Suzanne Dixon – 797 Center St. Suzanne suggested green space between the street and path as well as parking in back of commercial units instead of in front.

Tracy Shafroth – 271 Water St. Tracy suggested the use of permeable surfaces.

Fred Royce – 144 Lakeshore Dr. Fred asked if there are any other tenants besides Century 21 for the commercial units.

Heneghan, supported by Stewart, made a motion to close the public hearing. Motion approved by unanimous voice vote.

F. Old Business: None

G. Reports of Officers, Members, Committees: McWebb wanted to be transparent and stated that his brother works with Klem. Wikar will run this by the Clerk to see if this is a conflict of interest. Commissioners will submit all related questions and concerns to Wikar by Monday. Wikar thanked commissioners for their patience and support. Commissioners congratulated Wikar on a great job.

H. Public Comments:

Fred Royce – 144 Lakeshore Dr. Fred stated that Nick did a great job.

I. Adjournment – Motion by Pattison, supported by Seabert, to adjourn the Planning Commission meeting at 11:30 PM.

Respectfully Submitted by Jenny Pearson, Deputy Clerk

**THIRD AMENDMENT TO THE MASTER DEED
OF
CENTER PARK PLACE, A MICHIGAN CONDOMINIUM**

This Form is exempt from Transfer Tax under MCL 207.505(a) & 207.526(a).

THIS THIRD AMENDMENT to the Master Deed is executed on the date indicated below, by CENTER PARK PLACE ASSOCIATION, INC. (Successor-in-interest to Center Place Development LLC as the Developer), a State of Michigan Corporation and Condominium, by a unanimous vote of its co-owners, at its annual meeting held on March 11, 2023.

The co-owners of CENTER PARK PLACE ASSOCIATION, INC., a Michigan Corporation, pursuant to the recorded Master Deed thereof dated December 13, 2000 and recorded in Liber 2007 of Deeds, Pages 617-657, inclusive, Allegan County Register of Deeds and known as Allegan County Condominium Subdivision Plan Number 136, desire to amend said Condominium Master Deed for the Third time.

NOW, THEREFORE, the Co-Owners, upon recording hereof, do hereby amend the Master Deed follows:

ARTICLE I.

Article III "Definitions" is hereby amended under Paragraph I as follows:

- I. "Condominium Subdivision Plan" is defined at Replat No 1 of the Allegan County Condominium Subdivision Plan No. 136 Exhibit B to the Master Deed of the Center Park Place Association.

ARTICLE II.

Article V Unit Descriptions and Percentage of Value is hereby amended to read as follows;

Sections A & B are hereby amended to read as follows;

- A. **Unit Descriptions.** Each unit in the Condominium Project is described in this Paragraph with reference to the Condominium Subdivision Plan of Center Park Place Condominium as surveyed by Mitchell & Morse Land Surveying of 234 Veterans Blvd., South Haven, MI 49090, attached as Exhibit B, consisting of Sheets 1, 3, 4 and 5. Each Unit shall consist of the area located within Unit boundaries as shown on Exhibit B and delineated with heavy outlines together with appurtenances.

B. **Percentage of Value.** The percentage of value assigned to each Unit is equal. The percentages of value were computed on the basis that the comparative characteristics of the Units are such that it is fair and appropriate that each Unit owner vote equally and pay an equal share of the expenses of maintaining the General Common Elements. The percentage of value assigned to each Unit shall be determinative of each Co-Owner's respective share of General Common Elements of the Condominium Project, the proportionate share of each respective Co-Owner in the proceeds and expenses of administration and the value of such Co-Owner's vote at meetings of the Association of Co-Owners.

UNIT PERCENTAGES

UNIT NUMBER	SQUARE FOOTAGE	PERCENTAGE
1	726 SQ. FT.	11.11
2	722 SQ. FT.	11.11
3	1048 SQ. FT.	11.11
4	737 SQ. FT.	11.11
5	742 SQ. FT.	11.11
6	1330.6 SQ. FT.	11.11
7	1354.6 SQ. FT.	11.11
8	1353.5 SQ. FT.	11.11
9	1331.7 SQ. FT.	11.11
	6,487 SQ. FT.	100%

The tax parcel numbers for Buildings A Units and Building B Units are:

Building A	Parcel Numbers
423 W CENTER ST UNIT NUMBER 1	59-075-001-00 (Parcel Number)
423 W CENTER ST UNIT NUMBER 2	59-075-002-00 (Parcel Number)
423 W CENTER ST UNIT NUMBER 3	59-075-003-00 (Parcel Number)
423 W CENTER ST UNIT NUMBER 4	59-075-004-00 (Parcel Number)
423 W CENTER ST UNIT NUMBER 5	59-075-005-00 (Parcel Number)
Building B	Parcel Numbers
424 W FREMONT ST UNIT NUMBER 6	59-075-006-00 (Parcel Number)
424 W FREMONT ST UNIT NUMBER 7	59-075-007-00 (Parcel Number)
424 W FREMONT ST UNIT NUMBER 8	59-075-008-00 (Parcel Number)
424 W FREMONT ST UNIT NUMBER 9	59-075-009-00 (Parcel Number)

IN WITNESS WHEREOF, the undersigned has executed this Third Amendment to recorded Condominium documents as referenced above.

Dated: 6-29-2023

CENTER PARK PLACE ASSOCIATION, INC.

By: Michael J. Pezok
Michael J. Pezok, President

STATE OF MICHIGAN)SS:
COUNTY OF Oakland)

Before me, a Notary Public in and for said County and State, personally appeared Michael J. Pezok, as President of Center Park Place, who acknowledged the execution of the foregoing Amendment, and who, having been duly sworn, stated that the facts and matters set forth in it are true and correct.

Witness my hand and Notarial Seal this 29th day of June, 20 23.

My Commission Expires: 3/20/2029 Cynthia Switalski
Notary Public Signature

CYNTHIA SWITALSKI
Notary public, State of Michigan
County of Oakland
My commission expires 20-Mar-2029
Acting in the County of Oakland

This instrument was prepared by:

When Recorded, return to:

Michael J. Pezok
PO Box 611
Douglas MI 49406-0611

Michael J. Pezok
PO Box 611
Douglas MI 49406-0611

ATTENTION COUNTY
REGISTRAR OF DEEDS
THE CONDOMINIUM SUBDIVISION PLAN NUMBER
MUST BE ASSIGNED TO THE CONDOMINIUM
PROJECT. ITS NUMBER MUST BE PROMINENTLY
SHOWN IN THE TITLE ON THIS SHEET AND IN
THE SURVEYOR'S CERTIFICATION ON SHEET 2.

REPLAT NO. 1 OF
ALLEGAN COUNTY CONDOMINIUM SUBDIVISION PLAN NO. 136
EXHIBIT B TO THE MASTER DEED OF

CENTER PARK PLACE

VILLAGE OF DOUGLAS, ALLEGAN COUNTY, MICHIGAN

DEVELOPER

CENTER PARK PLACE ASSOCIATION
251 NORTH STREET
SAUGATUCK, MICHIGAN. 49453

SURVEYOR

MITCHELL & MORSE LAND SURVEYING
234 VETERANS BLVD.
SOUTH HAVEN, MI 49090

SHEET INDEX

- * 1.) TITLE & DESCRIPTION SHEET
- * 2.) SURVEY PLAN
- * 3.) SITE & UTILITY PLAN
- * 4.) FLOOR PLANS
- * 5.) BUILDING CROSS SECTIONS

PROPERTY DESCRIPTION:

SITUATED IN THE VILLAGE OF DOUGLAS, ALLEGAN COUNTY, MICHIGAN
LOTS 4, 5 & 6 AND LOTS 9, 14 & 15, BLOCK 1 OF HELMETS-ADDITION TO THE
VILLAGE OF DOUGLAS ACCORDING TO THE RECORDED PLAN THEREOF AS RECORDED
IN DEED 44 OF PLATS ON PAGE 293, VILLAGE OF DOUGLAS, ALLEGAN COUNTY, MICHIGAN.

THE LETTERS "A" THROUGH "I" IN THIS SHEET INDEX
INDICATE REVISIONS TO SHEETS WHICH ARE REVISED.
DATED: APRIL 13, 2023. THESE SHEETS WITH
THIS SUBMISSION ARE TO REPLACE THOSE PREVIOUSLY
SUBMITTED.

136-41-136D-1

SHEET 1

MUST BE BUILT
DATED: APRIL 13, 2023

LEGEND

GENERAL COMMON ELEMENT

LIMITED COMMON ELEMENT

ASPHALT

CONCRETE

WOOD DECK

UTILITY LEGEND

UTILITY

ELECTRIC

WATER

SANITARY

STORM

NATURAL GAS

TELEPHONE

CABLE TV

BURIED ELECTRIC

SOURCE

CONSUMERS POWER

KAL-LAKE SEWER & WATER AUTHORITY

KAL-LAKE SEWER & WATER AUTHORITY

KAL-LAKE SEWER & WATER AUTHORITY

MICHIGAN GAS UTILITIES

C.T.E.

TCI

SYMBOL LEGEND

WATER VALVE BOX

SANITARY SEWER MANHOLE

POWER POLE

TELEPHONE PEDESTAL

AIR CONDITIONING UNIT

CATCH BASIN

HANDICAP PARKING

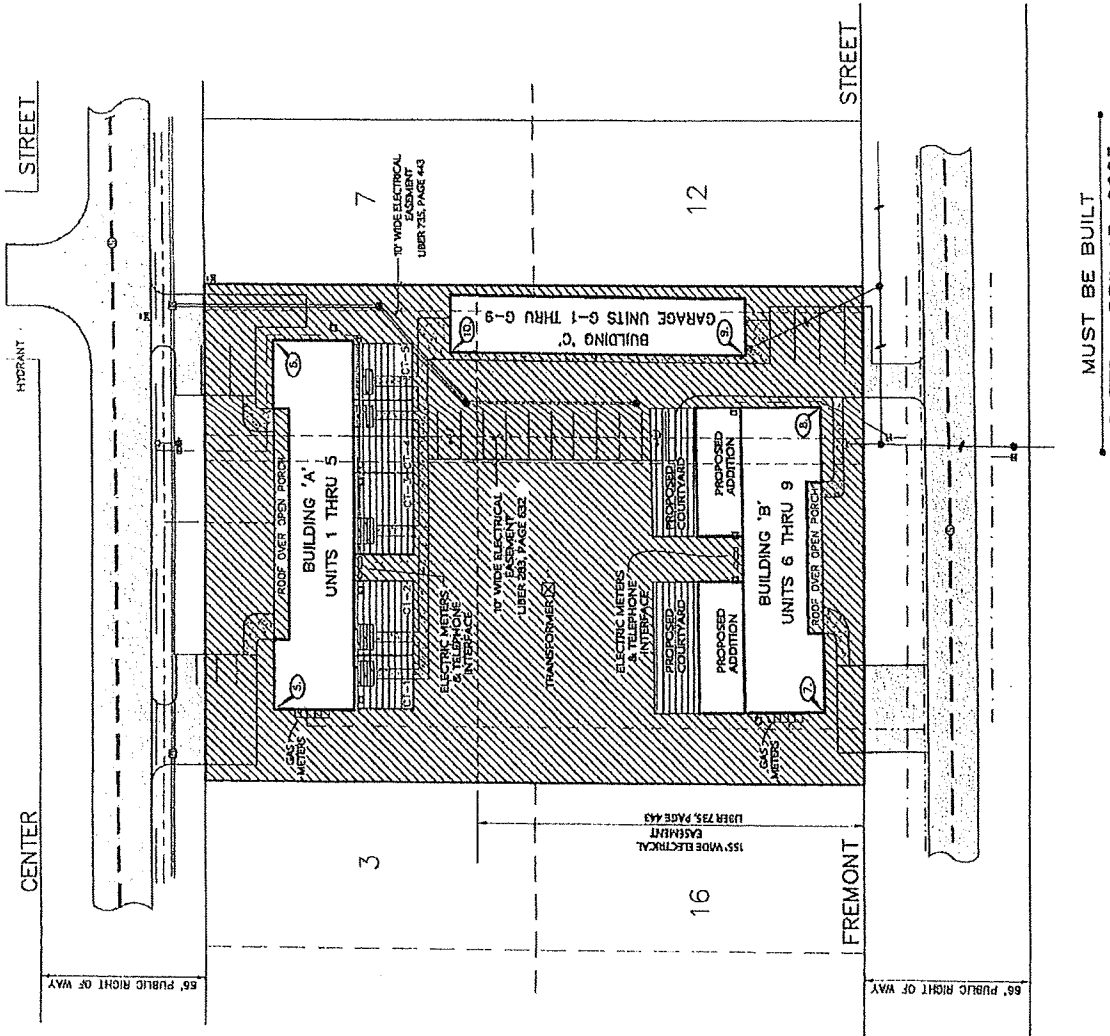
COURTYARD (LIMITED COMMON ELEMENT)

6' HIGH WOOD FENCING

COORDINATE POINT

SCALE OF FEET

FULL SCALE T = 20'



SITE AND UTILITY PLAN

CENTER PARK PLACE

PREPARED BY
MITCHELL & MORSE LAND SURVEYING
 234 VETERANS BLVD.
 SOUTH HAVEN, MI 49090

SHEET 3

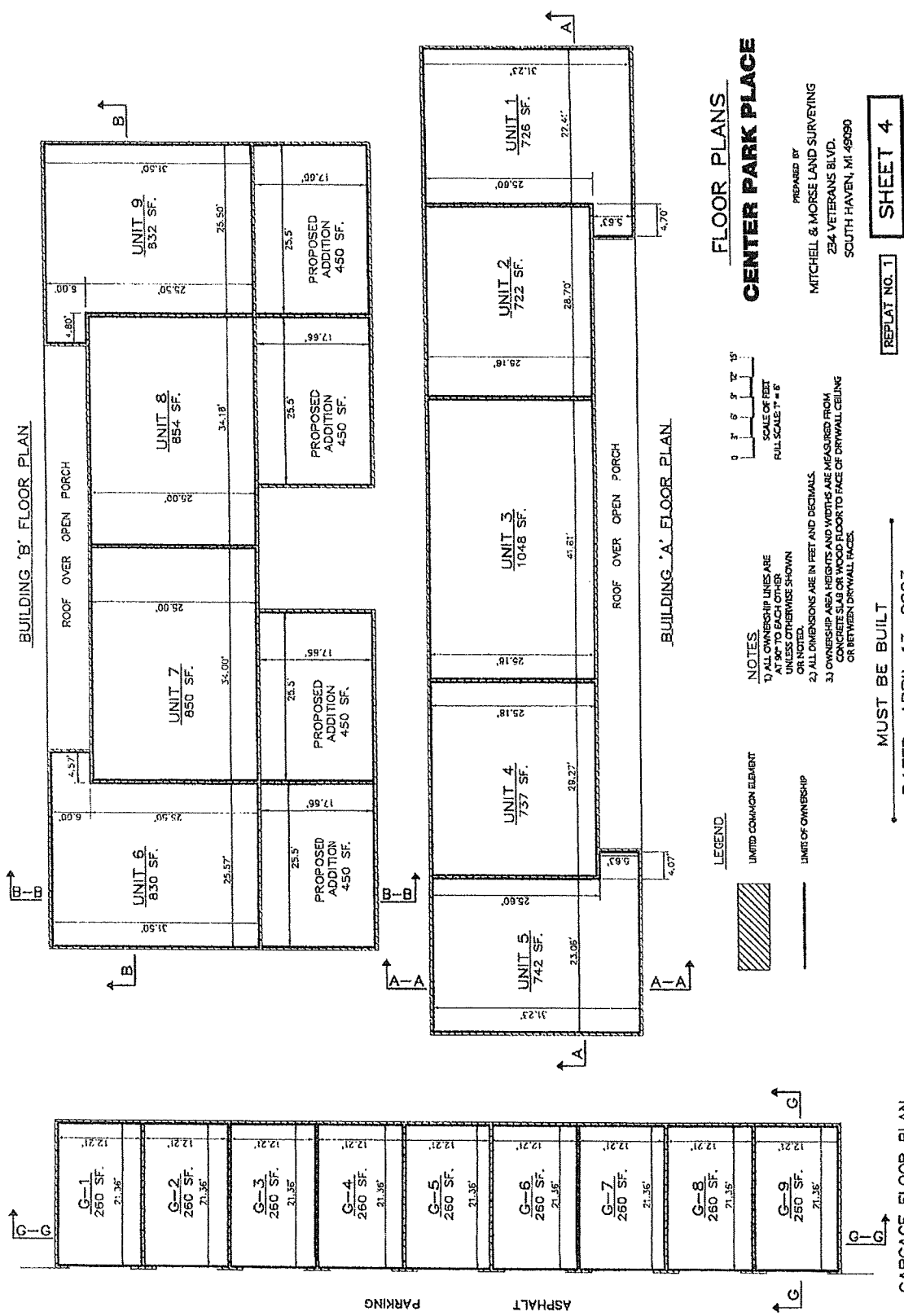
REF NO. 17

NOTES:

1.) ALL UTILITIES ARE APPROXIMATE LOCATIONS DERIVED FROM FIELD MEASUREMENTS, OBSERVATIONS AND AVAILABLE RECORDS. THEY SHOULD NOT BE INTERPRETED TO BE EXACT LOCATIONS NOR SHOULD IT BE ASSUMED THAT THEY ARE THE ONLY UTILITIES IN THIS AREA.

BUILDING COORDINATES	
POINT	EASTING
5	5081.553
6	5176.025
7	5028.853
8	5100.073
9	5047.332
10	5152.535

MUST BE BUILT
DATED: APRIL 13, 2023



FLOOR PLANS
CENTER PARK PLACE

SCALE OF FEET
FULL SCALE 1" = 8'

- NOTES**
- 1) ALL OWNERSHIP LINES ARE TO BE SHOWN UNLESS OTHERWISE SHOWN OR NOTED.
 - 2) ALL DIMENSIONS ARE IN FEET AND DECIMALS.
 - 3) OWNERSHIP AREA HEIGHTS AND WIDTHS ARE MEASURED FROM CONCRETE SLAB OR WOOD FLOOR TO FACE OF DRYWALL CEILING OR BETWEEN DRYWALL FACES.

LEGEND

LIMITED COMMON ELEMENT

LIMIT OF OWNERSHIP

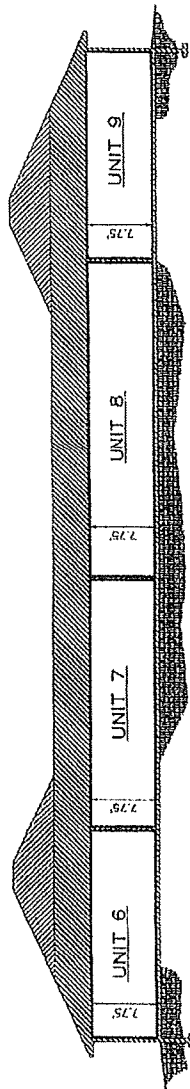
PREPARED BY
MITCHELL & MORSE LAND SURVEYING
234 VETERANS BLVD.
SOUTH HAVEN, MI 49080

REPLAT NO. 1

SHEET 4

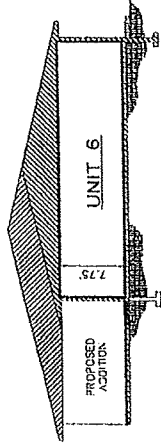
MUST BE BUILT

DATED: APRIL 13, 2023

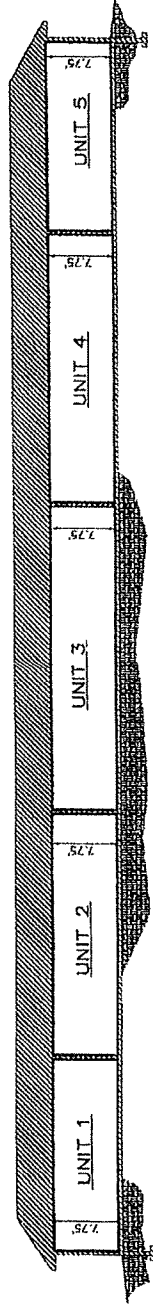


BUILDING 'B' - SECTION B
FINISH FLOOR ELEV. 68.00

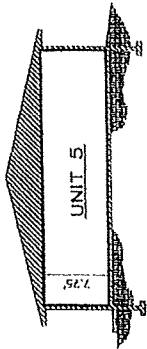
NOTE: ALL CEILINGS IN THE KITCHEN AND LIVING ROOM AREAS ARE CATHEDRAL WITH A 10'4" HEIGHT OF 12' FEET.



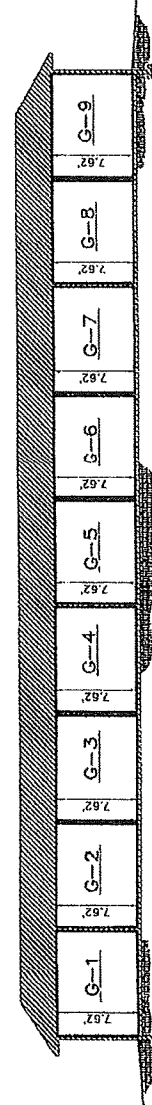
BUILDING 'B' SECTION B-B



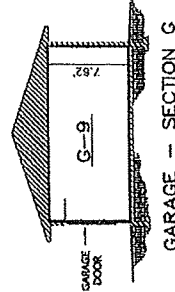
BUILDING 'A' - SECTION A
FINISH FLOOR ELEV. 62.30



BUILDING 'A' SECTION A-A



GARAGE - SECTION G-C
FINISH FLOOR ELEV. 66.54



GARAGE - SECTION G

NOTES

1) ALL OWNERSHIP LINES ARE TO BE SHOWN TO EACH CORNER UNLESS OTHERWISE SHOWN OR NOTED.

2) ALL DIMENSIONS ARE IN FEET AND DECIMALS.

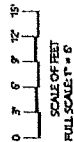
3) OWNERSHIP AREA HEIGHTS AND WIDTHS ARE MEASURED FROM FINISH FLOOR TO FACE OF DRYWALL CEILING OR BETWEEN DRYWALL FACES.

LEGEND

LIMITED COMMON ELEMENT



LIMITS OF OWNERSHIP



BUILDING SECTIONS
CENTER PARK PLACE

PREPARED BY
MITCHELL & MORSE LAND SURVEYING
234 VETERANS BLVD.
SOUTH HAVEN, MI 49080

REPLAT NO. 1

SHEET 5

MUST BE BUILT

DATED: APRIL 13, 2023

**CITY OF THE VILLAGE OF DOUGLAS
COUNTY OF ALLEGAN
STATE OF MICHIGAN**

RESOLUTION NO. 25-2023

**RESOLUTION APPROVING THE FINAL CONDOMINIUM PLAN OF CENTER
PARK PLACE, A MICHIGAN CONDOMINIUM,
CITY OF THE VILLAGE OF DOUGLAS,
ALLEGAN COUNTY, MICHIGAN**

At a regular meeting of the City Council for the City of the Village of Douglas, Michigan, held at the City of the Village of Douglas City Hall, Douglas, Michigan, on the 7th day of August, 2023, at 7:00 p.m.

PRESENT:

ABSENT:

The following Resolution was offered by Councilperson _____ and supported by Councilperson _____.

RESOLUTION

WHEREAS, the Center Park Place Condominium Plan satisfies all Standards for Approval in Sections 16.24.7 and 16.24.11 of the City of Douglas Zoning Ordinance; and

WHEREAS, the Center Park Place Condominium Plan has been presented and approved at the meeting of the Planning Commission on September 14th, 2022; and

WHEREAS, Center Park Place, a Michigan Condominium and the co-owners of Center Park Place Association, Inc desire to amend their Master Deed; and

NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS:

1. That the Council of the City of Douglas approves the Final Condominium Plan for the Center Park Place Condominium development, located near the corner W Center Street and Ferry Street of (PPN: 03-59-075-005-00) in the City of Douglas, Michigan.
2. That any resolutions in conflict with this Resolution are deemed rescinded and revoked by the adoption of this Resolution.
3. This Resolution shall take effect immediately upon City Council approval.

YEAS: Council Members:

NAYS: Council Members:

ABSTAIN: Council Members:

ABSENT: Council Members:

ADOPTED this 7th day of August 2023.

CITY OF THE VILLAGE OF DOUGLAS

BY: _____ Date: _____
Jerome Donovan, Mayor

BY: _____ Date: _____
Laura Kasper, Interim City Clerk

CERTIFICATION

I, Laura Kasper, the duly appointed Interim Clerk of the City of the Village of Douglas, do hereby certify that the foregoing is a true and complete copy of a Resolution adopted by the Douglas City Council at a regular meeting held on Monday, August 7, 2023 in compliance with the Open Meetings Act, Act No. 267 of the Public Acts of Michigan, 1976, as amended, the minutes of the meeting were kept and will be or have been made available as required by said Act.

CITY OF THE VILLAGE OF DOUGLAS

BY: _____
Laura Kasper, Interim City Clerk



MEMORANDUM
REGULAR CITY COUNCIL MEETING
August 7, 2023 at 7:00 PM

TO: City Council

FROM: Steven M. Kent, Chief of Police and Ricky Zoet, Director of Public Works

SUBJECT: Temporary Traffic Control Order - Resolution 27-2023

Per City Council's request, the Douglas Police Department and Department of Public Works (DPW) have been working with the City Engineer to develop a layout and budget for a temporary installation of all-way stop signs at the intersection of Blue Star Highway and Wiley Road. The on-going Michigan Department of Transportation (MDOT) I-196 overpass bridge work at Bluestar Highway exit 41 has increased traffic volumes, wait times, and safety for motorists negotiating the intersection. Bridge work at exit 36 is anticipated to continue to cause traffic issues at the intersection.

In the current configuration, east and west bound traffic on Wiley Road is required to stop at Bluestar Highway. North and south bound Blue Star Highway traffic is not required to stop. The City Engineer has designed the attached proposed temporary all-way stop for the intersection (see attached P&N job #2220100) per the requirements of the Michigan Manual of Uniform Traffic Control Devices (MMUTCD). A temporary all-way stop is proposal for the intersection of Bluestar Highway and Wiley Road and all legs of the intersection will be required to stop. It is worth noting that per, the City Engineer, the traffic study completed in 2021 does not warrant making the all-way stop permanent.

Give'Em A Break, a regional traffic control contractor, has developed the following cost proposals for the installation and rental of the temporary signage, rumble strips, and stop bars. The Department of Public Works will temporarily cover the existing flashing traffic light above the intersection.

Advanced Message and Temporary Signage - Option 1: Reconfigure the intersection including installation and removal of MDOT devices and pavement marking as provided in P&N Job Sheet #2220100. Including two portable and changeable message boards based on a 90-day rental or less.

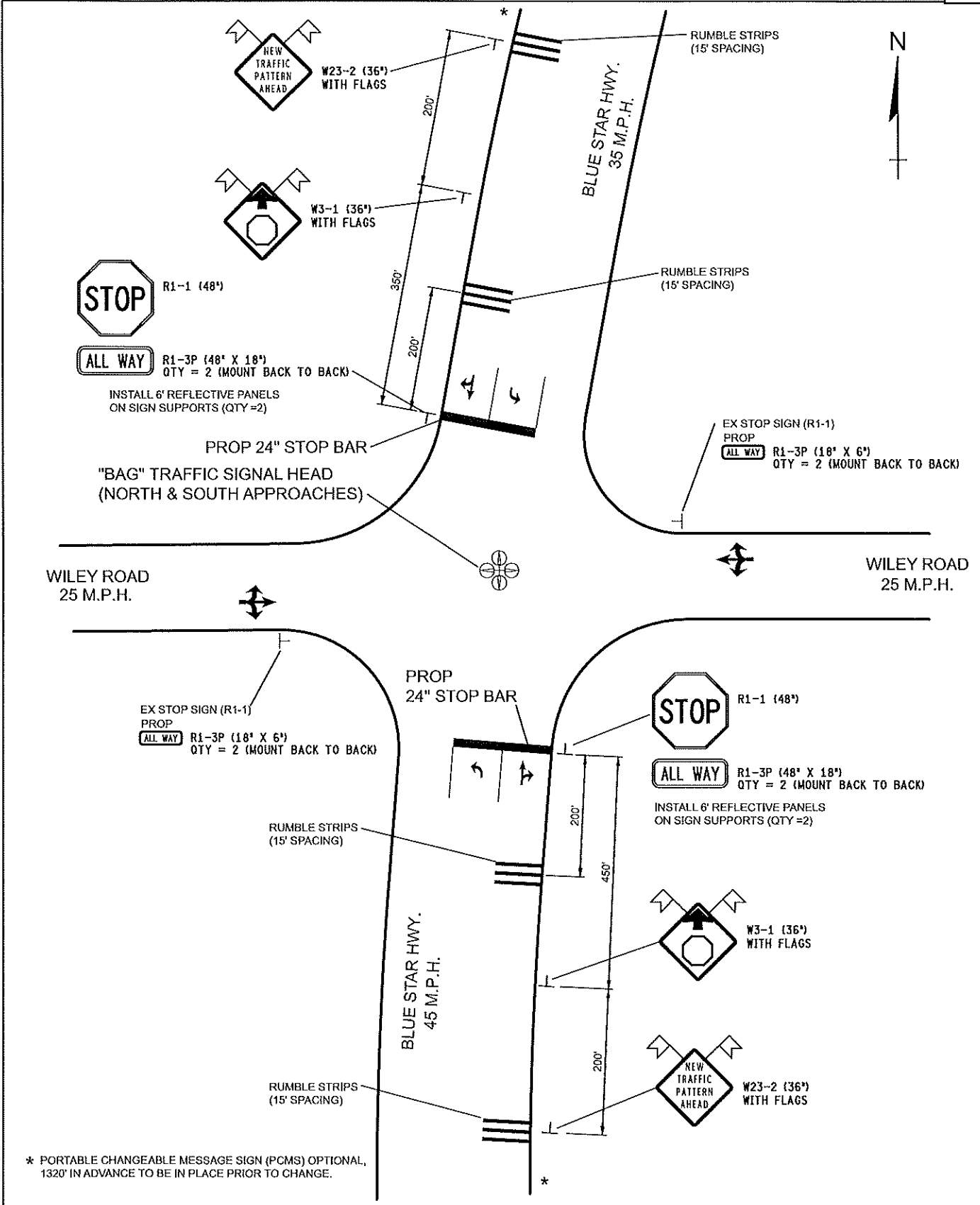
Cost: \$22,224.00

Temporary Signage - Option 2: Reconfigure the intersection including installation and removal of MDOT devices and pavement marking as provided in P&N Job Sheet #2220100. No portable and changeable message boards.

Cost: \$15,724.00

Funds for this activity are not currently budgeted. A budget amendment to the Bluestar Corridor Fund - Capital Outlay account (403-463-979) could pay for the selected option. The Bluestar Corridor Fund was created to make improvements to the corridor.

Sample Motion: I motion to approve Resolution 27-2023 and amend the Blue Star Corridor Capital Outlay account to fund the selected option for a temporary all-way stop at the intersection of Blue Star Highway and Wiley Road.



Prein & Newhof
 Engineers • Surveyors • Environmental • Laboratory

DATE: 7/11/2023
 DESIGN: TEZAK
 P&N JOB: 2220100
 SCALE: NONE

CITY OF DOUGLAS
 BLUE STAR HWY &
 WILEY ROAD INTERSECTION

TEMPORARY ALL WAY
 STOP LOCATION



QUOTATION

To: Scott Tezak

From: Marc Van Til

Fax:

Fax: 616-531-8703

Phone: 231-468-3456

Phone: 616-531-8705

Date: 07/21/23

Pages: 1

Subject: Prein & Newhof, - Blue Star Hwy & Wiley, Douglas - MOT

Scott,

Per your request, quote to re-configure intersection of Blue Star & Wiley is as follows:

- **Reconfigure intersection per plan sheet - \$15,724.00 LS**
Price includes installation and removal of MOT devices & Pavement Marking as per plan sheet provided for job#2220100. Price is based on completion and removal of re-configuration by Oct. 31, 2023 or sooner.
- **Portable Changeable Message Sign (Optional) - \$3,250.00 Ea**
Price includes delivery and removal, and is based on a rental term of 90 days or less.

Please consider quote not hesitating to call if you have questions.

Thank you again for the opportunity.

Best Regards,

Marc Van Til

CITY OF THE VILLAGE OF DOUGLAS
COUNTY OF ALLEGAN
STATE OF MICHIGAN

RESOLUTION NO. 27-2023

A RESOLUTION TO ADOPT A TEMPORARY TRAFFIC CONTROL ORDER AT BLUE STAR HIGHWAY AND WILEY ROAD FOR THE CITY OF THE VILLAGE OF DOUGLAS

At a regular meeting of the City Council for the City of the Village of Douglas, Michigan, held at the City of the Village of Douglas City Hall, Douglas, Michigan, on the 7th day of AUGUST, 2023, at 7:00 p.m. with

PRESENT:

ABSENT:

The following Resolution was offered by _____ and supported by _____.

RESOLUTION

WHEREAS, the on-going Michigan Department of Transportation (MDOT) I-196 overpass bridge work at Bluestar Highway exit 41 has increased traffic volumes, wait times, and safety for motorists negotiating the intersection, and

WHEREAS, bridge work at exit 36 is anticipated to continue to cause traffic issues at the intersection, and

WHEREAS, per City Council’s request, the Douglas Police Department and Department of Public Works (DPW) have been working with the City Engineer to develop a layout and budget for a temporary installation of all-way stop signs at the intersection of Blue Star Highway and Wiley Road, and

WHEREAS, the City Engineer designed and proposed temporary all-way stop for the intersection per the requirements of the Michigan Manual of Uniform Traffic Control Devices, and

WHEREAS, the regional traffic control contractor, has developed the following cost proposals for the installation and rental of the temporary signage, rumble strips, and stop bars.

NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS: The City Council does hereby adopt Resolution 27-2023; selecting the non-budgeted item of either the Advanced Message and Temporary Signage Option 1 costing \$22,224.00, or Temporary Signage Option 2 costing \$15,724.00, by budget amendment to the Bluestar Corridor Fund - Capital Outlay account (403-463-979) to pay for the selected option.

YEAS: Council Members:

NAYS: Council Members:

ABSTAIN: Council Members:

ABSENT: Council Members:

ADOPTED this 7th day of August, 2023

CITY OF THE VILLAGE OF DOUGLAS

BY: _____ Date:
Jerome Donovan, Mayor

BY: _____ Date:
Laura Kasper, Interim City Clerk

CERTIFICATION

I, Laura Kasper, the duly appointed Interim Clerk of the City of the Village of Douglas, do hereby certify that the foregoing is a true and complete copy of a Resolution adopted by the Douglas City Council at a regular meeting held on Monday, August 7, 2023 in compliance with the Open Meetings Act, Act No. 267 of the Public Acts of Michigan, 1976, as amended, the minutes of the meeting were kept and will be or have been made available as required by said Act.

CITY OF THE VILLAGE OF DOUGLAS

BY: _____
Laura Kasper, Interim City Clerk

CITY OF THE VILLAGE OF DOUGLAS
TEMPORARY TRAFFIC CONTROL ORDER

Order No. _____

Effective Date _____

When official traffic control devices conforming to the mandate of this order shall have been installed.

Ending Date _____

When all temporary official traffic control devices in this mandate shall be removed.

In accordance with the Uniform Traffic Code, as adopted by the City of the Village of Douglas, I HEREBY DIRECT: Temporary traffic control devices be placed indicating All-Way Stopping for Bluestar Highway Northbound and Southbound for vehicular travel at the intersection of Bluestar Highway and Wiley Road. This action is in conjunction with the established and existing Westbound and Eastbound Wiley Road Stop Signs. The Traffic Control Devices shall be placed in accordance with the guidelines of the MMUTCD, the Uniform Traffic Code, and as engineered and designed by the City of the Village of Douglas Engineering Firm Prein & Newhof in P&N Job #2220100.

Steven M. Kent, Chief of Police

Dated: _____

I, the undersigned duly qualified City Clerk of the City of the Village of Douglas, Allegan County, Michigan do hereby certify that the City Council of the City of the Village of Douglas, Michigan duly adopted the foregoing Permanent Traffic Control Order, on _____. IN WITNESS WHEREOF, I hereunto affix my official signature this _____ day of _____, 2023.

Laura Kasper,
Interim City Clerk

Date filed: _____
Council Action No.: _____
Traffic Control Order Book: _____
Police Department file: _____
Sign Department Installation: _____



MEMORANDUM

City Council

August 7, 2023, at 7:00 PM

TO: City Council

FROM: Rich LaBombard, City Manager

SUBJECT: DDA Development Plan and Tax Increment Financing Plan – Second Public Hearing - Ordinance 05-2023

The Douglas Downtown Development Authority (DDA) was created by City Council in 1997 and expanded in 2006. The DDA is designed to serve as a catalyst in the development of the community's downtown district. The DDA provides for a variety of funding options including tax increment financing mechanism, revenue from which can be used to fund public improvements in the downtown district. The DDA is required to prepare a tax increment financing plan and may create a development plan to submit for approval to the local municipality. A development plan describes costs, location, and resources for the implementation of public improvements in the DDA district. A tax increment financing plan includes the development plan and details the tax increment procedure, any bonded indebtedness to be incurred, and the duration of the program.

At the May 31, 2023, DDA meeting, the DDA recommended the adoption of the Development Plan and Tax Increment Financing Plan to the City Council. The City Council is required to hold a public hearing prior to adoption of the development and TIF plan. The City Clerk noticed the time and place of the public hearing twice in the local newspaper and posted the notice in 20 conspicuous and public places in the downtown district at least 20 days prior to the hearing. Notice was mailed to all the property taxpayers of record in the downtown district not less than 20 days prior to the hearing. Certified mailings were sent out not less than 20 days prior to the hearing to all the governing bodies of each taxing jurisdiction levying taxes subject to the TIF capture.

Following the public hearings, City Council shall determine if the development plan and TIF constitutes a public purpose. If the plan constitutes a public purpose, the City Council shall then approve or reject the plan or approve it with modification by ordinance based on the following considerations.

1. The findings and recommendations of a development area citizens council, if a development area citizen council was formed (Douglas does not require a citizen's council).

2. The plan meets the requirements set forth in section 217(2) of Michigan Public Act 57 of 2018. An act to provide for the recodification and establishment of certain tax increment finance authorities (i.e. Downtown Development Authorities)
3. The proposed method of financing the development is feasible and the authority has the ability to arrange the financing.
4. The development is reasonable and necessary to carry out the purposes of this part.
5. The land included within the development areas to be acquired is reasonably necessary to carry out the purposes of the plan and of this part in an efficient and economically satisfactory manner.
6. The development plan is in reasonable accord with the master plan of the municipality.
7. Public services, such as fire and police protection and utilities, are or will be adequate to service the project area.
8. Changes in zoning, streets, street levels, intersections and utilities are reasonably necessary for the project and for the municipality.

The City attorney has reviewed the ordinance.

This ordinance will require two public hearings prior to approval. The second public hearing will be on August 7, 2023.

Open Public Hearing: I motion the City Council open the second public hearing to receive public comment verbally or in writing with reference to the Downtown Development Authority's updated Development Plan and Tax Increment Financing Plan. (Roll call vote)

Close Public Hearing: I motion to close the public hearing. (Roll call vote)

Sample Adoption Motion: The City Council has determined the DDA Development Plan and Tax Increment Financing Plan constitutes a public purpose. I motion to approve Ordinance 05-2023 amending the DDA Development Plan and Tax Increment Financing Plan.

Attachment: DDA Development Plan and Tax Increment Financing Plan

City of the Village of
Douglas, Michigan

DEVELOPMENT PLAN AND TAX INCREMENT FINANCING PLAN

Adopted: May 1, 2006
Updated: 2023

City of the Village of Douglas
86 W. Center
P.O. Box 757 Douglas, MI 49406
(269) 857-1438

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Section 217(2)(b).....3

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2. Schedule of Taxable Values and Property List (2, 2A, 2B, 2C)
3. Schedules of Anticipated Tax Increment Revenues and Projected Impact on Taxing Jurisdictions (3A, 3B)
4. Part 2, Downtown Development Authorities, Recodified Tax Increment Financing Act 57 of 2018

MAPS

1. Map 1 | Downtown District & Development Area Boundaries
2. Map 2 | Zoning

City of the Village of Douglas Downtown Development Authority
Development Plan and Tax Increment Financing Plan

INTRODUCTION

A. Purpose of the Recodified Tax Increment Financing Act.

Michigan Public Act 57 of 2018, as amended, referred to as the Recodified Tax Increment Financing Act (“the Act”), is an Act to provide for the recodification and establishment of certain tax increment financing authorities; to prescribe the powers and duties of the authorities; to correct and prevent deterioration in residential, commercial, and industrial areas and certain other areas; to authorize the acquisition and disposal of interests in real and personal property; to authorize the creation and implementation of development plans and development areas; to promote residential and economic growth; to create certain boards; to prescribe the powers and duties of certain boards; to authorize the issuance of bonds and other evidences of indebtedness; to levy certain taxes; to authorize the use of tax increment financing; to prescribe powers and duties of certain state officials; to provide for rule promulgation; to provide for enforcement of this act; and to repeal acts and parts of acts. Michigan Public Act 57 of 2018 replaced Michigan Public Act 197 of 1975, commonly referred to as the Downtown Development Authority Act. A copy of Part 2 of Act 57 is attached as exhibit 4 in this plan.

Part 2 of the Act was created in part to correct and prevent deterioration in business districts, to authorize the acquisition and disposal of interests in real property, to promote the economic growth of business districts, to authorize the issuance of bonds, and to authorize the use of tax increment financing. The Act seeks to reverse historical trends that have led to a loss of population, tax

base, job opportunities, and economic activity in Michigan cities. It gives cities the means to revitalize downtown areas through a downtown development authority. The methods granted in the Act may be used by a downtown development authority in ways appropriate to the problems facing a particular downtown district.

B. Creation of the Downtown Development Authority and Update of the Development Plan and Tax Increment Financing Plan.

On November 3, 1997, the City Council of the City of the Village of Douglas adopted an ordinance to create a Downtown Development Authority officially titled the Douglas Downtown Development Authority and designated the boundaries of the district. The Douglas Downtown Development Authority was initially created to reverse the pattern of deterioration in the downtown area and to plan for and implement certain public improvements that are considered necessary for future economic growth. Although the DDA was formed, a downtown development TIF and development plan was not implemented at that time.

On March 6, 2006 the City Council of the City of the Village of Douglas adopted an ordinance to expand the boundary of the downtown district. On March 27, 2006, the first Development Plan and Tax Increment Financing Plan for the City of the Village of Douglas was approved and recommended by the DDA to the Douglas City Council thereafter. The Plan was adopted by the City Council on May 1, 2006.

In 2021, the City of the Village of Douglas Downtown Development Authority initiated an update to the first Development Plan and Tax Increment Financing Plan to re-evaluate and re-prioritize projects and goals of the Plan. On May 31, 2023, an update to the Development Plan and Tax Increment Financing Plan for the City of

the Village of Douglas was approved and recommended by the DDA to the Douglas City Council thereafter. The updated Plan was adopted by the City Council on **(INSERT DATE)**.

C. *Overview of the Development Plan.*

The City and the DDA have found the need to develop a focused development plan for the areas located within the DDA boundaries. The area remains underutilized and contains several buildings and sites with re-use opportunities. The Development Plan includes proposed improvements both by the public (government) and the private sector, which are both needed for the overall development of the area. It is likely that a re-evaluation and re-prioritization may be necessary from time to time by the DDA and City in order to take full advantage of available grant funding and yet unknown re-development opportunities within the DDA district.

DEVELOPMENT PLAN

A. *The designation of boundaries of the development area in relation to highways, streets, streams, or otherwise. Section 217(2)(a).*

The boundary of the Downtown Development Authority is indicated on Map 1: DDA Boundaries. A narrative legal description is provided as Exhibit 1. The Downtown Development Authority District and the Development Area boundaries are identical.

B. *The location and extent of existing streets and other public facilities within the development area, the location, character, and extent of the categories of public and private land uses then existing and proposed for the development area, including residential, recreational, commercial, industrial, educational, and other uses, and a legal description of the development area. Section 217(2)(b).*

The majority of the district is commercial, office and some residential uses. Map 2: Zoning Map and property tax classifications in Exhibit 2 reflect the existing land uses for property located within the Development Area

1. Streets and rights-of-ways included in the Development area

The main streets through town include Blue Star Highway running northeast/southwest and Center Street, running east-west.

Streets and rights-of-ways within the DDA district include portions of:

- Blue Star Highway from St. Peters Drive to a point approximately 250 feet south of Center Street.
- Center Street - reconstruction from Blue Star Highway to Water Street
- Center Street - reconstruction from Water Street to Kalamazoo River
- Water Street - reconstruction from 150 feet south of Wall Street to Fremont Street
- Washington Street - reconstruction from 150 feet south of Wall Street to Fremont Street
- Main Street - reconstruction from 150 feet south of Wall Street to Fremont Street
- Spring Street - reconstruction from 150 feet south of Wall Street to approximately 80 feet north of Fremont Street
- Union Street - reconstruction from 150 feet south of Wall Street to 150 feet north of Fremont Street
- Mixer Street - reconstruction from Center Street to 150 feet north of Fremont Street
- Ellis Street - reconstruction from Center Street to approximately 80 feet north of Fremont Street

2. Public Facilities and Land Uses included in the Development Area

There are community facilities within the development area boundary including the current city hall (Dutcher Lodge), the old village hall/police station, library, the post office, and park land. This same diverse mixture of uses is planned for the future.

3. Legal Description of the Development Area

A narrative legal description is provided as Exhibit 1. The Downtown Development Authority District and the Development Area boundaries are identical.

C. A description of existing improvements in the development area to be demolished, repaired, or altered, a description of any repairs and alterations, and an estimate of the time required for completion. Section 217(2)(c).

No existing improvements in the DDA district are to be demolished aside from those improvements outlined in this Development Plan at this time.

The goals of the development are:

1. To link the DDA District and the community with the river and the City’s history while recognizing the importance of private development.
2. To provide a diversity of experiences and views that will appeal to the permanent community as well as the visitor.
3. To establish “reasonable” development opportunities for both public and private interests.
4. To improve the overall business climate of the DDA District through planning, promotion, coordination of activities, and implementation of specific improvement projects.
5. To accommodate residential uses within the DDA District to create a continuum of activity.
6. To establish facility design that reflects the character and heritage of the DDA district while promoting compatibility between new and existing developments
7. To foster a spirit of cooperation between the DDA, City staff and officials, residents, and the school district.

The Development includes factors necessary and incidental to the principal development elements as described under the five general categories below:

i. Public Infrastructure, Communication & Technology Construction & Maintenance

Road & Sidewalk Improvement Projects: In order to maintain the walkable, pedestrian scale of the DDA district, it is likely that extensive improvement projects may be warranted. The streets and sidewalks within the development area may require maintenance from time to time and the DDA may assist the City and contribute to those expenses.

Utility Improvements: In order to improve the function and aesthetics of the DDA district, and maintain the necessary capacity for new development, the DDA may assist the City of the Village of Douglas in upgrading existing utility services, such as establishing community Wi-Fi or installing green infrastructure systems for stormwater management.

Aesthetic Elements: Consistency in design and placement of elements throughout the DDA district is important in presenting a unified appearance to the community. Aesthetic elements may include decorative street lighting, decorative crosswalks, planter pots, banners/flag poles, annual/perennial plantings, benches, holiday lighting, historical/interpretive displays, and trash receptacles as well as the general maintenance and replacement of these items.

Corridor Enhancement: Enhancement of specific corridors within the DDA includes creating a uniform enhanced street system appearance that creates a sense of place within the development area and subsequently generates economic development by attracting certain businesses to the DDA District.

Improvements have been completed on Center Street and Blue Star Highway in recent years, so now the DDA's focus will turn primarily to the maintenance and repair of corridor enhancements already undertaken.

Maintenance. The DDA may allocate a portion of revenues each year to pay for a portion of the costs of maintaining streetscapes within the Development Area. Such costs may include cost of services and/or purchase of equipment to aid in snowplowing, street sweeping, irrigation, street lighting, mowing, sidewalk replacement, and annual plantings.

Water Main, Sanitary Sewer, and Storm Water Drainage Improvements: In order to improve these services and maintain the necessary capacity for new development, the DDA may assist the City of the Village of Douglas in upgrading water mains, sanitary sewer lines, and storm water drainage facilities throughout the DDA district.

Engineering and Legal Support. The DDA currently employs consulting engineers and legal counsel for advice on specific topics. The continued use of these consultants is necessary as the DDA life is extended. The DDA expects to employ consultants throughout the term of the Plan.

ii. Parks, Recreation & Culture

Creative Art and Design Projects: Public art is an important element in every community. It reflects specific characteristics or historic events that make each community unique and welcoming.

Park & Recreation Development: In order to develop the DDA district as an active and exciting place to visit and to live, parks and recreation must be emphasized. Specifically Beery Field and Wade's Bayou Park are important assets that capitalize connections to the DDA district and to the waterfront. Amenities such as parking, restrooms, gathering and entertainment spaces, walking paths, boating improvements, and other amenities normally associated with parks and recreation development that are deemed appropriate.

Non-Motorized Circulation Improvement Projects: Supporting non-motorized circulation into and throughout the development area is an essential element to any successful DDA district. Creation of a non-motorized walk pathway network to link the residential and public spaces in the development area with other public spaces and retail businesses is a key element.

Events and Festivals. The support of additional events and festivals should be proposed to take place in different areas of the DDA throughout the year as regularly scheduled events. Adequate promotion of these events should take place by publicizing them in newspapers, on radio stations, etc. These events will not only help generate additional community involvement but also bring additional visitors to the area.

iii. Purchase & Renovation of Real Estate

Property/Structure Acquisition: In order to improve the image of the DDA and the City, it may be necessary to remove obsolete buildings and structures. For this purpose, the DDA plans to coordinate efforts with the City of the Village of Douglas and may assist in the acquisition and removal or redevelopment of non-conforming structures and uses within the DDA boundary. Projects such as renovation of the existing police station, assistance for improvements for the Old School House or the creation of a business incubator facility are considerations within the DDA boundary.

Facade Improvement Projects: In order to maintain the image of the DDA and the City, it may be necessary to improve the facades of existing buildings and structures facing a major street such as Blue Star Highway and Center Street. For this purpose the DDA plans to coordinate efforts with the City of the Village of Douglas and assist in the acquisition of easements and the granting of seed funds for development of a façade improvement program for buildings within the DDA boundary.

City Hall Dutcher Lodge: This Development Plan allocates funds to assist the City in renovating City Hall to include technological updates as well as interior and exterior enhancements as needed.

Public Parking: As redevelopment and development occurs, the demands for future parking may change. The DDA will need to be able to respond to the potential increased need for parking, yet balance it with the desire for quality development that maximizes the land area.

iv. Gateway Improvements

Gateway Treatment: Gateways are an important element in announcing arrival into the DDA district. There is consensus among business owners that the downtown is a healthy and functioning business district, but directing patrons to downtown has long since been a challenge. Prominent gateway feature(s) near Blue Star Highway and Center Street have been identified as a key element to addressing this challenge. Entrances into the DDA district will be designed in keeping with and likened to the historic structures in the area.

Street signage improvements and way-finding system: Since the DDA district is located off the main circulation route, there is a disadvantage in terms of convenient access and visibility. The challenge for the DDA is to attract attention off these main routes. Once in the DDA district, providing a point for distribution of information for public promotional literature and information such as a kiosk would aid in further promoting the community's assets.

v. DDA District Planning, Promotion & Staffing

DDA Promotion. In order to promote the development area and attract more visitors, a defined marketing plan will be developed for the DDA district. This will help promote the DDA district as a destination and inform the public about development progress and local events.

Webpage. The City's website is in the process of being updated to enhance the page devoted to the Douglas DDA. This page needs to be regularly updated and should include the latest information on restaurants, events, housing, shopping, parks, recreation, and services in the DDA district. It should also provide information such as investment incentives, available vacancies, development opportunities, and sources of employment that may stimulate further economic development within the DDA district.

Market study analysis A market study analysis would be prepared in addition to and in conjunction with other DDA promotion efforts. This market analysis would include preparation of a DDA district comprehensive plan including site plans, land uses & promotional plans, preparation of a digital base map of the DDA district, development of a business recruitment program as well as market studies for retail and housing needs within the district.

Grants Coordinator/Assistant. Currently, the DDA coordination is handled "by committee". The DDA proposes a new position to provide facilities coordination in lieu of the coordination "by committee". It is expected that this person will oversee and coordinate the DDA's infrastructure and maintenance needs, assist in grant preparation and manage projects taken on by the DDA, and be responsible for communications with business owners.

Business Recruitment Program. The Grants Coordinator/Assistant will oversee and lead a pro-active campaign for business recruitment, retention and expansion. This may involve developing database of available buildings and properties within the DDA district, performing business retention and/or expansion visits with existing business owners, developing a business incubator program with other incentives and/or programs necessary to promote a strong business climate for the DDA.

D. Purpose of this Development Plan and Tax Increment Financing Plan.

Under Michigan Public Act 57 of 2018, the DDA must prepare and submit a tax increment financing plan and a development plan if it determines that creation of such plans is necessary for the achievement of the purposes of the Act.

This document constitutes both of these plans, with the development plan and the format described in Section 217(2) of the Act, followed by the tax increment financing plan as described in Sections 214, 215, and 216 of the Act.

It is the DDA and City's desire to see tangible improvements that would directly benefit the community as a whole in the general order of prioritizes listed in the subsequent tables. Costs and anticipated schedule are estimates only and need to be evaluated based on on-going opportunities for development in the DDA District. It is likely that re-evaluation and re-prioritization may be necessary from time to time to take full advantage of available grant funding and yet unknown re-development opportunities within the DDA district. As a general rule, grant programs and potential funding should be explored whenever possible to maximize the use of local funds. Numbers are based on 2022 and do not take into account an inflation factor of 3-4% per year for each year period after the 2022 actual value. Costs should include all construction, engineering, and legal expenses anticipated by each potential project. The cost of the various parts of the Development Plan are estimated to follow the date ranges provided in the subsequent tables and anticipated approximate costs are variable based on market conditions, cost of construction materials, and final design or scope of the development project.

Development Projects

The following tables summarize the various projects and activities proposed, including an estimated cost and priority for each. This section includes figures from other applicable planning documents in an effort to “weave” them into this plan. As noted previously, the costs are generalized estimates only and are subject to change without further amendment to this Plan. Costs assume the total funds needed to complete a project, although it is unlikely that the DDA would be responsible to fund the total amount needed for any one project. For example, the DDA may contribute matching funds to a grant, partial funds to a City road or park project, or may supplement work with donations or volunteers.

These priorities and estimates may vary because of private investment decisions, financing opportunities, market shifts or other factors.

Projects are organized by priority. **High Priority Projects** are tasks that the DDA intends to focus on in the near future. These include:

- Beery Field General Improvements
- Wade’s Bayou General Improvements
- Gateway Treatment
- Street Signage Improvements and Way-finding System
- Grants Coordinator/Project Administration
- DDA Promotion

Supplemental projects are illustrated as well for when opportunities, such as funding or technical support, arise.

High priority projects are expected to be completed between 2022 and 2032; Medium Priority projects between 2032 and 2042; and Low Priority projects between 2042 and 2052. Projects that are anticipated to be continuous throughout the duration of the Plan are also considered “ongoing” and are specified as such in the following tables.

Medium and Low Priority projects have been identified as supplemental to High Priority projects, but are still considered valuable projects the DDA may undertake.

Medium Priority Projects:

- Non-Motorized Circulation Maintenance & Improvement Projects
- Corridor Enhancements
- Establish Free District Wide High-Speed Internet/Wi-Fi
- Creative Art and Design Projects
- Events and Festivals
- Property/Structure Acquisition
- Elements of the Street Signage Improvements and Wayfinding System
- Technical Support for Businesses
- Increase Neighborhood Communication of Planning Activities
- Coordinate Activities with Local Institutions and Businesses
- Market Available Properties in the District
- Identify Strategic Locations for Bicycle Amenities
- Provide Consistent, Low-Energy and Dark-Sky Compliant Lighting

Low Priority Projects:

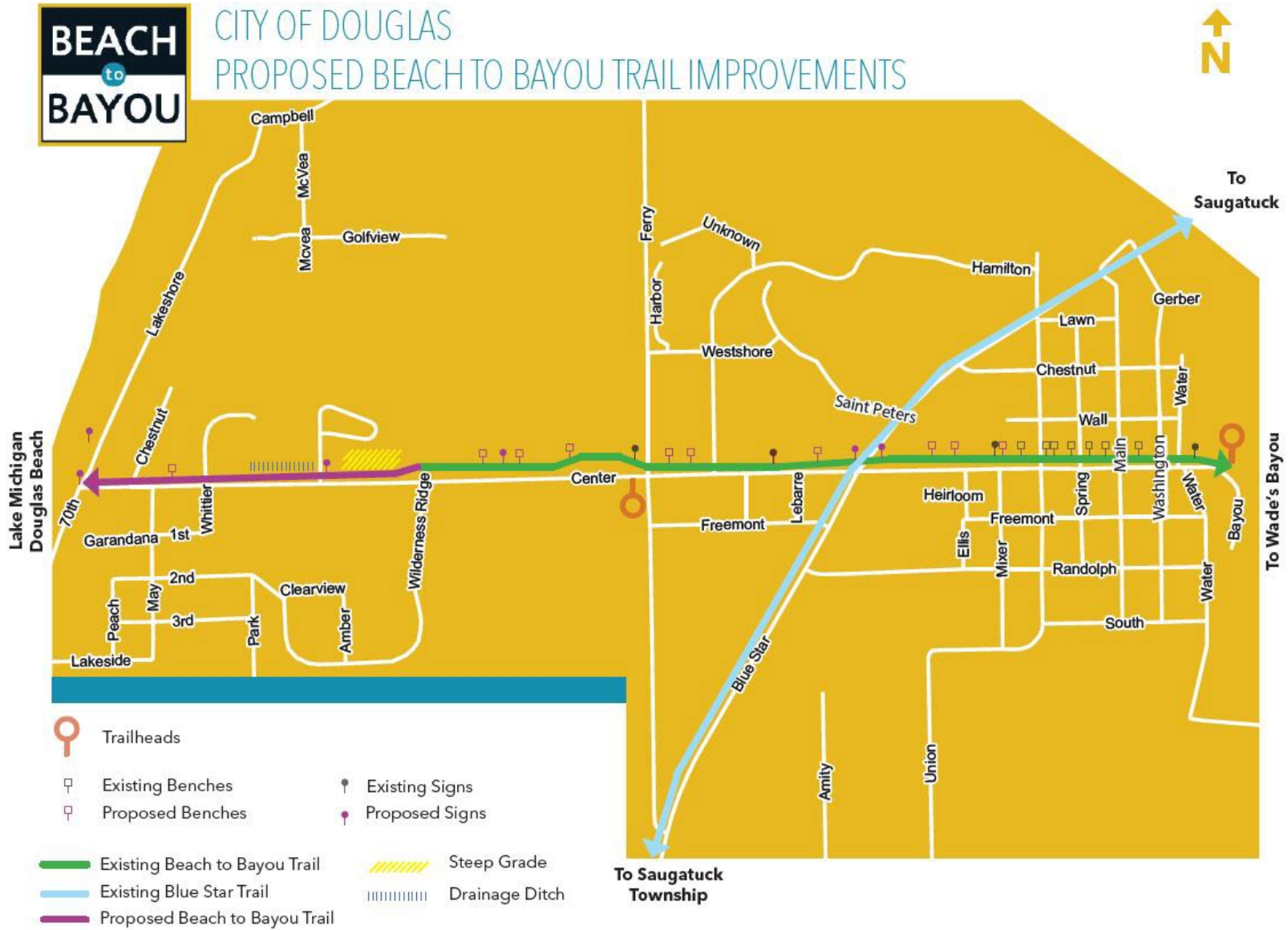
- Assist the City with Maintenance of Streets Within the DDA
- Install Rain Gardens and Green Infrastructure
- Complete a Parking Study
- City Hall/Dutcher Lodge Updates
- Acquisition & Development of District Parking
- Facade Improvement Projects

Public Infrastructure. Focuses on maintenance, road & sidewalk improvement projects, utility improvements, aesthetic elements, corridor enhancement, water main, sanitary sewer, and storm water drainage improvements, and engineering and legal support.

Public Infrastructure Project	Potential Costs	Priority
Identify Strategic Locations for and Installation of Bicycle Amenities - Such as bike parking, bike repair stations, or signage, to encourage non-motorized travel and emphasize the Beach to Bayou Trail	\$100,000	Medium
Provide Consistent, Low-Energy, and Dark-Sky Compliant Lighting Where Appropriate	\$250,000	Medium
Non-Motorized Circulation Maintenance & Improvement Projects - Such as sidewalk connections, repair, and replacement, and pathways to connect the DDA and surrounding areas	\$375,000	Medium (Ongoing)
Corridor Enhancement - General streetscape improvements or replacements including: <ul style="list-style-type: none"> • Street trees • Sidewalks/pathways • Parking • Decorative street lighting • Specialty paving • Crosswalk enhancements • Benches/trash receptacles • Banners for decorative lights • Irrigation 	\$300,000	Medium (Ongoing)
Establish Free District Wide High-Speed Internet/Wi-Fi	\$100,000	Medium (Ongoing)
Assist the City with Maintenance of Streets within the DDA <ul style="list-style-type: none"> • Center Street - from Blue Star Highway to Wade’s Bayou (Priority Street) • Water Street - from 150 feet south of Wall Street to Fremont Street • Washington Street - from 150 feet south of Wall Street to Fremont Street • Main Street - from 150 feet south of Wall Street to Fremont Street • Spring Street - from 150 feet south of Wall Street to approximately 80 feet north of Fremont Street • Union Street - from 150 feet south of Wall Street to 150 feet north of Fremont Street • Mixer Street - from Center Street to 150 feet north of Fremont Street • Ellis Street - from Center Street to approximately 80 feet north of Fremont Street 	\$765,000	Low (Ongoing)
Install Rain Gardens and Green Infrastructure - Where appropriate to capture, detain, and/or treat stormwater	\$45,000	Low (Ongoing)
Complete a Parking Study - To determine parking demand and capacity during different hours and seasons	\$15,000	Low

Note: These generalized costs assume the full amount of a project. A project may include money from TIF dollars, grants, private contributions, City partnerships, and bonds.

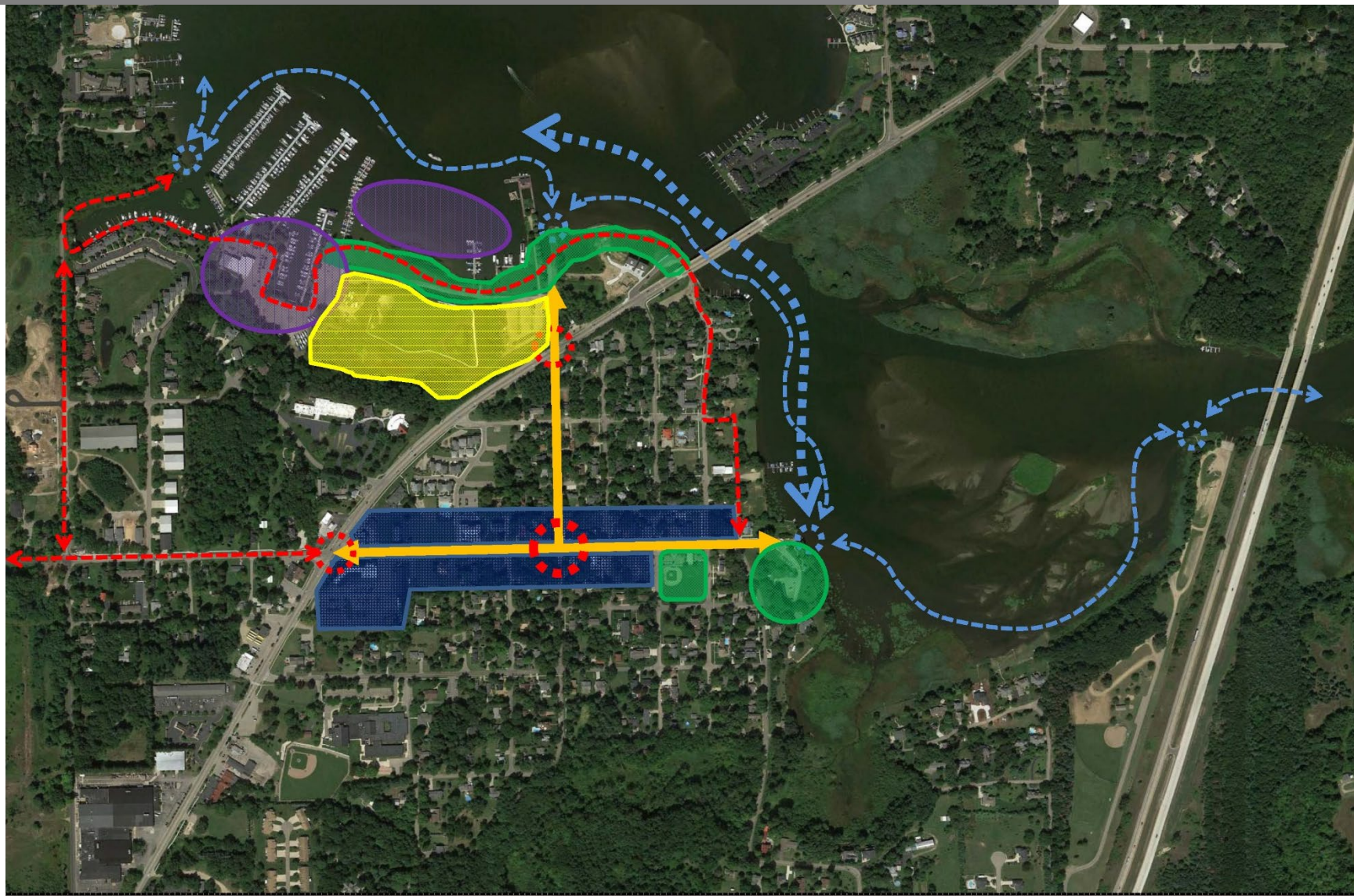
Trail Improvements Illustrated in the City's Master Plan



This illustration was created for another City planning effort, separate from this Development Plan and Tax Increment Financing Plan and has only been included for reference. These plans are in various stages of implementation and may not accurately represent completed or in-progress projects.

Item 8F.

Waterfront Connections and Areas of Focus as Illustrated in the Douglas Waterfront Public Marina



City of the Village of Douglas

Harbor Vision and Long Range Plan

Blue Star Highway & Center Street Intersection Improvements Illustrated in the City's Master Plan

Recommendations

- Redesign the Center Street and Blue Star Highway intersection to minimize the crosswalk distance
- Add a bike lane to west Center Street from Blue Star Highway to Lakeshore Drive.
- Add mid-block crossings along Blue Star Highway at St. Peter's, Union Street and Main Street.

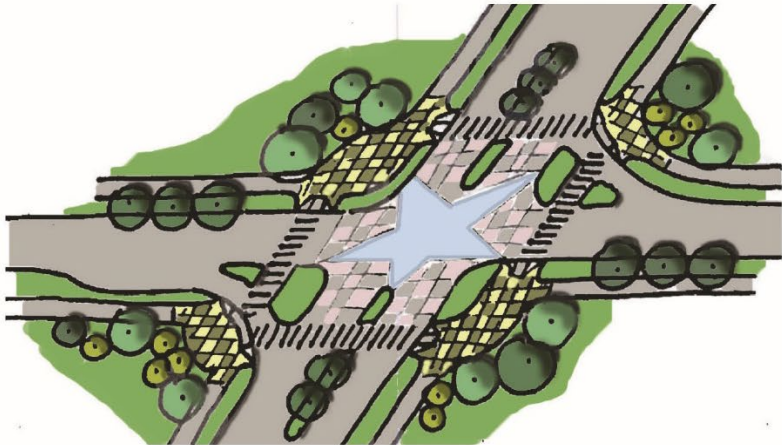
"Bump-Out" Example



"Roundabout Example"

- Larger land mass; additional right-of-way required
- Not as bicycle and pedestrian-friendly (increases blind spots); may need additional pedestrian signals

"Bump-Out" Example
Center Street and Blue Star Highway



This illustration was created for another City planning effort, separate from this Development Plan and Tax Increment Financing Plan and has only been included for reference. These plans are in various stages of implementation and may not accurately represent completed or in-progress projects.

Item 8F.

Center Street Corridor Enhancements Illustrated in the Blue Star Highway Technical Memorandum



Parks, Recreation & Culture. Focuses on creative art and design projects, parks & recreation development, non-motorized circulation improvement projects, and events and festivals.

Parks, Recreation & Culture Project	Potential Costs	Priority
<p>Beery Field General Improvements - Projects may include:</p> <ul style="list-style-type: none"> • Year-round and ADA compliant restroom • Fire pits with seating to facilitate year-round use of the downtown • Splash pad/ice rink to facilitate year-round use of the downtown • Any other park related uses or recreational facilities deemed appropriate 	\$725,000	High
<p>Wade's Bayou General Improvements - Projects may include:</p> <ul style="list-style-type: none"> • Waterfront focused projects • Transient slips • Improved water access and dredging of channel • Recreational facilities • Band shell • Parking • Any other park related uses or recreational facilities deemed appropriate 	\$637,500	High
<p>Creative Art and Design Projects - Projects may include:</p> <ul style="list-style-type: none"> • Public art and other outdoor design enhancements • Commission local artists to enhance/hide utilities through public art • Commission local artists to create bronze or other permanent sculptures that are durable and easily maintained • Establish a program for winter window displays or sidewalk ice sculptures to stimulate year-round tourism 	\$75,000	Medium (Ongoing)
<p>Events and Festivals - Support and facilitate events year-round, distributed throughout the DDA, and collaborate with business owners</p>	\$150,000	Medium (Ongoing)

Note: These generalized costs assume the full amount of a project. A project may include money from TIF dollars, grants, private contributions, City partnerships, and bonds.

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Item 8F.

Boat Ramp & Street Activation Illustrated in the Xtreme LA Plan



Boat ramp conceptual rendering for Douglas Harbor.



Conceptual rendering of an activated Center Street or festival space, like Beery Field.

Wade's Bayou Entry Illustrated in the City's Master Plan

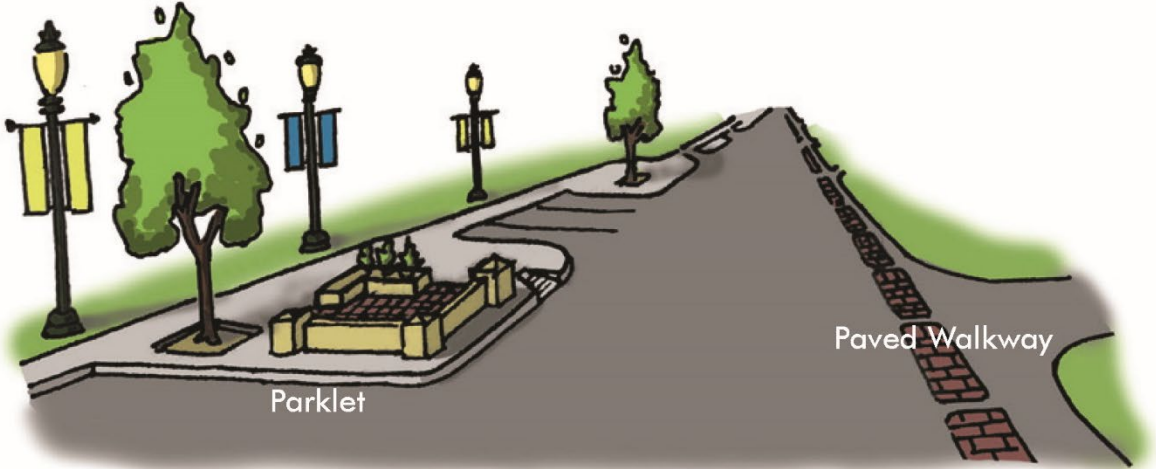
Recommendations

- Pursue acquisition of vacant and underutilized properties or use for temporary activity space.
- Create focal point at waterfront
- Remove city repository
- Enhance pedestrian connections to waterfront (Washington Street, Water Street and Center Street)

Remove "No Outlet" sign on Center Street (discourages access)



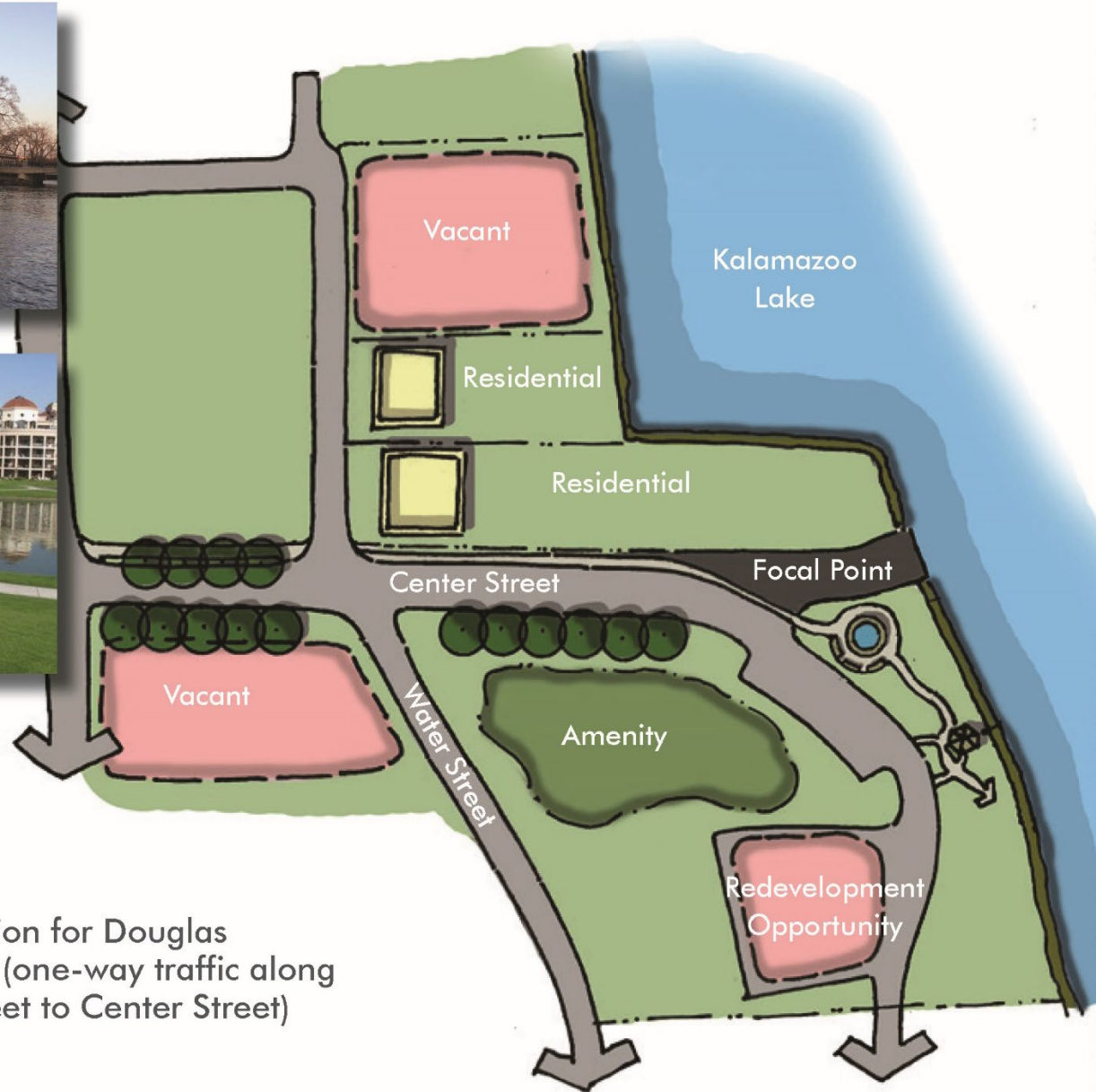
Recommended Washington Street enhancement: (between Center Street and Blue Star Highway)



This illustration was created for another City planning effort, separate from this Development Plan and Tax Increment Financing Plan and has only been included for reference. These plans are in various stages of implementation and may not accurately represent completed or in-progress projects.

Item 8F.

Wade's Bayou Sub Area Plan Illustrated in the City's Master Plan



Possible recommendation for Douglas Harbor enhancements (one-way traffic along southbound Water Street to Center Street)

This illustration was created for another City planning effort, separate from this Development Plan and Tax Increment Financing Plan and has only been included for reference. These plans are in various stages of implementation and may not accurately represent completed or in-progress projects.

Item 8F.

Consensus Plan as Illustrated in the Douglas Waterfront Public Marina Plan



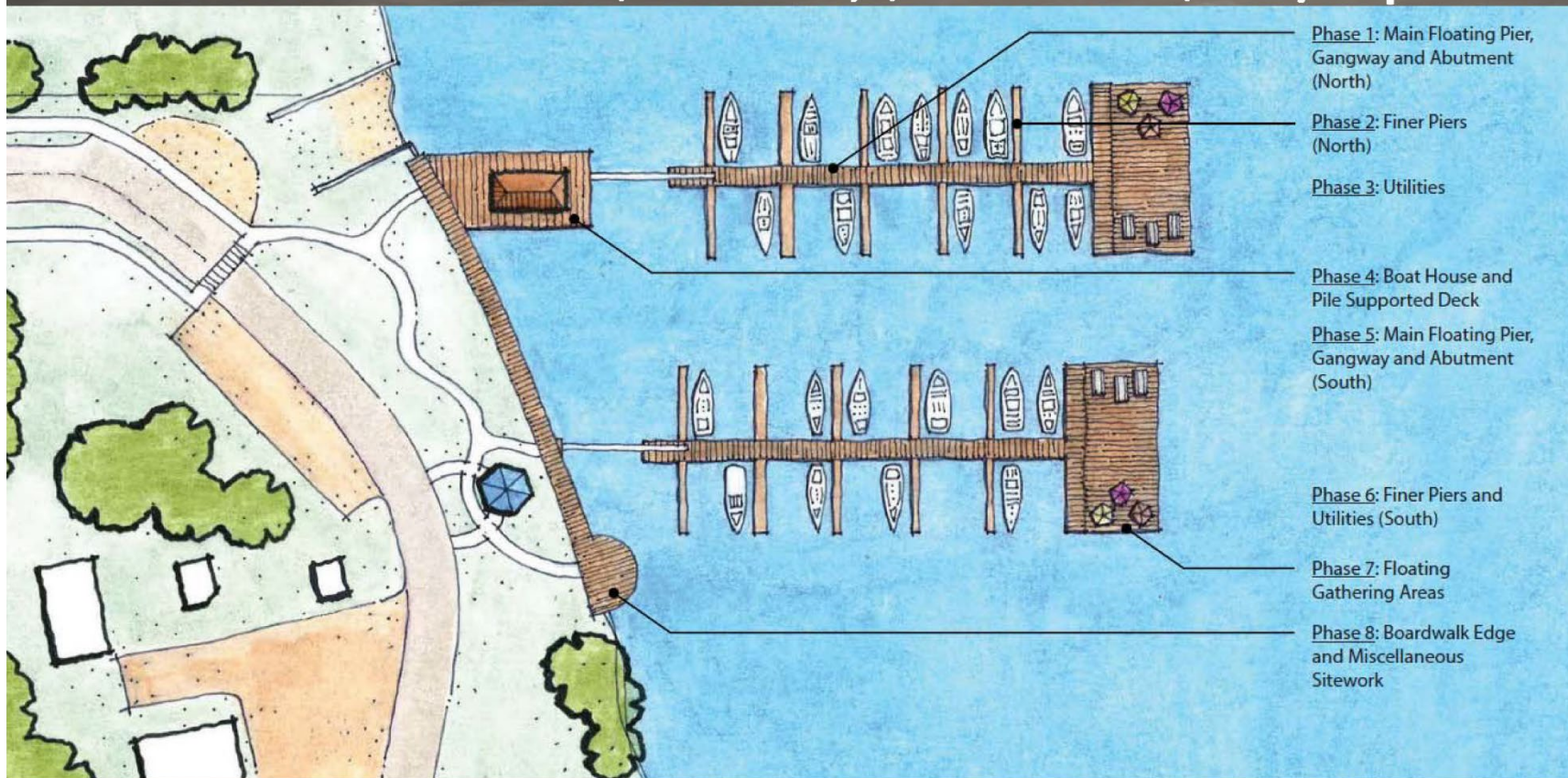
City of the Village of Douglas

Harbor Vision and Long Range Plan

Wades Bayou Marina Plan as Illustrated in the Douglas Waterfront Public Marina Plan

Wades Bayou Memorial Park New Marina

- 24 Slips Phase One, 50 Slips Full Build Out
- Construction Cost \$1.2M P1, \$2.3M FBO \$50k/Slip



Purchase & Renovation of Real Estate. Focuses on property/structure acquisition, facade improvement projects, City Hall/Dutcher Lodge, and public parking.

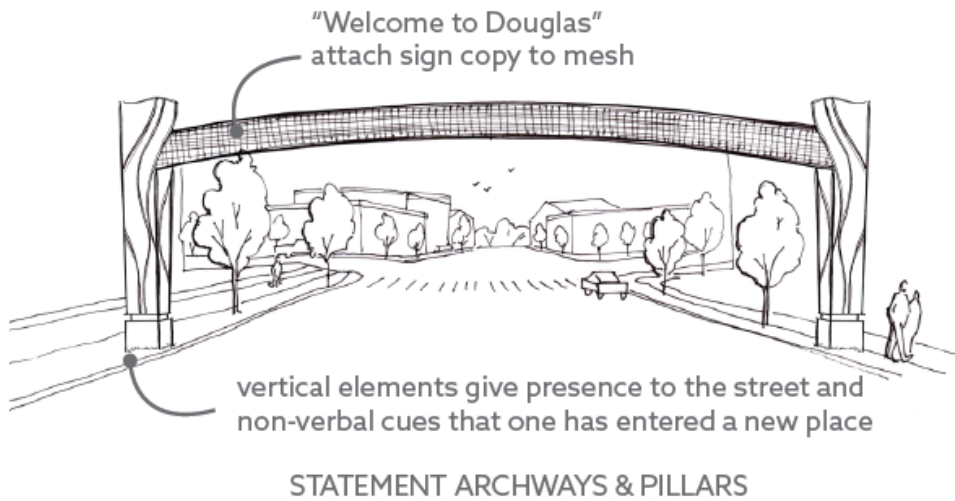
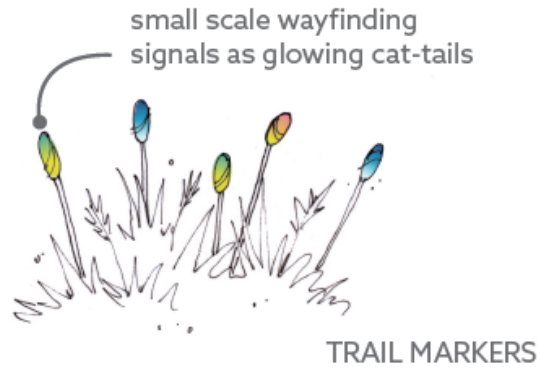
Purchase & Renovation of Real Estate	Potential Costs	Priority
Property/Structure Acquisition - Coordinate efforts with the City of the Village of Douglas and assist in the acquisition and removal or redevelopment of structures (i.e. the old village hall/police station) and uses within the DDA boundary	\$375,000	Medium (Ongoing)
City Hall/Dutcher Lodge - Technological updates as well as interior and exterior enhancements as needed	\$150,000	Low
Acquisition & Development of District Parking - This component involves the improvement of existing public off-street and on-street parking facilities, acquisition and development of future parking areas, and/or shared parking agreements, if the need arises	\$300,000	Low
Facade Improvement Projects - In coordination with the City, develop and maintain a façade improvement program to improve the facades of existing buildings	\$150,000	Low (Ongoing)

Gateway Improvements. Focuses on gateway treatments, street signage improvements, and way-finding system development.

Gateway Improvements Project	Potential Costs	Priority
Gateway Treatment - Explore design/feasibility options for major downtown gateway elements, such as archways, pillars, art, statement signs, plazas, as appropriate, in conjunction with City road reconstruction efforts	\$150,000	High
Street Signage Improvements and Wayfinding System - Projects may include: <ul style="list-style-type: none"> Implement the downtown wayfinding program, including directional post-mounted signs, parking signs, and a kiosk Construct a downtown monument sign at the corner of Center Street and Blue Star Highway Install wayfinding pavement markings and trail signs for the Beach to Bayou Trail Replace the park entry signs at Beery Field and Wade’s Bayou Install interpretive signage at Beery Field and Wade’s Bayou, as needed Establish locations for a Douglas Statement Sign 	\$75,000	High/Medium (Ongoing)

Note: These generalized costs assume the full amount of a project. A project may include money from TIF dollars, grants, private contributions, City partnerships, and bonds.

Gateway Treatments and Trail Markers as Shared During the Douglas Wayfinding Planning Process

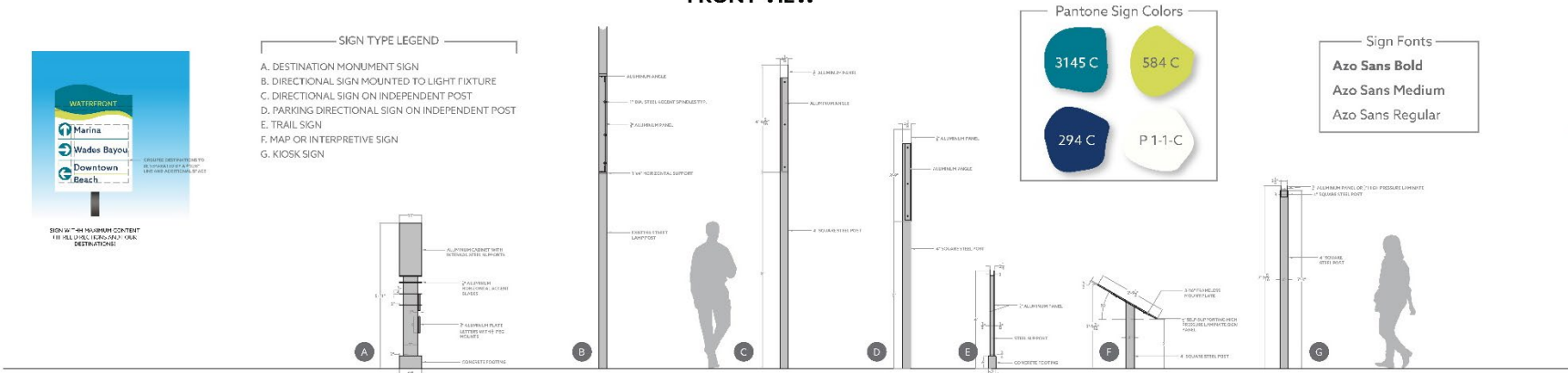
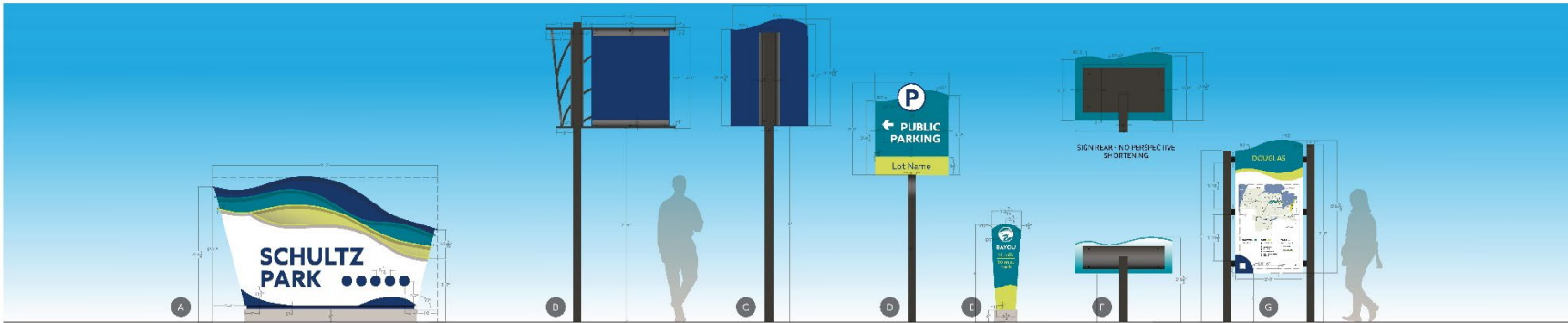


It's a Process

Other conceptual wayfinding elements are being discussed and may be explored in greater detail as the design process continues

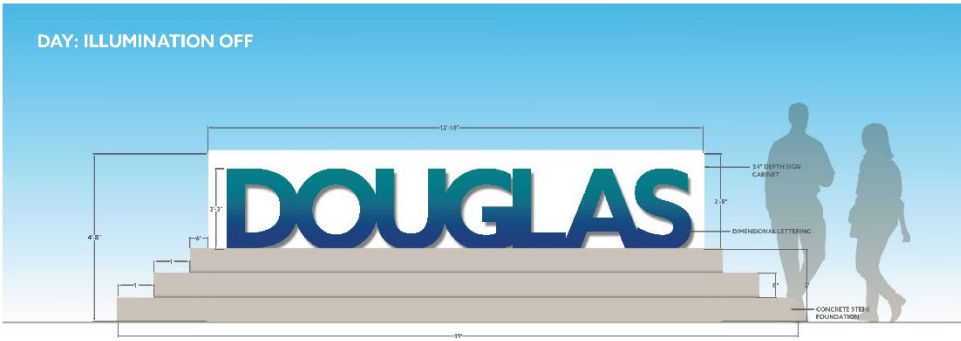
This illustration was created for another City planning effort, separate from this Development Plan and Tax Increment Financing Plan and has only been included for reference. These plans are in various stages of implementation and may not accurately represent completed or in-progress projects.

Wayfinding Signage as Illustrated in the Douglas Final Wayfinding Suite



Statement Sign as Illustrated in the Douglas Final Wayfinding Suite

Douglas Statement Sign



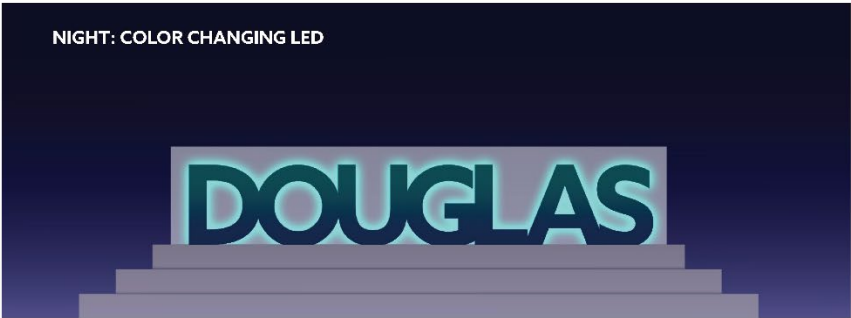
ILLUMINATION:
REVERSE CHANNEL

LED lights to be programmed for various backlit color displays. To the right is a sample of illuminated reverse channel lettering with opaque, painted aluminum sign copy.



ILLUMINATION: REVERSE CHANNEL

Backlit LED illuminated sign copy with opaque dimensional lettering. Light display to emit from behind the lettering, casting on the cabinet face.



DDA District Planning, Promotion & Staffing. Focuses on DDA representation on the City’s webpage, DDA promotion, market study analysis, grants coordinator/assistant, and a business recruitment program.

DDA District Planning, Promotion & Staffing Project	Potential Costs	Priority
<p>Grants Coordinator/Project Administration - Create a new position to provide facilities coordination in lieu of DDA coordination "by committee". It is expected that this person will oversee and coordinate the DDA's infrastructure, and maintenance needs, assist in grant writing, and manage projects.</p>	\$945,000	High (Ongoing)
<p>DDA Promotion - Develop and maintain a strategic promotion and marketing campaign to attract more visitors, newspaper articles, travel magazine articles, etc., and inform the public about development progress and local events</p> <ul style="list-style-type: none"> • Dedicated DDA webpage on the City's website with district events and information • Coordinate with local organizations such as Saugatuck-Douglas Area Convention & Visitors Bureau, Rotary Club, and others on the promotion of downtown and local events • Prepare a Market Study Analysis that includes site plans, land uses & promotional plans, preparation of a digital base map of the DDA district, development of a business recruitment program as well as market studies for retail and housing needs within the district 	\$960,000	High (Ongoing)
<p>Technical Support - Provide resources for existing businesses for promotion, marketing, and social media</p>	\$60,000	Medium (Ongoing)
<p>Increase Neighborhood Communication of Planning Activities - Improve or establish techniques for improved communication between business owners and residents and the DDA.</p>	\$30,000	Medium (Ongoing)
<p>Coordinate Activities with Local Institutions and Businesses - work with area visitors bureaus, business organizations, and other groups on marketing, tourism, and promotional campaigns</p>	\$30,000	Medium (Ongoing)
<p>Market Available Properties in the District</p>	\$15,000	Medium (Ongoing)

Note: These generalized costs assume the full amount of a project. A project may include money from TIF dollars, grants, private contributions, City partnerships, and bonds.

E. Description of Desired Zoning Changes and Changes in Streets, Street Levels, Intersections, or Utilities.

The existing zoning for the area is set forth on the attached Map 2. It is not expected that any zoning changes will be required as part of this Plan. Zoning changes may occur as a result of private development and will be subject to the standard procedures and policies currently in place under the City ordinances and codes. In addition, no new streets, street levels, or intersections are proposed as part of this Plan. Utility and streetscape changes may occur as needed to implement Development Plan projects and goals.

F. Planned New Development.

The objectives of the Plan are to encourage sustainable private sector development. It is expected that as the proposed projects are implemented, additional private sector interest in the DDA District may be generated, ultimately resulting in new private investment.

G. Existing and Planned Open Space.

The DDA may assist the City to improve recreational opportunities at Wade’s Bayou and Beery Field by adding new recreational amenities as well as adding new facilities to each park. Both of these projects will expand and improve recreational activities in the Development Area.

H. Identification of Private Interests.

At the time of adoption of the Plan, there are no private interests, parties or person identified to whom land for development will be sold, leased or conveyed.

The DDA may convey property in the Development Area to presently undetermined private parties for redevelopment for appropriate retail, commercial or industrial uses. The conveyance of such property shall be conducted in accordance with the following paragraph.

I. Dispositions of Property To or From the City.

At the time of the adoption of this Plan, the DDA does not own any land. The City however owns several parcels within the Development Area. If the DDA and the City determine that is necessary to accomplish any project under this Plan or the goals and objectives of the DDA, the DDA may sell, donate, exchange or lease property to or from the City. The terms of such sale, donation, exchange or lease shall be determined by the DDA and the City and be in accordance with local municipal policy and state law, if applicable.

J. Proposed Land Disposition Terms and Bidding Procedures.

The terms under which land designated for new development will be sold, leased or otherwise conveyed to private development interests shall be determined by the DDA, subject to approval by the City of the Village of Douglas City Council.

The procedures by which bids to purchase such property will be received and awarded will be in accordance with existing procedures and practices currently used by the City of the Village of Douglas in disposing of other city-owned property, or as

otherwise approved by the City of the Village of Douglas City Council.

The DDA and the City of the Village of Douglas City Council will reserve the right to select the development proposal and/or the developer whose proposal for purchase best meets the intent of this Plan and the best interests of the City of the Village of Douglas.

The DDA has acquired easements and improved property for parking lots and expects to extend the terms of those easements in the future. The property owners will continue to own the parking lots. The easements will remain in effect for a term not less than the term of any bonds issued to finance any improvements made by the DDA on the property. After payment of the bonds, the easements may terminate and the property owners will own the property and the improvements.

K. *Development Cost Estimates and Financing.*

The total cost to the DDA of completing all of the projects included in this Plan is estimated to be approximately \$6,777,500. A breakdown of this cost estimate is provided in Section D above.

The costs include expenditures for activities associated with the accomplishment of each of the projects described in the Plan, plus administrative expenses.

The DDA expects to finance these activities from one or more of the following sources:

1. Contributions and/or donations to the Authority for the performance of its functions;
2. Revenues from any property, building or facility sold, owned, leased, licensed, or operated by the Authority or under its control;

3. Tax increment revenue to be received pursuant to the Tax Increment Financing Plan;
4. Interest on investments;
5. Proceeds of tax increment bonds;
6. Proceeds of revenue bonds;
7. Federal, state and foundation grants, including grants from the Michigan Department of Transportation;
8. Money obtained from development agreements with property owners benefiting from public improvements;
9. Special assessments collected by the City for public improvements or maintenance of improvements constructed by the DDA; and
10. Money obtained from any other legal source approved by the City Council.

No private sector investment commitments have been made nor, have estimates of private sector costs been included. The private sector improvements would be financed through conventional lending sources arranged by the private owners or developers.

The proceeds to be received from tax increment revenues in the Development Area plus the availability of funds from other authorized sources will be used to finance all activities and improvements to be carried out under this Plan.

L. *Estimates of the Number of Persons Residing on the Property to Which the Plan Applies and the Number of Families and Individuals to be Displaced.*

There are less than 100 persons residing in the Development Area. Consequently, in accordance with Act 57, a Development Area Citizens Council has been not been appointed at the time of adoption of this plan. No displacement of families in the Development Area is contemplated.



M. Plan for Establishing Priority for Relocation of Displaced Persons.

Since no persons will be displaced from the Development Area by any of the proposed projects, it is not necessary to prepare a plan for establishing priority for displaced persons.

N. Provision for the Costs of Relocating Displaced Persons.

All costs associated with any real property acquisition and relocation activities will be approved by the DDA. In the event any future projects involve the relocation of displaced persons, provision for the costs of relocating persons displaced by the

development, and financial assistance and reimbursement of expenses, including litigation expenses and expenses incident to the transfer of title, shall be made in accordance with the standards and provisions of the Federal Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, USC § 4601-4655.

O. Compliance With Act 227 of the Michigan Public Acts of 1972.

This Development Plan meets the requirements of Act 227 of the Michigan Public Acts of 1972, as amended, in that there are no displaced persons or businesses at present and future development will comply with Act 227 to the extent required.

TAX INCREMENT FINANCING PLAN FOR THE CITY OF THE VILLAGE OF DOUGLAS

This tax increment-financing plan is established to make possible the financing of all or a portion of the costs associated with the carrying out and completion of those activities and improvements contained in the officially adopted Development Plan for the Development Area as may be amended from time to time.

A. Tax Increment Financing Procedure

The tax increment financing procedure as outlined in the Act requires the adoption by the City, by Ordinance, of a development plan and a tax increment financing plan. Following the adoption of that Ordinance, the municipal and county treasurers are required by law to transmit to the DDA that portion of the tax levy of all taxing bodies paid each year on the captured assessed value of all real and personal property located in the Development Area. The tax amounts to be transmitted are hereinafter referred to as "Tax Increment Revenue." The "Captured Assessed Value" is defined by the Act as "the amount in any one year, by which the current assessed value of the project area, including the assessed value of property for which specific local taxes are paid in lieu of property taxes. . . exceeds the initial assessed value." The "initial assessed value" is defined by the Act as "the assessed value, as equalized, of all the taxable property within the boundaries of the development area at the time the ordinance establishing the tax increment financing plan is approved, as shown by the most recent assessment roll of the municipality for which equalization has been completed at the time the resolution is adopted." Property exempt from taxation at the time of the determination of the initial assessed value shall be included as zero. For the purpose of determining initial assessed value, property for which a specific local tax is paid in lieu of a property tax, shall not be considered to be property that is exempt from taxation. The initial assessed value

of property for which a specific tax was paid in lieu of a property tax shall be determined as provided below.

"Specific local tax" means a tax levied under Act No. 198 of the Michigan Public Acts of 1974, as amended, being Sections 207.551 to 207.571 of the Michigan Compiled Laws, the Commercial Redevelopment Act, Act No. 255 of the Michigan Public Acts of 1978, as amended, being Sections 207.651 to 207.668 of the Michigan Compiled Laws, Act No. 189 of the Michigan Public Acts of 1953, as amended, being Sections 211.181 to 211.182 of the Michigan Compiled Laws, and the Technology Park Development Act, Act No. 385 of the Michigan Public Acts of 1984, as amended, being Sections 207.701 to 207.718 of the Michigan Compiled Laws. The State Tax Commission shall prescribe the method for calculating the initial assessed value and current assessed value for which a specific local tax was paid in lieu of a property tax.

When the Authority determines that it is necessary for the purposes of this Act, the Authority shall prepare and submit a tax increment financing plan to the governing body of the municipality. The plan shall include a development plan as provided in section 217(2) of the Act, a detailed explanation of the tax increment procedure, the maximum amount of bonded indebtedness to be incurred, the duration of the program and shall be in compliance with section 15 of the Act. The plan shall contain a statement of the estimated impact of tax increment financing on the assessed values of all taxing jurisdictions in which the development area is located. The plan may provide for the use of part or all of the captured assessed value, but the portion intended to be used by the authority shall be clearly stated in the tax increment financing plan.

Approval of the tax increment financing plan shall be pursuant to the notice, hearing, and disclosure provisions of section 18 of the Act. If the development plan is part of the tax increment financing

plan, only one hearing and approval procedure is required for the two plans together.

Following adoption of the ordinance approving the Development Plan and Tax Increment Financing Plan, the municipal and county treasurers are required by law to transmit to the DDA that portion of the tax levy of all taxing jurisdictions paid each year on the captured assessed value of all real and personal property included in the Tax Increment Financing Plan. The DDA is not permitted by law to capture tax increment revenues from any local or intermediate school district, or the state education tax.

The tax increment financing plan may be modified if the modification is approved by the City of the Village of Douglas following the same public hearing procedures as were required for adoption of the original Plan.

On March 27, 2006, the DDA recommended to the City Council that a Downtown Development Plan and Tax Increment Financing Plan be approved. After public notice and a hearing, the City Council approved the recommended Downtown Development Plan and Tax Increment Financing Plan on May 1, 2006.

On May 31, 2023, the DDA recommended to the City Council that an updated Downtown Development Plan and Tax Increment Financing Plan be approved. After public notice and a hearing, the City Council approved the updated Downtown Development Plan and Tax Increment Financing Plan on (INSERT DATE).

Presented in **Exhibit 2** are schedules of the initial assessed values of all real and personal property in the original Development Area and the area which was added to the Development Area in 2006, determined as of December 31, 2004 (for the 2005 calendar year) and updated as of December 31, 2005 (for the 2006 calendar year). An updated list of properties has also been provided reflecting conditions in 2022.

B. Estimates of Captured Assessed Values and Tax Increment Revenues

The DDA shall expend the tax increments received for the development program only in accordance with the Tax Increment Financing Plan. Tax increment revenues in excess of the estimated tax increment revenues or in excess of the actual cost of the Plan to be paid by the tax increment revenues may be retained by the DDA only for purposes that, by resolution of the DDA Board, are determined to further the development program in accordance with the Tax Increment Financing Plan. The excess revenue not so used shall revert proportionately to the respective taxing jurisdictions. These revenues shall not be used to circumvent existing property tax laws or a local charter which provides a maximum authorized rate for the levy of property taxes.

The City of the Village of Douglas may terminate the Tax Increment Financing Plan if it finds that the purposes for which the Plan was established are accomplished. However, the Tax Increment Financing Plan may not be terminated until the principal of and interest on any bonds issued under the Act have been paid or funds sufficient to make that payment have been segregated and placed in an irrevocable trust for the benefit of the holders of the bonds.

A schedule of the estimated tax increment revenues to be realized from increases in real and personal property values for the period from 2022 through 2052 is set forth in **Exhibit 3**. The projected revenue after 2022 is based on appreciation only. The millage rates levied by the local taxing jurisdictions within the Development Area in 2022 were applied to the captured assessed totals for ad valorem real and personal property. Under this Tax Increment Financing Plan, the entire tax increment amount is to be utilized by the DDA, however, the DDA may enter into agreements with local taxing jurisdictions to share a portion of the captured assessed value.

For the portion of the Development Area which was included in the downtown district at the time that the Downtown Development Authority was originally established in 1997, the tax levies of all taxing jurisdictions levying ad valorem taxes in the original Development Area (except the local and intermediate school districts and the state) will be captured by the Tax Increment Financing Plan. This includes the City of the Village of Douglas, Allegan County, the Saugatuck-Douglas District Library and the Interurban Transit Authority. For the portion of the Development Area which was added in 2006, only the tax levies of the City of the Village of Douglas and Allegan County will initially be subject to capture, as the other local taxing jurisdictions (the Library and the Transit Authority) have filed resolutions with the City Clerk to exempt their millage from capture, as permitted by Section 3(3) of the Act. However, any one of these taxing jurisdictions may file a resolution with the City Council to withdraw their prior resolution and irrevocably consent to the capture of their millage in the area added to the district in 2006. The Fire District also filed a resolution exempting its millage from capture, but since the Fire District collects special assessments rather than ad valorem taxes, the special assessments are not subject to capture in any event.

C. Use of Tax Increment Revenue

The tax increment revenue paid to the DDA by the municipal and county treasurers is to be disbursed by the DDA from time to time in such manner as the DDA may deem necessary and appropriate in order to carry out the purposes of the Development Plan, including but not limited to the following:

1. The principal, interest and reserve payments required for any bonded indebtedness to be incurred in its behalf for purposes provided in the Development Plan.

2. Cash payments for initiating and completing any improvements or activity called for in the Development Plan.
3. Any annual operating deficits that the DDA may incur from acquired and/or leased property in the Development Area.
4. Interest payments on any sums that the DDA should borrow before or during the construction of any improvement or activity to be accomplished by the Development Plan.
5. Payments required to establish and maintain a capital replacement reserve.
6. Payments required to establish and maintain a capital expenditure reserve.
7. Payments required to establish and maintain any required sinking fund.
8. Payments to pay the costs of any additional improvements to the Development Area that are determined necessary by the DDA and approved by the City of the Village of Douglas.
9. Any administrative expenditure required to meet the cost of operation of the DDA and to repay any cash advances provided by the City of the Village of Douglas. This may include quarterly payments to the City to support overhead expenses.

The DDA may modify the priority of projects and payments at any time if, within its discretion, such modification is necessary to facilitate the Development Plan then existing and is permitted under the term of any outstanding indebtedness.

D. Bonded Indebtedness to be Incurred (if any)

Revenues to support these costs shall be derived from any of the following sources, or from a combination of these sources:

1. The issuance of one or more series of revenue bonds which may be supported by a limited tax pledge if authorized by resolution of the City Council or, if authorized by the voters of the City of the Village of Douglas, the unlimited tax, full faith and credit of the City of the Village of Douglas;
2. Tax increment bonds which are secured by tax increment revenue to be received from property within the Development Area and which may be secured by a limited tax pledge of the City of the Village of Douglas if authorized by resolution of the City Council or, if authorized by the voters of the City of the Village of Douglas, the unlimited tax, full faith and credit of the City of the Village of Douglas;
3. Funds borrowed from the City of the Village of Douglas at rates and terms to be agreed upon or as set forth elsewhere in the Development Plan and Tax Increment Financing Plan.
4. Cash.

Tax collections expected to be generated by the captured assessed value of property within the Development Area are expected to be adequate to provide for payment of principal and interest on bonds or funds borrowed from the City of the Village of Douglas.

At the time of adoption of the Plan, the DDA estimates that the maximum aggregate principal amount of bonded indebtedness or indebtedness to be incurred by the DDA and/or the City of the Village of Douglas for all bond issues or loans, including payments

of project costs, issuance expenses, capitalized interest, and any required reserve accounts which may be incurred during the term of the Plan, if any, is \$2,100,000 including project costs and issuance expenses.

E. Duration of Plan

The Tax Increment Financing Plan shall have a term of thirty (30) years, and shall expire following the collection of the December 1, 2052 tax levy. The term of the Plan may be modified from time to time by the City Council upon notice, public hearing and amendments as required by the Act.

F. Impact on Assessed Values and Tax Revenues

The overall impact of the Development Plan is expected to generate increased economic activity in the Development Area, the Downtown District, the City of the Village of Douglas and Allegan County at large. This increase in activity will, in turn, generate additional amounts of tax revenue to local taxing jurisdictions through increases in assessed valuations of real and personal property and from increases in personal income of new employment within the Development Area, the Downtown District, the City of the Village of Douglas, other neighboring communities and throughout Allegan County. The projected revenue after 2022 is based on appreciation only at a conservative assumed growth rate of 3%. As identified earlier in Exhibit 3 of this Plan, the expected increases in assessed valuation for existing property in the Development Area have been estimated for the 2023 through 2052 tax years.

For purposes of determining the estimated impact of this Tax Increment Financing Plan upon those taxing jurisdictions within the Development Area, estimates of captured assessed values (Exhibit 3) were used along with 2022 tax millage rates to determine tax increment revenue amounts that would be shifted from these

jurisdictions to the DDA to finance the project activities called for in the Development Plan.

G. Use of the Captured Assessed Values

The Development and Tax Increment Financing Plan provides for the use of all of the captured assessed value by the DDA for the purposes herein set forth.

H. Reports

The DDA shall submit annually to the City of the Village of Douglas and the State Tax Commission a financial report on the status of the Tax Increment Financing Plan. The report shall include the following:

1. The amount and source of revenue in the tax increment financing account.
2. The amount in any bond reserve account.
3. The amount and purpose of expenditures from the tax increment financing account.
4. The amount of principal and interest on any outstanding bonded indebtedness of the DDA.
5. The initial assessed value of the Development Area.
6. The captured assessed value retained by the DDA.
7. The tax increment revenues received.
8. The number of jobs created as a result of the implementation of the Tax Increment Financing Plan.
9. Any additional information the City of the Village of Douglas or the State Tax Commission considers necessary.

The report shall be published in a newspaper of general circulation in the City of the Village of Douglas.

EXHIBITS

1. Legal Description of Downtown District and Development Area
2. Schedule of Taxable Values, Tax Classifications, and Addresses for Property Included in the Development Area (2, 2A, 2B, 2C)
3. Schedules of Anticipated Tax Increment Revenues and Projected Impact on Taxing Jurisdictions (3A, 3B)
4. Part 2, Downtown Development Authorities, Recodified Tax Increment Financing Act 57 of 2018

MAPS

1. Map 1 | Downtown District and Development Area Boundaries
2. Map 2 | Zoning

**Exhibit 1. Legal Description of Downtown
District and Development Area**

State of Michigan, Allegan County, City of the Village of Douglas, Section 16 starting at the northwest corner of the Blue Star Highway and Center Street right-of-way, for the point of beginning of this description; thence northeast approximately 520 feet along the Blue Star Highway west right-of-way line to the north right-of-way line of St. Peter's Drive; thence southeast approximately 120 feet to the northeast corner of parcel 03-59-600-003-30 thence southeast approximately 90 feet along the property line of parcel 03-59-600-003-30 to the northwest corner of parcel 03-59-600-006-00; thence east approximately 140 feet, thence south approximately 140 feet; thence east approximately 90 feet; thence south approximately 115 feet to the north right-of-way of Center Street; thence east approximately 35 feet; thence north approximately 350 feet along the west line of parcel 03-59-600-005-00 to a point that is the north right-of-way line of Wall Street extended; thence east approximately 265 feet along the north right-of-way of Wall Street; thence south approximately 66 feet to the northeast corner of parcel 03-59-551-004-50; thence south approximately 130 feet to the northwest corner of parcel 03-59-551-003-00; thence east approximately 225 feet to the centerline of the Union Street right-of-way; thence east approximately 790 feet along the north right-of-way line of the existing alleyway to the centerline of the Washington Street right-of-way; thence southeasterly approximately 33 feet to the northwest corner of parcel 03-59-100-009-50; thence east approximately 130 feet to the east right-of-way line of Water Street; thence south approximately 140 feet to the northeast corner of the Center Street and Water Street right-of-ways; thence east approximately 330 feet to the Kalamazoo River; thence southeasterly approximately 430 feet along the edge of the Kalamazoo River to the south right-of-way of Freemont Street extended to the Kalamazoo River; thence west approximately 370 feet to the southwest corner of the Water Street and Freemont Street right-of-way; thence northwesterly approximately 220 feet to the northeast corner of parcel 03-59-150-012-00; thence west approximately 20 feet; thence south approximately 90 feet to the southeast corner of parcel 03-59-150-010-00; thence west approximately 135 feet to

the east right-of-way line of Washington Street; thence south approximately 120 feet to the southeast corner of the Washington Street and Freemont Street right-of-way; thence west approximately 335 feet to the southwest corner of the Main Street and Freemont Street right-of-way; thence north along the west right-of-way line of Main Street approximately 130 feet to the southeast corner of parcel 03-59-150-005-00; thence west approximately 265 feet to the west right-of-way line of Spring Street; thence north approximately 90 feet to the southeast corner of parcel 03-59-150-002-00; thence west approximately 100 feet to the southwest corner of parcel 03-59-150-002-00; thence south approximately 30 feet to the southeast corner of parcel 03-59-150-001-00; thence west approximately 270 feet to the northwest corner of parcel 03-59-501-003-00; thence south approximately 195 feet to the south right-of-way line of Freemont Street; thence west approximately 165 feet to the southwest corner of the Freemont Street & Mixer Street right-of-way at the northeast corner of parcel 03-59-503-006-00; thence north approximately 200 feet to the southeast corner of parcel 03-59-502-001-00; thence west approximately 65 feet to the southwest corner of parcel 03-59-502-001-00; thence south approximately 15 feet to the southeast corner of parcel 03-59-125 (Douglas Town Home Condo); thence west 135 feet to the east right-of-way line of Ellis Street; thence south approximately 55 feet to the southwest corner of parcel 03-59-502-004-00; thence west approximately 33 feet to the southeast corner of parcel 03-59-016-039-11; thence west approximately 270 feet to the southwest corner of parcel 03-59-016-039-00; thence south approximately 180 feet to the southeast corner of parcel 03-59-016-042-00; thence west approximately 30 feet to the northwest corner of parcel 03-59-016-046-00; thence south approximately 55 feet to the southeast corner of parcel 03-59-016-041-00; thence west approximately 240 feet to the southeast corner of parcel 03-59-016-043-00; thence north approximately 220 feet to the northeast corner of parcel 03-59-016-043-00; thence west approximately 370 feet to the west right-of-way of Blue Star Highway; thence northeasterly along said right-of-way approximately 360 feet to the point of beginning.

Exhibit 2. *Schedule of Taxable Values , Tax Classifications, and Addresses for Property Included in the Development Area.*

**EXHIBIT 2
CITY OF THE VILLAGE OF DOUGLAS
SCHEDULE OF TAXABLE VALUES**

Original District

Real Property

Parcel #	Owner's Name	Address	2004 Taxable Value (Initial Taxable Value)	2005 Taxable Value	Captured Assessed Value
59-016-039-00	Klage William & Elizabeth (2004)	229 Center	4,700	4,808	108
59-016-039-10	Village Entertainment (2005)	201 Center	111,041	113,594	2,553
59-016-039-11	Leonard, John M & Donna K	Ellis Vacant	33,600	34,372	772
59-016-039-20	Keller, Bonnie & Looman	Center Street	72,500	72,500	0
59-100-009-00	Mark Peter	50 Center	199,544	200,000	456
59-100-009-50	Calla Properties LLC	11 N Water Street	26,000	26,598	598
59-100-011-00	Group West Michigan	32 Center	105,555	107,982	2,427
59-100-011-50	Sheridan Stephen E &	20 Center	131,485	133,800	2,315
59-100-012-00	WPH Land Holdings LLC	21 Main Street	105,000	107,415	2,415
59-100-014-51	Starrett Dewey & Susan C	22 Main Street	53,800	53,800	0
59-100-015-00	Group West Michigan	24 Center	650,000	650,000	0
59-100-016-00	The People's Store Of	36 Center	171,878	175,831	3,953
59-100-017-00	Resume Center Street	48 Center	133,900	133,900	0
59-100-018-00	Douglas Professional	62 Center	92,552	94,660	2,128
59-100-019-00	Bekken Gerald &	70 Center	72,681	74,352	1,671
59-125-001-00	Putnam Kevin & Blodgett (2004)	39 Ellis St 1	55,000	72,500	17,500
59-125-002-00	Bonacorsi Steven (2005)				
59-125-003-00	Barkman David A Trust	39 Ellis St 2	52,435	68,800	16,365
59-125-004-00	Cole John V & Susan E	39 Ellis St 3	52,435	53,641	1,206
59-125-005-00	McCaleb Robert E &	39 Ellis St 4	22,987	23,525	528
59-150-001-00	Roelig Christopher &	39 Ellis St 5	52,435	53,641	1,206
59-150-002-00	DelFosse Trust	13 Union	37,092	37,945	853
59-150-004-00	Village of Douglas	47 Center	0	0	0
59-150-005-00	Matteson, Max	35 E Center	76,414	78,171	1,757
59-150-005-10	Village of Douglas	Main St, Parking Lot	0	0	0
59-150-005-20	Peregrine-Douglas	25 Center	180,000	180,000	0
59-150-006-00	Eggert Susan K Trust	23 Center	180,000	180,000	0
59-150-007-00	Balmer Margaret Elaine	11 Center	108,143	110,630	2,487
59-150-010-00	Village of Douglas	Center Street	0	0	0
59-501-001-00	Mallott Leslie & Cross	7 S. Washington	79,930	81,768	1,838
59-501-002-00	Schumacher Wm Jr	25 Mixer Street	20,598	21,071	473
59-502-001-00	Douglas Village	25 Mixer Street	48,652	49,770	1,118
59-502-003-00	Floral Maria N & Eklof SH	137 Center	0	0	0
59-530-001-00	Oxford Holding Company	147 Center	55,554	56,831	1,277
59-530-002-00	Cadwallader Kenneth & K	8 Center	260,046	266,027	5,981
59-530-003-00	Laughner Steven T ET	10 Center	63,400	59,300	-4,100
59-551-001-00	Village of Douglas	12 Center	44,988	46,032	1,034
59-551-002-00	Laughner Steven T ET	86 Center Street	0	0	0
59-551-003-00	Schoeneich Eugene A &	98 Center Street	190,000	190,000	0
59-551-004-50	Budd Nancy J Trustee	112 Center	74,686	76,414	1,718
59-600-005-00*	Douglas Development	130 Center	117,233	119,929	2,696
Total Real Property			3,836,294	3,908,627	73,333

*Due to a subsequent lot split, the 2004 taxable value for the portion of parcel no. 59-600-005-00 which is included in the original district has been determined to be \$100,000 based on an approximate square footage allocation by the City Assessor.

Parcel #	Owner's Name	Address	2004 Taxable Value (Initial Taxable Value)	2005 Taxable Value	Captured Assessed Value
Personal Property					
59-900-003-00	RIVERVIEW LEASE/LOAN	12 Center	2,400	1,800	-600
59-900-014-00	VFS LEASE RESIDUAL	62 Center	0	800	800
59-900-021-00	VON DER HEIDE ARCHITECTS	20 Center	19,400	16,900	-2,500
59-900-024-00	EVERYDAY PEOPLE	11 Center	33,200	28,500	-4,700
59-900-035-00	CENTER STAGE SALON	32 Center	0	0	0
59-900-038-00	CIRCA AND YUM YUM	88 Center	0	4,000	4,000
59-900-041-00	COPPER GRILL	24 Center	0	0	0
59-900-044-00	Cadwallader Fine Arts, LLC	10 Center	0	900	900
59-900-080-00	Sheridan Law Offices PC	62 Center	8,000	6,800	-1,200
59-900-087-00	Wobink Livense	62 Center	1,200	1,200	0
59-900-186-00	State Farm Mutual Ins Co	201 Center	2,600	1,800	-700
59-900-200-00	V & S Flowers	147 Center	300	300	0
59-900-207-00	Douglas Hair Care	237 Center	0	0	0
59-900-213-00	DeLong & Brower	62 Center	0	500	500
59-900-225-00	Respite Cappuccino	48 Center	500	500	0
59-900-237-00	Raymond James Financial	201 Center	0	4,600	4,600
59-900-813-00	Rocking Bear Inc	34 Center	6,200	1,200	-5,000
59-900-825-00	Bentley's	50 E. Center	800	800	0
59-900-828-00	Chaps	8 Center	34,000	30,600	-3,400
59-900-831-00	Philip & Son	25 Center	1,200	1,700	500
59-900-836-00	Back Alley Pizzeria, Inc	22 Main	16,400	15,000	-1,400
59-900-839-00	Luoma Art Gallery	202 Center	2,100	1,800	-300
59-900-846-00	Ghn & Bear It	50 E. Center	1,700	1,500	-200
59-900-963-00	Cascade Interiors	10 Center	2,800	2,300	-500
59-900-965-00	Pacelli & Crews, LTD	23 Center	1,300	1,100	-200
59-900-971-00	Canon Financial Services	23 Center	3,200	2,800	-400
59-900-981-00	13 Hawks Studio	50 E. Center	500	500	0
Total Personal Property			137,800	128,000	-9,800
Total Real and Personal Property in Original District			3,974,094	4,037,627	63,533

Area Added to District in 2006

Parcel #	Owner's Name	Address	2004 Taxable Value (Initial Taxable Value)	2005 Taxable Value	Captured Assessed Value
Real Property					
59-016-037-00	Kiama Properties	28 Blue Star Hwy	142,047	145,314	3,267
59-016-038-00	Alexander Jerry	41 Blue Star Hwy	66,797	68,333	1,536
59-016-041-00	Diamond's Super Value	237 Center	416,695	426,278	9,583
59-016-042-00	Village Entertainment	229 Center	167,370	171,219	3,849
59-150-010-00	Douglas Village Camp	28 Bayou Dr	0	0	0
59-551-004-00	New Tara Properties	200 Center	36,110	36,940	830
59-600-003-00	Douglas Properties	46 Blue Star Hwy	189,609	193,970	4,361
59-600-003-40	Danjo Properties	202 Center	213,992	218,913	4,921
59-600-006-00*	Douglas Development		150,000	150,000	0
Total Real Property			1,382,620	1,410,967	28,347

*Due to a subsequent lot split, the 2004 taxable value for the portion of parcel no. 59-600-006-00 which is included in the area added to the district in 2006 has been determined to be \$150,000 based on an approximate square footage allocation by the City Assessor.

Parcel #	Owner's Name	Address	2004 Taxable Value (Initial Taxable Value)	2005 Taxable Value	Captured Assessed Value
Personal Property					
59-900-005-00	Douglas Super Value		149,400	130,200	-19,200
59-900-018-00	Edward D Jones & Co		12,200	12,200	0
59-900-229-00	Metropolitan Title Co		5,000	4,900	-100
59-900-809-00	Shoreline Realtors		2,200	2,000	-200
59-900-838-00	Chicago Title Of		1,900	1,900	0
59-900-972-00	Lighthouse Realty		0	0	0
Total Personal Property			170,700	151,200	-19,500
Total Real and Personal Property in Area Added to District			1,553,320	1,562,167	8,847
Grand Total - Real Property			5,218,914	5,320,594	101,680
Grand Total - Personal Property			308,500	279,200	-29,300
Grand Total - Real and Personal Property			5,527,414	5,599,794	72,380

#1244807

Exhibit 2A
City of the Village of Douglas
Schedule of Taxable Values by Property 2022
Original District

Owner	Parcel	Class	Property Address	Zoning	Taxable Value
229 CENTER ST LLC	5901603900	202	227 W CENTER ST	C-1A VILL CTR C	\$41,175.00
LEONARD JOHN M & DONNA K	5901603910	201	201 W CENTER ST	C-1A VILL CTR C	\$161,544.00
JOHNSON JERRY - VACANT	5901603911	402	44 ELLIS ST	R-3 NBHD CONSER	\$31,300.00
DOUGLAS FLATS, LLC	5901603920	202	225 W CENTER ST	C-1A VILL CTR C	\$39,500.00
REDEFINE PROPERTIES LLC	5910000900	201	50 E CENTER ST	C-1A VILL CTR C	\$146,995.00
SCHIPPER BRIAN J 2009 TRUST	5910000950	201	11 N WASHINGTON ST	C-1A VILL CTR C	\$45,865.00
PFACFFHOUSE LLC	5910001100	1	32 E CENTER ST	N/A	\$64,149.00
NEEDHAM, LLC	5910001150	202	14 E CENTER ST	C-1A VILL CTR C	\$45,658.00
DROZ MARIA T	5910001200	201	21 N MAIN ST	C-1A VILL CTR C	\$81,193.00
22 MAIN ST LLC	5910001451	201	22 N MAIN ST	C-1A VILL CTR C	\$40,982.00
HUNT PROPERTIES OF DOUGLAS	5910001500	201	24 W CENTER ST	C-1A VILL CTR C	\$313,930.00
COLSEN RONALD E & CAROLE J	5910001700	201	48 W CENTER ST	C-1A VILL CTR C	\$109,601.00
COLSEN RONALD E & CAROLE J	5910001800	201	62 W CENTER ST	C-1A VILL CTR C	\$151,231.00
ALB 21, LLC	5910001900	201	70 W CENTER ST	C-1A VILL CTR C	\$105,731.00
WINSTON HOLDINGS LLC	5912500100	401	39 ELLIS ST 1	C-1A VILL CTR C	\$71,483.00
GILES LEANNE	5912500200	401	39 ELLIS ST 2	C-1A VILL CTR C	\$69,500.00
COLE JOHN V & SUSAN E	5912500300	401	39 ELLIS ST 3	C-1A VILL CTR C	\$69,500.00
ALEXANDER MARLEE KAY	5912500400	401	39 ELLIS ST 4	C-1A VILL CTR C	\$69,500.00
JADE MOON LLC	5912500500	401	39 ELLIS ST 5	C-1A VILL CTR C	\$71,483.00
DOUGLAS DEVELOPMENT PARTNERS LLC	5913000000	6	150 W CENTER ST	C-2 GEN COMM	\$0.00
RAMSEY TRUST	5913000100	201	150 W CENTER ST A	C-2 GEN COMM	\$128,066.00
GACK LLC	5913000200	201	150 W CENTER ST B	C-2 GEN COMM	\$135,406.00
SCE PROPERTIES LLC	5913000300	201	150 W CENTER ST C	C-2 GEN COMM	\$172,372.00
150 CENTER ST LLC	5913000400	201	150 W CENTER ST D	C-2 GEN COMM	\$118,000.00
HAWCO JAMES E & PATRICIA	5913000500	401	150 W CENTER ST E	C-2 GEN COMM	\$157,071.00
WELSH ADAM B	5913000600	401	150 W CENTER ST F	C-2 GEN COMM	\$120,613.00
FAIRMAN DONALD & REGINA	5913000700	401	150 W CENTER ST G	C-2 GEN COMM	\$98,389.00
KLING JOANNA N & KLING JULIA ET AL	5913000800	401	150 W CENTER ST H	C-2 GEN COMM	\$102,469.00
LANNING TERESA M	5913000900	401	150 W CENTER ST I	C-2 GEN COMM	\$172,900.00
STEFANCHIK BETH A TRUST	5913001000	401	150 W CENTER ST J	C-2 GEN COMM	\$87,779.00
THOMPSON LESLIE B TRUST	5913001100	401	150 W CENTER ST K	C-2 GEN COMM	\$110,044.00
TIERNEY MICHAEL	5913001200	401	150 W CENTER ST L	C-2 GEN COMM	\$155,858.00
TOMPKINS DEBORAH A	5913001300	401	150 W CENTER ST M	C-2 GEN COMM	\$110,277.00
DELFOSSSE LAWRENCE ET AL	5915000100	401	13 S UNION ST	C-1A VILL CTR C	\$53,955.00
CITY OF THE VILLAGE OF DOUGLAS - POLICE DEPARTMENT	5915000200	201	47 W CENTER ST	C-1A VILL CTR C	\$0.00
SANDY FEET COTTAGE RENTALS LLC	5915000400	201	35 W CENTER ST	C-1A VILL CTR C	\$195,467.00
VILLAGE OF DOUGLAS	5915000500	202	S MAIN ST	R-3 NBHD CONSER	\$0.00
PEREGRINE-DOUGLAS LLC	5915000510	1	25 W CENTER ST	C-1A VILL CTR C	\$0.00
STAN01, LLC	5915000520	1	23 W CENTER ST	C-1A VILL CTR C	\$0.00

BALMER MARGARET & BALMER MATTHEW	5915000600	201	11 W CENTER ST	C-1A VILL CTR C	\$215,023.00
CITY OF THE VILLAGE OF DOUGLAS - BEERY FIELD	5915000700	402	9 E CENTER ST	C-1A VILL CTR C	\$0.00
RANDALL MARK C ET AL	5915001000	401	15 S WASHINGTON ST	C-1A VILL CTR C	\$202,317.00
STOLTZNER KYLE J REV TRUST	5915001010	401	19 S WASHINGTON ST	R-3 NBHD CONSER	\$132,123.00
SCHUMACHER WM JR	5950100100	401	25 S MIXER ST	C-1A VILL CTR C	\$100,738.00
DDA REF SCHUMACHER WM JR	5950100200	1	25 S MIXER ST	N/A	\$0.00
CITY OF THE VILLAGE OF DOUGLAS - OLD LIBRARY	5950200100	201	137 W CENTER ST	C-1A VILL CTR C	\$0.00
CITY OF THE VILLAGE OF DOUGLAS - PRIDE GARDEN	5950200300	202	147 W CENTER ST	C-1A VILL CTR C	\$52,373.00
MBSM LLC	5953000100	201	8 W CENTER ST	C-1A VILL CTR C	\$200,042.00
TRUONG TRI & DONNA	5953000200	201	10 W CENTER ST	C-1A VILL CTR C	\$62,703.00
RETROGETAWAY INC	5953000300	201	12 W CENTER ST	C-1A VILL CTR C	\$91,833.00
CITY OF THE VILLAGE OF DOUGLAS - CITY HALL	5955100100	201	86 W CENTER ST	C-1A VILL CTR C	\$0.00
LAUGHNER STEVEN T ET AL	5955100200	201	98 W CENTER ST	C-1A VILL CTR C	\$148,855.00
DINGES BRYN M &	5955100300	401	112 W CENTER ST	C-1A VILL CTR C	\$108,665.00
SAUGATUCK DOUGLAS HISTORICAL SOCIETY	5955100450	201	130 W CENTER ST	R-3 NBHD CONSER	\$0.00
THE PEOPLE'S STORE OF DOUGLAS LLC	5956000000	6	34 W CENTER ST	C-1A VILL CTR C	\$0.00
SADIE ENTERPRISES LLC	5956000100	201	36 W CENTER ST 1	C-1A VILL CTR C	\$50,125.00
SADIE ENTERPRISES LLC	5956000200	201	36 W CENTER ST 2	C-1A VILL CTR C	\$95,937.00
SADIE ENTERPRISES LLC	5956000300	201	36 W CENTER ST 3	C-1A VILL CTR C	\$48,492.00
STEINER DEAN B	5956000400	401	36 W CENTER ST 4	C-1A VILL CTR C	\$111,005.00
BAUER ROBERT H & SHARON A	5956000500	401	36 W CENTER ST 5	C-1A VILL CTR C	\$79,852.00
HUGHES ANTHONY & TULA	5956000600	401	36 W CENTER ST 6	C-1A VILL CTR C	\$121,756.00
RAY FRANCES A	5956000700	401	29 N SPRING ST 7	C-1A VILL CTR C	\$79,348.00
DDA REF DOUGLAS DEVELOPMENT PARTNER	5960000500	1	160 W CENTER ST	N/A	\$0.00
STAN01, LLC	5972000100	201	23 W CENTER ST UNIT 1	C-1A VILL CTR C	\$46,794.00
STAN01, LLC	5972000200	201	23 W CENTER ST UNIT 2	C-1A VILL CTR C	\$46,794.00
STAN01, LLC	5972000300	401	23 W CENTER ST UNIT 3	C-1A VILL CTR C	\$45,761.00
STAN01, LLC	5972000400	401	23 W CENTER ST UNIT 4	C-1A VILL CTR C	\$45,658.00
PEREGRINE-DOUGLAS LLC	5973000100	201	25 W CENTER ST UNIT 1	C-1A VILL CTR C	\$44,645.00
PEREGRINE-DOUGLAS LLC	5973000200	201	25 W CENTER ST UNIT 2	C-1A VILL CTR C	\$44,645.00
PEREGRINE-DOUGLAS LLC	5973000300	401	25 W CENTER ST UNIT 3	C-1A VILL CTR C	\$45,654.00
PEREGRINE-DOUGLAS LLC	5973000400	401	25 W CENTER ST UNIT 4	C-1A VILL CTR C	\$45,654.00
PFACFFHOUSE LLC	5982000101	201	22 E CENTER ST	C-1A VILL CTR C	\$0.00
DDA REF RIVERVIEW LEASE/LOAN	5990000300	3	216 ST PETERS DR	N/A	\$0.00
THE COVE	5990000400	251	41 N BLUE STAR HWY	N/A	\$0.00
229 CENTER ST LLC	5990000600	251	229 W CENTER ST	N/A	\$0.00
DDA REF VFS LEASE RESIDUAL HOLDING	5990001400	3	62 W CENTER ST	N/A	\$0.00
DDA REF VON DER HEIDE ARCHITECTS	5990002100	3	20 E CENTER ST	N/A	\$0.00
EVERYDAY PEOPLE CAFE	5990002400	251	11 W CENTER ST	N/A	\$0.00
DDA REF CIRCA AND YUM YUM	5990003800	3	98 W CENTER ST	N/A	\$0.00
DDA REF KEN CADWALLADER INC	5990004400	3	10 W CENTER ST	N/A	\$0.00
CENTURY 21 AFFILIATED	5990007500	251	62 W CENTER ST	N/A	\$0.00
DDA REF SHERIDAN LAW OFFICES PC	5990008000	3	62 W CENTER ST	N/A	\$0.00
LIGHTHOUSE INSURANCE GROUP INC	5990008700	3	150 W CENTER ST	N/A	\$0.00
STATE FARM MUTUAL INS CO	5990016600	251	201 W CENTER ST	N/A	\$0.00

DDA REF V & S FLOWERS	5990020000	3	2914 S BLUE STAR HWY	N/A	\$0.00
DDA REF DELONG & BROWER	5990021300	3	201 W CENTER ST	N/A	\$0.00
RESPIRE CAPPUCCINO COURT	5990022500	251	48 W CENTER ST	N/A	\$0.00
JOHN M LEONARD LLC	5990023700	251	201 W CENTER ST	N/A	\$0.00
BRACKETT AND COMPANY INC	5990025300	251	34 W CENTER ST 2	N/A	\$0.00
POSSESSIONS	5990026500	251	25 W CENTER ST	N/A	\$0.00
WILD DOG	5990031900	251	24 W CENTER ST	N/A	\$0.00
DDA REF KUBIAK GALLERY	5990032000	3	48 W CENTER ST	N/A	\$0.00
DDA REF HADDOCK & ASSOC PLC	5990032400	3	62 W CENTER ST	N/A	\$0.00
FIRST DATA MERCHANT SERVICES-POS	5990032500	251	35 W CENTER ST	N/A	\$0.00
HAWKINS WATER TECH INC	5990032600	251	237 W CENTER ST	N/A	\$0.00
WATER STREET GALLERY	5990038311	251	98 W CENTER ST	N/A	\$0.00
PREMIER LAKESHORE TITLE LLC	5990041212	251	202 W CENTER ST 2	N/A	\$0.00
CENTER STAGE SALON	5990042513	251	12 W CENTER ST	N/A	\$0.00
ASHBOURNE CARLTON E	5990047617	251	201 W CENTER ST #3	N/A	\$0.00
KIM NEUENS DESIGN & INTERIORS LLC	5990047817	251	25 W CENTER ST	N/A	\$0.00
MR MILLERS ART EMPORIUM	5990048717	251	48 W CENTER ST	N/A	\$0.00
DDA REF ROCKING BEAR, INC	5990081300	3	34 W CENTER ST	N/A	\$0.00
DDA REF BENTLEYS	5990082500	3	50 E CENTER ST	N/A	\$0.00
DDA REF CHAPS	5990082800	3	8 W CENTER ST	N/A	\$0.00
JOHN THOMAS	5990083100	251	23 W CENTER ST	N/A	\$0.00
BACK ALLEY PIZZERIA INC	5990083600	251	22 N MAIN ST	N/A	\$0.00
DDA REF LUOMA ART GALLERY	5990083900	3	48 W CENTER ST	N/A	\$0.00
DDA REF GRIN & BEAR IT	5990084500	3	50 EAST CENTER ST	N/A	\$0.00
DDA REF CASCADE INTERIORS	5990096300	3	10 E CENTER ST	N/A	\$0.00
DDA REF PACELLI & CREWS, LTD	5990096600	3	23 W CENTER ST	N/A	\$0.00
CANON FINANCIAL SERVICES, INC.	5990097100	251	23 W CENTER ST	N/A	\$0.00
DDA REF 13 HAWKS STUDIO	5990098100	3	50 E CENTER ST	N/A	\$0.00

Property lists were provided by the assessor in Fall of 2022 and Winter of 2023. These lists have been cross-referenced to verify property addresses and ownership.

**Exhibit 2B
City of the Village of Douglas
Schedule of Taxable Values by Property 2022
Expanded District**

Owner	Parcel	Class	Property Address	Zoning	2022 Taxable Value
KIAMA PROPERTIES LLC	5901603700	201	29 N BLUE STAR HWY	C-2 GEN COMM	\$161,783.00
ALEXANDER JERRY L TRUST	5901603800	201	41 N BLUE STAR HWY	C-2 GEN COMM	\$97,171.00
DEMOND'S SUPER VALUE INC	5901604100	201	237 W CENTER ST	C-2 GEN COMM	\$606,240.00
229 CENTER STREET LLC	5901604200	201	229 W CENTER ST	C-1A VILL CTR C	\$197,944.00
CITY OF THE VILLAGE OF DOUGLAS - WADES BA	5915007200	402	26 BAYOU DR	R-3 NBHD CONSER	\$0.00
DOUGLAS FLATS, LLC	5960000300	202	200 W CENTER ST	C-1A VILL CTR C	\$58,700.00
HS45BS LLC	5960000330	201	45 N BLUE STAR HWY	C-2 GEN COMM	\$188,633.00
DANJO PROPERTIES LLC	5960000340	201	202 W CENTER ST	C-2 GEN COMM	\$215,072.00
SAUGATUCK-DOUGLAS DISTRICT LIBRARY	5960000600	201	174 W CENTER ST	C-2 GEN COMM	\$0.00
LAKE VISTA SUPERVALUE	5990000500	251	237 W CENTER ST	N/A	\$0.00
EDWARD D JONES & CO	5990001800	251	45 N BLUE STAR HWY	N/A	\$0.00
DDA REF FIRST AMERICAN TITLE INS	5990022900	3	45 N BLUE STAR HWY	N/A	\$0.00
SHORELINE REALTORS	5990080900	251	202 W CENTER ST	N/A	\$0.00
DDA REF CHICAGO TITLE OF MICHIGAN	5990083800	3	2987 S BLUE STAR HWY 101	N/A	\$0.00
LIGHTHOUSE REALTY	5990097200	251	29 N BLUE STAR HWY	N/A	\$0.00

Property lists were provided by the assessor in Fall of 2022 and Winter of 2023.
These lists have been cross-referenced to verify property addresses and ownership.

Exhibit 2C
State of Michigan Tax Commission Classification
Codes

Property Classification Code	Description
1	Retired Split / Combined
2	New Split / Combine
3	Reference Personal
4	Reference Special Acts Real
5	Reference Special Acts Personal
6	Non-Assessable Permanent Reference
201	Commercial - Improved
202	Commercial - Vacant
251	Commercial - Personal Property
301	Industrial - Improved
302	Industrial - Vacant
351	Industrial - Personal Property
401	Residential - Improved
402	Residential - Vacant
551	Utility - Personal Property
703	Exempt - County, City, Township, or Village
708	Exempt - Religious

Exhibit 3. *Schedules of Anticipated Tax Increment Revenues and Projected Impact on Taxing Jurisdictions*

**Exhibit 3A
Tax Increment Finance District Capture for City of the Village of Douglas Downtown Development Authority (Original Boundary)
Based on 3% annual growth**

Year	Taxable Value	Captured Value	City (13.0818M)	Captured by TIF	County (6.9483M)	Captured by TIF	ITA (0.5M)	Captured by TIF	Library (0.4350M)	Captured by TIF	All Mills	Captured by TIF
1997 (Base)	\$3,952,452.00	\$0		\$0		\$0		\$0		\$0		\$0
2022 (Actual)	\$5,915,778.00	\$1,963,326.00	\$77,389.02	\$25,683.37	\$41,104.60	\$13,639.56	\$2,957.89	\$981.38	\$2,573.36	\$853.64	\$124,024.88	\$41,157.95
2023	\$6,093,251.34	\$2,140,799.34	\$79,710.70	\$28,005.51	\$42,337.74	\$14,874.92	\$3,046.63	\$1,070.40	\$2,650.56	\$931.25	\$127,745.62	\$44,882.07
2024	\$6,276,048.88	\$2,323,596.88	\$82,102.02	\$30,396.83	\$43,607.87	\$16,145.05	\$3,138.02	\$1,161.80	\$2,730.08	\$1,010.76	\$131,577.99	\$48,714.44
2025	\$6,464,330.35	\$2,511,878.35	\$84,565.08	\$32,859.89	\$44,916.11	\$17,453.28	\$3,232.17	\$1,255.94	\$2,811.98	\$1,092.67	\$135,525.33	\$52,661.78
2026	\$6,658,260.26	\$2,705,808.26	\$87,102.03	\$35,396.84	\$46,263.59	\$18,800.77	\$3,329.13	\$1,352.90	\$2,896.34	\$1,177.03	\$139,591.09	\$56,727.54
2027	\$6,858,008.06	\$2,905,556.06	\$89,715.09	\$38,009.90	\$47,651.50	\$20,188.68	\$3,429.00	\$1,452.78	\$2,983.23	\$1,263.92	\$143,778.82	\$60,915.27
2028	\$7,063,748.31	\$3,111,296.31	\$92,406.54	\$40,701.36	\$49,081.04	\$21,618.22	\$3,531.87	\$1,555.65	\$3,072.73	\$1,353.41	\$148,092.19	\$65,228.64
2029	\$7,275,660.76	\$3,323,208.76	\$95,178.74	\$43,473.55	\$50,553.47	\$23,090.65	\$3,637.83	\$1,661.60	\$3,164.91	\$1,445.60	\$152,534.96	\$69,671.40
2030	\$7,493,930.58	\$3,541,478.58	\$98,034.10	\$46,328.91	\$52,070.08	\$24,607.26	\$3,746.97	\$1,770.74	\$3,259.86	\$1,540.54	\$157,111.00	\$74,247.45
2031	\$7,718,748.50	\$3,766,296.50	\$100,975.12	\$49,269.94	\$53,632.18	\$26,169.36	\$3,859.37	\$1,883.15	\$3,357.66	\$1,638.34	\$161,824.33	\$78,960.78
2032	\$7,950,310.95	\$3,997,858.95	\$104,004.38	\$52,299.19	\$55,241.15	\$27,778.32	\$3,975.16	\$1,998.93	\$3,458.39	\$1,739.07	\$166,679.06	\$83,815.51
2033	\$8,188,820.28	\$4,236,368.28	\$107,124.51	\$55,419.32	\$56,898.38	\$29,435.56	\$4,094.41	\$2,118.18	\$3,562.14	\$1,842.82	\$171,679.44	\$88,815.88
2034	\$8,434,484.89	\$4,482,032.89	\$110,338.24	\$58,633.06	\$58,605.33	\$31,142.51	\$4,217.24	\$2,241.02	\$3,669.00	\$1,949.68	\$176,829.82	\$93,966.27
2035	\$8,687,519.43	\$4,735,067.43	\$113,648.39	\$61,943.21	\$60,363.49	\$32,900.67	\$4,343.76	\$2,367.53	\$3,779.07	\$2,059.75	\$182,134.71	\$99,271.16
2036	\$8,948,145.02	\$4,995,693.02	\$117,057.84	\$65,352.66	\$62,174.40	\$34,711.57	\$4,474.07	\$2,497.85	\$3,892.44	\$2,173.13	\$187,598.76	\$104,735.20
2037	\$9,216,589.37	\$5,264,137.37	\$120,569.58	\$68,864.39	\$64,039.63	\$36,576.81	\$4,608.29	\$2,632.07	\$4,009.22	\$2,289.90	\$193,226.72	\$110,363.17
2038	\$9,493,087.05	\$5,540,635.05	\$124,186.67	\$72,481.48	\$65,960.82	\$38,497.99	\$4,746.54	\$2,770.32	\$4,129.49	\$2,410.18	\$199,023.52	\$116,159.97
2039	\$9,777,879.66	\$5,825,427.66	\$127,912.27	\$76,207.08	\$67,939.64	\$40,476.82	\$4,888.94	\$2,912.71	\$4,253.38	\$2,534.06	\$204,994.22	\$122,130.67
2040	\$10,071,216.05	\$6,118,764.05	\$131,749.63	\$80,044.45	\$69,977.83	\$42,515.01	\$5,035.61	\$3,059.38	\$4,380.98	\$2,661.66	\$211,144.05	\$128,280.50
2041	\$10,373,352.53	\$6,420,900.53	\$135,702.12	\$83,996.94	\$72,077.17	\$44,614.34	\$5,186.68	\$3,210.45	\$4,512.41	\$2,793.09	\$217,478.37	\$134,614.82
2042	\$10,684,553.11	\$6,732,101.11	\$139,773.19	\$88,068.00	\$74,239.48	\$46,776.66	\$5,342.28	\$3,366.05	\$4,647.78	\$2,928.46	\$224,002.72	\$141,139.17
2043	\$11,005,089.70	\$7,052,637.70	\$143,966.38	\$92,261.20	\$76,466.66	\$49,003.84	\$5,502.54	\$3,526.32	\$4,787.21	\$3,067.90	\$230,722.81	\$147,859.25
2044	\$11,335,242.39	\$7,382,790.39	\$148,285.37	\$96,580.19	\$78,760.66	\$51,297.84	\$5,667.62	\$3,691.40	\$4,930.83	\$3,211.51	\$237,644.49	\$154,780.94
2045	\$11,675,299.66	\$7,722,847.66	\$152,733.94	\$101,028.75	\$81,123.48	\$53,660.66	\$5,837.65	\$3,861.42	\$5,078.76	\$3,359.44	\$244,773.82	\$161,910.27
2046	\$12,025,558.65	\$8,073,106.65	\$157,315.95	\$105,610.77	\$83,557.19	\$56,094.37	\$6,012.78	\$4,036.55	\$5,231.12	\$3,511.80	\$252,117.04	\$169,253.49
2047	\$12,386,325.41	\$8,433,873.41	\$162,035.43	\$110,330.25	\$86,063.90	\$58,601.08	\$6,193.16	\$4,216.94	\$5,388.05	\$3,668.73	\$259,680.55	\$176,817.00
2048	\$12,757,915.18	\$8,805,463.18	\$166,896.49	\$115,191.31	\$88,645.82	\$61,183.00	\$6,378.96	\$4,402.73	\$5,549.69	\$3,830.38	\$267,470.97	\$184,607.42
2049	\$13,140,652.63	\$9,188,200.63	\$171,903.39	\$120,198.20	\$91,305.20	\$63,842.37	\$6,570.33	\$4,594.10	\$5,716.18	\$3,996.87	\$275,495.10	\$192,631.55
2050	\$13,534,872.21	\$9,582,420.21	\$177,060.49	\$125,355.30	\$94,044.35	\$66,581.53	\$6,767.44	\$4,791.21	\$5,887.67	\$4,168.35	\$283,759.95	\$200,896.40
2051	\$13,940,918.38	\$9,988,466.38	\$182,372.31	\$130,667.12	\$96,865.68	\$69,402.86	\$6,970.46	\$4,994.23	\$6,064.30	\$4,344.98	\$292,272.75	\$209,409.20
2052	\$14,359,145.93	\$10,406,693.93	\$187,843.48	\$136,138.29	\$99,771.65	\$72,308.83	\$7,179.57	\$5,203.35	\$6,246.23	\$4,526.91	\$301,040.93	\$218,177.38
TOTAL MILLS			13.0818	\$2,241,113.87	6.9483	\$1,190,350.83	0.5	\$85,657.70	0.435	\$74,522.20	20.9651	\$3,591,644.61

(1) Estimated taxable values and captured values are based on taxable value for base year and 2022. Growth assumed at a rate of 3% per year.
(2) Tax levies for each taxing jurisdiction have been assumed to stay the same.

Exhibit 3B

**Projected Tax Increment Finance District Capture for City of the Village of Douglas Downtown Development Authority (Expanded Boundary)
Based on 3% annual growth**

Year	Taxable Value	Captured Value	City (13.0818M)	Captured by TIF	County (6.9483M)	Captured by TIF	All Mills	Captured by TIF
2005 (Base)	\$1,562,167.00	\$0.00		\$0		\$0		\$0
2022 (Actual)	\$1,525,543.00	-\$36,624.00	\$19,956.85	-\$479.11	\$10,599.93	-\$254.47	\$30,556.78	-\$733.58
2023	\$1,571,309.29	\$9,142.29	\$20,555.55	\$119.60	\$10,917.93	\$63.52	\$31,473.48	\$183.12
2024	\$1,618,448.57	\$56,281.57	\$21,172.22	\$736.26	\$11,245.47	\$391.06	\$32,417.69	\$1,127.33
2025	\$1,667,002.03	\$104,835.03	\$21,807.39	\$1,371.43	\$11,582.83	\$728.43	\$33,390.22	\$2,099.86
2026	\$1,717,012.09	\$154,845.09	\$22,461.61	\$2,025.65	\$11,930.32	\$1,075.91	\$34,391.92	\$3,101.56
2027	\$1,768,522.45	\$206,355.45	\$23,135.46	\$2,699.50	\$12,288.22	\$1,433.82	\$35,423.68	\$4,133.32
2028	\$1,821,578.12	\$259,411.12	\$23,829.52	\$3,393.56	\$12,656.87	\$1,802.47	\$36,486.39	\$5,196.03
2029	\$1,876,225.47	\$314,058.47	\$24,544.41	\$4,108.45	\$13,036.58	\$2,182.17	\$37,580.98	\$6,290.62
2030	\$1,932,512.23	\$370,345.23	\$25,280.74	\$4,844.78	\$13,427.67	\$2,573.27	\$38,708.41	\$7,418.05
2031	\$1,990,487.60	\$428,320.60	\$26,039.16	\$5,603.20	\$13,830.50	\$2,976.10	\$39,869.67	\$8,579.30
2032	\$2,050,202.23	\$488,035.23	\$26,820.34	\$6,384.38	\$14,245.42	\$3,391.02	\$41,065.76	\$9,775.39
2033	\$2,111,708.29	\$549,541.29	\$27,624.95	\$7,188.99	\$14,672.78	\$3,818.38	\$42,297.73	\$11,007.37
2034	\$2,175,059.54	\$612,892.54	\$28,453.69	\$8,017.74	\$15,112.97	\$4,258.56	\$43,566.66	\$12,276.30
2035	\$2,240,311.33	\$678,144.33	\$29,307.30	\$8,871.35	\$15,566.36	\$4,711.95	\$44,873.66	\$13,583.30
2036	\$2,307,520.67	\$745,353.67	\$30,186.52	\$9,750.57	\$16,033.35	\$5,178.94	\$46,219.87	\$14,929.51
2037	\$2,376,746.29	\$814,579.29	\$31,092.12	\$10,656.16	\$16,514.35	\$5,659.94	\$47,606.47	\$16,316.10
2038	\$2,448,048.68	\$885,881.68	\$32,024.88	\$11,588.93	\$17,009.78	\$6,155.37	\$49,034.66	\$17,744.30
2039	\$2,521,490.14	\$959,323.14	\$32,985.63	\$12,549.67	\$17,520.07	\$6,665.66	\$50,505.70	\$19,215.34
2040	\$2,597,134.84	\$1,034,967.84	\$33,975.20	\$13,539.24	\$18,045.67	\$7,191.27	\$52,020.87	\$20,730.51
2041	\$2,675,048.88	\$1,112,881.88	\$34,994.45	\$14,558.50	\$18,587.04	\$7,732.64	\$53,581.50	\$22,291.14
2042	\$2,755,300.35	\$1,193,133.35	\$36,044.29	\$15,608.33	\$19,144.65	\$8,290.25	\$55,188.94	\$23,898.58
2043	\$2,837,959.36	\$1,275,792.36	\$37,125.62	\$16,689.66	\$19,718.99	\$8,864.59	\$56,844.61	\$25,554.25
2044	\$2,923,098.14	\$1,360,931.14	\$38,239.39	\$17,803.43	\$20,310.56	\$9,456.16	\$58,549.95	\$27,259.59
2045	\$3,010,791.09	\$1,448,624.09	\$39,386.57	\$18,950.61	\$20,919.88	\$10,065.47	\$60,306.45	\$29,016.09
2046	\$3,101,114.82	\$1,538,947.82	\$40,568.16	\$20,132.21	\$21,547.48	\$10,693.07	\$62,115.64	\$30,825.28
2047	\$3,194,148.26	\$1,631,981.26	\$41,785.21	\$21,349.25	\$22,193.90	\$11,339.50	\$63,979.11	\$32,688.75
2048	\$3,289,972.71	\$1,727,805.71	\$43,038.77	\$22,602.81	\$22,859.72	\$12,005.31	\$65,898.48	\$34,608.12
2049	\$3,388,671.89	\$1,826,504.89	\$44,329.93	\$23,893.97	\$23,545.51	\$12,691.10	\$67,875.44	\$36,585.08
2050	\$3,490,332.05	\$1,928,165.05	\$45,659.83	\$25,223.87	\$24,251.87	\$13,397.47	\$69,911.70	\$38,621.34
2051	\$3,595,042.01	\$2,032,875.01	\$47,029.62	\$26,593.66	\$24,979.43	\$14,125.03	\$72,009.05	\$40,718.69
2052	\$3,702,893.27	\$2,140,726.27	\$48,440.51	\$28,004.55	\$25,728.81	\$14,874.41	\$74,169.32	\$42,878.96
TOTAL MILLS			13.0818	\$364,860.33	6.9483	\$193,792.83	20.0301	\$558,653.16

(1) Estimated taxable values and captured values are based on taxable value for base year and 2022. Growth assumed at a rate of 3% per year.
 (2) Tax levies for each taxing jurisdiction have been assumed to stay the same.

Exhibit 4. *Part 2, Downtown Development
Authorities, Recodified Tax Increment Financing
Act 57 of 2018*

RECODIFIED TAX INCREMENT FINANCING ACT
Act 57 of 2018

AN ACT to provide for the recodification and establishment of certain tax increment finance authorities; to prescribe the powers and duties of the authorities; to correct and prevent deterioration in residential, commercial, and industrial areas and certain other areas; to authorize the acquisition and disposal of interests in real and personal property; to authorize the creation and implementation of development plans and development areas; to promote residential and economic growth; to create certain boards; to prescribe the powers and duties of certain boards; to authorize the issuance of bonds and other evidences of indebtedness; to levy certain taxes; to authorize the use of tax increment financing; to prescribe powers and duties of certain state officials; to provide for rule promulgation; to provide for enforcement of this act; and to repeal acts and parts of acts.

History: 2018, Act 57, Eff. Jan. 1, 2019.

The People of the State of Michigan enact:

PART 1
GENERAL PROVISIONS

125.4101 Short title.

Sec. 101. This act shall be known and may be cited as the "recodified tax increment financing act".

History: 2018, Act 57, Eff. Jan. 1, 2019.

125.4102 Repeal of statute or section of law; effect.

Sec. 102. (1) The repeal of a statute or section of law by this act does not relinquish any penalty, forfeiture, or liability, whether criminal or civil in nature, and that statute or section of law shall be treated as still remaining in force as necessary for the purpose of instituting or sustaining any proper action or prosecution for the enforcement of the penalty, forfeiture, or liability.

(2) A bond, note, or any other obligation or refunding of any obligation issued by an authority or by the municipality that created the authority under a statute or section of law repealed by this act shall continue in effect under its original terms under the corresponding part of this act.

(3) A contractual right, duty, or obligation relating to an authority under a statute or section of law repealed by this act shall continue and remain with the authority under the corresponding part of this act.

(4) A development plan or a tax increment financing plan developed by an authority under a statute or section of law repealed by this act shall remain in effect with the authority under the corresponding part of this act.

History: 2018, Act 57, Eff. Jan. 1, 2019.

125.4103 Board of authority created under repealed statute or section of law; continuation in office; duration; appointment.

Sec. 103. Members of a board of an authority created under a statute or section of law repealed by this act with the same or similar name and functions shall continue in office for the duration of the terms of office for which they were appointed. Members shall be appointed under this act only as terms of the former members expire or vacancies occur. Members of the board of an authority created under a statute or section of law repealed by this act may be appointed to the new board to succeed themselves subject to any limits for the total period of service set forth in this act.

History: 2018, Act 57, Eff. Jan. 1, 2019.

125.4104 Act as recodification of certain existing acts.

Sec. 104. As this act is a recodification of certain existing tax increment financing acts, the recodification of 1975 PA 197, MCL 125.1651 to 125.1681, in part 2 is a continuation of the taxing authority authorized in section 12 of 1975 PA 197, MCL 125.1662, for purposes of section 31 of article IX of the state constitution of 1963.

History: 2018, Act 57, Eff. Jan. 1, 2019.

PART 2
DOWNTOWN DEVELOPMENT AUTHORITIES

125.4201 Definitions.

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Sec. 201. As used in this part:

- (a) "Advance" means a transfer of funds made by a municipality to an authority or to another person on behalf of the authority in anticipation of repayment by the authority. Evidence of the intent to repay an advance may include, but is not limited to, an executed agreement to repay, provisions contained in a tax increment financing plan approved prior to the advance, or a resolution of the authority or the municipality.
- (b) "Assessed value" means 1 of the following:
 - (i) For valuations made before January 1, 1995, the state equalized valuation as determined under the general property tax act, 1893 PA 206, MCL 211.1 to 211.155.
 - (ii) For valuations made after December 31, 1994, the taxable value as determined under section 27a of the general property tax act, 1893 PA 206, MCL 211.27a.
- (c) "Authority" means a downtown development authority created pursuant to this part.
- (d) "Board" means the governing body of an authority.
- (e) "Business district" means an area in the downtown of a municipality zoned and used principally for business.
- (f) "Captured assessed value" means the amount in any 1 year by which the current assessed value of the project area, including the assessed value of property for which specific local taxes are paid in lieu of property taxes as determined in subdivision (aa), exceeds the initial assessed value. The state tax commission shall prescribe the method for calculating captured assessed value.
- (g) "Catalyst development project" means a project that is located in a municipality with a population greater than 600,000, is designated by the authority as a catalyst development project, and is expected to result in at least \$300,000,000.00 of capital investment. There shall be no more than 1 catalyst development project designated within each authority.
- (h) "Chief executive officer" means the mayor or city manager of a city, the president or village manager of a village, or the supervisor of a township or, if designated by the township board for purposes of this part, the township superintendent or township manager of a township.
- (i) "Development area" means that area to which a development plan is applicable.
- (j) "Development plan" means that information and those requirements for a development plan set forth in section 217.
- (k) "Development program" means the implementation of the development plan.
- (l) "Downtown district" means that part of an area in a business district that is specifically designated by ordinance of the governing body of the municipality pursuant to this part. A downtown district may include 1 or more separate and distinct geographic areas in a business district as determined by the municipality if the municipality enters into an agreement with a qualified township under section 203(7) or if the municipality is a city that surrounds another city and that other city lies between the 2 separate and distinct geographic areas. If the downtown district contains more than 1 separate and distinct geographic area in the downtown district, the separate and distinct geographic areas shall be considered 1 downtown district.
- (m) "Eligible advance" means an advance made before August 19, 1993.
- (n) "Eligible obligation" means an obligation issued or incurred by an authority or by a municipality on behalf of an authority before August 19, 1993 and its subsequent refunding by a qualified refunding obligation. Eligible obligation includes an authority's written agreement entered into before August 19, 1993 to pay an obligation issued after August 18, 1993 and before December 31, 1996 by another entity on behalf of the authority.
- (o) "Fire alarm system" means a system designed to detect and annunciate the presence of fire, or by-products of fire. Fire alarm system includes smoke detectors.
- (p) "Fiscal year" means the fiscal year of the authority.
- (q) "Governing body of a municipality" means the elected body of a municipality having legislative powers.
- (r) "Initial assessed value" means the assessed value, as equalized, of all the taxable property within the boundaries of the development area at the time the ordinance establishing the tax increment financing plan is approved, as shown by the most recent assessment roll of the municipality for which equalization has been completed at the time the resolution is adopted. Property exempt from taxation at the time of the determination of the initial assessed value shall be included as zero. For the purpose of determining initial assessed value, property for which a specific local tax is paid in lieu of a property tax shall not be considered to be property that is exempt from taxation. The initial assessed value of property for which a specific local tax was paid in lieu of a property tax shall be determined as provided in subdivision (aa). In the case of a municipality having a population of less than 35,000 that established an authority prior to 1985, created a district or districts, and approved a development plan or tax increment financing plan or amendments to a plan, and which plan or tax increment financing plan or amendments to a plan, and which plan expired by its

terms December 31, 1991, the initial assessed value for the purpose of any plan or plan amendment adopted as an extension of the expired plan shall be determined as if the plan had not expired December 31, 1991. For a development area designated before 1997 in which a renaissance zone has subsequently been designated pursuant to the Michigan renaissance zone act, 1996 PA 376, MCL 125.2681 to 125.2696, the initial assessed value of the development area otherwise determined under this subdivision shall be reduced by the amount by which the current assessed value of the development area was reduced in 1997 due to the exemption of property under section 7ff of the general property tax act, 1893 PA 206, MCL 211.7ff; but in no case shall the initial assessed value be less than zero.

(s) "Municipality" means a city, village, or township.

(t) "Obligation" means a written promise to pay, whether evidenced by a contract, agreement, lease, sublease, bond, or note, or a requirement to pay imposed by law. An obligation does not include a payment required solely because of default upon an obligation, employee salaries, or consideration paid for the use of municipal offices. An obligation does not include those bonds that have been economically defeased by refunding bonds issued under this part. Obligation includes, but is not limited to, the following:

(i) A requirement to pay proceeds derived from ad valorem property taxes or taxes levied in lieu of ad valorem property taxes.

(ii) A management contract or a contract for professional services.

(iii) A payment required on a contract, agreement, bond, or note if the requirement to make or assume the payment arose before August 19, 1993.

(iv) A requirement to pay or reimburse a person for the cost of insurance for, or to maintain, property subject to a lease, land contract, purchase agreement, or other agreement.

(v) A letter of credit, paying agent, transfer agent, bond registrar, or trustee fee associated with a contract, agreement, bond, or note.

(u) "On behalf of an authority", in relation to an eligible advance made by a municipality, or an eligible obligation or other protected obligation issued or incurred by a municipality, means in anticipation that an authority would transfer tax increment revenues or reimburse the municipality from tax increment revenues in an amount sufficient to fully make payment required by the eligible advance made by the municipality, or eligible obligation or other protected obligation issued or incurred by the municipality, if the anticipation of the transfer or receipt of tax increment revenues from the authority is pursuant to or evidenced by 1 or more of the following:

(i) A reimbursement agreement between the municipality and an authority it established.

(ii) A requirement imposed by law that the authority transfer tax increment revenues to the municipality.

(iii) A resolution of the authority agreeing to make payments to the incorporating unit.

(iv) Provisions in a tax increment financing plan describing the project for which the obligation was incurred.

(v) "Operations" means office maintenance, including salaries and expenses of employees, office supplies, consultation fees, design costs, and other expenses incurred in the daily management of the authority and planning of its activities.

(w) "Other protected obligation" means:

(i) A qualified refunding obligation issued to refund an obligation described in subparagraph (ii), (iii), or (iv), an obligation that is not a qualified refunding obligation that is issued to refund an eligible obligation, or a qualified refunding obligation issued to refund an obligation described in this subparagraph.

(ii) An obligation issued or incurred by an authority or by a municipality on behalf of an authority after August 19, 1993, but before December 31, 1994, to finance a project described in a tax increment finance plan approved by the municipality in accordance with this part before December 31, 1993, for which a contract for final design is entered into by or on behalf of the municipality or authority before March 1, 1994 or for which a written agreement with a developer, titled preferred development agreement, was entered into by or on behalf of the municipality or authority in July 1993.

(iii) An obligation incurred by an authority or municipality after August 19, 1993, to reimburse a party to a development agreement entered into by a municipality or authority before August 19, 1993, for a project described in a tax increment financing plan approved in accordance with this part before August 19, 1993, and undertaken and installed by that party in accordance with the development agreement.

(iv) An obligation incurred by the authority evidenced by or to finance a contract to purchase real property within a development area or a contract to develop that property within the development area, or both, if all of the following requirements are met:

(A) The authority purchased the real property in 1993.

(B) Before June 30, 1995, the authority enters a contract for the development of the real property located within the development area.

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(C) In 1993, the authority or municipality on behalf of the authority received approval for a grant from both of the following:

- (I) The department of natural resources for site reclamation of the real property.
 - (II) The department of consumer and industry services for development of the real property.
- (v) An ongoing management or professional services contract with the governing body of a county which was entered into before March 1, 1994 and which was preceded by a series of limited term management or professional services contracts with the governing body of the county, the last of which was entered into before August 19, 1993.
- (vi) A loan from a municipality to an authority if the loan was approved by the legislative body of the municipality on April 18, 1994.
- (vii) Funds expended to match a grant received by a municipality on behalf of an authority for sidewalk improvements from the Michigan department of transportation if the legislative body of the municipality approved the grant application on April 5, 1993 and the grant was received by the municipality in June 1993.
- (viii) For taxes captured in 1994, an obligation described in this subparagraph issued or incurred to finance a project. An obligation is considered issued or incurred to finance a project described in this subparagraph only if all of the following are met:
- (A) The obligation requires raising capital for the project or paying for the project, whether or not a borrowing is involved.
 - (B) The obligation was part of a development plan and the tax increment financing plan was approved by a municipality on May 6, 1991.
 - (C) The obligation is in the form of a written memorandum of understanding between a municipality and a public utility dated October 27, 1994.

(D) The authority or municipality captured school taxes during 1994.

(ix) An obligation incurred after July 31, 2012 by an authority, municipality, or other governmental unit to pay for costs associated with a catalyst development project.

(x) "Public facility" means a street, plaza, pedestrian mall, and any improvements to a street, plaza, or pedestrian mall including street furniture and beautification, park, parking facility, recreational facility, right-of-way, structure, waterway, bridge, lake, pond, canal, utility line or pipe, building, and access routes to any of the foregoing, designed and dedicated to use by the public generally, or used by a public agency. Public facility includes an improvement to a facility used by the public or a public facility as those terms are defined in section 1 of 1966 PA 1, MCL 125.1351, which improvement is made to comply with the barrier free design requirements of the state construction code promulgated under the Stille-DeRossett-Hale single state construction code act, 1972 PA 230, MCL 125.1501 to 125.1531. Public facility also includes the acquisition, construction, improvement, and operation of a building owned or leased by the authority to be used as a retail business incubator.

(y) "Qualified refunding obligation" means an obligation issued or incurred by an authority or by a municipality on behalf of an authority to refund an obligation if 1 or more of the following apply:

(i) The obligation is issued to refund a qualified refunding obligation issued in November 1997 and any subsequent refundings of that obligation issued before January 1, 2010 or the obligation is issued to refund a qualified refunding obligation issued on May 15, 1997 and any subsequent refundings of that obligation issued before January 1, 2010 in an authority in which 1 parcel or group of parcels under common ownership represents 50% or more of the taxable value captured within the tax increment finance district and that will ultimately provide for at least a 40% reduction in the taxable value of the property as part of a negotiated settlement as a result of an appeal filed with the state tax tribunal. Qualified refunding obligations issued under this subparagraph are not subject to the requirements of section 611 of the revised municipal finance act, 2001 PA 34, MCL 141.2611, if issued before January 1, 2010. The duration of the development program described in the tax increment financing plan relating to the qualified refunding obligations issued under this subparagraph is hereby extended to 1 year after the final date of maturity of the qualified refunding obligations.

(ii) The refunding obligation meets both of the following:

(A) The net present value of the principal and interest to be paid on the refunding obligation, including the cost of issuance, will be less than the net present value of the principal and interest to be paid on the obligation being refunded, as calculated using a method approved by the department of treasury.

(B) The net present value of the sum of the tax increment revenues described in subdivision (cc)(ii) and the distributions under section 213b to repay the refunding obligation will not be greater than the net present value of the sum of the tax increment revenues described in subdivision (cc)(ii) and the distributions under section 213b to repay the obligation being refunded, as calculated using a method approved by the department of treasury.

(iii) The obligation is issued to refund an other protected obligation issued as a capital appreciation bond delivered to the Michigan municipal bond authority on December 21, 1994 and any subsequent refundings of that obligation issued before January 1, 2012. Qualified refunding obligations issued under this subparagraph are not subject to the requirements of section 305(2), (3), (5), and (6), section 501, section 503, or section 611 of the revised municipal finance act, 2001 PA 34, MCL 141.2305, 141.2501, 141.2503, and 141.2611, if issued before January 1, 2012. The duration of the development program described in the tax increment financing plan relating to the qualified refunding obligations issued under this subparagraph is extended to 1 year after the final date of maturity of the qualified refunding obligations. The obligation may be payable through the year 2025 at an interest rate not exceeding the maximum rate permitted by law, notwithstanding the bond maturity dates contained in the notice of intent to issue bonds published by the municipality. An obligation issued under this subparagraph is a qualified refunding obligation only to the extent that revenues described in subdivision (c)(i) and distributions under section 213b to repay the qualified refunding obligation do not exceed \$750,000.00.

(iv) The obligation is issued to refund a qualified refunding obligation issued on February 13, 2008, and any subsequent refundings of that obligation, issued before December 31, 2018. Qualified refunding obligations issued under this subparagraph are not subject to the requirements of section 305(2), (3), (5), and (6), 501, 503, or 611 of the revised municipal finance act, 2001 PA 34, MCL 141.2305, 141.2501, 141.2503, and 141.2611. The duration of the development program described in the tax increment financing plan relating to the qualified refunding obligations issued under this subparagraph is extended to 1 year after the final date of maturity of the qualified refunding obligations. Revenues described in subdivision (c)(i) and distributions made under section 213b in excess of the amount needed for current year debt service on an obligation issued under this subparagraph may be paid to the authority to the extent necessary to pay future years' debt service on the obligation as determined by the board.

(z) "Qualified township" means a township that meets all of the following requirements:

(i) Was not eligible to create an authority prior to January 3, 2005.

(ii) Adjoins a municipality that previously created an authority.

(iii) Along with the adjoining municipality that previously created an authority, is a member of the same joint planning commission under the joint municipal planning act, 2003 PA 226, MCL 125.131 to 125.143.

(aa) "Specific local tax" means a tax levied under 1974 PA 198, MCL 207.551 to 207.572, the commercial redevelopment act, 1978 PA 255, MCL 207.651 to 207.668, the technology park development act, 1984 PA 385, MCL 207.701 to 207.718, and 1953 PA 189, MCL 211.181 to 211.182. The initial assessed value or current assessed value of property subject to a specific local tax shall be the quotient of the specific local tax paid divided by the ad valorem millage rate. However, after 1993, the state tax commission shall prescribe the method for calculating the initial assessed value and current assessed value of property for which a specific local tax was paid in lieu of a property tax.

(bb) "State fiscal year" means the annual period commencing October 1 of each year.

(cc) "Tax increment revenues" means the amount of ad valorem property taxes and specific local taxes attributable to the application of the levy of all taxing jurisdictions upon the captured assessed value of real and personal property in the development area, subject to the following requirements:

(i) Tax increment revenues include ad valorem property taxes and specific local taxes attributable to the application of the levy of all taxing jurisdictions other than the state pursuant to the state education tax act, 1993 PA 331, MCL 211.901 to 211.906, and local or intermediate school districts upon the captured assessed value of real and personal property in the development area for any purpose authorized by this part.

(ii) Tax increment revenues include ad valorem property taxes and specific local taxes attributable to the application of the levy of the state pursuant to the state education tax act, 1993 PA 331, MCL 211.901 to 211.906, and local or intermediate school districts upon the captured assessed value of real and personal property in the development area in an amount equal to the amount necessary, without regard to subparagraph (i), to repay eligible advances, eligible obligations, and other protected obligations.

(iii) Tax increment revenues do not include any of the following:

(A) Ad valorem property taxes attributable either to a portion of the captured assessed value shared with taxing jurisdictions within the jurisdictional area of the authority or to a portion of value of property that may be excluded from captured assessed value or specific local taxes attributable to such ad valorem property taxes.

(B) Ad valorem property taxes excluded by the tax increment financing plan of the authority from the determination of the amount of tax increment revenues to be transmitted to the authority or specific local taxes attributable to such ad valorem property taxes.

(C) Ad valorem property taxes exempted from capture under section 203(3) or specific local taxes attributable to such ad valorem property taxes.

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(D) Ad valorem property taxes levied under 1 or more of the following or specific local taxes attributable to those ad valorem property taxes:

(I) The zoological authorities act, 2008 PA 49, MCL 123.1161 to 123.1183.

(II) The art institute authorities act, 2010 PA 296, MCL 123.1201 to 123.1229.

(III) Except as otherwise provided in section 203(3), ad valorem property taxes or specific local taxes attributable to those ad valorem property taxes levied for a separate millage for public library purposes approved by the electors after December 31, 2016.

(iv) The amount of tax increment revenues authorized to be included under subparagraph (ii) or (v), and required to be transmitted to the authority under section 214(1), from ad valorem property taxes and specific local taxes attributable to the application of the levy of the state education tax act, 1993 PA 331, MCL 211.901 to 211.906, a local school district or an intermediate school district upon the captured assessed value of real and personal property in a development area shall be determined separately for the levy by the state, each school district, and each intermediate school district as the product of sub-subparagraphs (A) and (B):

(A) The percentage that the total ad valorem taxes and specific local taxes available for distribution by law to the state, local school district, or intermediate school district, respectively, bears to the aggregate amount of ad valorem millage taxes and specific taxes available for distribution by law to the state, each local school district, and each intermediate school district.

(B) The maximum amount of ad valorem property taxes and specific local taxes considered tax increment revenues under subparagraph (ii) or (v).

(v) Tax increment revenues include ad valorem property taxes and specific local taxes, in an annual amount and for each year approved by the state treasurer, attributable to the levy by this state under the state education tax act, 1993 PA 331, MCL 211.901 to 211.906, and by local or intermediate school districts, upon the captured assessed value of real and personal property in the development area of an authority established in a city with a population of 600,000 or more to pay for, or reimburse an advance for, not more than \$8,000,000.00 for the demolition of buildings or structures on public or privately owned property within a development area that commences in 2005, or to pay the annual principal of or interest on an obligation, the terms of which are approved by the state treasurer, issued by an authority, or by a city on behalf of an authority, to pay not more than \$8,000,000.00 of the costs to demolish buildings or structures on public or privately owned property within a development area that commences in 2005.

(vi) Tax increment revenues include ad valorem property taxes and specific local taxes attributable to the levy by this state under the state education tax act, 1993 PA 331, MCL 211.201 to 211.906, and by local or intermediate school districts which were levied on or after July 1, 2010, upon the captured assessed value of real and personal property in the development area of an authority established in a city with a population of 600,000 or more to pay for, or reimburse an advance for, costs associated with the land acquisition, preliminary site work, and construction of a catalyst development project.

History: 2018, Act 57, Eff. Jan. 1, 2019.

125.4201a Legislative findings.

Sec. 201a. The legislature finds all of the following:

(a) That there exists in this state conditions of property value deterioration detrimental to the state economy and the economic growth of the state and its local units of government.

(b) That government programs are desirable and necessary to eliminate the causes of property value deterioration thereby benefiting the economic growth of the state.

(c) That it is appropriate to finance these government programs by means available to the state and local units of government in the state, including tax increment financing.

(d) That tax increment financing is a government financing program that contributes to economic growth and development by dedicating a portion of the increase in the tax base resulting from economic growth and development to facilities, structures, or improvements within a development area thereby facilitating economic growth and development.

(e) That it is necessary for the legislature to exercise its power to legislate tax increment financing as authorized in this part and in the exercise of this power to mandate the transfer of tax increment revenues by city, village, township, school district, and county treasurers to authorities created under this part in order to effectuate the legislative government programs to eliminate property value deterioration and to promote economic growth.

(f) That halting property value deterioration and promoting economic growth in the state are essential governmental functions and constitute essential public purposes.

(g) That economic development strengthens the tax base upon which local units of government rely and that government programs to eliminate property value deterioration benefit local units of government and are

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for the use of the local units of government.

(h) That the provisions of this part are enacted to provide a means for local units of government to eliminate property value deterioration and to promote economic growth in the communities served by those local units of government.

History: 2018, Act 57, Eff. Jan. 1, 2019.

125.4202 Authority; establishment; restriction; public body corporate; powers generally.

Sec. 202. (1) Except as otherwise provided in this subsection, a municipality may establish 1 authority. If, before November 1, 1985, a municipality establishes more than 1 authority, those authorities may continue to exist as separate authorities. Under the conditions described in section 203a, a municipality may have more than 1 authority within that municipality's boundaries. A parcel of property shall not be included in more than 1 authority created by this part.

(2) An authority shall be a public body corporate which may sue and be sued in any court of this state. An authority possesses all the powers necessary to carry out the purpose of its incorporation. The enumeration of a power in this part shall not be construed as a limitation upon the general powers of an authority.

History: 2018, Act 57, Eff. Jan. 1, 2019.

125.4203 Resolution of intent to create and provide for operation of authority; public hearing on proposed ordinance creating authority and designating boundaries of downtown district; notice; exemption of taxes from capture; action by library board or commission; adoption, filing, and publication of ordinance; altering or amending boundaries; agreement with adjoining municipality; agreement with qualified township.

Sec. 203. (1) When the governing body of a municipality determines that it is necessary for the best interests of the public to halt property value deterioration and increase property tax valuation where possible in its business district, to eliminate the causes of that deterioration, and to promote economic growth, the governing body may, by resolution, declare its intention to create and provide for the operation of an authority.

(2) In the resolution of intent, the governing body shall set a date for the holding of a public hearing on the adoption of a proposed ordinance creating the authority and designating the boundaries of the downtown district. Notice of the public hearing shall be published twice in a newspaper of general circulation in the municipality, not less than 20 or more than 40 days before the date of the hearing. Not less than 20 days before the hearing, the governing body proposing to create the authority shall also mail notice of the hearing to the property taxpayers of record in the proposed district and for a public hearing to be held after February 15, 1994 to the governing body of each taxing jurisdiction levying taxes that would be subject to capture if the authority is established and a tax increment financing plan is approved. Beginning June 1, 2005, the notice of hearing within the time frame described in this subsection shall be mailed by certified mail to the governing body of each taxing jurisdiction levying taxes that would be subject to capture if the authority is established and a tax increment financing plan is approved. Failure of a property taxpayer to receive the notice shall not invalidate these proceedings. Notice of the hearing shall be posted in at least 20 conspicuous and public places in the proposed downtown district not less than 20 days before the hearing. The notice shall state the date, time, and place of the hearing, and shall describe the boundaries of the proposed downtown district. A citizen, taxpayer, or property owner of the municipality or an official from a taxing jurisdiction with millage that would be subject to capture has the right to be heard in regard to the establishment of the authority and the boundaries of the proposed downtown district. The governing body of the municipality shall not incorporate land into the downtown district not included in the description contained in the notice of public hearing, but it may eliminate described lands from the downtown district in the final determination of the boundaries.

(3) Not more than 60 days after a public hearing held after February 15, 1994, the governing body of a taxing jurisdiction levying ad valorem property taxes that would otherwise be subject to capture may exempt its taxes from capture by adopting a resolution to that effect and filing a copy with the clerk of the municipality proposing to create the authority. The resolution takes effect when filed with that clerk and remains effective until a copy of a resolution rescinding that resolution is filed with that clerk. If a separate millage for public library purposes was levied before January 1, 2017, and all obligations and other protected obligations of the authority are paid, then the levy is exempt from capture under this part, unless the library board or commission allows all or a portion of its taxes levied to be included as tax increment revenues and subject to capture under this part under the terms of a written agreement between the library board or commission and the authority. The written agreement shall be filed with the clerk of the municipality. However, if a separate millage for public library purposes was levied before January 1, 2017, and the

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authority alters or amends the boundaries of a downtown district or extends the duration of the existing finance plan, then the library board or commission may, not later than 60 days after a public hearing is held under this subsection, exempt all or a portion of its taxes from capture by adopting a resolution to that effect and filing a copy with the clerk of the municipality that created the authority. For ad valorem property taxes or specific local taxes attributable to those ad valorem property taxes levied for a separate millage for public library purposes approved by the electors after December 31, 2016, a library board or commission may allow all or a portion of its taxes levied to be included as tax increment revenues and subject to capture under this part under the terms of a written agreement between the library board or commission and the authority. The written agreement shall be filed with the clerk of the municipality. However, if the library was created under section 1 or 10a of 1877 PA 164, MCL 397.201 and 397.210a, or established under 1869 LA 233, then any action of the library board or commission under this subsection shall have the concurrence of the chief executive officer of the city that created the library to be effective, and, if the action of the library board or commission involves any bond issued by this state or a state agency, the concurrence of the state treasurer.

(4) Not less than 60 days after the public hearing, if the governing body of the municipality intends to proceed with the establishment of the authority, it shall adopt, by majority vote of its members, an ordinance establishing the authority and designating the boundaries of the downtown district within which the authority shall exercise its powers. The adoption of the ordinance is subject to any applicable statutory or charter provisions in respect to the approval or disapproval by the chief executive or other officer of the municipality and the adoption of an ordinance over his or her veto. This ordinance shall be filed with the secretary of state promptly after its adoption and shall be published at least once in a newspaper of general circulation in the municipality.

(5) The governing body of the municipality may alter or amend the boundaries of the downtown district to include or exclude lands from the downtown district pursuant to the same requirements for adopting the ordinance creating the authority.

(6) A municipality that has created an authority may enter into an agreement with an adjoining municipality that has created an authority to jointly operate and administer those authorities under an interlocal agreement under the urban cooperation act of 1967, 1967 (Ex Sess) PA 7, MCL 124.501 to 124.512.

(7) A municipality that has created an authority may enter into an agreement with a qualified township to operate its authority in a downtown district in the qualified township under an interlocal agreement under the urban cooperation act of 1967, 1967 (Ex Sess) PA 7, MCL 124.501 to 124.512. The interlocal agreement between the municipality and the qualified township shall provide for, but is not limited to, all of the following:

- (a) Size and makeup of the board.
- (b) Determination and modification of downtown district, business district, and development area.
- (c) Modification of development area and development plan.
- (d) Issuance and repayment of obligations.
- (e) Capture of taxes.
- (f) Notice, hearing, and exemption of taxes from capture provisions described in this section.

History: 2018, Act 57, Eff. Jan. 1, 2019.

125.4203a Authority of annexing or consolidated municipality; obligations, agreements, and bonds.

Sec. 203a. If a downtown district is part of an area annexed to or consolidated with another municipality, the authority managing that district shall become an authority of the annexing or consolidated municipality. Obligations of that authority incurred under a development or tax increment plan, agreements related to a development or tax increment plan, and bonds issued under this part shall remain in effect following the annexation or consolidation.

History: 2018, Act 57, Eff. Jan. 1, 2019.

125.4203b Ratification and validation of ordinance and actions; compliance.

Sec. 203b. (1) An ordinance enacted by a municipality that has a population of less than 50,000 establishing an authority, creating a district, or approving a development plan or tax increment financing plan, or an amendment to an authority, district, or plan, and all actions taken under that ordinance, including the issuance of bonds, are ratified and validated notwithstanding that notice for the public hearing on the establishment of the authority, creation of the district, or approval of the development plan or tax increment financing plan, or on the amendment, was not published, posted, or mailed at least 20 days before the hearing, if the notice was published or posted at least 15 days before the hearing or the authority was established in

1984 by a village that filed the ordinance with the secretary of state not later than March 1986. This section applies only to an ordinance adopted by a municipality before February 1, 1991, and shall include any bonds or amounts to be used by the authority to pay the principal of and interest on bonds that have been issued or that are to be issued by the authority, the incorporating municipality, or a county on behalf of the incorporating municipality. An authority for which an ordinance or amendment to the ordinance establishing the authority has been published before February 1, 1991 is considered for purposes of section 203(4) to have promptly filed the ordinance or amendment to the ordinance with the secretary of state if the ordinance or amendment to the ordinance is filed with the secretary of state before October 1, 1991. As used in this section, "notice was published" means publication of the notice occurred at least once.

(2) A development plan and tax increment financing plan approved by a resolution adopted by the village council of a village having a population of less than 3,000 before June 15, 1988 rather than by adoption of an ordinance is ratified and validated, if an amendment to the plans was adopted by the village council in compliance with sections 18 and 19.

(3) A development plan and tax increment financing plan approved by a resolution adopted by the village council of a village having a population of less than 7,000 before June 1, 1998 rather than by adoption of an ordinance is ratified and validated if an amendment to the plans was adopted by the village council in compliance with sections 18 and 19.

History: 2018, Act 57, Eff. Jan. 1, 2019.

125.4203c Proceedings or findings; validity.

Sec. 203c. The validity of the proceedings or findings establishing an authority, or of the procedure, adequacy of notice, or findings with respect to the approval of a development plan or tax increment financing plan is conclusive with respect to the capture of tax increment revenues for an other protected obligation that is a bond issued after October 1, 1994.

History: 2018, Act 57, Eff. Jan. 1, 2019.

125.4203d Establishment or amendment of authority, district, or plan; notice; publication or posting.

Sec. 203d. An ordinance enacted by a municipality that has a population of greater than 1,000 and less than 2,000 establishing an authority, creating a district, or approving a development plan or tax increment financing plan, or an amendment to an authority, district, or plan, and all actions taken or to be taken under that ordinance, including the issuance of bonds, are ratified and validated notwithstanding that notice for the public hearing on the establishment of the authority, creation of the district, or approval of the development plan or tax increment financing plan, or on the amendment, was not published, posted, or mailed at least 20 days before the hearing, provided that the notice was either published or posted at least 10 days before the hearing or that the authority was established in 1990 by a municipality that filed the ordinance with the secretary of state not later than July 1991. This section applies only to an ordinance or an amendment adopted by a municipality before January 1, 1999 and shall include any bonds or amounts to be used by the authority to pay the principal of and interest on bonds that have been issued or that are to be issued by the authority or the incorporating municipality. An authority for which an ordinance or amendment to the ordinance establishing the authority has been published before February 1, 1991 is considered for purposes of section 203(3) to have promptly filed the ordinance or amendment to the ordinance with the secretary of state if the ordinance or amendment to the ordinance is filed with the secretary of state before December 31, 2002. The validity of the proceedings or findings establishing an authority described in this section, or of the procedure, adequacy of notice, or findings with respect to the approval of a development plan or tax increment financing plan for an authority described in this section is conclusive with respect to the capture of tax increment revenues for a bond issued after June 1, 2002 and before June 1, 2006. As used in this section, "notice was either published or posted" means either publication or posting of the notice occurred at least once.

History: 2018, Act 57, Eff. Jan. 1, 2019.

125.4204 Board; appointment, terms, and qualifications of members; vacancy; compensation and expenses; election of chairperson; appointment as public official; oath; conducting business at public meeting; public notice; special meetings; removal of member; review; expense items and financial records; availability of writings to public; single board governing all authorities; member as resident or having interest in property; planning commission serving as board in certain municipalities; modification by interlocal agreement.

Sec. 204. (1) Except as provided in subsections (7), (8), and (9), an authority shall be under the supervision

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and control of a board consisting of the chief executive officer of the municipality or his or her designee from the governing body of the municipality and not less than 8 or more than 12 members as determined by the governing body of the municipality. Members shall be appointed by the chief executive officer of the municipality, subject to approval by the governing body of the municipality. Not less than a majority of the members shall be persons having an interest in property located in the downtown district or officers, members, trustees, principals, or employees of a legal entity having an interest in property located in the downtown district. Not less than 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 of the members, as near as is practicable, shall be appointed for 1 year, 2 years, 3 years, and 4 years. A member shall hold office until the member's successor is appointed. Thereafter, each member shall serve for a term of 4 years. An appointment to fill a vacancy shall be made by the chief executive officer of the municipality for the unexpired term only. Members of the board shall serve without compensation, but shall be reimbursed for actual and necessary expenses. The chairperson of the board shall be elected by the board. The rules of procedure or the bylaws of the authority may provide that a person be appointed to the board in his or her capacity as a public official, whether appointed or elected. The rules of procedure or bylaws may also provide that the public official's term shall expire upon expiration of his or her service as a public official. In addition, the public official's membership on the board expires on his or her resignation from office as a public official.

(2) Before assuming the duties of office, a member shall qualify by taking and subscribing to the constitutional oath of office.

(3) The business which the board may perform shall be conducted at a public meeting of the board held in compliance with the open meetings act, 1976 PA 267, MCL 15.261 to 15.275. Public notice of the time, date, and place of the meeting shall be given in the manner required by the open meetings act, 1976 PA 267, MCL 15.261 to 15.275. The board shall adopt rules consistent with the open meetings act, 1976 PA 267, MCL 15.261 to 15.275, governing its procedure and the holding of regular meetings, subject to the approval of the governing body. Special meetings may be held if called in the manner provided in the rules of the board.

(4) Pursuant to notice and after having been given an opportunity to be heard, a member of the board may be removed for cause by the governing body. Removal of a member is subject to review by the circuit court.

(5) All expense items of the authority shall be publicized monthly and the financial records shall always be open to the public.

(6) In addition to the items and records prescribed in subsection (5), a writing prepared, owned, used, in the possession of, or retained by the board in the performance of an official function shall be made available to the public in compliance with the freedom of information act, 1976 PA 442, MCL 15.231 to 15.246.

(7) By resolution of its governing body, a municipality having more than 1 authority may establish a single board to govern all authorities in the municipality. The governing body may designate the board of an existing authority as the board for all authorities or may establish by resolution a new board in the same manner as provided in subsection (1). A member of a board governing more than 1 authority may be a resident of or have an interest in property in any of the downtown districts controlled by the board in order to meet the requirements of this section.

(8) By ordinance, the governing body of a municipality that has a population of less than 5,000 may have the municipality's planning commission created pursuant to former 1931 PA 285 or the Michigan planning enabling act, 2008 PA 33, MCL 125.3801 to 125.3885, serve as the board provided for in subsection (1).

(9) If a municipality enters into an agreement with a qualified township under section 203(7), the membership of the board may be modified by the interlocal agreement described in section 203(7).

History: 2018, Act 57, Eff. Jan. 1, 2019;—Am. 2019, Act 29, Imd. Eff. June 25, 2019.

125.4205 Director; acting director; treasurer; secretary; legal counsel; other personnel.

Sec. 205. (1) The board may employ and fix the compensation of a director, subject to the approval of the governing body of the municipality. The director shall serve at the pleasure of the board. A member of the board is not eligible to hold the position of director. Before entering upon the duties of his or her office, the director shall take and subscribe to the constitutional oath, and furnish bond, by posting a bond in the penal sum determined in the ordinance establishing the authority payable to the authority for use and benefit of the authority, approved by the board, and filed with the municipal clerk. The premium on the bond shall be deemed an operating expense of the authority, payable from funds available to the authority for expenses of operation. The director shall be the chief executive officer of the authority. Subject to the approval of the board, the director shall supervise, and be responsible for, the preparation of plans and the performance of the functions of the authority in the manner authorized by this part. The director shall attend the meetings of the board, and shall render to the board and to the governing body of the municipality a regular report covering

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the activities and financial condition of the authority. If the director is absent or disabled, the board may designate a qualified person as acting director to perform the duties of the office. Before entering upon the duties of his or her office, the acting director shall take and subscribe to the oath, and furnish bond, as required of the director. The director shall furnish the board with information or reports governing the operation of the authority as the board requires.

(2) The board may employ and fix the compensation of a treasurer, who shall keep the financial records of the authority and who, together with the director, shall approve all vouchers for the expenditure of funds of the authority. The treasurer shall perform such other duties as may be delegated to him or her by the board and shall furnish bond in an amount as prescribed by the board.

(3) The board may employ and fix the compensation of a secretary, who shall maintain custody of the official seal and of records, books, documents, or other papers not required to be maintained by the treasurer. The secretary shall attend meetings of the board and keep a record of its proceedings, and shall perform such other duties delegated by the board.

(4) The board may retain legal counsel to advise the board in the proper performance of its duties. The legal counsel shall represent the authority in actions brought by or against the authority.

(5) The board may employ other personnel deemed necessary by the board.

History: 2018, Act 57, Eff. Jan. 1, 2019.

125-4206 Participation of employees in municipal retirement and insurance programs.

Sec. 206. The employees of an authority shall be eligible to participate in municipal retirement and insurance programs of the municipality as if they were civil service employees except that the employees of an authority are not civil service employees.

History: 2018, Act 57, Eff. Jan. 1, 2019.

125-4207 Powers of board; creation, operation, or funding of retail business incubator.

Sec. 207. (1) The board may:

- (a) Prepare an analysis of economic changes taking place in the downtown district.
- (b) Study and analyze the impact of metropolitan growth upon the downtown district.
- (c) Plan and propose the construction, renovation, repair, remodeling, rehabilitation, restoration, preservation, or reconstruction of a public facility, an existing building, or a multiple-family dwelling unit which may be necessary or appropriate to the execution of a plan which, in the opinion of the board, aids in the economic growth of the downtown district.
- (d) Plan, propose, and implement an improvement to a public facility within the development area to comply with the barrier free design requirements of the state construction code promulgated under the Stille-DeRossett-Hale single state construction code act, 1972 PA 230, MCL 125.1501 to 125.1531.
- (e) Develop long-range plans, in cooperation with the agency which is chiefly responsible for planning in the municipality, designed to halt the deterioration of property values in the downtown district and to promote the economic growth of the downtown district, and take such steps as may be necessary to persuade property owners to implement the plans to the fullest extent possible.
- (f) Implement any plan of development in the downtown district necessary to achieve the purposes of this part, in accordance with the powers of the authority as granted by this part.
- (g) Make and enter into contracts necessary or incidental to the exercise of its powers and the performance of its duties.
- (h) Acquire by purchase or otherwise, on terms and conditions and in a manner the authority considers proper or own, convey, or otherwise dispose of, or lease as lessor or lessee, land and other property, real or personal, or rights or interests in property, which the authority determines is reasonably necessary to achieve the purposes of this part, and to grant or acquire licenses, easements, and options with respect to that property.
- (i) Improve land and construct, reconstruct, rehabilitate, restore and preserve, equip, improve, maintain, repair, and operate any building, including multiple-family dwellings, and any necessary or desirable appurtenances to that property, within the downtown district for the use, in whole or in part, of any public or private person or corporation, or a combination of them.
- (j) Fix, charge, and collect fees, rents, and charges for the use of any building or property under its control or any part thereof, or facility therein, and pledge the fees, rents, and charges for the payment of revenue bonds issued by the authority.
- (k) Lease any building or property under its control, or any part of a building or property.
- (l) Accept grants and donations of property, labor, or other things of value from a public or private source.
- (m) Acquire and construct public facilities.
- (n) Create, operate, and fund marketing initiatives that benefit only retail and general marketing of the

downtown district.

- (o) Contract for broadband service and wireless technology service in the downtown district.
- (p) Operate and perform all duties and exercise all responsibilities described in this section in a qualified township if the qualified township has entered into an agreement with the municipality under section 203(7).
- (q) Create, operate, and fund a loan program to fund improvements for existing buildings located in a downtown district to make them marketable for sale or lease. The board may make loans with interest at a market rate or may make loans with interest at a below market rate, as determined by the board.
- (r) Create, operate, and fund retail business incubators in the downtown district.
- (2) If it is the express determination of the board to create, operate, or fund a retail business incubator in the downtown district, the board shall give preference to tenants who will provide goods or services that are not available or that are underserved in the downtown area. If the board creates, operates, or funds retail business incubators in the downtown district, the board and each tenant who leases space in a retail business incubator shall enter into a written contract that includes, but is not limited to, all of the following:
 - (a) The lease or rental rate that may be below the fair market rate as determined by the board.
 - (b) The requirement that a tenant may lease space in the retail business incubator for a period not to exceed 18 months.
 - (c) The terms of a joint operating plan with 1 or more other businesses located in the downtown district.
 - (d) A copy of the business plan of the tenant that contains measurable goals and objectives.
 - (e) The requirement that the tenant participate in basic management classes, business seminars, or other business education programs offered by the authority, the local chamber of commerce, local community colleges, or institutions of higher education, as determined by the board.

History: 2018, Act 57, Eff. Jan. 1, 2019.

125.4208 Board serving as planning commission; agenda.

Sec. 208. If a board created under this part serves as the planning commission under the Michigan planning enabling act, 2008 PA 33, MCL 125.3801 to 125.3885, the board shall include planning commission business in its agenda.

History: 2018, Act 57, Eff. Jan. 1, 2019.

125.4209 Authority as instrumentality of political subdivision.

Sec. 209. The authority shall be deemed an instrumentality of a political subdivision for purposes of 1972 PA 227, MCL 213.321 to 213.332.

History: 2018, Act 57, Eff. Jan. 1, 2019.

125.4210 Taking, transfer, and use of private property.

Sec. 210. A municipality may take private property under 1911 PA 149, MCL 213.21 to 213.25, for the purpose of transfer to the authority, and may transfer the property to the authority for use in an approved development, on terms and conditions it deems appropriate, and the taking, transfer, and use shall be considered necessary for public purposes and for the benefit of the public.

History: 2018, Act 57, Eff. Jan. 1, 2019.

125.4211 Financing activities of authority; disposition of money received by authority; municipal obligations.

Sec. 211. (1) The activities of the authority shall be financed from 1 or more of the following sources:

- (a) Donations to the authority for the performance of its functions.
- (b) Proceeds of a tax imposed pursuant to section 212.
- (c) Money borrowed and to be repaid as authorized by sections 213 and 213a.
- (d) Revenues from any property, building, or facility owned, leased, licensed, or operated by the authority or under its control, subject to the limitations imposed upon the authority by trusts or other agreements.
- (e) Proceeds of a tax increment financing plan, established under sections 214 to 216.
- (f) Proceeds from a special assessment district created as provided by law.
- (g) Money obtained from other sources approved by the governing body of the municipality or otherwise authorized by law for use by the authority or the municipality to finance a development program.
- (h) Money obtained pursuant to section 213b.
- (i) Revenue transferred pursuant to section 11a of chapter 2 of the city income tax act, 1964 PA 284, MCL 141.611a.
- (j) Revenue transferred pursuant to section 11b of chapter 2 of the city income tax act, 1964 PA 284, MCL 141.611b.

(2) Money received by the authority and not covered under subsection (1) shall immediately be deposited to the credit of the authority, subject to disbursement pursuant to this part. Except as provided in this part, the municipality shall not obligate itself, nor shall it ever be obligated to pay any sums from public funds, other than money received by the municipality pursuant to this section, for or on account of the activities of the authority.

History: 2018, Act 57, Eff. Jan. 1, 2019.

125.4212 Ad valorem tax; borrowing in anticipation of collection.

Sec. 212. (1) An authority with the approval of the municipal governing body may levy an ad valorem tax on the real and tangible personal property not exempt by law and as finally equalized in the downtown district. The tax shall not be more than 1 mill if the downtown district is in a municipality having a population of 1,000,000 or more, or not more than 2 mills if the downtown district is in a municipality having a population of less than 1,000,000. The tax shall be collected by the municipality creating the authority levying the tax. The municipality shall collect the tax at the same time and in the same manner as it collects its other ad valorem taxes. The tax shall be paid to the treasurer of the authority and credited to the general fund of the authority for purposes of the authority.

(2) The municipality may at the request of the authority borrow money and issue its notes under the revised municipal finance act, 2001 PA 34, MCL 141.2101 to 141.2821, in anticipation of collection of the ad valorem tax authorized in this section.

History: 2018, Act 57, Eff. Jan. 1, 2019.

125.4213 Revenue bonds.

Sec. 213. The authority may borrow money and issue its negotiable revenue bonds under the revenue bond act of 1933, 1933 PA 94, MCL 141.101 to 141.140. Revenue bonds issued by the authority shall not except as hereinafter provided be deemed a debt of the municipality or the state. The municipality by majority vote of the members of its governing body may pledge its full faith and credit to support the authority's revenue bonds.

History: 2018, Act 57, Eff. Jan. 1, 2019.

125.4213a Borrowing money; issuing revenue bonds or notes; purpose; costs; security; pledge and lien of pledge valid and binding; filing or recording not required; tax exemption; bonds or notes neither liability nor debt of municipality; statement; investment and deposit of bonds and notes.

Sec. 213a. (1) The authority may with approval of the local governing body borrow money and issue its revenue bonds or notes to finance all or part of the costs of acquiring or constructing property in connection with the implementation of a development plan in the downtown district or to refund or refund in advance bonds or notes issued pursuant to this section. The costs which may be financed by the issuance of revenue bonds or notes may include the cost of purchasing, acquiring, constructing, improving, enlarging, extending, or repairing property in connection with the implementation of a development plan in the downtown district; any engineering, architectural, legal, accounting, or financial expenses; the costs necessary or incidental to the borrowing of money; interest on the bonds or notes during the period of construction; a reserve for payment of principal and interest on the bonds or notes; and a reserve for operation and maintenance until sufficient revenues have developed. The authority may secure the bonds and notes by mortgage, assignment, or pledge of the property and any money, revenues, or income received in connection therewith.

(2) A pledge made by the authority shall be valid and binding from the time the pledge is made. The money or property pledged by the authority immediately shall be subject to the lien of the pledge without a physical delivery, filing, or further act. The lien of such a pledge shall be valid and binding as against parties having claims of any kind in tort, contract, or otherwise, against the authority, irrespective of whether the parties have notice of the lien. Neither the resolution, the trust agreement, nor any other instrument by which a pledge is created need be filed or recorded.

(3) Bonds or notes issued pursuant to this section shall be exempt from all taxation in this state except inheritance and transfer taxes, and the interest on the bonds or notes shall be exempt from all taxation in this state, notwithstanding that the interest may be subject to federal income tax.

(4) The municipality shall not be liable on bonds or notes of the authority issued pursuant to this section and the bonds or notes shall not be a debt of the municipality. The bonds or notes shall contain on their face a statement to that effect.

(5) The bonds and notes of the authority may be invested in by all public officers, state agencies and political subdivisions, insurance companies, banks, savings and loan associations, investment companies, and

fiduciaries and trustees, and may be deposited with and received by all public officers and the agencies and political subdivisions of this state for any purpose for which the deposit of bonds is authorized.

History: 2018, Act 57, Eff. Jan. 1, 2019.

125.4213b Insufficient tax increment revenues to repay advance or pay obligation; contents, time, and payment of claim; appropriation and distribution of aggregate amount; limitations; distribution subject to lien; obligation as debt or liability; certification of distribution amount; basis for calculation of distributions and claim reports.

Sec. 213b. (1) If the amount of tax increment revenues lost as a result of the reduction of taxes levied by local school districts for school operating purposes required by the millage limitations under section 1211 of the school code of 1976, 1976 PA 451, MCL 380.1211, reduced by the amount of tax increment revenues received from the capture of taxes levied under or attributable to the state education tax act, 1993 PA 331, MCL 211.901 to 211.906, will cause the tax increment revenues received in a fiscal year by an authority under section 215 to be insufficient to repay an eligible advance or to pay an eligible obligation, the legislature shall appropriate and distribute to the authority the amount described in subsection (5).

(2) Not less than 30 days before the first day of a fiscal year, an authority eligible to retain tax increment revenues from taxes levied by a local or intermediate school district or this state or to receive a distribution under this section for that fiscal year shall file a claim with the department of treasury. The claim shall include the following information:

(a) The property tax millage rates levied in 1993 by local school districts within the jurisdictional area of the authority for school operating purposes.

(b) The property tax millage rates expected to be levied by local school districts within the jurisdictional area of the authority for school operating purposes for that fiscal year.

(c) The tax increment revenues estimated to be received by the authority for that fiscal year based upon actual property tax levies of all taxing jurisdictions within the jurisdictional area of the authority.

(d) The tax increment revenues the authority estimates it would have received for that fiscal year if property taxes were levied by local school districts within the jurisdictional area of the authority for school operating purposes at the millage rates described in subdivision (a) and if no property taxes were levied by this state under the state education tax act, 1993 PA 331, MCL 211.901 to 211.906.

(e) A list and documentation of eligible obligations and eligible advances and the payments due on each of those eligible obligations or eligible advances in that fiscal year, and the total amount of all the payments due on those eligible obligations and eligible advances in that fiscal year.

(f) The amount of money, other than tax increment revenues, estimated to be received in that fiscal year by the authority that is primarily pledged to, and to be used for, the payment of an eligible obligation or the repayment of an eligible advance. That amount shall not include excess tax increment revenues or the authority that are permitted by law to be retained by the authority for purposes that further the development program. However, that amount shall include money to be obtained from sources authorized by law, which law is enacted on or after December 1, 1993, for use by the municipality or authority to finance a development project.

(g) The amount of a distribution received pursuant to this part for a fiscal year in excess of or less than the distribution that would have been required if calculated upon actual tax increment revenues received for that fiscal year.

(h) A list and documentation of other protected obligations and the payments due on each of those other protected obligations in that fiscal year, and the total amount of all the payments due on those other protected obligations in that fiscal year.

(3) For the fiscal year that commences after September 30, 1993 and before October 1, 1994, an authority may make a claim with all information required by subsection (2) at any time after March 15, 1994.

(4) After review and verification of claims submitted pursuant to this section, amounts appropriated by the state in compliance with this part shall be distributed as 2 equal payments on March 1 and September 1 after receipt of a claim. An authority shall allocate a distribution it receives for an eligible obligation issued on behalf of a municipality to the municipality.

(5) Subject to subsections (6) and (7), the aggregate amount to be appropriated and distributed pursuant to this section to an authority shall be the sum of the amounts determined pursuant to subdivisions (a) and (b) minus the amount determined pursuant to subdivision (c), as follows:

(a) The amount by which the tax increment revenues the authority would have received for the fiscal year, excluding taxes exempt under section 7ff of the general property tax act, 1893 PA 206, MCL 211.7ff, if property taxes were levied by local school districts for school operating purposes at the millage rates described in subsection (2)(a) and if no property taxes were levied under the state education tax act, 1993 PA Renerated Wednesday, May 19, 2021

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331, MCL 211.901 to 211.906, exceed the tax increment revenues the authority actually received for the fiscal year.

(b) A shortfall required to be reported pursuant to subsection (2)(g) that had not previously increased a distribution.

(c) An excess amount required to be reported pursuant to subsection (2)(g) that had not previously decreased a distribution.

(6) The amount distributed under subsection (5) shall not exceed the difference between the amount described in subsection (2)(e) and the sum of the amounts described in subsection (2)(c) and (f).

(7) If, based upon the tax increment financing plan in effect on August 19, 1993, the payment due on eligible obligations or eligible advances anticipates the use of excess prior year tax increment revenues permitted by law to be retained by the authority, and if the sum of the amounts described in subsection (2)(c) and (f) plus the amount to be distributed under subsections (5) and (6) is less than the amount described in subsection (2)(e), the amount to be distributed under subsections (5) and (6) shall be increased by the amount of the shortfall. However, the amount authorized to be distributed pursuant to this section shall not exceed that portion of the cumulative difference, for each preceding fiscal year, between the amount that could have been distributed pursuant to subsection (5) and the amount actually distributed pursuant to subsections (5) and (6) and this subsection.

(8) A distribution under this section replacing tax increment revenues pledged by an authority or a municipality is subject to the lien of the pledge, whether or not there has been physical delivery of the distribution.

(9) Obligations for which distributions are made pursuant to this section are not a debt or liability of this state; do not create or constitute an indebtedness, liability, or obligation of this state; and are not and do not constitute a pledge of the faith and credit of this state.

(10) Not later than July 1 of each year, the authority shall certify to the local tax collecting treasurer the amount of the distribution required under subsection (5), calculated without regard to the receipt of tax increment revenues attributable to local or intermediate school district taxes or attributable to taxes levied under the state education tax act, 1993 PA 331, MCL 211.901 to 211.906.

(11) Calculations of distributions under this section and claims reports required to be made under subsection (2) shall be made on the basis of each development area of the authority.

(12) The state tax commission may provide that the reimbursement calculations under this section and the calculation of allowable capture of school taxes shall be made for each calendar year's tax increment revenues using a 12-month debt payment period used by the authority and approved by the state tax commission.

History: 2018, Act 57, Eff. Jan. 1, 2019.

125.4213c Retention and payment of taxes levied under state education tax act; conditions; application by authority for approval; information to be included; approval, modification, or denial of application by department of treasury; appropriation and distribution of amount; calculation of aggregate amount; lien; reimbursement calculations; legislative intent.

Sec. 213c. (1) If the amount of tax increment revenues lost as a result of the personal property tax exemptions provided by section 1211(1) and (4) of the revised school code, 1976 PA 451, MCL 380.1211, section 3 of the state education tax act, 1993 PA 331, MCL 211.903, section 14(4) of 1974 PA 198, MCL 207.564, and section 9k of the general property tax act, 1893 PA 206, MCL 211.9k, will reduce the allowable school tax capture received in a fiscal year, then, notwithstanding any other provision of this part, the authority, with approval of the department of treasury under subsection (3), may request the local tax collecting treasurer to retain and pay to the authority taxes levied under the state education tax act, 1993 PA 331, MCL 211.901 to 211.906, to be used for the following:

(a) To repay an eligible advance.

(b) To repay an eligible obligation.

(c) To repay an other protected obligation.

(2) Not later than June 15, 2008, not later than September 30, 2009, and not later than June 1 of each subsequent year, except for 2011, not later than June 15, an authority eligible under subsection (1) to have taxes levied under the state education tax act, 1993 PA 331, MCL 211.901 to 211.906, retained and paid to the authority under this section, shall apply for approval with the department of treasury. The application for approval shall include the following information:

(a) The property tax millage rates expected to be levied by local school districts within the jurisdictional area of the authority for school operating purposes for that fiscal year.

(b) The tax increment revenues estimated to be received by the authority for that fiscal year based upon

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actual property tax levies of all taxing jurisdictions within the jurisdictional area of the authority.

(c) The tax increment revenues the authority estimates it would have received for that fiscal year if the personal property tax exemptions described in subsection (1) were not in effect.

(d) A list of eligible obligations, eligible advances, and other protected obligations, the payments due on each of those in that fiscal year, and the total amount of all the payments due on all of those in that fiscal year.

(e) The amount of money, other than tax increment revenues, estimated to be received in that fiscal year by the authority that is primarily pledged to, and to be used for, the payment of an eligible obligation, the repayment of an eligible advance, or the payment of an other protected obligation. That amount shall not include excess tax increment revenues of the authority that are permitted by law to be retained by the authority for purposes that further the development program. However, that amount shall include money to be obtained from sources authorized by law, which law is enacted on or after December 1, 1993, for use by the municipality or authority to finance a development plan.

(f) The amount of a distribution received pursuant to this part for a fiscal year in excess of or less than the distribution that would have been required if calculated upon actual tax increment revenues received for that fiscal year.

(3) Not later than August 15, 2008; for 2009, not later than February 3, 2010; for 2011 only, not later than 30 days after the effective date of the amendatory act that amended this sentence; and not later than August 15 for 2010, 2012, and each subsequent year, based on the calculations under subsection (5), the department of treasury shall approve, modify, or deny the application for approval to have taxes levied under the state education tax act, 1993 PA 331, MCL 211.901 to 211.906, retained and paid to the authority under this section. If the application for approval contains the information required under subsection (2)(a) through (f) and appears to be in substantial compliance with the provisions of this section, then the department of treasury shall approve the application. If the application is denied by the department of treasury, then the department of treasury shall provide the opportunity for a representative of the authority to discuss the denial within 21 days after the denial occurs and shall sustain or modify its decision within 30 days after receiving information from the authority. If the application for approval is approved or modified by the department of treasury, the local tax collecting treasurer shall retain and pay to the authority the amount described in subsection (5) as approved by the department. If the department of treasury denies the authority's application for approval, the local tax collecting treasurer shall not retain or pay to the authority the taxes levied under the state education tax act, 1993 PA 331, MCL 211.901 to 211.906. An approval by the department does not prohibit a subsequent audit of taxes retained in accordance with the procedures currently authorized by law.

(4) Each year the legislature shall appropriate and distribute an amount sufficient to pay each authority the following:

(a) If the amount to be retained and paid under subsection (3) is less than the amount calculated under subsection (5), the difference between those amounts.

(b) If the application for approval is denied by the department of treasury, an amount verified by the department equal to the amount calculated under subsection (5).

(5) Subject to subsection (6), the aggregate amount under this section shall be the sum of the amounts determined under subdivisions (a) and (b) minus the amount determined under subdivision (c), as follows:

(a) The amount by which the tax increment revenues the authority would have received and retained for the fiscal year, excluding taxes exempt under section 7ff of the general property tax act, 1893 PA 206, MCL 211.7ff, if the personal property tax exemptions described in subsection (1) were not in effect, exceed the tax increment revenues the authority actually received for the fiscal year. For fiscal years beginning January 1, 2019 and thereafter, the amount under this subdivision shall be calculated using the greater of the following:

(i) The captured assessed value of industrial personal property, commercial personal property, and the personal property component of exemption certificates granted under 1974 PA 198, MCL 207.551 to 207.572, that are sited on property classified as either industrial or commercial, for the authority's fiscal year ending in the current year.

(ii) The 2013 captured assessed value of industrial personal property, commercial personal property, and the personal property component of exemption certificates granted under 1974 PA 198, MCL 207.551 to 207.572, that are sited on property classified as either industrial or commercial.

(b) A shortfall required to be reported under subsection (2)(f) that had not previously increased a distribution.

(c) An excess amount required to be reported under subsection (2)(f) that had not previously decreased a distribution.

(6) A distribution or taxes retained under this section replacing tax increment revenues pledged by an authority or a municipality are subject to any lien of the pledge described in subsection (1), whether or not there has been physical delivery of the distribution.

(7) Obligations for which distributions are made under this section are not a debt or liability of this state; do not create or constitute an indebtedness, liability, or obligation of this state; and are not and do not constitute a pledge of the faith and credit of this state.

(8) Not later than September 15 of each year, the authority shall provide a copy of the application for approval approved by the department of treasury to the local tax collecting treasurer and provide the amount of the taxes retained and paid to the authority under subsection (5).

(9) Calculations of amounts retained and paid and appropriations to be distributed under this section shall be made on the basis of each development area of the authority.

(10) The state tax commission may provide that the reimbursement calculations under this section and the calculation of allowable capture of school taxes shall be made for each calendar year's tax increment revenues using a 12-month debt payment period used by the authority and approved by the state tax commission.

(11) It is the intent of the legislature that, to the extent that the total amount of taxes levied under the state education tax act, 1993 PA 331, MCL 211.901 to 211.906, that are allowed to be retained under this section and section 411b, section 15a of the brownfield redevelopment financing act, 1996 PA 381, MCL 125.2665a, and section 312b, exceeds the difference of the total school aid fund revenue for the tax year minus the estimated amount of revenue the school aid fund would have received for the tax year had the tax exemptions described in subsection (1) and the earmark created by section 515 of the Michigan business tax act, 2007 PA 36, MCL 208.1515, not taken effect, the general fund shall reimburse the school aid fund the difference.

History: 2018, Act 57, Eff. Jan. 1, 2019;—Am. 2018, Act 481, Imd. Eff. Dec. 27, 2018.

125.4214 Tax increment financing plan; preparation and contents; limitation; public hearing; fiscal and economic implications; recommendations; agreements; modification of plan; catalyst development project.

Sec. 214. (1) When the authority determines that it is necessary for the achievement of the purposes of this part, the authority shall prepare and submit a tax increment financing plan to the governing body of the municipality. The plan shall include a development plan as provided in section 217, a detailed explanation of the tax increment procedure, the maximum amount of bonded indebtedness to be incurred, and the duration of the program, and shall be in compliance with section 215. The plan shall contain a statement of the estimated impact of tax increment financing on the assessed values of all taxing jurisdictions in which the development area is located. The plan may provide for the use of part or all of the captured assessed value, but the portion intended to be used by the authority shall be clearly stated in the tax increment financing plan. The authority or municipality may exclude from captured assessed value growth in property value resulting solely from inflation. The plan shall set forth the method for excluding growth in property value resulting solely from inflation.

(2) The percentage of taxes levied for school operating purposes that is captured and used by the tax increment financing plan shall not be greater than the plan's percentage capture and use of taxes levied by a municipality or county for operating purposes. For purposes of the previous sentence, taxes levied by a county for operating purposes include only millage allocated for county or charter county purposes under the property tax limitation act, 1933 PA 62, MCL 211.201 to 211.217a. For purposes of this subsection, tax increment revenues used to pay bonds issued by a municipality under section 216(1) shall be considered to be used by the tax increment financing plan rather than shared with the municipality. The limitation of this subsection does not apply to the portion of the captured assessed value shared pursuant to an agreement entered into before 1989 with a county or with a city in which an enterprise zone is approved under section 13 of the enterprise zone act, 1985 PA 224, MCL 125.2113.

(3) Approval of the tax increment financing plan shall be pursuant to the notice, hearing, and disclosure provisions of section 218. If the development plan is part of the tax increment financing plan, only 1 hearing and approval procedure is required for the 2 plans together.

(4) Before the public hearing on the tax increment financing plan, the governing body shall provide a reasonable opportunity to the taxing jurisdictions levying taxes subject to capture to meet with the governing body. The authority shall fully inform the taxing jurisdictions of the fiscal and economic implications of the proposed development area. The taxing jurisdictions may present their recommendations at the public hearing on the tax increment financing plan. The authority may enter into agreements with the taxing jurisdictions and the governing body of the municipality in which the development area is located to share a portion of the captured assessed value of the district.

(5) A tax increment financing plan may be modified if the modification is approved by the governing body upon notice and after public hearings and agreements as are required for approval of the original plan.

(6) Under a tax increment financing plan that includes a catalyst development project, an authority may pledge available tax increment revenues of the authority as security for any bonds issued to develop and Rendeder Wednesday, May 19, 2021

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construct a catalyst development project.

History: 2018, Act 57, Eff. Jan. 1, 2019.

125.4215 Transmitting and expending tax increments revenues; reversion of surplus funds; abolishment of tax increment financing plan; conditions.

Sec. 215. (1) The municipal and county treasurers shall transmit to the authority tax increment revenues.

(2) The authority shall expend the tax increment revenues received for the development program only pursuant to the tax increment financing plan. Surplus funds shall revert proportionately to the respective taxing bodies. These revenues shall not be used to circumvent existing property tax limitations. The governing body of the municipality shall not be used to circumvent existing property tax limitations. The governing body of the municipality may abolish the tax increment financing plan when it finds that the purposes for which it was established are accomplished. However, the tax increment financing plan shall not be abolished, allowed to expire, or otherwise terminate until the principal of, and interest on, bonds issued pursuant to section 216 have been paid or funds sufficient to make the payment have been segregated.

History: 2018, Act 57, Eff. Jan. 1, 2019.

125.4216 General obligation bonds and tax increment bonds; qualified refunding obligation.

Sec. 216. (1) The municipality may by resolution of its governing body authorize, issue, and sell general obligation bonds subject to the limitations set forth in this subsection to finance the development program of the tax increment financing plan and shall pledge its full faith and credit for the payment of the bonds. The municipality may pledge as additional security for the bonds any money received by the authority or the municipality pursuant to section 211. The bonds are subject to the revised municipal finance act, 2001 PA 34, MCL 141.2101 to 141.2821. Before the municipality may authorize the borrowing, the authority shall submit an estimate of the anticipated tax increment revenues and other revenue available under section 211 to be available for payment of principal and interest on the bonds, to the governing body of the municipality. This estimate shall be approved by the governing body of the municipality by resolution adopted by majority vote of the members of the governing body in the resolution authorizing the bonds. If the governing body of the municipality adopts the resolution authorizing the bonds, the estimate of the anticipated tax increment revenues and other revenue available under section 211 to be available for payment of principal and interest on the bonds shall be conclusive for purposes of this section. The bonds issued under this subsection shall be considered a single series for the purposes of the revised municipal finance act, 2001 PA 34, MCL 141.2101 to 141.2801.

(2) By resolution of its governing body, the authority may authorize, issue, and sell tax increment bonds subject to the limitations set forth in this subsection to finance the development program of the tax increment financing plan. The tax increment bonds issued by the authority under this subsection shall pledge solely the tax increment revenues of a development area in which the project is located or a development area from which tax increment revenues may be used for this project, or both. In addition or in the alternative, the bonds issued by the authority pursuant to this subsection may be secured by any other revenues identified in section 211 as sources of financing for activities of the authority that the authority shall specifically pledge in the resolution. However, the full faith and credit of the municipality shall not be pledged to secure bonds issued pursuant to this subsection. The bond issue may include a sum sufficient to pay interest on the tax increment bonds until full development of tax increment revenues from the project and also a sum to provide a reasonable reserve for payment of principal and interest on the bonds. The resolution authorizing the bonds shall create a lien on the tax increment revenues and other revenues pledged by the resolution that shall be a statutory lien and shall be a first lien subject only to liens previously created. The resolution may provide the terms upon which additional bonds may be issued of equal standing and parity of lien as to the tax increment revenues and other revenues pledged under the resolution. Bonds issued under this subsection that pledge revenue received under section 211 for repayment of the bonds are subject to the revised municipal finance act, 2001 PA 34, MCL 141.2101 to 141.2821.

(3) Notwithstanding any other provision of this part, if the state treasurer determines that an authority or municipality can issue a qualified refunding obligation and the authority or municipality does not make a good-faith effort to issue the qualified refunding obligation as determined by the state treasurer, the state treasurer may reduce the amount claimed by the authority or municipality under section 213b by an amount equal to the net present value saving that would have been realized had the authority or municipality refunded the obligation or the state treasurer may require a reduction in the capture of tax increment revenues from taxes levied by a local or intermediate school district or this state by an amount equal to the net present value savings that would have been realized had the authority or municipality refunded the obligation. This subsection does not authorize the state treasurer to require the authority or municipality to pledge security greater than the security pledged for the obligation being refunded.

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History: 2018, Act 57, Eff. Jan. 1, 2019.

125.4217 Development plan; preparation; contents.

Sec. 217. (1) When a board decides to finance a project in the downtown district by the use of revenue bonds as authorized in section 213 or tax increment financing as authorized in sections 214, 215, and 216, it shall prepare a development plan.

(2) The development plan shall contain all of the following:

- (a) The designation of boundaries of the development area in relation to highways, streets, streams, or otherwise.
- (b) The location and extent of existing streets and other public facilities within the development area, shall designate the location, character, and extent of the categories of public and private land uses then existing and proposed for the development area, including residential, recreational, commercial, industrial, educational, and other uses, and shall include a legal description of the development area.
- (c) A description of existing improvements in the development area to be demolished, repaired, or altered, a description of any repairs and alterations, and an estimate of the time required for completion.
- (d) The location, extent, character, and estimated cost of the improvements including rehabilitation contemplated for the development area and an estimate of the time required for completion.
- (e) A statement of the construction or stages of construction planned, and the estimated time of completion of each stage.
- (f) A description of any parts of the development area to be left as open space and the use contemplated for the space.
- (g) A description of any portions of the development area that the authority desires to sell, donate, exchange, or lease to or from the municipality and the proposed terms.
- (h) A description of desired zoning changes and changes in streets, street levels, intersections, or utilities.
- (i) An estimate of the cost of the development, a statement of the proposed method of financing the development, and the ability of the authority to arrange the financing.
- (j) Designation of the person or persons, natural or corporate, to whom all or a portion of the development is to be leased, sold, or conveyed in any manner and for whose benefit the project is being undertaken if that information is available to the authority.
- (k) The procedures for bidding for the leasing, purchasing, or conveying in any manner of all or a portion of the development upon its completion, if there is no express or implied agreement between the authority and persons, natural or corporate, that all or a portion of the development will be leased, sold, or conveyed in any manner to those persons.
- (l) Estimates of the number of persons residing in the development area and the number of families and individuals to be displaced. If occupied residences are designated for acquisition and clearance by the authority, a development plan shall include a survey of the families and individuals to be displaced, including their income and racial composition, a statistical description of the housing supply in the community, including the number of private and public units in existence or under construction, the condition of those units in existence, the number of owner-occupied and renter-occupied units, the annual rate of turnover of the various types of housing and the range of rents and sale prices, an estimate of the total demand for housing in the community, and the estimated capacity of private and public housing available to displaced families and individuals.
- (m) A plan for establishing priority for the relocation of persons displaced by the development in any new housing in the development area.
- (n) Provision for the costs of relocating persons displaced by the development and financial assistance and reimbursement of expenses, including litigation expenses and expenses incident to the transfer of title, in accordance with the standards and provisions of the federal uniform relocation assistance and real property acquisition policies act of 1970, Public Law 91-646, 42 USC 4601.
- (o) A plan for compliance with 1972 PA 227, MCL 213.321 to 213.332.
- (p) Other material that the authority, local public agency, or governing body considers pertinent.

History: 2018, Act 57, Eff. Jan. 1, 2019.

125.4218 Ordinance approving or amending development plan or tax increment financing plan; public hearing; notice; record.

Sec. 218. (1) The governing body, before adoption of an ordinance approving or amending a development plan or approving or amending a tax increment financing plan, shall hold a public hearing on the development plan. Notice of the time and place of the hearing shall be given by publication twice in a newspaper of general circulation designated by the municipality, the first of which shall be not less than 20 days before the date set

for the hearing. Notice of the hearing shall be posted in at least 20 conspicuous and public places in the downtown district not less than 20 days before the hearing. Notice shall also be mailed to all property taxpayers of record in the downtown district not less than 20 days before the hearing. Beginning June 1, 2005, the notice of hearing within the time frame described in this subsection shall be mailed by certified mail to the governing body of each taxing jurisdiction levying taxes that would be subject to capture if the development plan or the tax increment financing plan is approved or amended.

(2) Notice of the time and place of hearing on a development plan shall contain: a description of the proposed development area in relation to highways, streets, streams, or otherwise; a statement that maps, plats, and a description of the development plan, including the method of relocating families and individuals who may be displaced from the area, are available for public inspection at a place designated in the notice, and that all aspects of the development plan will be open for discussion at the public hearing; and other information that the governing body considers appropriate. At the time set for hearing, the governing body shall provide an opportunity for interested persons to be heard and shall receive and consider communications in writing with reference to the development plan. The hearing shall provide the fullest opportunity for expression of opinion, for argument on the merits, and for introduction of documentary evidence pertinent to the development plan. The governing body shall make and preserve a record of the public hearing, including all data presented thereat.

History: 2018, Act 57, Eff. Jan. 1, 2019.

125.4219 Development plan or tax increment financing plan as constituting public purpose; determination; ordinance; considerations; amendments; incorporation of catalyst development project plan.

Sec. 219. (1) The governing body after a public hearing on the development plan or the tax increment financing plan, or both, with notice of the hearing given in accordance with section 218, shall determine whether the development plan or tax increment financing plan constitutes a public purpose. If it determines that the development plan or tax increment financing plan constitutes a public purpose, it shall then approve or reject the plan, or approve it with modification, by ordinance based on the following considerations:

- (a) The findings and recommendations of a development area citizens council, if a development area citizens council was formed.
- (b) The plan meets the requirements set forth in section 217(2).
- (c) The proposed method of financing the development is feasible and the authority has the ability to arrange the financing.
- (d) The development is reasonable and necessary to carry out the purposes of this part.
- (e) The land included within the development area to be acquired is reasonably necessary to carry out the purposes of the plan and of this part in an efficient and economically satisfactory manner.
- (f) The development plan is in reasonable accord with the master plan of the municipality.
- (g) Public services, such as fire and police protection and utilities, are or will be adequate to service the project area.
- (h) Changes in zoning, streets, street levels, intersections, and utilities are reasonably necessary for the project and for the municipality.
- (2) Amendments to an approved development plan or tax increment plan must be submitted by the authority to the governing body for approval or rejection.
- (3) Proposed amendments made to an approved development plan to incorporate a catalyst development project plan shall be submitted by the authority to the Michigan strategic fund for approval or rejection of that part of the plan relating to the catalyst development project. Amendments not approved or rejected under this subsection by the Michigan strategic fund within 45 days of submission for approval shall be considered approved.

History: 2018, Act 57, Eff. Jan. 1, 2019.

125.4220 Notice to vacate.

Sec. 220. A person to be relocated under this part shall be given not less than 90 days' written notice to vacate unless modified by court order for good cause.

History: 2018, Act 57, Eff. Jan. 1, 2019.

125.4221 Development area citizens council; establishment; appointment and qualifications of members; representative of development area.

Sec. 221. (1) If a proposed development area has residing within it 100 or more residents, a development area citizens council shall be established at least 90 days before the public hearing on the development or tax

increment financing plan. The development area citizens council shall be established by the governing body and shall consist of not less than 9 members. The members of the development area citizens council shall be residents of the development area and shall be appointed by the governing body. A member of a development area citizens council shall be at least 18 years of age.

(2) A development area citizens council shall be representative of the development area.

History: 2018, Act 57, Eff. Jan. 1, 2019.

125.4222 Development area citizens council; advisory body.

Sec. 222. A development area citizens council established pursuant to this part shall act an advisory body to the authority and the governing body in the adoption of the development or tax increment financing plans.

History: 2018, Act 57, Eff. Jan. 1, 2019.

125.4223 Consultation.

Sec. 223. Periodically a representative of the authority responsible for preparation of a development or tax increment financing plan within the development area shall consult with and advise the development area citizens council regarding the aspects of a development plan, including the development of new housing for relocation purposes located either inside or outside of the development area. The consultation shall begin before any final decisions by the authority and the governing body regarding a development or tax increment financing plan. The consultation shall continue throughout the preparation and implementation of the development or tax increment financing plan.

History: 2018, Act 57, Eff. Jan. 1, 2019.

125.4224 Development area citizens council; meetings; notice; record; information and technical assistance; failure to organize, consult, or advise.

Sec. 224. (1) Meetings of the development area citizens council shall be open to the public. Notice of the time and place of the meetings shall be given by publication in a newspaper of general circulation not less than 5 days before the dates set for meetings of the development area citizens council. A person present at those meetings shall have reasonable opportunity to be heard.

(2) A record of the meetings of a development area citizens council, including information and data presented, shall be maintained by the council.

(3) A development area citizens council may request of and receive from the authority information and technical assistance relevant to the preparation of the development plan for the development area.

(4) Failure of a development area citizens council to organize or to consult with and be advised by the authority, or failure to advise the governing body, as provided in this part, shall not preclude the adoption of a development plan by a municipality if the municipality complies with the other provisions of this part.

History: 2018, Act 57, Eff. Jan. 1, 2019.

125.4225 Citizens district council as development area citizens council.

Sec. 225. In a development area where a citizens district council established according to 1945 PA 344, MCL 125.71 to 125.84, already exists the governing body may designate it as the development area citizens council authorized by this part.

History: 2018, Act 57, Eff. Jan. 1, 2019.

125.4226 Notice of findings and recommendations.

Sec. 226. Within 20 days after the public hearing on a development or tax increment financing plan, the development area citizens council shall notify the governing body, in writing, of its findings and recommendations concerning a proposed development plan.

History: 2018, Act 57, Eff. Jan. 1, 2019.

125.4227 Development area citizens council; dissolution.

Sec. 227. A development area citizens council may not be required and, if formed, may be dissolved in any of the following situations:

(a) On petition of not less than 20% of the adult resident population of the development area by the last federal decennial or municipal census, a governing body, after public hearing with notice thereof given in accordance with section 218 and by a 2/3 vote, may adopt an ordinance for the development area to eliminate the necessity of a development area citizens council.

(b) When there are less than 18 residents, real property owners, or representatives of establishments located in the development area eligible to serve on the development area citizens council.

(c) Upon termination of the authority by ordinance of the governing body.

Rendered Wednesday, May 19, 2021

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Michigan Compiled Laws Complete Through PA 13 of 2021

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Courtesy of www.legislature.mi.gov

History: 2018, Act 57, Eff. Jan. 1, 2019.

125.4228 Budget; cost of handling and auditing funds.

Sec. 228. (1) The director of the authority shall prepare and submit for the approval of the board a budget for the operation of the authority for the ensuing fiscal year. The budget shall be prepared in the manner and contain the information required of municipal departments. Before the budget may be adopted by the board, it shall be approved by the governing body of the municipality. Funds of the municipality shall not be included in the budget of the authority except those funds authorized in this part or by the governing body of the municipality.

(2) The governing body of the municipality may assess a reasonable pro rata share of the funds for the cost of handling and auditing the funds against the funds of the authority, other than those committed, which cost shall be paid annually by the board pursuant to an appropriate item in its budget.

History: 2018, Act 57, Eff. Jan. 1, 2019.

125.4228a Exemption.

Sec. 228a. Beginning January 1, 2010, the authority shall be exempt from all taxation on its earnings or property. Instruments of conveyance from an authority are exempt from transfer taxes under 1966 PA 134, MCL 207.501 to 207.513, and the state real estate transfer tax act, 1993 PA 330, MCL 207.521 to 207.537.

History: 2018, Act 57, Eff. Jan. 1, 2019.

125.4229 Historic sites.

Sec. 229. (1) A public facility, building, or structure that is determined by the municipality to have significant historical interests shall be preserved in a manner as considered necessary by the municipality in accordance with laws relative to the preservation of historical sites. The preservation of facilities, buildings, or structures determined to be historic sites by a municipality shall include, at a minimum, equipping the historic site with a fire alarm system.

(2) An authority shall refer all proposed changes to the exterior of sites listed on the state register of historic sites and the national register of historic places to the applicable historic district commission created under the local historic districts act, 1970 PA 169, MCL 399.201 to 399.215, or the Michigan state housing development authority for review.

History: 2018, Act 57, Eff. Jan. 1, 2019.

Compiler's note: For transfer of powers and duties of the state historic preservation office relating to the identification, certification, and preservation of historical sites from the Michigan state housing development authority to the Michigan strategic fund, see E.R.O. No. 2019-3, compiled at MCL 125.1998.

125.4230 Dissolution of authority; disposition of property and assets; reinstatement of authority; contesting validity of proceedings, findings, and determinations.

Sec. 230. (1) An authority that has completed the purposes for which it was organized shall be dissolved by ordinance of the governing body. The property and assets of the authority remaining after the satisfaction of the obligations of the authority belong to the municipality.

(2) An authority established under this part before December 31, 1988, that is dissolved by ordinance of the governing body before September 30, 1990 and that is reinstated by ordinance of the governing body after notice and public hearing as provided in section 203(2) shall not be invalidated pursuant to a claim that, based upon the standards set forth in section 203(1), a governing body improperly determined that the necessary conditions existed for the reinstatement of an authority under this part if at the time the governing body established the authority the governing body determined or could have determined that the necessary conditions existed for the establishment of an authority under this part or could have determined that establishment of an authority under this part would serve to promote economic growth and notwithstanding that the boundaries of the downtown district are altered at the time of reinstatement of the authority.

(3) In the resolution of intent, the municipality shall set a date for the holding of a public hearing on the adoption of a proposed ordinance reinstating the authority. The procedure for publishing the notice of hearing, holding the hearing, and adopting the ordinance reinstating the authority shall be as provided in section 203(2), (4), and (5).

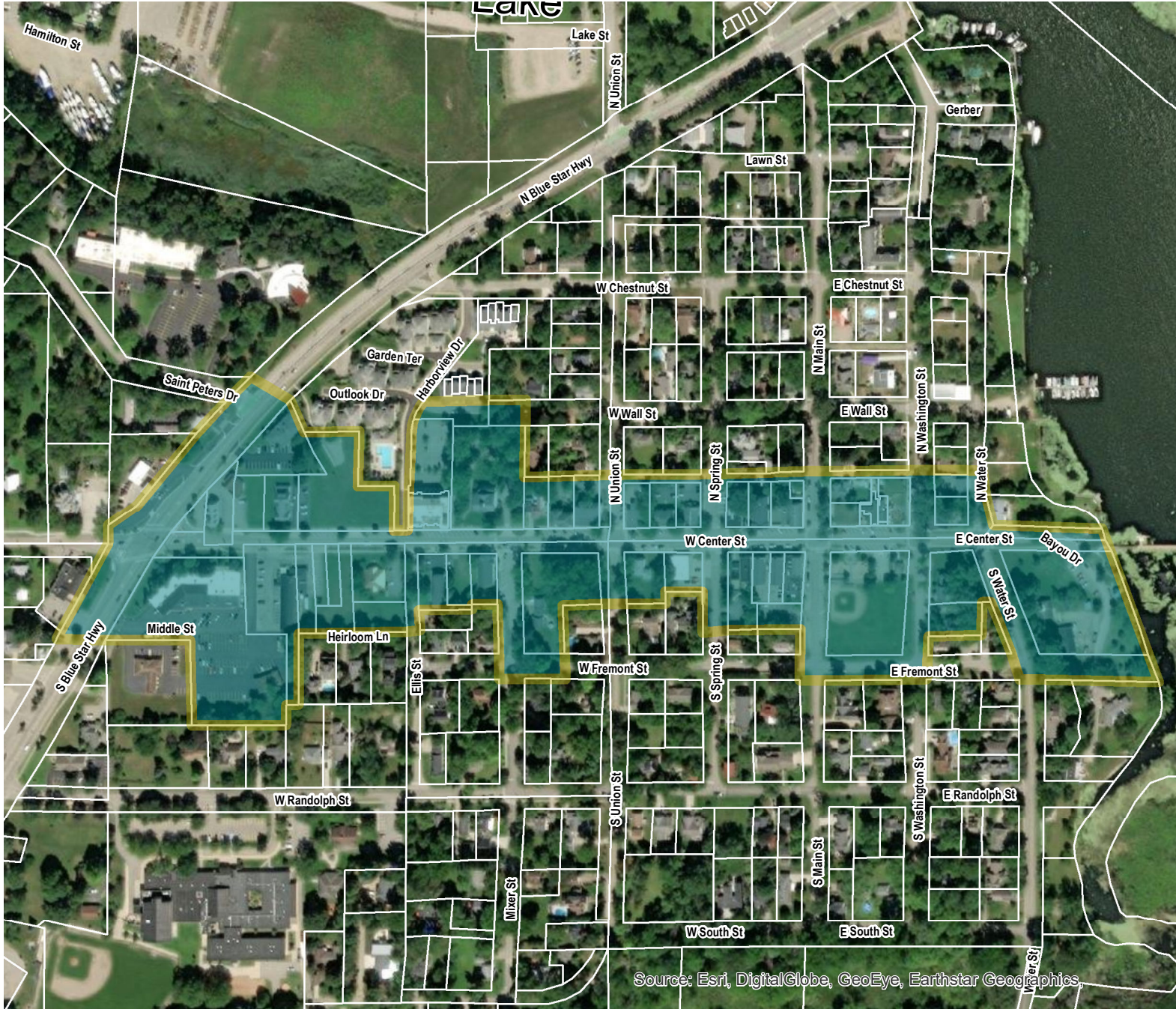
(4) The validity of the proceedings, findings, and determinations reinstating an authority shall be conclusive unless contested in a court of competent jurisdiction within 60 days after the last of the following occurs:

- (a) Publication of the ordinance reinstating the authority as adopted.
- (b) Filing of the ordinance reinstating the authority with the secretary of state.
- (c) May 27, 1993.

Map 1. *Downtown District and Development Area Boundaries*

The City of the Village of
DOUGLAS
Allegan County, Michigan

MAP 1 | DDA Boundary

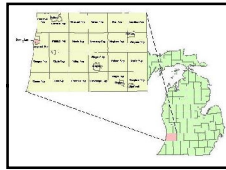


Source: Esri, DigitalGlobe, GeoEye, Earthstar Geographics,



0 62.5 125 250 Feet

williams&works
engineers | surveyors | planners














Data Source: Allegan County

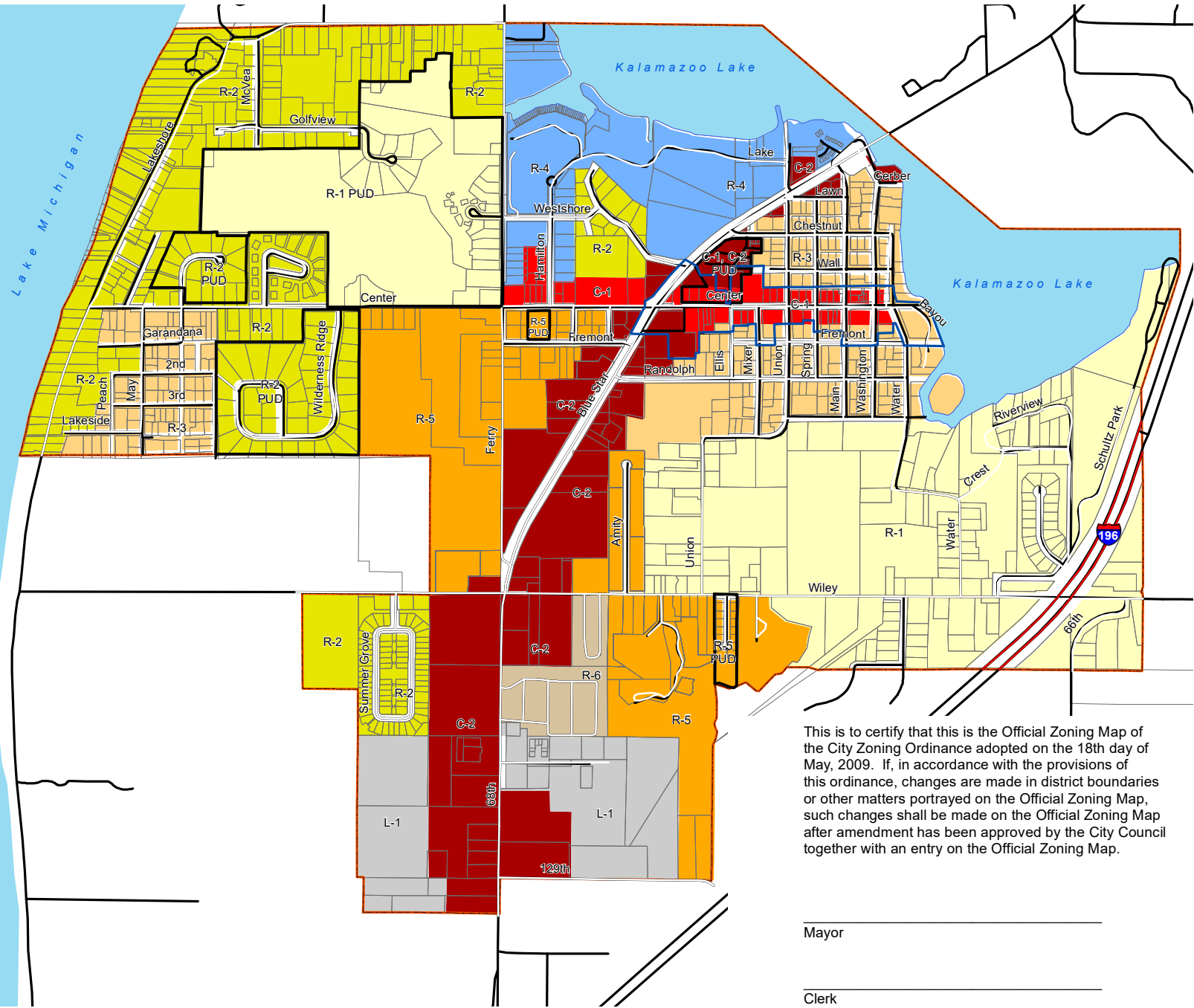
Map 2 Zoning

The City of the Village of
DOUGLAS
Allegan County, Michigan

MAP 2 | Zoning Map

Effective Date:
July 16, 2014

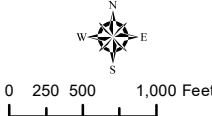
-  DDA Boundary
-  PUD Overlays
-  R-1, Residential District
-  R-2, Residential District
-  R-3, Neighborhood Conservation District
-  R-4, Harbor Residential District
-  R-5, Multiple Family District
-  R-6, Mobile Home Park District
-  C-1, Village Commercial District
-  C-2, General Commercial District
-  L-1, Light Industrial District



This is to certify that this is the Official Zoning Map of the City Zoning Ordinance adopted on the 18th day of May, 2009. If, in accordance with the provisions of this ordinance, changes are made in district boundaries or other matters portrayed on the Official Zoning Map, such changes shall be made on the Official Zoning Map after amendment has been approved by the City Council together with an entry on the Official Zoning Map.

Mayor _____

Clerk _____



williams&works
engineers | surveyors | planners



Data Source: Allegan County

**CITY OF THE VILLAGE OF DOUGLAS
ALLEGAN COUNTY, MICHIGAN
ORDINANCE NO. 05-2023**

**AN ORDINANCE TO UPDATE THE DOWNTOWN DEVELOPMENT PLAN AND TAX INCREMENT FINANCING
PLAN FOR THE DOWNTOWN DEVELOPMENT AUTHORITY OF THE CITY OF THE VILLAGE OF DOUGLAS
CODE OF ORDINANCES**

The Douglas Downtown Development Authority (DDA) was created by City Council in 1997 and expanded in 2006. The DDA is required to prepare a tax increment financing plan and may create a development plan to submit for approval to the local municipality. A development plan describes costs, location, and resources for the implementation of public improvements in the DDA district. A tax increment financing plan includes the development plan and details the tax increment procedure, any bonded indebtedness to be incurred, and the duration of the program.

At the May 31, 2023, DDA meeting, the DDA recommended the adoption of the Development Plan and Tax Increment Financing Plan to the City Council. The City Council is required to hold a public hearing prior to adoption of the development and TIF plan. The City Clerk noticed the time and place of the public hearing twice in the local newspaper and posted the notice in 20 conspicuous and public places in the downtown district at least 20 days prior to the hearing. Notice was mailed to all the property taxpayers of record in the downtown district not less than 20 days prior to the hearing. Certified mailings were sent out not less than 20 days prior to the hearing to all the governing bodies of each taxing jurisdiction levying taxes subject to the TIF capture.

Following the public hearings, City Council shall determine if the development plan and TIF constitutes a public purpose. If the plan constitutes a public purpose, the City Council shall then approve or reject the plan or approve it with modification by ordinance based on the following considerations.

1. The findings and recommendations of a development area citizens council if a development area citizen council was formed (Douglas does not require a citizen's council).
2. The plan meets the requirements set forth in section 217(2) of Michigan Public Act 57 of 2018. An act to provide for the recodification and establishment of certain tax increment finance authorities (i.e. Downtown Development Authorities)
3. The proposed method of financing the development is feasible and the authority has the ability to arrange the financing.
4. The development is reasonable and necessary to carry out the purposes of this part.
5. The land included within the development areas to be acquired is reasonably necessary to carry out the purposes of the plan and of this part in an efficient and economically satisfactory manner.
6. The development plan is in reasonable accord with the master plan of the municipality.
7. Public services, such as fire and police protection and utilities, are or will be adequate to service the project area.
8. Changes in zoning, streets, street levels, intersections and utilities are reasonably necessary for the project and for the municipality.

THE CITY OF THE VILLAGE OF DOUGLAS DOES HEREBY ORDAIN AS FOLLOWS:

I, Laura Kasper, the duly appointed Interim Clerk of the City of the Village of Douglas, do hereby certify that the foregoing is a true and complete copy of an Ordinance adopted by the Douglas City Council at a regular meeting held on Monday, August 7, 2023 in compliance with the Open Meetings Act, Act No. 267 of the Public Acts of Michigan, 1976, as amended, the minutes of the meeting were kept and will be or have been made available as requires by this Act.

CITY OF THE VILLAGE OF DOUGLAS

By: _____
Laura Kasper, Interim City Clerk



MEMORANDUM

The Village of Friendliness – Since 1870

Date: August 1, 2023

To: The City of the Village of Douglas City Council

From: Joe Blair, AICP
Planning & Zoning Administrator

Re: Zoning Text Amendment – Section 26.13(2)(b) – Ground-floor Residential

Background. When the Planning Commission reviewed a proposal for a mixed-use development on Center Street earlier this year, it became apparent that while ground-floor residential is permitted when located adjacent to a residentially zoned parcel on at least one side, the ordinance does not account for the fact that some parcels within commercial districts or PUDs contain residential uses. This specific requirement was referenced in article 26.13 Ground-floor Residential, subsection 2 Site Requirements, part b. *All ground-floor structures used for residential purposes shall be located on property which abuts property zoned R-1, R-2, R-3, R-4 or R-5 on at least one side.*

In a memo to the Planning Commission, Interim Planner Tricia Anderson identified, based on Planning Commission commentary regarding the application for 200 W. Center, items of note for review. This memo read that the Planning Commission should discuss the text regarding section 26.13.2.b and offer their opinions as to whether the text of the section aligns with the intent of the ordinance. The consensus was that the intent may have been for the section to read “abut a residential use” rather than “abut a residentially zoned property”.

At the April 20, 2023 meeting of the City of Douglas’ Planning Commission, the commissioners discussed what they recall from the original intent of the change to the ordinance to require that ground floor residential be adjacent on at least one side to a residentially owned parcel, and given the need in recent times to reduce barriers to affordable and attainable housing in Douglas, the planning Commission agreed that the requirement in the Article 26, Special Land Uses, could simply be removed. The Planning and Zoning Administrator was then asked to draft an amendment to remove

the requirement for ground-floor residential as a Special Land Use in the C-1 district to be adjacent to a residentially zoned parcel on at least one side, and to remove part b of; Section 26.13.2.

Proposed Amendment. The following amendment would simply entail the removal of part b of Section 26.13.2:

Section 26.13 Ground-floor Residential

1. *Locational Requirements: Residential uses shall be permitted on the ground-floor of a structure located in the C-1 District only where such use does not front upon Center Street.*
2. *Site Requirements:*
 - a. *All residential dwelling units on the ground-floor of a structure located within the C-1 District shall be set back a minimum of thirty (30) feet from the Center Street right-of-way to avoid breaking up the continuity of active commercial areas along Center Street.*
 - ~~b. *All ground floor structures used for residential purposes shall be located on property which abuts property zoned R-1, R-2, R-3, R-4 or R-5 on at least one side.*~~
 - c. *The Planning Commission shall make a determination that the regular flow of pedestrian traffic to and from established commercial uses is not likely to be negatively reduced or impeded by the residential use within a ground-floor structure.*
 - d. *Any application for Ground-floor Residential use within the boundaries of the Downtown Development Authority shall be submitted to the DDA Board for recommendation prior to Planning Commission approval.*
 - e. *All standards of Article 10 C-1 Village Center District shall apply to a ground-floor residential use except that the minimum transparency requirements set forth within Section 10.02, D, may be reduced to no less than 30% to insure the safety and privacy of residents.*

(Amended October 19, 2009: Ord. #03-2009)

Procedures. Section 28.02 provides procedures for the review and approval of amendments. The Planning Commission forwarded a favorable recommendation to the City Council on July 13, 2023 meeting.

At the August 7, 2023 meeting, the City Council is tasked with the final approval of the proposed ordinance amendment, and will hold a first reading. The second reading will be held on August 21, 2023. An ordinance to amend the zoning ordinance has been drafted for the City Council's reference in its review of the proposed zoning ordinance

amendment. The Planning and Zoning Administrator's report to the Planning Commission dated July 5th, 2023, is also included for your reference in the Council packet for review of the amendment procedures and analysis of the amendment criteria.

Please feel free to reach out with any questions.

**CITY OF THE VILLAGE OF DOUGLAS
ALLEGAN COUNTY, MICHIGAN
ORDINANCE NO. 06-2023**

**AN ORDINANCE TO AMEND SECTION 26.13.2 (“Ground Floor Residential, Site Requirements”)
TO REMOVE SUBSECTION b) WITHIN THE CITY OF THE VILLAGE OF DOUGLAS ZONING
ORDINANCE**

The City of the Village of Douglas Ordains:

Section 1. AMEND: AN ORDINANCE TO AMEND SECTION 26.13.2 (“Ground Floor Residential, Site Requirements”) TO REMOVE SUBSECTION b)

Section 26.13 – Ground Floor Residential.

2) Site Requirements:

- a) All residential dwelling units on the ground floor of a structure located within the C-1 District shall be set back a minimum of thirty (30) feet from the Center Street right-of-way to avoid breaking up the continuity of active commercial areas along Center Street.
- ~~b) All ground floor structures used for residential purposes shall be located on property which abuts property zoned R-1, R-2, R-3, R-4 or R-5 on at least one side.~~
- c) The Planning Commission shall make a determination that the regular flow of pedestrian traffic to and from established commercial uses is not likely to be negatively reduced or impeded by the residential use within a ground floor structure.
- d) Any application for Ground Floor Residential use within the boundaries of the Downtown Development Authority shall be submitted to the DDA Board for recommendation prior to Planning Commission approval.

- e) All standards of Article 10 C-1 Village Center District shall apply to a ground floor residential use except that the minimum transparency requirements set forth within Section 10.02, D, may be reduced to no less than 30% to insure the safety and privacy of residents.

Section 2: Severability Clause: Should any word, phrase, sentence, paragraph, or section of this Ordinance be held invalid or unconstitutional, the remaining provisions of this ordinance shall remain in full force and effect.

Section 3: Publication: Within fifteen (15) days of its adoption, a notice of adoption shall be published by the City Clerk in a newspaper of general circulation in the City

Section 4: Effective Date: This Ordinance shall become effective upon 20 days following the publication or summary of publication of this Ordinance.

Ordinance Offered by:

Ordinance Supported by:

Ayes:

Nays:

Abstain:

Absent:

ORDINANCE DECLARED _____ ON THIS 21st DAY OF August, 2023.

Jerome Donovan, Mayor Date

Laura Kasper, City Clerk

Date

Ordinance Adoption Date:

Ordinance Effective Date:

First Reading:

Public Hearing:

Second Reading:

Publication of Notice:

Enactment: (20 days after Publication)

CERTIFICATE

I hereby certify that the foregoing Ordinance was adopted by the City Council of the City of the Village of Douglas at a City Council meeting held on August 21st, 2023 and that said meeting was conducted and public notice of said meeting was given pursuant to and in full compliance with the City Charter and the Open Meeting Act, Public Act 267 of 1976, as amended, and that the minutes of said meeting were kept and will be or have been made available as required by said Act.

Laura Kasper, City Clerk



MEMORANDUM

The Village of Friendliness – Since 1870

Date: July 5, 2023
To: Douglas Planning Commission
From: Joe Blair, AICP
 Planning & Zoning Administrator
Re: **Zoning Text Amendment – Section 26.13 – Ground-floor Residential**

Background. When the Planning Commission reviewed a proposal for a mixed-use development on Center Street earlier this year, it became apparent that while ground-floor residential is permitted when located adjacent to a residentially zoned parcel on at least one side, the ordinance does not account for the fact that some parcels within commercial districts or PUDs contain residential uses. This specific requirement was referenced in article 26.13 Ground-floor Residential, subsection 2 Site Requirements, part b. *All ground-floor structures used for residential purposes shall be located on property which abuts property zoned R-1, R-2, R-3, R-4 or R-5 on at least one side.*

In a memo to the Planning Commission, Interim Planner Tricia Anderson identified, based on Planning Commission commentary regarding the application for 200 W. Center, items of note for review. This memo read that the Planning Commission should discuss the text regarding section 26.13.2.b and offer their opinions as to whether the text of the section aligns with the intent of the ordinance. The recommendation was made that the intent may have been for the section to read “abut a residential use” rather than “abut a residentially zoned property”.

At the April 20th meeting of the City of Douglas’ Planning Commission, the commissioners commented on this error of intent and directed the Planning and Zoning Administrator to draft a change in the ordinance language to remove the requirement for ground-floor residential in the C-1 district as a special land use to be adjacent to a residentially zoned parcel; Section 26.13.2.b.

Proposed Amendment. The following amendment would simply entail the removal of part b of Section 26.13.2:

Section 26.13 Ground-floor Residential

1. *Locational Requirements: Residential uses shall be permitted on the ground-floor of a structure located in the C-1 District only where such use does not front upon Center Street.*
2. *Site Requirements:*
 - a. *All residential dwelling units on the ground-floor of a structure located within the C-1 District shall be set back a minimum of thirty (30) feet from the Center Street right-of-way to avoid breaking up the continuity of active commercial areas along Center Street.*
 - b. *All ground floor structures used for residential purposes shall be located on property which abuts property zoned R-1, R-2, R-3, R-4 or R-5 on at least one side.*
 - c. *The Planning Commission shall make a determination that the regular flow of pedestrian traffic to and from established commercial uses is not likely to be negatively reduced or impeded by the residential use within a ground-floor structure.*
 - d. *Any application for Ground-floor Residential use within the boundaries of the Downtown Development Authority shall be submitted to the DDA Board for recommendation prior to Planning Commission approval.*
 - e. *All standards of Article 10 C-1 Village Center District shall apply to a ground-floor residential use except that the minimum transparency requirements set forth within Section 10.02, D, may be reduced to no less than 30% to insure the safety and privacy of residents.*
(Amended October 19, 2009: Ord. #03-2009)

Procedures. Section 28.02 provides procedures for the review and approval of amendments. The City Council is the final reviewing authority of any amendment to the Zoning Ordinance. Therefore, the Planning Commission is tasked with making a recommendation, rather than an approval, of the proposed text amendment.

In addition, Section 28.04 outlines the requirements for holding a public hearing and the proper publication of the public hearing notice which informs the public in a newspaper of general circulation that the Planning Commission will hold a public hearing to consider the amendment on July 13th, 2023.

Analysis of Amendment Criteria. Section 28.06 provides a list of considerations the Planning Commission must keep in mind when reviewing a proposed amendment to the ordinance. The majority of these considerations are not applicable to a text amendment of the Zoning Ordinance and apply mostly to amendments of the zoning map (rezonings), which is an integral part of the Zoning Ordinance. These considerations are as follows:

- a. *What, if any, identifiable conditions related to the application have changed since the existing zoning district was established which justify the proposed amendment?*

The C-1, Village Center district allows for mixed uses to occupy the same building and allows for residential above commercial by right and ground-floor residential as a special land use. One condition that has changed since the existing C-1 district was established and the ordinance was amended to add stipulations for ground-floor residential as a special land use, is the current need for affordable and attainable housing. The current ordinance language which requires the subject parcel to be located adjacent to an existing residential zoned parcel could be viewed as a barrier to the creation of additional housing stock. The ground-floor residential allows less up-front costs associated with the construction of the development, thus, theoretically the ability to keep rental rates lower. When no ground-floor units are proposed within a mixed-use or multifamily development, there is a requirement for an elevator to be provided to comply with ADA standards. The removal of part b of the special land use requirements would remove one barrier to affordability when it comes to housing in the City.

- b. *What are the precedents and the possible effects of such precedent which might result from the approval or denial of the petition?*

The maps provided below identify the parcels that would be affected by this amendment. If any precedent is set with the approval of the text amendment, it is that the City favors the removal of barriers to potential affordable housing opportunities. Denial of the text amendment may send the message to home seekers and home builders that the City is not concerned with removing these types of barriers.

- c. *What is the impact of the amendment on the ability of the City and other governmental agencies to provide adequate public services and facilities, and/or programs that might reasonably be required in the future if the proposed amendment is adopted?*

All of the C-1 zoned parcels allow for a mix of residential and commercial, however, not all buildings contain both uses. The additional ground-floor residential that could be anticipated as a result of this amendment should not significantly increase the burden on the City to provide adequate services and facilities.

- d. *Does the petitioned district change adversely affect environmental conditions, or the rights of a neighboring property owner?*

The change would not adversely affect environmental conditions, nor would it infringe on the rights of neighboring property owners.

- e. *Is the class of uses permitted in the district appropriate for the location proposed to be rezoned?*

This standard is not applicable to a text amendment.

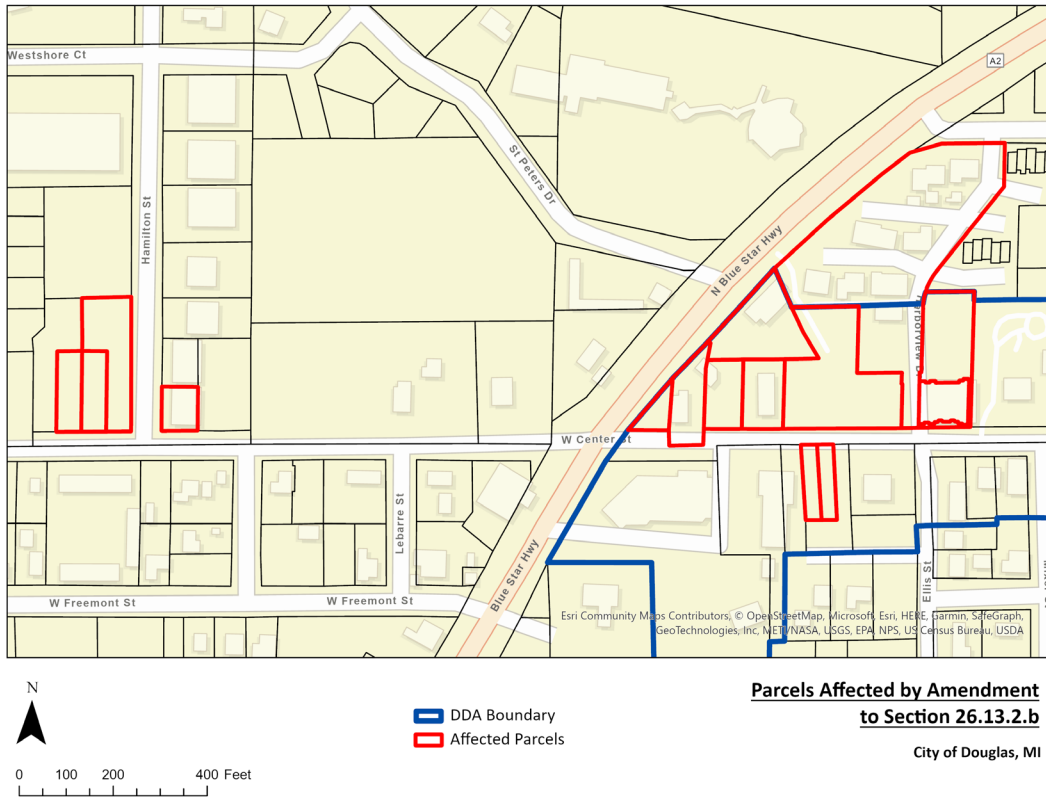
- f. *Does the petitioned district change generally comply with the Tri-Community Comprehensive Plan, or a subsequent document that guides land use and development decisions in the City of the Village of Douglas?*

Yes, this change follows both the Tri-Community Comprehensive Plan and the Douglas Community Plan in presenting a greater ability to create accessible and affordable housing stock in the Downtown area.

- g. *What is the ability of the property in question to be put to a reasonable economic use in the zoning district in which it is presently located?*

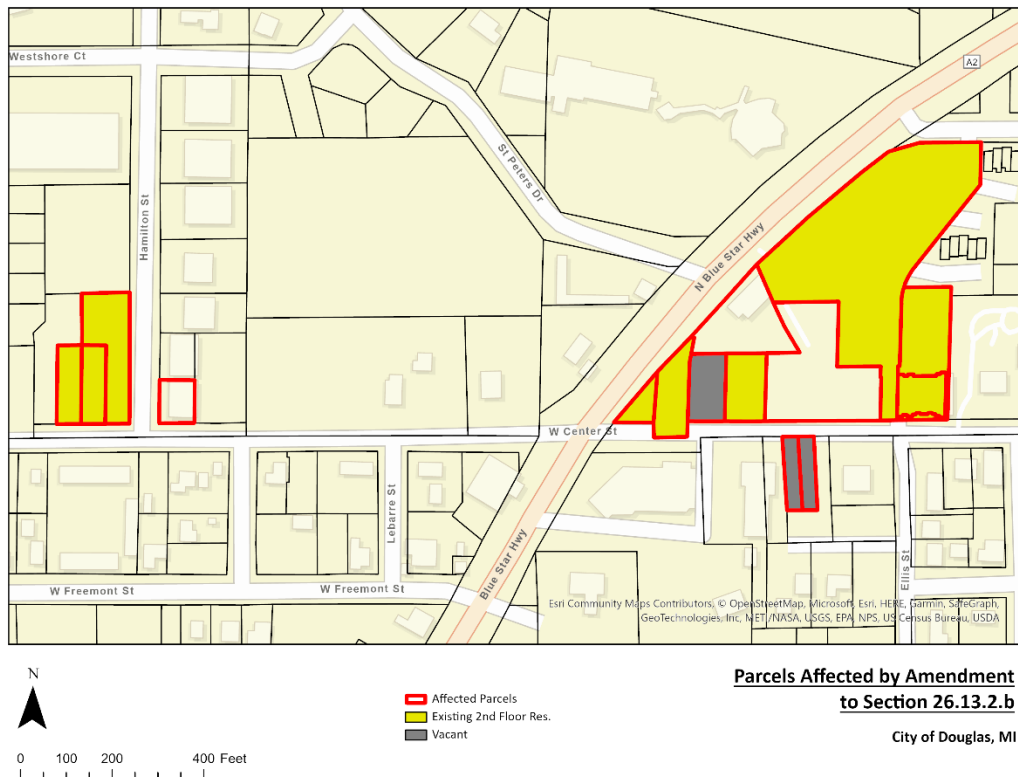
This standard is not applicable to a text amendment.

Implications of the Amendment



Shown above is a map of the parcels that would be affected by the change in Section 26.13.2.b, which would eliminate the need for a parcel zoned R1 - R5 to be immediately adjacent. In total, 15 parcels would be affected, totaling roughly 7.6 acres. Of these 15 parcels, 3 of them - or roughly 0.5 acres - are vacant.

The text amendment, if approved, is not anticipated to produce any negative effects on the surrounding parcels, as all the C-1 zoned parcels are permitted to contain a mix of uses and already do, or are vacant currently, as shown below. The remaining three are (from left to right), a storage building, a realtor's office, and the Saugatuck-Douglas Library.



However, the positive effect would likely be more identifiable. By allowing the affected parcels to construct ground-floor residential, the City would be accomplishing a number of goals:

- Allowing for increased housing stock within the city
- Increased residential presence near the DDA and along Center St.
- Housing that is along walkable corridors
- Accessible housing near the City core

Recommendation: Based on the findings noted in this memorandum, as well as previous discussions with the Planning Commission, we would recommend the Planning Commission provide a favorable recommendation to the City Council to approve the amendment of Section 26.13.2 of the City of Douglas Zoning Ordinance, as proposed.

Please feel free to contact me with any questions or concerns.

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MEMORANDUM

To: The City of the Village of Douglas City Council
Date: August 2, 2023
From: Tricia Anderson, AICP
RE: **Zoning Ordinance Amendment – Addition of Article 22, Signs**

In June of 2022, the former Planning & Zoning Administrator brought to Council an amendment to the Zoning Ordinance that would repeal the Sign Ordinance (Ord. No. 111-D, part of the City's Code of Ordinances) and include in the Zoning Ordinance, new sign regulations. The City Council held a first reading of the previous version of the new sign regulations. After Williams & Works was hired to act as Interim Planning & Zoning Administrator in September of 2022, we had an opportunity to review said sign regulations and noted a number of areas that could be viewed as problematic as it relates to content neutrality. These issues are described in our memorandum dated February 2, 2023 (included in this packet), along with suggestions for other ways to make the ordinance more user-friendly and easy to administer. We also recommended that a full legal review be conducted on the ordinance toward the end of the process. The Planning Commission was open to spending additional time on the sign ordinance include added value and legal review.

At the March 9, 2023 meeting, we provided a new draft of the sign ordinance that was based on the previous draft. In addition to making changes that would achieve content neutrality, the new draft of the sign ordinance included the following additional content and revised organization:

- ▷ An Applicability section.
- ▷ A simplified section relating to the intent and purpose of the sign ordinance.
- ▷ A comprehensive list of definitions:
 - We noted that Ordinance No. 111-D contained a limited list of definitions
 - The previous draft of the sign ordinance did not contain any definitions
 - The existing Article 2, Definitions of the Zoning Ordinance does not contain any sign-related definitions.
- ▷ New graphics associated with the definitions and other areas of the draft where a visual would be helpful.
- ▷ A section dedicated specifically to sign permit procedures, referencing Section 23.03 of the Zoning Ordinance, along with a simplified list of signs considered “exempt”.
- ▷ A section that speaks to regulations that are applicable in all zoning districts, which includes simplified regulatory language for illumination standards digital signs and static signs, abandoned signs, safety standards, etc.
- ▷ Tables provided for signs in each zoning designation, providing for easy look-up of form, number, location, area, and illumination limitations.
- ▷ Revised nonconforming section for simplification, and incorporated the “revokable license agreement” within that section.

The Planning Commission reviewed these changes and made suggestions for additional changes over the course of six months. At the May 11, 2023 meeting, the Planning

Commission reviewed and discussed the final draft of the sign ordinance and made a favorable recommendation to the City Council for the adoption of the ordinance.

A condition in the Planning Commission's favorable recommendation was that the draft shall undergo legal review prior to being placed on the City Council's agenda for the first reading of the final draft. On June 15, 2023, we received a report from Mr. Charles Bogren of Plunkett & Cooney, which detailed his review comments from a legal perspective. Based on the nature of the recommendations, we felt it would be best to bring the revised language back to the Planning Commission for their consideration. On July 13, 2023, the Planning Commission responded to the recommended changes to include some language that would address the use of aesthetics as a purpose to limit signage, conditions of permit issuance and remove ambiguity and vagueness from the language. And finally, they made another favorable recommendation to the City Council for the approval of the proposed ordinance amendments.

At the August 7, 2023 meeting, the City Council will hold the first reading of the final draft of the sign ordinance which incorporates the Planning Commission's final changes in response to the legal review. At a subsequent meeting of the City Council, a second reading will be held and the City Council will consider the final adoption of the ordinance amendments.

As a result of amending the Zoning Ordinance to add a new Article 22, Signs, there are other areas of the Zoning Ordinance and Code of Ordinances that must also be amended that reference the sign ordinance. These areas include the following:

1. Table of Contents – this section must be amended to include the new Article 22 (currently reserved for future use), and the sections within Article 22.
2. Article 16, General Provisions, Section 16.26, Signs – this section references the sign ordinance that must be repealed.
3. Ordinance No. 111-D – this ordinance is not currently part of the zoning ordinance. It will be repealed and the regulations will be replaced with Article 22, Signs, in the Zoning Ordinance.

Included in this packet are the following documents to support your review of the proposed sign ordinance:

- Planning Commission memorandums from meeting dates when the sign ordinance amendment was on the agenda.
- Charles Bogren's legal review report
- Ordinance to Amend
- Ordinance No. 111-D to be repealed

We feel confident that the proposed sign ordinance is a defensible document that will be an improvement in terms of administration and ease of use. The Planning Commission should be commended for their hard work and careful consideration of the proposed regulations.

Please feel free to reach out with any questions or concerns.

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MEMORANDUM

To: The City of the Village of Douglas Planning Commission
Date: February 2, 2023
From: Tricia Anderson, AICP
 Andy Moore, AICP
RE: **Draft Sign Ordinance - Discussion**

The former Douglas zoning administrator drafted a major amendment to the City's sign ordinance and planned to bring it to Council in June of 2022 for a second reading. It is our understanding that no legal review was conducted on this draft. In our review of the draft amendment, we found several areas that would violate the US Constitution's first amendment (freedom of speech).

The requirement for "content neutrality" stems from a church in the Town of Gilbert, Arizona that filed a lawsuit against the Town upon discovering that the Town's sign ordinance had stricter regulations for off-premise signage for religious services than it did for political or ideological sign content. In 2015, the case went all the way to the United States Supreme Court, and the court held that municipalities cannot impose content-based sign regulations, as it is a violation of the sign holder's constitutional right to free speech. As a result, many municipalities are slowly adopting new "**content-neutral**" sign codes.

Our discussion of the ordinance at the upcoming Planning Commission meeting will relate to the following areas:

- Areas of the draft that have been identified as not content-neutral that should be removed.
- Potential ways to simplify the ordinance to make it a bit more user-friendly, such as adding tables to summarize sign allowances.
- Potential ways to reduce regulations that may be over-burdensome to administer.

We have provided a few sample sign ordinances that demonstrate the above potential goals that may help guide the Planning Commission in deciding what to keep and what to modify before making a recommendation to the City Council.

We understand that the Planning Commission put a significant amount of work to get the draft to where it is now, and our intent is not to minimize your efforts, but rather assist you in viewing the draft with a different lens in terms of content neutrality and simplification.

Please feel free to reach out to us with any questions.

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MEMORANDUM

To: The City of the Village of Douglas Planning Commission
Date: February 23, 2023
From: Tricia Anderson, AICP
 Andy Moore, AICP
RE: **Draft Sign Ordinance - Discussion**

At the February 9th meeting, the Planning Commission discussed the desired direction for the sign ordinance. The consensus of the Planning Commission at this meeting was that, although the previous draft of the revised sign ordinance received a favorable recommendation to the City Council for its approval, they felt that the added upgrades recommended in our memorandum dated February 2, 2023 related to content neutrality and simplification would be beneficial and necessary in a revised sign ordinance draft.

In addition to making changes that would achieve content neutrality, the new draft of the sign ordinance includes the following:

- An Applicability section.
- A simplified section relating to the intent and purpose of the sign ordinance.
- A comprehensive list of definitions. We noted that the old sign ordinance, the previous draft of the sign ordinance and the existing Article 2, Definitions of the zoning ordinance does not contain any sign-related definitions.
- Graphics associated with the definitions and other areas of the draft where a visual would be helpful.
- A section dedicated specifically to sign permit procedures, referencing Section 23.03 of the zoning ordinance, along with a simplified list of signs considered “exempt”.
- A section that speaks to regulations that are applicable in all zoning districts, which includes simplified regulatory language for illumination standards digital signs and static signs, abandoned signs, safety standards, etc.
- Tables provided for signs in each zoning designation, providing for easy look-up of form, number, location, area, and illumination limitations.
- Revised “off-premise” signs section to simplify and tailor to billboards specifically.
- Revised nonconforming section for simplification, and incorporated the “revokable license agreement” within that section.

The task of the Planning Commission at the upcoming meeting is to review the proposed draft and provide any feedback for us to make additional adjustments to meet the needs of the community.

Please feel free to reach out to us with any questions.

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MEMORANDUM

To: The City of the Village of Douglas Planning Commission
Date: April 14, 2023
From: Tricia Anderson, AICP
Andy Moore, AICP
RE: Draft Sign Ordinance - Discussion

At the March 9th meeting, the Planning Commission reviewed and discussed the draft of the new sign ordinance. Meaningful feedback was received and an email to solicit further comments or recommendations was sent to the Planning Commission. We incorporated all the feedback we've received into a revised draft for your review at the upcoming meeting.

If the Planning Commission is largely accepting of the revised draft, we will incorporate any further additions as advised by the Planning Commission, and send to the City Attorney for review. At the May meeting, the Planning Commission can then hold the public hearing and make a formal recommendation to the City Council for the final approval.

The task of the Planning Commission at the upcoming meeting is to review the revised draft and provide any feedback for us to make additional adjustments to meet the needs of the community.

Please feel free to reach out to us with any questions.

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MEMORANDUM

To: The City of the Village of Douglas Planning Commission
Date: July 5, 2023
From: Tricia Anderson, AICP
RE: **Sign Ordinance Legal Review and Recommended Changes to Draft**

At the May 11, 2023 meeting, the Planning Commission reviewed and discussed the final draft of the sign ordinance and made a favorable recommendation to the City Council for the adoption of the ordinance. One of the conditions in that recommendation was that the draft shall undergo legal review prior to being placed on the City Council's agenda for the first reading of the final draft.

One of the City's Attorneys, Mr. Charles Bogren, of Plunkett & Cooney, provided a comprehensive report on his review of the sign ordinance draft from a legal perspective that the Planning Commission recommended to council for approval, along with the minor changes recommended at that meeting. Because of the nature of the recommended changes to the draft in response to the legal review, Mr. Bogren recommended that the draft be reviewed one last time by the Planning Commission with the incorporation of the recommended changes, and that it be noticed as a public hearing, thus the Planning Commission will hold a public hearing at the upcoming July 13, 2023 meeting.

Mr. Bogren's legal perspective is valuable with regard to known case law where specific characteristics of sign ordinances were viewed by courts to be unconstitutional. In applying that knowledge and perspective to the review of the draft of the sign ordinance, he identified a few areas that may be questionable as it pertains to some of the case law surrounding definitions, vagueness, aesthetics as a purpose to limit signage and permit issuance conditions. The areas highlighted in Mr. Bogren's review specifically relate to the following:

1. Billboards and the lack of a definition of "life of the billboard". He indicates that it's ok to prohibit any new billboards, but we need to be more specific in terms of what life of the billboard means. Changes were made in the draft to reflect this recommendation to be more specific and define that phrase. It is highlighted in the draft.
2. Temporary wire-framed signs – the draft of the sign ordinance limited each parcel within the City to 2 wire-framed temporary signs. Mr. Bogren indicated that an additional allowance should be considered, as well as allowing parcels with more frontage the opportunity for additional wire-framed signs. The changes would allow for up to four wire-framed temporary signs for each 50 feet of frontage on a public or private road. The changes are highlighted in the draft.
3. Temporary manual reader board sign zoning permit issuance process – the ordinance must have some language that provides the circumstances under which a zoning permit can be issued. We have added some language that makes it more specific here. The changes are highlighted in the draft.

4. Human signs – The draft language for this prohibited sign type was vague in terms of when a human could hold a sign. The phrase, “or other events” was recommended to be expressly spelled out to indicate what those “other events” would be. We made the recommended change to “events” with “City-sanctioned events” to satisfy the recommendation. This change is highlighted in the draft.

Outside of the above-noted recommended changes, Mr. Bogren applauded the Planning Commission’s efforts and noted that the ordinance is well written to avoid all the major pitfalls a sign ordinance could contain in its language to withstand a lawsuit.

Please feel free to reach out to us with any questions.

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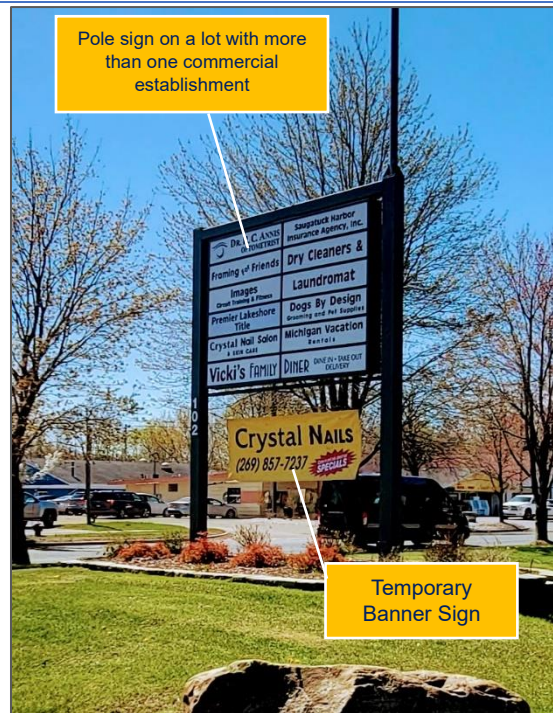
MEMORANDUM

To: City of The Village of Douglas Planning Commission
Date: May 2, 2023
From: Tricia Anderson, AICP
Andy Moore, AICP
RE: Existing Signage in Douglas

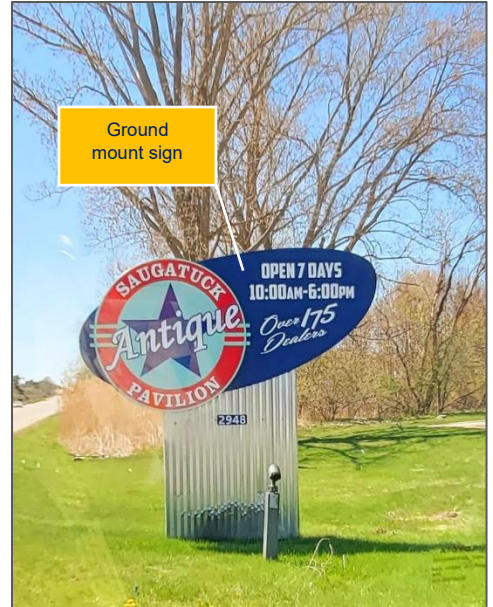
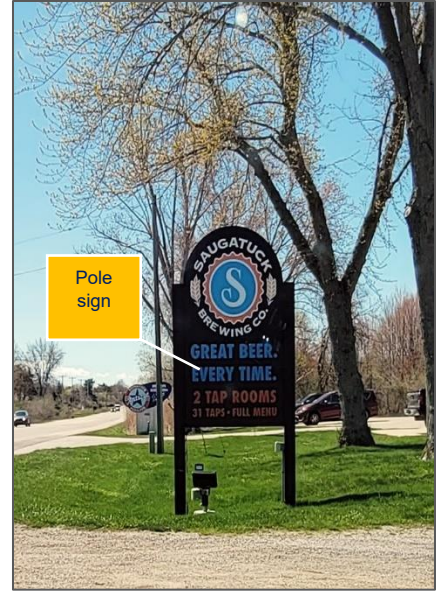
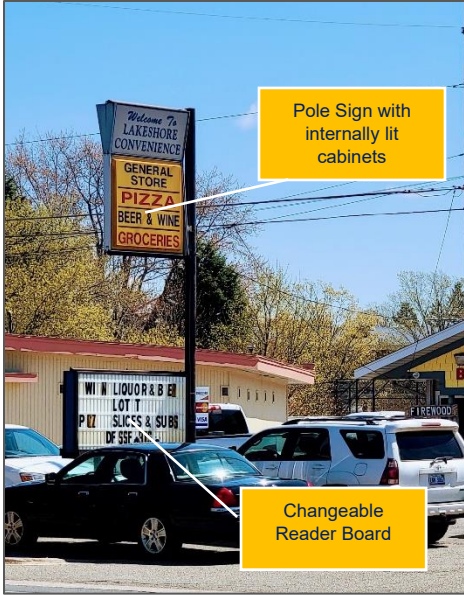
At the April 20, 2023 meeting, the Planning Commission indicated that it would be helpful in their development of the sign ordinance draft, to have an inventory of the existing signage in Douglas. The Planning Commission expressed the desire for the nonconforming section of the sign ordinance draft to be carefully worded to protect the longevity of some of the City's existing signs that they feel generate some of the City's character. In developing the dimensional regulations, the Planning Commission felt strongly about not wanting to *create* nonconformities as a result of any changes to the dimensional regulations.

A partial inventory of some of the more pronounced signs in the City (on Blue Star Highway and Center Street) is shown below, along with tags that indicate the sign form. The Planning Commission is encouraged to take the existing signage into consideration as they provide additional feedback on the draft at the May 11th meeting.

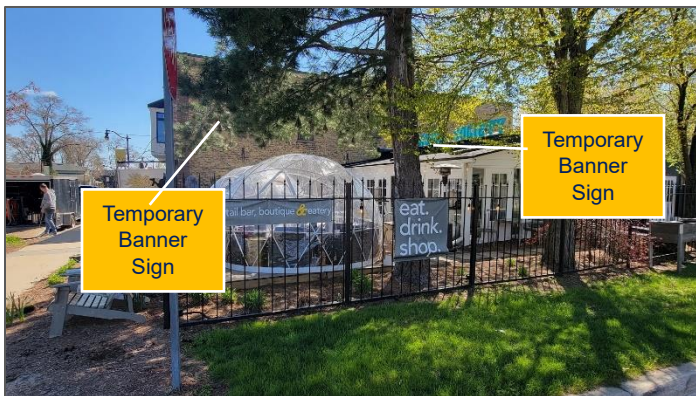
Blue Star Highway Signs



Blue Star Highway Signs (continued)



Center Street Signs



Center Street Signs (continued)





MEMORANDUM

TO: Richard LaBombard

FROM: Charles Bogren
(616) 752-4606
cbogren@plunkettcooney.com

DATE: June 15, 2023

RE: Proposed Sign Ordinance

You had asked for a legal review of the proposed new sign ordinance for the City of the Village of Douglas.

Legal Standards Concerning Signage

According to the United States Supreme Court, an ordinance (1) must contain adequate standards to guide the official's decision, (2) must not be based on the content of the message, (3) must be narrowly tailored to serve a significant government interest, and (4) must leave open ample alternatives for communication. *Thomas v. Chicago Park District*, 534 U.S. 316, 323 & n. 3, 122 S.Ct. 775 (2002).

The First Amendment, applicable to states through the Fourteenth Amendment, protects freedom of speech from laws that would abridge it. "A prior restraint is any law 'forbidding certain communications when issued in advance of the time that such communications are to occur.'" *McGlone v. Bell*, 681 F.3d 718, 733 (6th Cir. 2012) (quoting *Alexander v. United States*, 509 U.S. 544, 550, 113 S.Ct. 2766 (1993)). "Prior restraints are presumptively invalid because of the risk of censorship associated with the vesting of unbridled discretion in government officials and the risk of indefinitely suppressing permissible speech when a licensing law fails to provide for the prompt issuance of a license." *Bronco's Ent., Ltd. v. Charter Twp. of Van Buren*, 421 F.3d 440, 444 (6th Cir. 2005).

To be constitutional, a prior restraint must be content-neutral, narrowly tailored to serve a significant governmental interest, and leave open ample alternatives for communication. *Forsyth Cty. v. Nationalist Movement*, 505 U.S. 123, 130, 112 S.Ct. 2395 (1992). It must also not delegate overly broad licensing discretion to official decision-makers: "[i]f the permit scheme involves appraisal of facts, the exercise of judgment, and the formation of an opinion by the licensing authority, the danger of censorship and of abridgment of our precious First

Amendment freedoms is too great to be permitted.” *Id.* at 131, 112 S.Ct. 2395. Furthermore, the “decision whether or not to grant” a permit “must be made within a specified, brief period, and the status quo must be preserved pending a final judicial determination on the merits.” *Deja Vu of Nashville, Inc. v. Metro. Gov't of Nashville*, 274 F.3d 377, 400 (6th Cir. 2001). A municipal government vested with state authority, such as Douglas, “has no power to restrict expression because of its message, its ideas, its subject matter, or its content.” *Reed v. Town of Gilbert*, 576 U.S. 155, 163, 135 S.Ct. 2218 (2015).

The Ordinance Generally

Upon review, the proposed ordinance is drafted in such a way as to avoid major pitfalls that would clearly expose Douglas to potential litigation or liability. There are three particular areas that are addressed separately below that should be considered, but generally the Ordinance meets and exceeds the standards set out by courts.

The Supreme Court held in *Thomas v. Chicago Park District*, 534 U.S. 316, 323 & n. 3, 122 S.Ct. 775 (2002), that an ordinance (1) must contain adequate standards to guide the official's decision, (2) must not be based on the content of the message, (3) must be narrowly tailored to serve a significant government interest, and (4) must leave open ample alternatives for communication. Douglas’ proposed sign ordinances in question satisfy all four of these factors.

First, the sign ordinances contain narrow, objective, and definite nondiscretionary criteria. The ordinances contain very particular requirements for signs, including limitations on size, height, location, area, and setback conditions. On their face, the sign ordinances contain enough specificity to render the decision of whether to grant or deny an application virtually ministerial. This satisfies the first *Thomas* element.

Second, nothing in the text of the sign ordinances indicates that content is a factor in the approval process. This is often the most contested issue in suits over sign ordinances, but this set satisfies the second element.

Third, goals such as aesthetics and safety are legitimate governmental interests. Business signs hold the potential to distract or impede the view of drivers. Excessive signage can also diminish the beauty of the surrounding area. A sign's size and structure can also affect the safety of its construction. The sign ordinances in question reflect Douglas’ justified concern over these interests and therefore satisfy the third element.

Finally, the ordinances permit the erection of signs that meet the City's stated criteria for height, size, and other factors. Individuals, be they businesses or otherwise, are also free to use any of the myriad other forms of available communication such as print, television, or the internet to advertise. The ordinances therefore satisfy the fourth *Thomas* element.

Billboards

Banning billboards for aesthetic purposes while still allowing other commercial signage is acceptable and not impermissibly broad. *Metromedia, Inc. v. City of San Diego*, 453 U.S. 490

(1981). However, the language that is being used in the proposed ordinance may lead to other legal issues.

A large swath of litigation stemming from sign ordinances have been filed by billboard companies. That is not to say that there is any inherent legal reason not to prohibit the building of billboards, but the language offered in the proposed ordinance could use some additional information to offer Douglas more protection and property owners more guidance.

In Section 22.10, the proposed language adds that:

New billboards shall not be erected within the City Limits after the effective date of this ordinance. Any existing billboards shall be permitted to continue for the life of the billboard.

The rest of the section is then deleted from the proposed final ordinance. Billboards are helpfully defined in Section 22.03 – Definitions section, but there is no specific language that defines the “life of the billboard.” The life could refer to the amortization of the billboard, or it could refer to its structural integrity, etc. With this vague language there are potential grounds for a suit under the “impermissibly vague” constitutional suit. It also could allow for owners of current billboards to continue to alter their agreements or otherwise upgrade the structures to keep extending the billboard’s “life.”

Some kind of language both defining life and limiting its parameters would likely be a benefit to the City and potentially forestall legal challenges.

Temporary Signs

Generally, the Temporary Sign section of the ordinance, 22.05.15, is laudable and does not having issues that would raise an immediate concern for a legal challenge. Not having a temporal aspect alleviates the concern that it could be limiting protected speech, particularly related to political campaigns and organizations that may want their signs up even after an election or well in advance.

However, it is worth noting that there could be owners of larger parcels that are upset they are limited to the same number of temporary signs as their neighbors with significantly smaller lots. Because the language is neutral as far as content is concerned this is not likely to be a successful suit as Douglas can still articulate a reason as to why the restriction on total number was enacted. But the aesthetic argument is blunted when someone with four times as much road frontage as their neighbor is limited to the same number of signs.

The application process for a temporary sign permit for manual reader boards and temporary banner signs contemplated in 22.05.15(e)(v) may be somewhat vague. The Supreme Court held that the ordinances must contain “adequate standards to guide the [licensing] official's discretion and render it subject to effective judicial review.” *Thomas v. Chicago Park District*, 534 U.S. 316, 122 S.Ct. 775 (2002). The process described in that subsection of what must be submitted is detailed and provides good information, but it does

not explain what the Zoning Administrator would be looking for in making his decision. If the awarding of a permit is intended to be ministerial, meaning that so long as the applicant provides the 3 pieces of information then his permit *must* be granted, then that should be made explicit. If it is meant to be a discretionary decision based on standards enumerated elsewhere in the ordinance, then a cross reference should be given. And if there is an as-yet undisclosed set of criteria that would be used then those should be disclosed as well.

Human Signs

In Section 22.06 various prohibitions are laid out, including “human signs” (which are also defined in Section 22.03. There is an allowance for these kinds of signs to be used “as part of a protest, parade, or other types of events.” The language presumably intends to foreclose the use of signs for advertising purposes while allowing political signs to be used. However, the inclusion of “other types of events” creates several potential avenues for a would-be human sign user.

Events is not a defined term within the ordinance, and without any specificity it is not difficult to imagine a creative interpretation of the definition. A “going out of business” sale or “liquidation” sale could be an event that would regularly see a sign-holding human on the side of a road. Without delving into all the possibilities, the language as written provides a concerning amount of leeway in its interpretation. Language to be considered could include “except as part of a protest, parade, or other *City-sanctioned events*.” This would help limit the use to things that Douglas has not only permitted but is aware will be ongoing.

Conclusion

The proposed ordinance is well-drafted and should provide guidance to those living and doing business in Douglas. There are a few areas that should be addressed, but they are not major overhauls, but instead call for slightly more detailed information to provide more guidance for both the Douglas and the sign owners.

Please do not hesitate to contact me to discuss any questions you may have or how best to approach the next steps.

**CITY OF THE VILLAGE OF DOUGLAS
ALLEGAN COUNTY, MICHIGAN
ORDINANCE NO. _____**

**AN ORDINANCE TO AMEND THE ZONING ORDINANCE
CITY OF THE VILLAGE OF DOUGLAS, ALLEGAN COUNTY, MICHIGAN**

An ordinance to amend the City of the Village of Douglas Zoning Ordinance, Ordinance No. 02-2009, as amended; to create Article 22: Sign Regulations; to repeal and replace Ordinance No. 111-D, and to repeal all ordinances or parts of ordinances in conflict therewith.

THE CITY OF THE VILLAGE OF DOUGLAS HEREBY ORDAINS:

SECTION 1. Amendment to the Table of Contents. Table of Contents (pages i-vi) of Ordinance No. 02-2009 is hereby amended to add the title of Article 22, Sign Regulations, which shall read as follows:

- Article 22: Sign Regulations
 - Section 22.01 – Applicability
 - Section 22.02 – Intent
 - Section 22.03 – Definitions
 - Section 22.04 – Sign Permit Procedures
 - Section 22.05 – General Provisions for Signs in All Districts
 - Section 22.06 – Prohibitions
 - Section 22.07 – Signs in Residential Districts
 - Section 22.08 – Signs in C-1, Village Center District
 - Section 22.09 – Signs in C-2, General Commercial and L-1, Light Industrial Districts
 - Section 22.10 – Oversized Off-Premise Signs
 - Section 22.11 – Nonconforming Signs

Page numbers to the remainder of the document shall continue in sequence following the last page of Article 22.

SECTION 2. Repeal of Section 16.26, Signs. Article 16, General Provisions, Section 16.26, Signs, is hereby repealed, and replaced with the title “*Section 16.26, Reserved for Future Use*”.

SECTION 3. Amendment to Article 22 [Reserved for Future Use]. Article 22 of Ordinance No. 02-2009 is hereby amended to add the title of the Article and Sections 22.01-22.11 of Article 22, Sign Regulations, which shall read as follows:

ARTICLE 22:

SIGNS

Section 22.01 Applicability

This article applies to all persons, firms, partnerships, associations, and corporations owning, occupying, or having control or management of any premises located within the City of the Village of Douglas.

Section 22.02 Intent

The intent of this article is to provide regulatory parameters for the location and method of display of signs in the City in a manner consistent with the following purposes:

- A. To protect and further the health, safety, and welfare of the City's residents, property owners, and visitors.
- B. To prevent traffic hazards and pedestrian accidents caused by signs that obstruct vision, distract or confuse drivers, or are improperly secured or constructed.
- C. To conserve and enhance community character.
- D. To promote uniformity in the size, number, or placement of signs within districts.
- E. To promote the economic viability of commercial areas by minimizing visual clutter and allowing for proper placement of signs to safely direct motorists to their destination.
- F. To balance the public's right to be informed and its desire to avoid visual pollution and hazardous conditions with the rights of businesses and other non-business uses to communicate.
- G. To allow for the reasonable continuance of the use of nonconforming signs.
- H. It is further recognized that special circumstances or events may create a need for portable signage for a limited and reasonable period of time.
- I. The purpose of this article does not include the regulation of the content or any information included on the sign.
- J. The regulations and standards of this chapter are considered the minimum amount of regulation necessary to achieve a substantial government interest for public safety, aesthetics, and protection of property values.

Section 22.03 Definitions

For purposes of this article, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

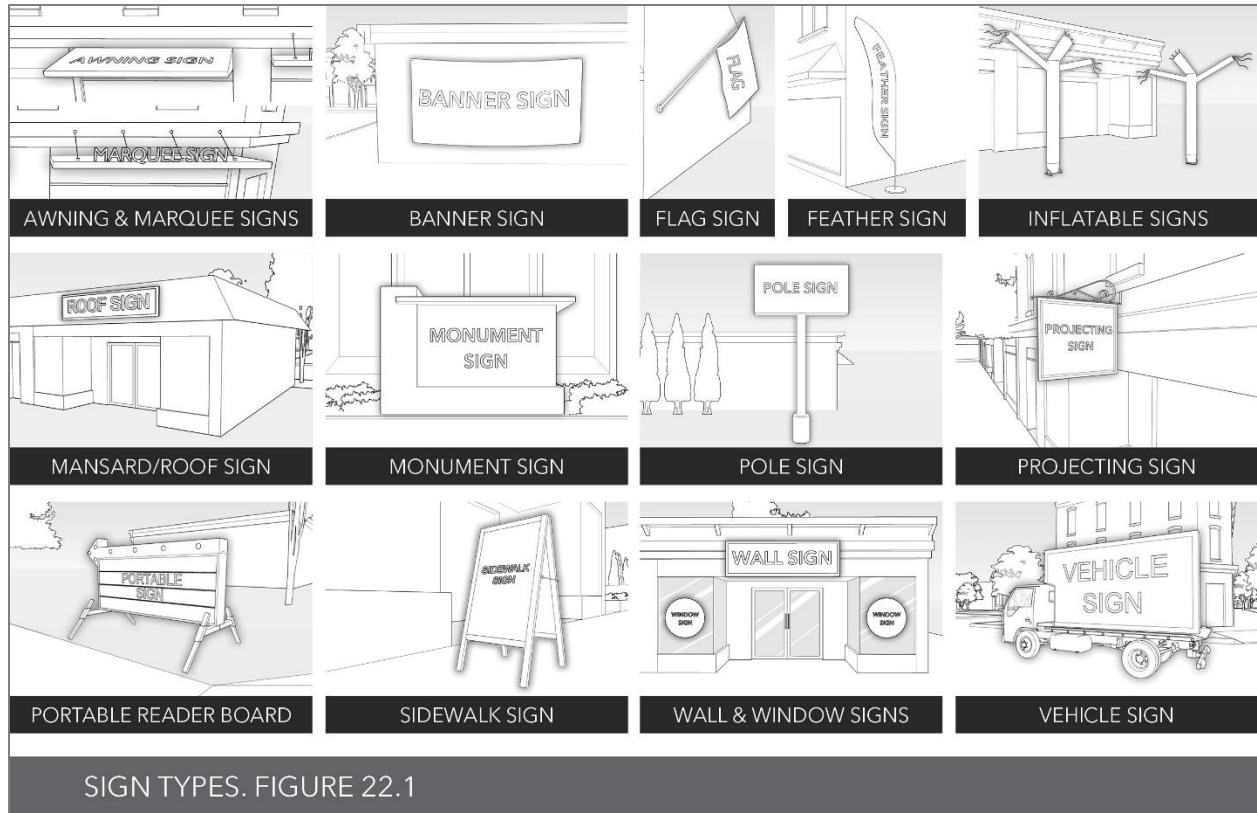
1. **Abandoned sign.** A sign for which no legal owner can be found; or a sign that is dilapidated, has fallen into disrepair or otherwise exhibits characteristics of abandonment in the opinion of the Zoning Administrator.
2. **Architectural Feature.** An integral element of a building that does not contain any discernable commercial message.
3. **Ancillary Sign.** A sign separate from and subordinate in the area to the principal sign, no larger than two square feet.
4. **Artwork.** Any decorative element that is not integral to a building and does not contain an immediately discernable commercial message or representation.
5. **Awning.** A retractable or fixed shelter constructed of non-rigid materials on a supporting framework that projects from the exterior wall of a building. An awning is the same as a canopy.

6. **Awning sign.** A sign painted on, printed on, or attached flat against the surface of an awning or canopy.
7. **Balloon Sign.** See *inflatable sign*.
8. **Banner Sign.** A sign made from fabric, plastic, vinyl, or other non-rigid material. A banner sign will be defined as one of the following:
 - a. **Banner Sign, Temporary.** A temporary sign made from fabric, plastic, vinyl, or other non-rigid material without an enclosing structural framework attached to or hung from a pole, rope or to a building or structure.
 - b. **Banner Sign, Permanent.** Wall signs made exclusively from plastic, vinyl, or other non-rigid materials that are permanently affixed to the wall of a building with fasteners. Permanent banner signs may or may not have a frame surrounding the sign area.
9. **Billboard.** A sign separate from an on-premise sign erected for the purpose of displaying messages or images, located on private property which abuts an interstate right-of-way and contains over 200 square feet of sign copy area.
10. **Building Frontage.** The area in square feet of a building façade facing a street as viewed from the exterior. In the case of a multi-tenant building, the building frontage shall consist of the area of the frontage of the exterior space occupied by the tenant/occupant.
11. **Digital Sign.** An internally lit sign that contains changing digital images or messages.
12. **Electronic Message Center.** The use of changing lights or video screen(s) to form a sign message or messages in text display form wherein the messages and the rate of change can be modified by an electronic process.
13. **Essential Service.** Uses that are deemed essential such as public schools, public utility companies, and government agencies.
14. **Exempt sign.** A sign that is exempt from either a sign permit or from the provisions of this entire article, as described in Section 22.04.B
15. **External Illumination.** Lights designed to illuminate a sign that are not located within the sign itself.
16. **Feather Sign.** A portable lightweight piece of cloth, fabric, or other similar material in the shape of a feather that is supported by a slender rod or pole driven into the ground.
17. **Festoons.** A string of ribbons, tinsel, flags, pennants, or pinwheels that contains messages or sign copy.

18. **Flag.** A lightweight piece of cloth, fabric, or other similar material that is attached either to a ground-mounted pole used exclusively for the purpose of flag display or attached to a permanent building using a flag pole bracket.
19. **Flashing sign.** A sign that contains a rapidly intermittent or changing light source.
20. **Footcandles.** A unit of illumination on a surface equal to one lumen per square foot, which is used to measure the brightness of a sign containing internal or external illumination or digital signs displayed on a screen.
21. **Freestanding sign.** A sign not attached to a building or wall that is supported by one or more poles or braces, or that rests on the ground or on a foundation resting on the ground.
22. **Government sign.** A sign that is erected or required to be erected by the City of the Village of Douglas, Allegan County, or the state or federal government.
23. **Human sign.** A sign that is held by a person and displayed on or off-site to attract the attention of passing pedestrians and vehicular traffic.
24. **Illegal sign.** A sign that does not meet the requirements of this chapter and that has not received legal nonconforming status.
25. **Inflatable sign.** Any three-dimensional object, including a tethered balloon, capable of being filled with air or gas depicting a character, figure, product, or product trademark, whether or not such object contains a message or lettering, that may or may not have some form of movement.
26. **Integral signs.** Any sign that is integral to site circulation and wayfinding, such as above entrances.
27. **Internal Illumination.** Lights designed to illuminate a sign from the interior of the sign itself.
28. **Mansard Roof.** A sloped roof or roof-like façade that is architecturally comparable to a building wall.
29. **Marquee.** A permanent structure constructed of rigid materials that project from the exterior wall of a building.
30. **Marquee sign.** A sign affixed to the surface of a marquee.
31. **Monument sign.** A freestanding sign supported by a base that rests directly on the ground, or by other supports which elevate the sign, where the width of the supporting mechanism is at least 50 percent of the width of the sign copy area.

32. **Non-conforming sign.** Any permanent sign that has been erected prior to the adoption of this Article that does not comply with the provisions of this Article with regard to form, size, quantity, location, illumination, etc. as contained herein.
33. **Painted wall sign.** A sign that is applied with paint or a similar substance on the face of a wall or the roof of a building.
34. **Pole sign.** A free-standing sign that is supported by a single structure, pole, or brace that is less than 50 percent of the width of the sign.
35. **Pennant.** A flag or cloth that tapers to a point.
36. **Projecting sign.** A sign attached to a building or wall that extends perpendicularly more than 12 inches but not more than 48 inches from the face of the building or wall.
37. **Reader board sign.** One of the following:
- a. **Manual reader board.** A sign on which the letters or pictorials are changed manually or;
 - b. **Electronic reader board.** A sign with a fixed or changing display or message composed of a series of internal lights or digital images and text that may be changed through electronic means.
 - c. **Portable reader board.** A sign where, by its nature may be or is intended to be easily moved from one location to another, typically a sign supported on a metal chassis and may include copy that can be changed manually through the use of attachable characters, but not including sidewalk signs, banners, etc.
38. **Multi-vision sign.** Any sign composed in whole or in part of a series of vertical or horizontal slats or cylinders that are capable of being rotated at intervals so that partial rotation of the group of slats or cylinders produces a different image or images.
39. **Roofline.** The top of a roof or parapet wall, whichever is higher, but excluding any cupolas, chimneys, or other minor projections.
40. **Roof sign.** A sign that is attached to or is placed on the roof of a building.
41. **Rotating sign.** A sign in which the sign itself or any portion of the sign moves in a revolving or similar manner. Such motion does not refer to methods of the changeable copy.
42. **Sidewalk sign.** An A-frame sign that is portable and designed to be placed on the sidewalk in front of the use it advertises. Also commonly called a “*sandwich board sign.*”

43. **Sign.** A device, structure, fixture, figure, or placard that may or may not use graphics, symbols, emblems, numbers, lights and/or written copy to communicate information of any kind to the public. House numbers, addresses, and name plates not exceeding two square feet shall not be considered signs.
44. **Structural frame.** The foundations, structural elements, and supports of a billboard.
45. **Permanent sign.** A sign installed on a support structure, not intended to be moved or removed, but to remain for an indefinite period of time.
46. **Temporary sign.** A sign installed for a limited period of time intended to be removed within a time period as specified herein. Examples of temporary signs include, but are not limited to, wire-framed signs, banners, feather flags, balloon signs/air dancers and signs with wooden or metal supports that are placed into the ground, without a permanent foundation. Temporary signs are not designed to withstand wind and snow loads as prescribed by the Michigan Building Code.
47. **Snipe sign.** A sign that is attached to a utility pole, tree, fence, or to any object located or situated on public property, or private property without permission.
48. **Streamers.** A long, narrow strip of material used as a decoration or symbol.
49. **Wall sign.** A sign painted or attached directly to and parallel to the exterior wall of a building extending no greater than 12 inches from the exterior face of a wall to which it is attached.
50. **Window sign.** A sign installed on or inside a window and intended to be viewed from the outside.
51. **Vehicle sign.** A sign painted on, incorporated in, or attached directly to any mode of transportation, including but not limited to automobiles, trucks, buses, boats, trailers, semi-trailers or airplanes.
52. **Wireframe sign.** A temporary sign made of corrugated plastic, vinyl, cardboard, poster board or similar material that is supported by or attached to a metal frame.



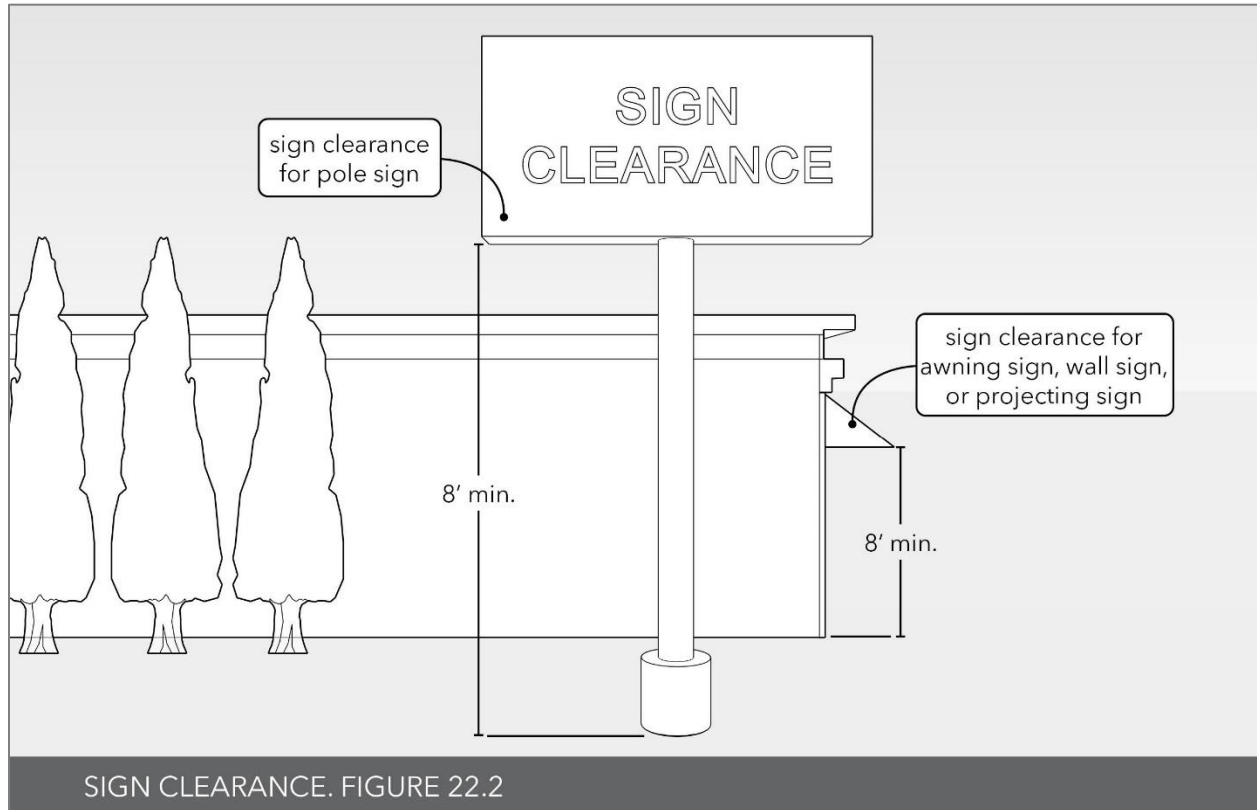
Section 22.04 Sign Permit Procedures

- A. Permit Required.** Prior to the commencement of the erection, alteration or structural change to a sign or other advertising structure, with the exception of the signs listed in Section 22.04.B and identified as “exempt”, a zoning permit must be obtained in accordance with the process set forth in Section 23.03, Permit Procedures and Regulations.
- B. Exempt Signs.** The following signs shall not require a permit but shall be subject to all other applicable regulations of this article.
1. Government signs, including wayfinding, identification, traffic control and light pole banner signs.
 2. Signs with an area of less than two square feet.
 3. Traffic control signs approved and established by state, county or local units of government.
 4. Internal site traffic circulation and wayfinding signs on private property.
 5. Window signs, provided no flashing lights are used in conjunction with the window sign.
 6. Flags and flagpoles, provided no more than 3 flag poles are erected at a height not to exceed 35’.
 7. Wire-framed temporary signs as regulated in 22.05.15.

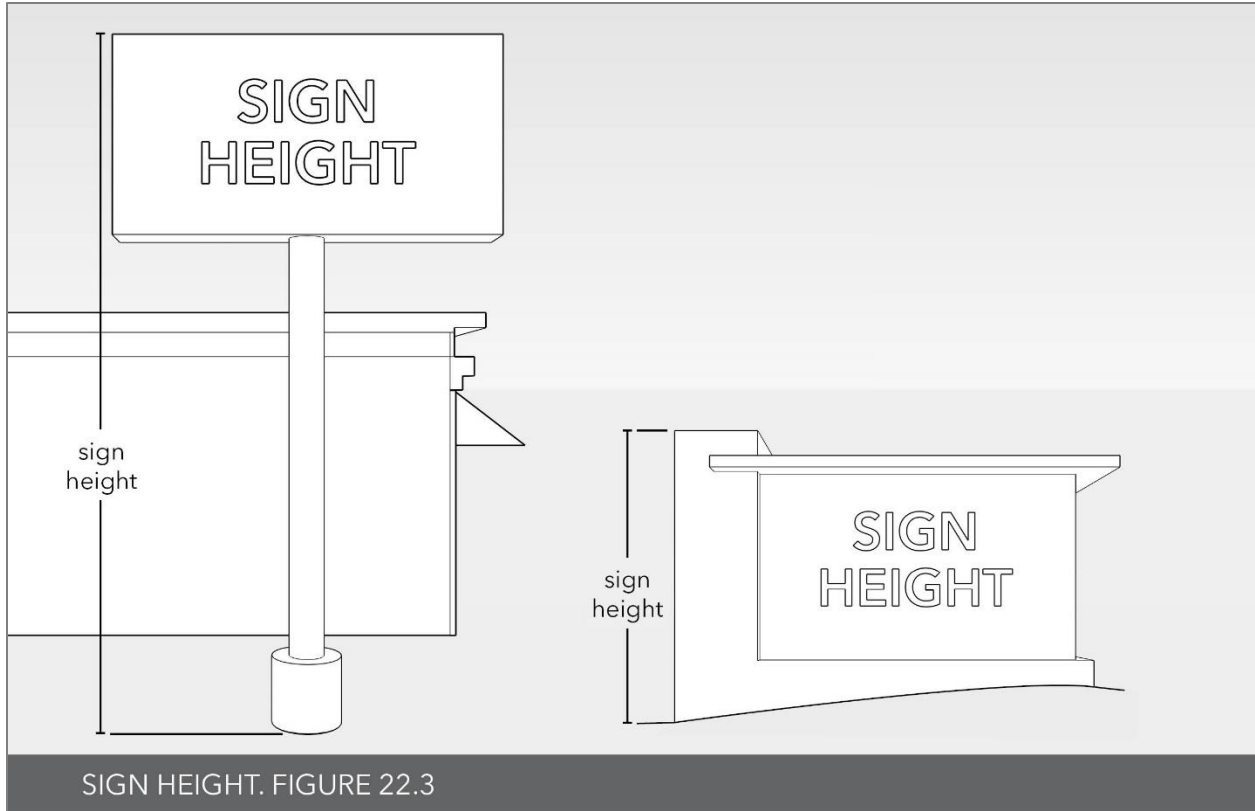
Section 22.05 General Provisions for Signs in All Districts

The following regulations are applicable to signs in all zoning districts:

1. **Vertical Clearance.** Any pole sign, awning sign, marquee sign, and projecting sign shall maintain a minimum vertical clearance of eight feet from the bottom of the sign to the ground directly beneath the sign.

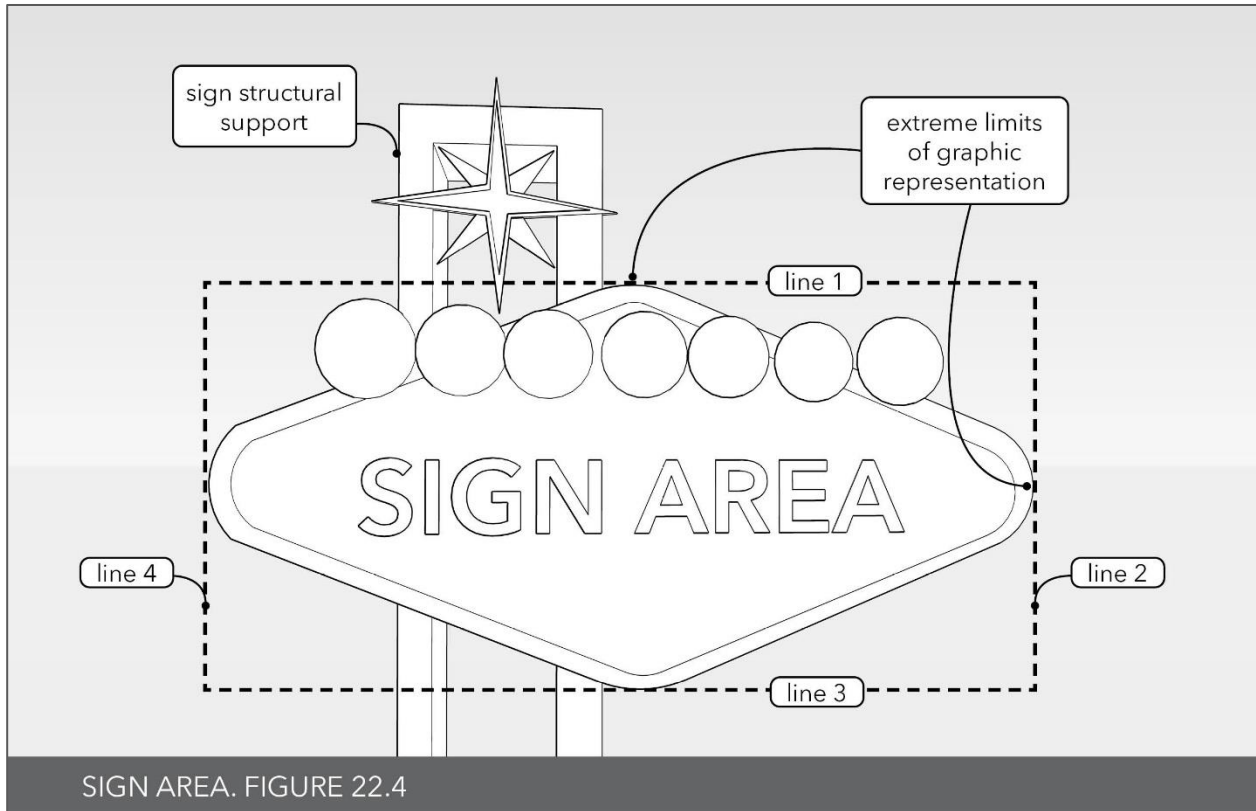


2. **Vehicle Signs.** Vehicles that bear signs (see Figure 22.1) may be parked on-site provided they are located in such a manner that they do not function as signs as prohibited by Section 22.06 of this Article.
3. **Sign Measurement.** Except where otherwise expressly provided for in this article, sign copy area and heights of signs shall be measured in accordance with the requirements below, and per the illustration shown in Figure 22.3:
 - a. The height of a freestanding sign shall be measured as the vertical distance from the highest point on the sign to the grade of the surface on which the sign is erected. The height measurement for a ground-mounted monument sign includes the height of the base or support structure on which it is fixed.



SIGN HEIGHT. FIGURE 22.3

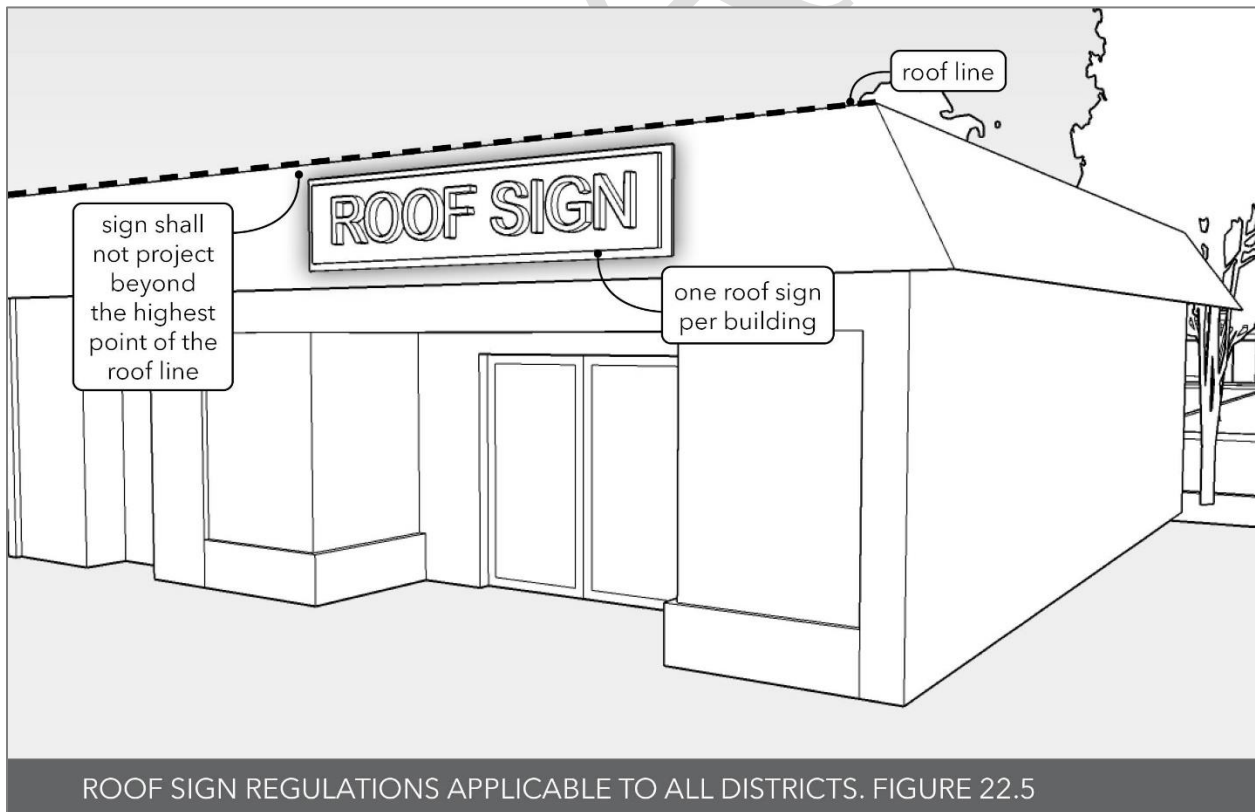
- b. The sign copy area shall be measured as the area within a single, continuous perimeter composed of four straight lines which enclose the extreme limits of writing, representation, emblem, logo, or any other figure of similar character, together with any frame, architectural feature or other material or color-forming part of the display or used to differentiate the sign from the background against which it is placed. See Figure 22.4.
- c. The area of a freestanding sign that has two or more faces shall be measured by including the area of all sign faces. However, if two such faces are placed back-to-back and are no more than two feet apart at any point, the area of the two back-to-back faces shall be counted as one face with the larger of the two sign faces to be counted as the relevant sign face for sign area measurement purposes.



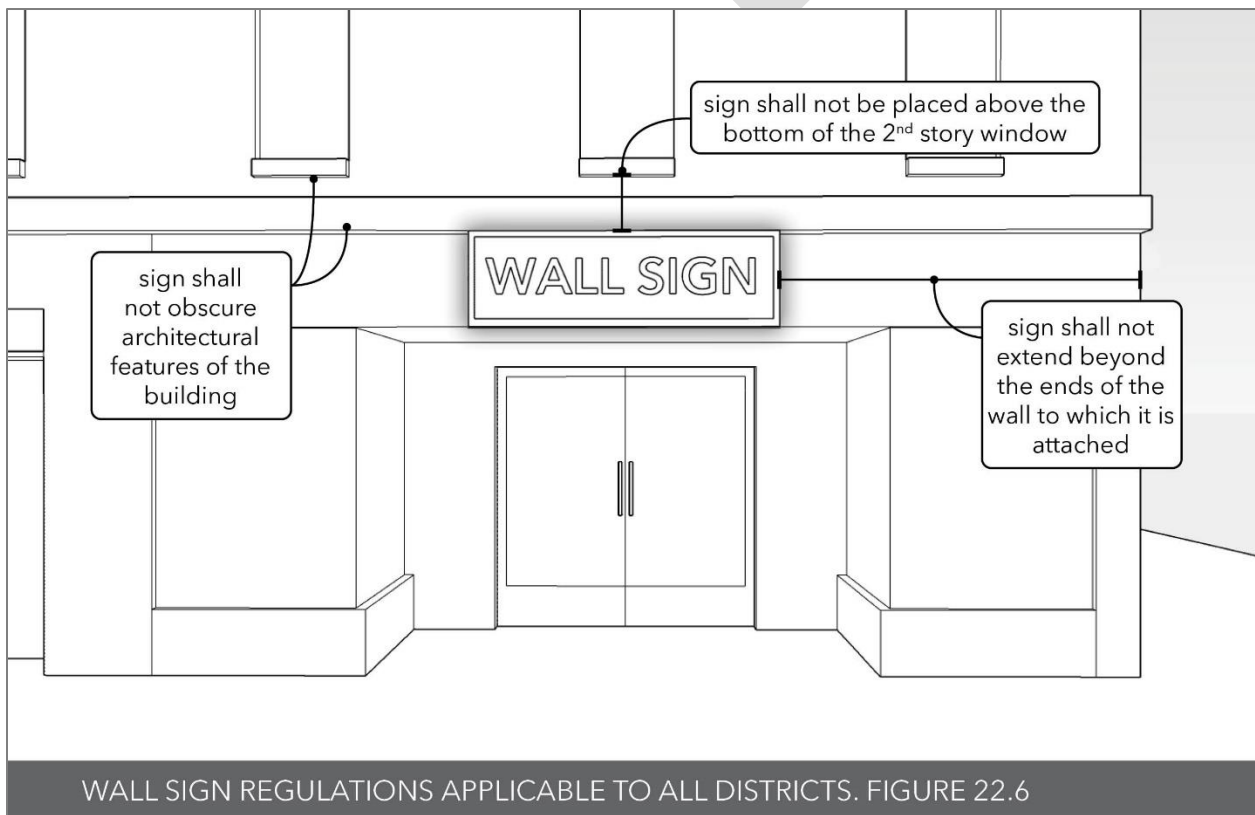
SIGN AREA. FIGURE 22.4

4. **Removal or Repair of Signs; Notice.** Any sign and appurtenant structure shall be removed or repaired by the owner within thirty (30) days of receipt of notice from the Zoning Administrator or their designee, stating that the sign is unsafe, not properly maintained, or otherwise does not comply with the requirements of this chapter (excluding properly maintained signs that lawfully retain associated nonconforming rights).
5. **Structural Requirements.** Signs shall be constructed to withstand all wind and vibration forces that normally can be expected to occur in the vicinity, per the applicable building codes.
6. **Sign Illumination.** Signs may be internally or externally illuminated where permitted. The following provisions apply to illuminated signage in the City of Douglas.
 - a. **Glare and Distractions.** All illuminated signs shall not create glare or light trespass onto adjacent properties. Any sign illumination that may cause or otherwise create traffic hazards is prohibited.
 - b. **Electrical Wiring.** All electrical wiring shall be located underground and any associated electrical conduit or piping shall not be exposed to view above ground.
 - c. **External Illumination.** For externally illuminated signs, the lighting fixture shall be mounted above the sign only and the light fixture shielded such that light is directed downward and directly at the sign face only (below the horizontal plane). Externally illuminated signs shall not be directly aimed at adjacent streets, roads, or other properties, and shall meet all other applicable standards of this zoning ordinance.

- d. **Internal Illumination.** Internally illuminated signs shall adhere to the following parameters:
- i. The sign shall not be illuminated after 11:00 PM or no more than 30 minutes after the close of business, whichever is later.
 - ii. No sign shall be illuminated prior to 6:00 AM or 30 minutes before the opening of business, whichever is earlier.
 - iii. No internally illuminated sign shall bear a digital image or message unless it is a sign used by an essential service or public entity.
7. **Projection.** A sign and its supporting mechanism shall not extend beyond any lot lines of the property on which it is located except that in the C-1, Village Center district, projecting signs may project over the public sidewalk.
8. **Roof Signs.**
- a. A roof sign shall not project or extend beyond or above the highest point of the roof line.
 - b. Only one roof sign shall be permitted per building.
 - c. The size of a roof sign shall not exceed ten percent of the building frontage area or the area occupied by an individual business within a multi-tenant building.
 - d. Lighting for roof signs shall comply with Section 22.04.6.
 - e. A roof sign may consist of painting on the surface of a roof or a sign that is composed of roofing materials or other materials affixed parallel to the roof surface.

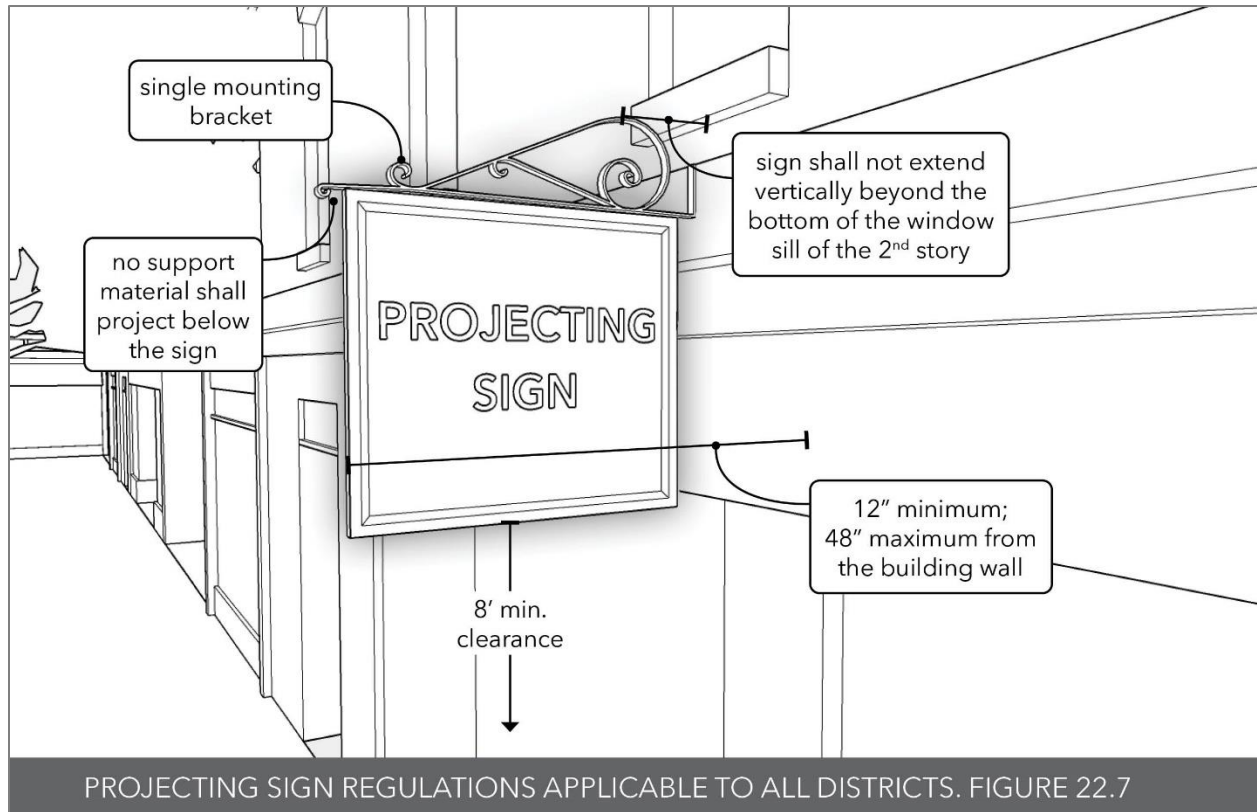


9. **Reader Boards.** Wall and freestanding signs may include manual reader boards subject to the following regulations:
- The reader board portion of the sign shall not consist of more than 50% of the total permitted sign copy area.
 - Electronic or digital reader boards are prohibited in all districts and in all sign forms, with the exception of allowances for essential services and public entities.
 - Temporary manual reader boards are permitted in accordance with Section 22.15.e. and are permitted subject to the issuance of a zoning compliance permit.
10. **Wall Signs:**
- Wall signs shall not obscure architectural features of the building including, but not limited to windows, arches, sills, moldings, cornices, and transoms.
 - Wall signs shall not extend above the lowest point of the roof, nor beyond the ends of the wall to which it is attached.
 - A wall sign shall not be placed above nor shall any part of the sign extend above the bottom of the second-story window of a multi-story building.



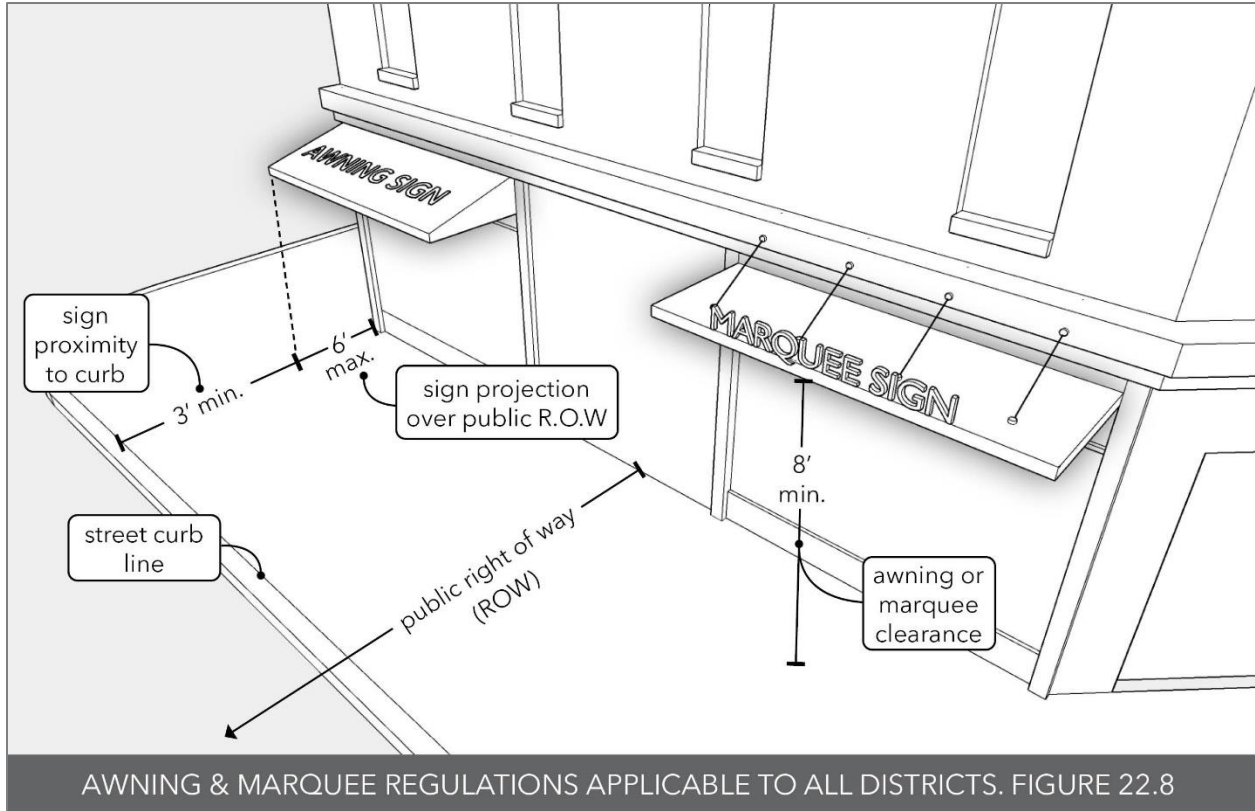
11. **Projecting Signs:**
- Projecting signs shall not extend vertically beyond the bottom of the window sill of the second story.

- c. The sign shall maintain a minimum clearance from the ground of eight (8) feet.
- d. The sign shall be mounted to the building by a single mounting bracket (support chains shall be prohibited) and no support material shall project below the sign.
- e. Projecting signs shall not be internally lit. External illumination is permitted but the source of illumination shall not cause glare and shall comply with Section 22.05.6.



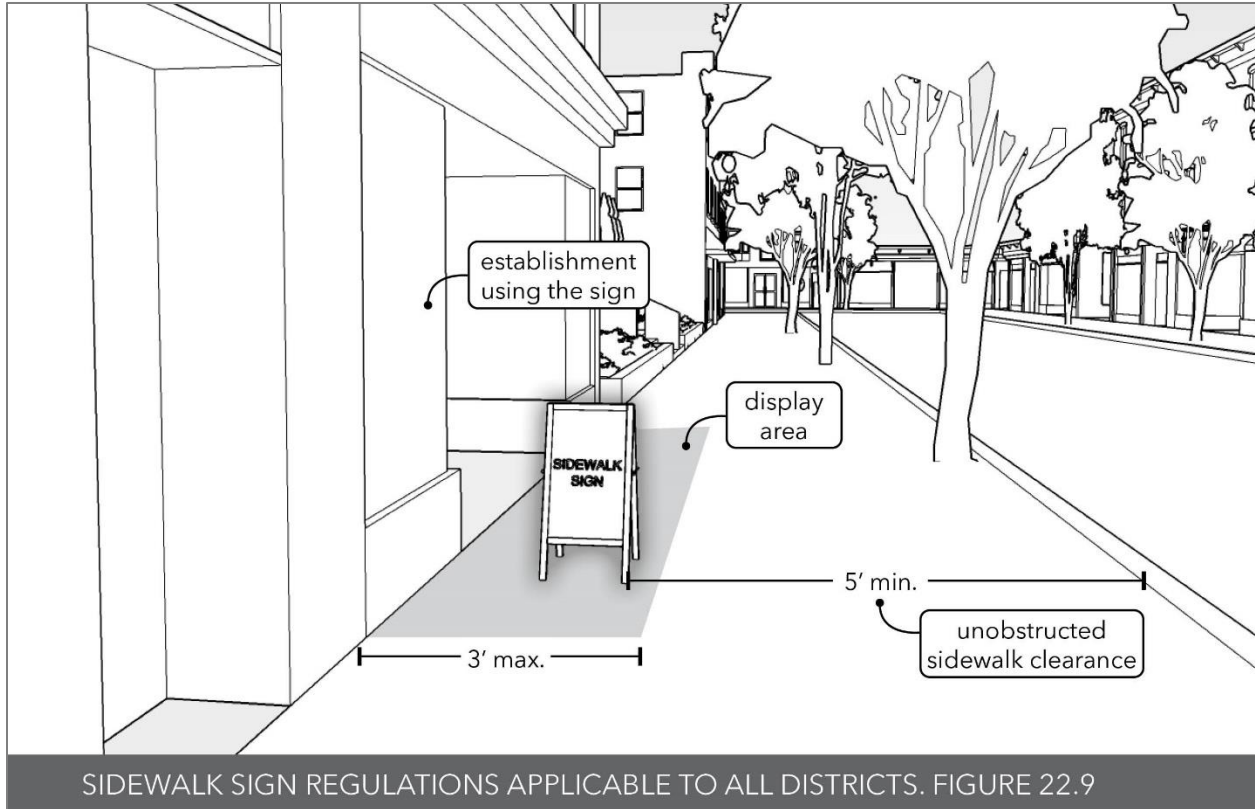
12. **Awning and Marquee Signs:**

- a. Such signs shall not project more than six (6) feet into the public right-of-way, nor be closer than three (3) feet to any street curb line.
- b. The awning or marquee to which the sign is attached shall maintain a minimum clearance from the ground of eight (8) feet.



13. Sidewalk Signs:

- a. Sidewalk signs shall only be permitted on property zoned C-1, Village Center, C-2 General Commercial, or PUD, Planned Unit Development if the PUD-zoned property is located within the boundaries of the DDA.
- b. The sign shall be placed in front of the establishment that is using the sign.
- c. A minimum of five feet of unobstructed sidewalk clearance must remain on the sidewalk at all times.
- d. A display area adjacent to and not extending further than 36 inches from the front wall of the building may contain a sidewalk sign. However, five (5) feet of unobstructed sidewalk clearance must be maintained between the sign and the edge of the street or roadway.
- e. The sign shall not be placed in a way that obstructs pedestrian circulation, interferes with the opening of doors of parked vehicles, or snow removal operations.
- f. Such signs shall be properly maintained and not allowed to become unsightly.
- g. Such signs shall only be in place during hours of operation of the establishment.



14. Pole Signs.

- a. Pole signs are permitted exclusively on lots that have frontage on Blue Star Highway.
- b. For developments containing multi-tenant buildings or business parks, one pole sign representing individual businesses with Blue Star Highway frontage may be increased by 25% of the sign copy area permitted in that zoning district.
- c. The height of a pole sign shall not exceed 25 feet in height in any district, measured in accordance with Figure 22.3.

15. Temporary Signs. Temporary signs as defined in Section 22.03 are permitted in all zoning districts, subject to the following restrictions:

- a. Sidewalk signs shall not be deemed temporary signs
- b. All temporary signs shall be subject to the prohibitions outlined in Section 22.06.
- c. Wire-framed signs:
 - i. Up to two (2) wire-framed temporary signs are permitted per parcel.
 - ii. Wire-framed temporary signs shall not be subject to the requirements of Section 23.03, Permit Procedures and Regulations.
- d. Up to two (2) feather signs are permitted on parcels within the C-2 and L-I zoning districts, and are not subject to the requirements of Section 23.03, Permit Procedures and Regulations.

- e. The following regulations shall apply to temporary manual reader boards and temporary banner signs:
- i. Temporary banners and manual reader boards are not permitted in residential districts.
 - ii. One (1) temporary banner sign shall be permitted on non-residential parcels within the C-1, C-2 and L-I, and PUD zoning districts, or on parcels in residential districts when associated with a non-residential use.
 - iii. One (1) temporary manual reader board shall be permitted on non-residential parcels within the C-2, PUD, and L-I zoning districts, or on parcels in residential districts when associated with a non-residential use.
 - iv. A parcel located in the C-2, PUD, or L-I zoning districts shall not have both a temporary banner sign and a temporary manual reader board during the same period of time.
 - v. A temporary sign permit is required for any proposed temporary banner sign or temporary manual reader board signs. An application for a temporary sign permit shall be submitted to the Zoning Administrator that contains, at minimum, the following information, and is subject to the following procedures:
 1. A site plan that contains the proposed location of the temporary manual reader board or temporary banner.
 2. A stated period of time that the temporary manual reader board or temporary banner sign is proposed to be erected, not to exceed 14 days total.
 3. The applicant shall submit a deposit in the amount of \$50, to be reimbursed after the temporary manual reader board is removed in accordance with the dates indicated on the application.
 4. The zoning administrator shall issue the zoning permit for the temporary banner or temporary manual reader board upon receipt of the required application information noted above and upon determining that the proposed temporary banner or temporary manual reader board is in compliance with the provisions of this ordinance.
 5. The \$50 deposit shall be forfeited if the sign has not been removed by the 15th day.

Section 22.06 Prohibitions

The following forms, conditions, and actions are prohibited as it pertains to signs in the City of Douglas.

1. **Inflatable Signs.** Inflatable or balloon signs (“air dancers”) are not permitted in any district at any time.
2. **Unsafe Signs.** Any sign which is structurally or electrically unsafe, consistent with the City’s adopted codes. The procedure outlined in section 22.05.4 shall be followed in notifying a property owner of their responsibility to repair or remove an unsafe sign.

3. **Consent Required.** Any sign erected on any property, public or private, without the consent of the property owner, shall be prohibited.
4. **Human Signs.** Signs held by a person shall not be permitted at any time in any district, except as part of a protest or City-sanctioned event. In no case shall a human sign be used for a business special event such as a sale or closing of business.
5. **Motion.** A sign shall not contain parts or display images that flash or blink, nor shall any sign contain moving parts.
6. **Prohibition in Right of Way.** Signs shall not be placed in, upon or over any public right-of-way, private road easement, alley, or other place, except as may be otherwise permitted by this ordinance.
7. **Prohibition on Utility Poles.** A utility pole, light pole or other similar supporting member shall not be used for the placement of any sign unless specifically designed and approved for such use.
8. **Obstructions Prohibited.** A sign shall not be erected in any place where it may, by reason of its position, shape, color, or other characteristics, interfere with, obstruct the view of, or be confused with any authorized traffic sign, signal, or device, or constitute a nuisance per se. Additionally, no sign shall obstruct the 20' clear vision zone at intersections as illustrated in Sections 18.1 through 18.4.
9. **Sparks and Flames.** No sign shall incorporate any type of spark or flame.
10. **Blighted Signs Prohibited.** Any sign which, in the opinion of the Zoning Administrator, has deteriorated due to structural damage, unshielded lights, exposed electrical wiring, cracked or broken sign cabinet, significant rust or other deterioration of materials, and peeling or flaking paint. The procedure outlined in section 22.05.4 shall be followed in notifying a property owner of their responsibility to repair or remove an unsafe sign.
11. **Vehicle Signs.** Stationery or moving vehicle signs, which contain a fixed display that is either digital or static, used for the purpose of on or off-premise display of messages, shall be prohibited in all zoning districts.

Section 22.07 Signs in Residential Districts:

In addition to other regulations provided herein, signs associated with residential and non-residential uses in residential zoning districts, and residential uses in non-residential districts are subject to the following:

A. Signs Permitted in Residential Districts, R-1, R-2, R-3, R-4, R-5, R-6, or other districts that contain a residential or mixed-use (with the exception of PUD districts):						
Form		Maximum Number	Maximum Area (per sign)	Maximum Height (per sign)	Illumination Permitted	Minimum Setback
Monument	Residential Development/ Subdivision	1	48 sq. ft.	6'	Yes (external only)	15' from any property line
	Short-Term Rental	1	6 sq. ft.	4'	no	5' from any property line
	Non-Residential Uses	1	48 sq. ft.	6'	Yes	15' from any property line
Wall	Home Occupations	1	2 sq. ft.	N/A	No	N/A
	Short-term Rental Use	1	4 sq. ft.	N/A	No	N/A
	Non-Residential Use	1 per street frontage	Not to exceed 10% of the wall face to which it is affixed	N/A	Yes (external only)	N/A
Temporary Signs		Permitted in accordance with Section 22.05.15				
Electronic Reader Boards (monument signs only)		Permitted for essential services and public entities	Not more than 50% of sign copy area	6	Yes	15' from any property line
Projecting Signs	Short-term Rental Use	1	4 sq. ft.	N/A	No	N/A
	Non-Residential Use	1	8 sq. ft.	N/A	No	N/A
	Home Occupations	1	2 sq. ft.	N/A	No	N/A

- B. Additional requirements for monument signs in Residential Districts:
1. Monument signs shall be constructed primarily with carved wood, brick, stone, wrought iron, terra cotta, glazed tile, or similar decorative material in order to reflect and enhance the character of the area.
 2. Temporary banner and reader board signs as outlined in Section 22.05.15.e shall be permitted only on lots containing a non-residential use in a residential zoning district. For the purposes of this ordinance, the following uses shall be considered residential:
 - i. A short-term rental shall be considered a residential use.
 - ii. A family day care home as defined in Article 2, Definitions, shall be considered a residential use.
 - iii. Home occupations, major and minor, as defined in Article 2, Definitions, shall be considered a residential use.
 3. Short-term rentals and home occupations shall be allowed one wall sign OR one projecting sign.

Section 22.08 Signs in the C-1 Village Center District: In addition to other regulations provided herein, the following shall apply to signs associated with non-residential uses within the C-1, Village Center district:

A. Signs Permitted in the C-1, Village Center District					
Form Permitted	Maximum Number	Illumination Permitted	Minimum Setback	Maximum Area	Maximum Height
Monument	1 per parcel	Yes	None	48 sq. ft.	6'
Temporary Signs	Permitted in accordance with Section 22.05.15				
Projecting	1 per commercial establishment	Yes	N/A	10 sq. ft.	N/A
Sidewalk	1 per commercial establishment	No	Must maintain 5' of clearance on sidewalk	8 sq. ft.	6'
Awning, Marquee, Roof, OR Wall	1 per commercial establishment, and each street frontage	Yes	N/A	Not to exceed 10% of wall face of building or tenant space	N/A

Electronic Message Center	1 per essential service or public entity	Yes	None	Not to exceed 50% of total sign copy area within a monument sign only	6'
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B. Additional requirements for signs in the C-1, Village Center District:

- 1. Pole signs are not permitted in the C-1, Village Center District.
- 2. Way-finding signage and integral signage shall not require a permit, provided way-finding signs are not located in the right of way.

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Section 22.09 Signs in the C-2, General Commercial & L-1, Light Industrial Districts:

In addition to other regulations provided herein, the following shall apply to signs in the C-2 and L-1 zoning districts:

A. Signs Permitted in the C-2, General Commercial and L-1, Light Industrial Districts.					
Form Permitted	Maximum Number	Illumination Permitted	Minimum Setback	Maximum Area	Maximum Height
Monument Sign	1 per parcel	Yes	15' from any property line	48 sq. ft.	6'
Temporary Signs	Permitted in accordance with Section 22.05.15				
Projecting	1 per establishment	No	N/A	10 sq. ft.	N/A
Awning, Marquee, roof, OR Wall Sign	1 per commercial establishment and each street frontage	Yes	N/A	Not to exceed 10% of wall face of building or tenant space	N/A
Pole Sign	1 per parcel with frontage on Blue Star Highway	Yes	45' to the center line of Blue Star Highway. 5' from any other property line	48 sq. ft. for single establishment 60 sq. ft. for lots with more than one establishment	25'
Billboards	Permitted in accordance with Section 22.10				
Sidewalk Sign	1 per establishment	No	Must maintain 5' of clearance on sidewalk	8 square feet	6'

B. Additional requirements for signs in the C-2 and Industrial districts:

- Way-finding signage and integral signage shall not require a permit, provided way-finding signs are not located in the right of way.

Section 22.10 Billboards.

New billboards shall not be erected within the City limits after the effective date of this ordinance. Existing billboards shall adhere to the following provisions:

- i. **Permitted Activity:**
 - 1. Any existing billboards shall not be expanded or enlarged.
 - 2. Existing billboards within the City are permitted to lawfully remain for the life of the billboard.
 - 3. The life of the billboard shall be defined as the period within which the structural integrity of the billboard structural frame meets current building code standards for wind loads and weight loads, as determined by a structural engineer.
 - 4. Billboards that are visibly in disrepair shall be required to be inspected by a structural engineer to determine whether the structural frame are structurally sound in accordance with number 3 above.
 - 5. Once the structural frame is determined not to be structurally sound, the billboard shall be removed.
- B. **Activity Permitted Upon Issuance of a Zoning Permit**
 - 1. The sign copy area may be refaced or replaced within the life of the billboard, so long as the structural frame remains structurally sound and the sign copy area is not expanded, enlarged, or upgraded to any other format (such as digital or tri-vision), and shall remain static.
 - 2. Any changes to the sign copy area shall require the issuance of a zoning permit. The application for a zoning permit shall contain a clear description of the proposed scope of work for the reface or replacement of the sign copy area.
 - 3. The zoning administrator may require an inspection of the billboard structure by a structural engineer to determine whether the structural frame is in structurally sound condition to support changes to the sign copy area, prior to the issuance of a zoning permit for the reface or replacement of the sign copy area.

Section 22.11 Nonconforming Signs:

It is the intent of this Section to permit the continuance of the lawful use of any sign that does not conform with the provisions of this ordinance with regard to size, number, height, form, illumination or location. All lawful nonconforming signs shall be subject to the following regulations:

- 1. **Nonconforming Status:** All signs which have been lawfully erected or are lawfully in place on the effective date of this Article, but which do not comply with the provisions of this Article shall be deemed nonconforming.
- 2. **Structural Changes:** Structural supports, framing mechanisms, or other parts of any nonconforming sign shall not be changed, altered, substituted, or enlarged unless the result of the structural change conforms with the provisions of this article. Removal of the structural support mechanisms will result in loss of nonconforming rights associated with the sign.
- 3. **Repairs and Refacing:** Nonconforming signs may undergo repairs and alterations resulting in the change of the sign copy areas that do not alter the sign by way of structural changes as described in part 1 of this section. Repairs may include, but are not limited to:
 - a. Refacing that is typically associated with rebranding, change in ownership or replacement of sign copy area due to damage.
 - b. Painting.

- c. Resurfacing.
- d. Upgrading of electrical wiring or illuminating mechanisms.
- e. Addition of an electronic message center, not exceeding 50% of the sign copy area, as permitted for essential services and public entity uses only.
- f. Routine maintenance.
- g. Any other repair or upgrade determined by the Zoning Administrator not to be a structural change.

4. Replacement. If a nonconforming sign is damaged to the point of needing structural repairs, it may not be reconstructed, or replaced except with a sign that conforms to with all the provisions of this Article.

5. Revocable Sign License Agreements. Existing nonconforming signs which are lawfully located within the right of way (within the area measuring 33' from the center of Blue Star Highway toward the subject property), shall enter into a revocable sign license agreement with the City and pay associated annual fee.

SECTION 4. Severability. If any section, paragraph, clause or provision of this Ordinance shall be held invalid, the invalidity of such section, paragraph, clause or provision shall not affect any of the other provisions of this Ordinance.

SECTION 5. Repealer. All other ordinances or portion of ordinances inconsistent with this ordinance are hereby repealed.

SECTION 6. Publication. Within fifteen (15) days of its adoption, this Ordinance or a notice of adoption summarizing this Ordinance, as required by law, shall be published by the City Clerk in a newspaper of general circulation in the city.

SECTION 7. Effective Date. This Ordinance shall become effective twenty (20) days after the date of publication.

Ordinance Offered by: _____

Ordinance Supported by: _____

Ayes: _____

Nays: _____

Abstain: _____

Absent: _____

First Reading: _____

Second Reading: _____

Date of Publication: _____

Effective Date: _____

ORDINANCE DECLARED ADOPTED THIS _____ DAY OF _____ 2023

Jerome Donovan, Mayor

_____, City Clerk

CERTIFICATION

I, _____, the duly appointed Clerk of the City of the Village of Douglas, do hereby certify that the foregoing is a true and complete copy of an Ordinance adopted by the Douglas City Council at a regular meeting held on Monday, _____, 2023, in compliance with the Open Meetings Act, Act No. 267 of the Public Acts of Michigan, 1976, as amended, the minutes of the meeting were kept and will be or have been made available as requires by this Act.

CITY OF THE VILLAGE OF DOUGLAS

By: _____
_____, City Clerk