



City of Hartford  
County of Van Buren, State of Michigan

# Downtown Development Authority Meeting Agenda

Wednesday, February 26, 2025 at 10:00 AM

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## CALL TO ORDER

## PLEDGE OF ALLEGIANCE

## ROLL CALL

## APPROVAL OF AGENDA

- [1.](#) Board Members Oath of Office
2. Discuss & Consider -Election of Officers

## PUBLIC COMMENT

## APPROVAL OF COMMISSION MINUTES

- [3.](#) Discuss & Consider -DDA - 2023 April 26

## APPROVAL OF REPORTS

- [4.](#) Discuss & Consider -Financials - Fiscal Year 2024-2025
- [5.](#) Discuss & Consider -Financials - Fiscal Year 2023-2024
- [6.](#) Financials - Fiscal Year 2022-2023

## GOALS/OBJECTIVES

- [7.](#) DDA Ordinance
- [8.](#) DDA Boundary Map
- [9.](#) Discuss & Consider -DDA By-Laws - Review

## OLD BUSINESS

- [10.](#) Discuss & Consider -DDA 2015 Development Plan
- [11.](#) Discuss & Consider -DDA Tax Increment Finance Plan

## NEW BUSINESS

- [12.](#) Discuss & Consider -DDA 2023/2024 Budget
13. Discuss & Consider -DDA 2024/2025 Budget

14. Discuss & Consider - 2025 Meeting Schedule

**ADJOURNMENT**

**RECODIFIED TAX INCREMENT FINANCING ACT (EXCERPT)**  
**Act 57 of 2018**

**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 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.



City of Hartford  
County of Van Buren, State of Michigan  
**DOWNTOWN DEVELOPMENT AUTHORITY**  
**BOARD OF DIRECTORS MEETING**  
Wednesday, April 26, 2023 9:00am  
PROPOSED MINUTES

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**Call to Order** at 915 am by Chair Tim Hildebrand

Pledge of Allegiance

**Role Call:** members present included: Brian Garland, Shayne Darling, Sandra Banda, Reba Mabas, Tim Hildebrand. Members Absent included G Singh, Rick Stephens, Mark Kellogg. City staff attending included City Manager Sanya Vitale.

**Public Comment:** No public present

**Approval of the Agenda:** Motion: Garland; Second: Darling; All in favor; Motion Carries without discussion

**Approval of the Minutes:** February 22,2023: Motion: Darling; Second: Garland All in favor; Motion Carries without discussion

**Acceptance of the Finance Report:** March & April 2023 Motion: Mabas; Second: Banda; All in favor; Motion Carries without discussion

**Old Business**

- a. Rural Development Grant Update: City Manager provided an update about the Streetscape project. The City was awarded \$99,000 and required to match with local funds of \$68,500, for which the DDA has graciously agreed to participate.  
  
A new project timeline, closeout date, project scope, budget and budget narrative have been developed and approved by the USDA.
- b. Discussion 5 W Main St: The roof has been repaired. The staircase still needs to be stabilized. There was discussion about the developer who had expressed interest in the project. The City Manager met with the Chair of the VBC Landbank, who owns the building, and she noted that there was never a predevelopment agreement signed for the project, only interest expressed should the roof be repaired and the staircase

stabilized. The Chair of the Landbank had agreed it may be a good idea to seek alternative developers if there was no contact with the previous ones.

### **New Business**

- a. Budget: The City Manager discussed eligible uses of funds under the Tax Increment Financing Act and encouraged the DDA to seek support from the MML and/or the MEDC before committing taxpayer funds to any further requests for donations without a contract for services that follows guidance from the MML and Michigan State Treasury. City Manager encouraged use of funds towards projects as outlined in TIFA legislation that related to facilities and infrastructure upgrades and upkeep in the DDA district. Budget was developed as follows:
  - i. Contractual Services: \$4264
  - ii. Façade Repairs: \$5500
  - iii. Miscellaneous: \$4000
- b. Lion's Club Concerts in the Park: Motion: Garland; Second: Mabus Donate \$500

**Adjournment** Motion: Garland; Second: Mabus 9:45am

Next Meeting May 24, 2013



**HARTFORD D.D.A. FINANCIAL REPORT  
FISCAL YEAR 2024-2025**

<b>BEGINNING BALANCE</b>		
JUNE 30, 2024 (ACTUAL FROM LAST REPORT)		\$ 15,491.40
 <b>REVENUE:</b>		
SUMMER 2024 CAPTURED TAX	17,817.30	
WINTER 2024 CAPTURED TAX	3,210.42	
BANK INTEREST EARNED JULY 31, 2024	4.97	
BANK INTEREST EARNED AUGUST 31, 2024	7.00	
BANK INTEREST EARNED SEPTEMBER 30, 2024	6.74	
BANK INTEREST EARNED OCTOBER 31, 2024	6.93	
BANK INTEREST EARNED NOVEMBER 30, 2024	6.65	
BANK INTEREST EARNED DECEMBER 31, 2024	7.17	
BANK INTEREST EARNED JANUARY 31, 2025	7.50	
 <b>TOTAL REVENUE:</b>		 <b>\$ 21,074.68</b>
 <b>EXPENDITURES:</b>		
<b>ADMIN FEES:</b>		
JULY 2024	200.00	
AUGUST 2024	200.00	
SEPTEMBER 2024	200.00	
OCTOBER 2024	200.00	
NOVEMBER 2024	200.00	
DECEMBER 2024	200.00	
JANUARY 2025	200.00	
 <b>TOTAL EXPENDITURES:</b>		 <b>\$ 1,400.00</b>
 <b>BALANCE</b>		
JANUARY 31, 2025 - ACTUAL		 <b>\$ 35,166.08</b>



**HARTFORD D.D.A. FINANCIAL REPORT  
FISCAL YEAR 2023-2024**

<b>BEGINNING BALANCE</b>		
JUNE 30, 2023 (ESTIMATED FROM LAST REPORT)		\$ 4,083.02
 <b>REVENUE:</b>		
SUMMER 2023 CAPTURED TAX	11,727.23	
WINTER 2023 CAPTURED TAX	2,042.32	
BANK INTEREST EARNED JUNE 30, 2023	0.86	
BANK INTEREST EARNED JULY 31, 2023	1.90	
BANK INTEREST EARNED AUGUST 31, 2023	3.30	
BANK INTEREST EARNED SEPTEMBER 30, 2023	3.14	
BANK INTEREST EARNED OCTOBER 31, 2023	3.22	
BANK INTEREST EARNED NOVEMBER 30, 2023	3.08	
BANK INTEREST EARNED DECEMBER 31, 2023	3.28	
BANK INTEREST EARNED JANUARY 31, 2024	3.52	
BANK INTEREST EARNED FEBRUARY 28, 2024	3.27	
BANK INTEREST EARNED MARCH 31, 2024	3.43	
BANK INTEREST EARNED APRIL 30, 2024	3.29	
BANK INTEREST EARNED MAY 31, 2024	3.34	
BANK INTEREST EARNED JUNE 31, 2024	3.20	
 <b>TOTAL REVENUE:</b>		 <b>\$ 13,808.38</b>
 <b>EXPENDITURES:</b>		
<b>ADMIN FEES:</b>		
JULY 2023	200.00	
AUGUST 2023	200.00	
SEPTEMBER 2023	200.00	
OCTOBER 2023	200.00	
NOVEMBER 2023	200.00	
DECEMBER 2023	200.00	
JANUARY 2024	200.00	
FEBRUARY 2024	200.00	
MARCH 2024	200.00	
APRIL 2024	200.00	
MAY 2024	200.00	
JUNE 2024	200.00	
 <b>TOTAL EXPENDITURES:</b>		 <b>\$ 2,400.00</b>
 <b>BALANCE</b>		
JUNE 30, 2024 - ACTUAL		 <b>\$ 15,491.40</b>



**HARTFORD D.D.A. FINANCIAL REPORT  
FISCAL YEAR 2022-2023**

<b>BEGINNING BALANCE</b>	
<b>JULY 1, 2023</b>	<b>\$ 8,152.63</b>
 <b>REVENUE:</b>	
SUMMER 2022 CAPTURED TAX	11,876.06
WINTER 2022 CAPTURED TAX	2,063.02
BANK INTEREST EARNED JULY 31, 2022	2.78
BANK INTEREST EARNED AUGUST 31, 2022	4.21
BANK INTEREST EARNED SEPTEMBER 30, 2022	3.92
BANK INTEREST EARNED OCTOBER 31, 2022	3.54
BANK INTEREST EARNED NOVEMBER 30, 2022	2.91
BANK INTEREST EARNED DECEMBER 31, 2022	3.12
BANK INTEREST EARNED JANUARY 31, 2023	2.49
BANK INTEREST EARNED FEBRUARY 28, 2023	1.66
BANK INTEREST EARNED MARCH 31, 2023	1.20
BANK INTEREST EARNED APRIL 30, 2023	1.04
BANK INTEREST EARNED MAY 31, 2023	1.00
 <b>TOTAL REVENUE:</b>	 <b>\$ 13,966.95</b>
 <b>EXPENDITURES:</b>	
<b>ADMIN FEES:</b>	
JULY 2022	200.00
AUGUST 2022	200.00
SEPTEMBER 2022	200.00
OCTOBER 2022	200.00
NOVEMBER 2022	200.00
DECEMBER 2022	200.00
JANUARY 2023	200.00
FEBRUARY 2023	200.00
MARCH 2023	200.00
APRIL 2023	200.00
MAY 2023	200.00
JUNE 2023	200.00
CHECK #37424 - WIGHTMAN & ASSOC. - STREETScape PROJECT	375.00
CHECK #37427 - SHAYNE DARLING - 32 & 34 W MAIN	1,118.28
CHECK #37444 - WHITEFORD REAL ESTATE - 32 & 34 W MAIN	1,118.28
CHECK #37524 - TREETOP PRODUCTS - BENCH & TRASH CAN (STREETScape)	2,234.94
CHECK #37530 - 7 WEST HAIR DESIGN - 1ST PLACE SCARECROW	100.00
CHECK #37535 - WEDA CLAY - 2ND PLACE SCARECROW	50.00
CHECK #37598 - LION'S CLUB - CHRISTMAS DECORATIONS	500.00
CHECK #37649 - WIGHTMAN & ASSOC. - STREETScape PROJECT	4,500.00
CHECK #37657 - TOTAL TREE CARE - STREETScape PROJECT	390.06
CHECK #37795 - WIGHTMAN & ASSOC. - STREETScape PROJECT	772.50
CHECK #37795 - WIGHTMAN & ASSOC. - STREETScape PROJECT	2,885.00
CHECK #37822 - HARTFORD HISPANIC HERITAGE	250.00
BALANCE OF \$12,000. LEFT TRANSFERRED TO CITY FOR STREETScape	842.50
CHECK #37977 - HARTFORD LIONS CLUB (CONCERTS IN THE PARK)	500.00
 <b>TOTAL EXPENDITURES:</b>	 <b>\$ 18,036.56</b>
 <b>BALANCE</b>	
<b>JUNE 30, 2023 - ESTIMATED</b>	<b>\$ 4,083.02</b>



Fourth or subsequent violation within a 3-year period*	\$400
* Determined on the basis of the date of violation(s)	

(B) In addition to the above prescribed civil fines, costs in the amount of \$10 shall be assessed by the Bureau if the fine and costs are paid within 10 days of the date of service of the municipal ordinance violation notice, otherwise costs of \$20 shall be assessed by the Bureau.

(1993 Code, ' 1.9)

' 31.06 RECORDS AND ACCOUNTING.

The Bureau Clerk or other designated city official/employee shall retain a copy of all municipal ordinance violation notices, and shall account to the City Commission once a month or at the other intervals as the City Commission may require concerning the number of admissions and denials of responsibility for ordinance violations within the jurisdiction of the Bureau and the amount of fines/costs collected with respect to the violations. The civil fines/costs collected shall be delivered to the City Treasurer at the intervals as the Treasurer shall require, and shall be deposited in the General Fund of the city.

(1993 Code, ' 1.9)

' 31.07 AVAILABILITY OF OTHER ENFORCEMENT OPTIONS.

(A) Nothing in ' ' 31.01 et seq. shall be deemed to require the city to initiate its municipal civil infraction ordinance enforcement activity through the issuance of an ordinance violation notice.

(B) As to each ordinance violation designated as a municipal civil infraction, the city may, at its sole discretion, proceed directly with the issuance of a municipal civil infraction citation or take the other enforcement action as is authorized by law.

(1993 Code, ' 1.9)

' 31.08 EFFECTIVE DATE.

Sections 31.01 et seq. shall take effect immediately upon publication as required by law following adoption by the City Commission. (1993 Code, ' 1.9)

## DOWNTOWN DEVELOPMENT AUTHORITY

' 31.20 PURPOSE.

The purpose of ' ' 31.20 et seq. is to:

- (A) Correct and prevent deterioration in business districts;
- (B) Encourage historic preservation; to authorize the acquisition and disposal of interests in real and personal property;
- (C) Authorize the creation and implementation of development plans; and
- (D) Promote economic growth of the downtown district hereinafter described. (1993 Code, ' 5.91)

### ' 31.21 ESTABLISHMENT.

A Downtown Development Authority (hereinafter referred to as the "Authority") is hereby established pursuant to Public Act 197 of 1975, M.C.L.A. ' ' 125.1651 et seq., as amended. (1993 Code, ' 5.92)

### ' 31.22 MEMBERSHIP, POWERS, DUTIES, AND AUTHORITY.

The City of Hartford Downtown Development Authority shall be composed of the Chief Executive Officer of the municipality and 8 members appointed by the Chief Executive Officer, as is prescribed in Public Act 197 of 1975, M.C.L.A. ' ' 125.1651 et seq., and shall have all of the powers and duties prescribed therein, including, but not limited to, implementing development plans; acquiring and disposing of interests in real development plans; acquiring and disposing of interests in real and personal property; levying an ad valorem tax not to exceed 2 mils on the real and tangible personal property in the downtown district; issuing bonds and other evidences of indebtedness; and authorizing the use of tax increment financing plans, all as prescribed in Public Act 197 of 1975, M.C.L.A. ' ' 125.1651 et seq. (1993 Code, ' 5.93)

### ' 31.23 BOUNDARIES.

The "Downtown District" is described as:

Beginning at the northwest corner of Ely Park; then east along the north boundary of Ely Park to the northeast corner of Ely Park; then along the east boundary of Ely Park to the northwest corner of lot 3, block 9, of the original plat of Hartford; then east to the northeast corner of lot 3; then across Maple Street to the northwest corner of lot 6, block 2, of the original plat; then east to the northeast corner of lot 16 of block 2 of the original plat; then east to a point 100 feet west of the west line of Center Street; then north to a point on the north line of Michigan Avenue, 100 feet west of the west line of Center Street; then east to the east line of Center Street; then south to the north line of Olds Street; then east to the east line of Haver Street; then south to the northwest corner of lot 1, block 8, of Olds Addition; then east to the northeast corner of lot 1; then south to the north line of Main Street; then east along the north line of Main Street to the east line of East Street extended; then south along the east line of East Street to a point due east of the south line of lot 1, block 1, of the original plat extended; then west to the southwest corner of lot 2; then north to the southeast corner of lot 2, block 11, of the original plat; then west to the southwest corner of lot 2; then due west across Haver Street to the west line of Haver Street; thence north to the southeast corner of lot 3, block 3, of the original plat; then west to the southwest corner of lot 11; then south boundary of lot 1, block 1, of the original plat, extended; then west across Center Street along the south boundaries of lots 1,2, and 4 of block 1 of the original plat to the southwest corner of lot 7; then due west across Maple Street to the west line of Maple Street; then north to the southwest corner of lot 1, block 1, Stratton's Addition; then west to the southwest corner of lot 1; then south to the southeast corner of lot 2, block 1, of Stratton's Addition; then west to the southwest corner of lot 1, block 1, of Stratton's Addition; then due west across Franklin Street to the west line of Franklin Street; then north to the south line of Main Street; then west along the south line of Main Street to its intersection with the west boundary of Ely Park extended; then north to the southwest corner of Ely Park; then north along the west boundary of Ely Park to the point of beginning; all in the City of Hartford, Van Buren County, Michigan. (1993 Code, ' 5.94)

### ' 31.24 OATH; RULES.

Before assuming the duties of office, a member shall qualify by taking and subscribing to the constitutional oath of office. The Authority shall adopt rules governing its procedure and holding of regular meetings, subject to the approval of the governing body. Special meetings may be held when called in the manner provided in the rules of the Authority. Meetings of the Authority shall be open to the public. (1993 Code, ' 5.95)

31.25 DIRECTOR; PERSONNEL; BONDS.

(A) The Authority may employ and fix the compensation of a Director, Treasurer, Secretary, and other personnel pursuant to the provisions of Public Act 197 of 1975, M.C.L.A. ' ' 125.1651 et seq.

(B) 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 of \$10,000, payable to the Authority for use and benefit of the Authority, approved by the Authority, 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.

(1993 Code, ' 5.96)

31.26 DOWNTOWN DEVELOPMENT PLAN AND TAX INCREMENT FINANCING PLAN.

(A) Preliminary findings. It is preliminarily determined that:

(1) A public hearing was held on the proposed Downtown Development Plan and Tax Increment Financing Plan, following notice thereof, all in accordance with Public Act 197 of 1975, M.C.L.A. ' ' 125.1651 et seq.

(2) There are no findings or recommendations of a development area citizen's council, as there was no statutory requirement to form a development area citizen's council;

(3) The proposed Downtown Development Plan and Tax Increment Financing Plan meet the requirement set forth in Public Act 197 of 1975, M.C.L.A. ' ' 125.1651 et seq.\

(4) The proposed method of financing the proposed development is feasible and the Downtown Development Authority of the city has the ability to arrange the financing;

(5) The proposed development is reasonable and necessary to carry out the purposes of Public Act 197 of 1975, M.C.L.A. ' ' 125.1651 et seq.\

(6) Any land included within the proposed development area is reasonably necessary to carry out the purposes of the plan and of Public Act 197 of 1975, M.C.L.A. ' ' 125.1651 et seq., in an efficient and economically satisfactory manner;

(7) The proposed Development Plan is in reasonable accord with the Master Plan of the city;

(8) Public services, such as fire and police protection and utilities, are or will be adequate to service the proposed project area; and

(9) Changes in zoning, streets, street levels, intersections, and utilities, if any, are reasonably necessary for the proposed project and for the city.

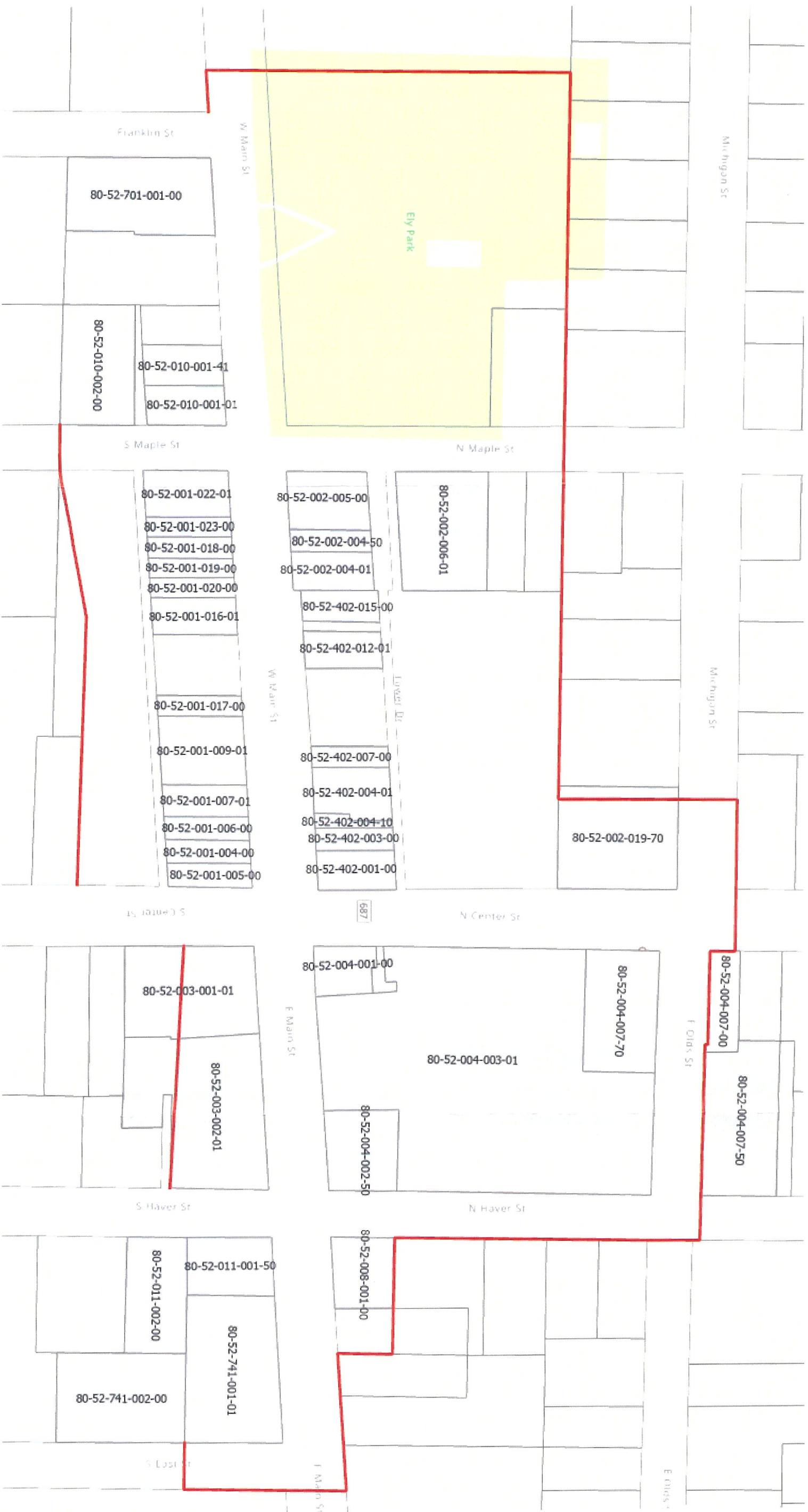
(1993 Code, ' 5.97)

(B) Approval of plan. It is hereby finally determined that:

(1) Based upon the foregoing findings, the Downtown Development Plan and Tax Increment Financing Plan constitutes a public purpose; and

(2) The Downtown Development Plan and Tax Increment Financing Plan is hereby approved. (1993 Code, ' 5.98)

Nightman 5/11/23  
 Red Line Ordinance Boundary  
 Gary Parks w/ Parcel IDs + Ely Park = ~~Ordinance~~ <sup>TAXING</sup> Parks



**CITY OF HARTFORD**  
**DOWNTOWN DEVELOPMENT AUTHORITY**  
**BY-LAWS**

ARTICLE I

**PURPOSES AND POWER:**

The Purpose or purposes or which the Authority is organized are as follows:

- a. To correct and prevent deterioration in the downtown development district:
- b. To authorize the creation and implementation of the development and Financing plans in the district:
- c. To promote economic growth in the district:
- d. To own, operate, and maintain facilities and property in the downtown development district:  
and
- e. To authorize the acquisition and disposal of interest in real and personal property.

In furtherance of these purposes, the Authority shall have all powers which now or hereafter may be conferred by law on authorities organized under Act 197, Public Acts of 1975; Act 227, Public Acts of 1972: Act 149, Public Acts 01 1911; Act 202, Public Acts of 1943; Act 94, Public Acts of 1933; Act 344, Public Acts of 1945, as amended and Public Law 91-646, being the Federal Uniform Relocation Assistance and Rule Property Acquisition Policies of Act of 1970.

- 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, the renovation, repair remodeling, rehabilitation, restoration, preservation, of multi-family dwelling units 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 districts;
- d. Develop long-range plans in cooperation with the agency which is chiefly responsible for planning in the municipality, design to halt the deterioration of property values in the Downtown District, and take such steps as may be necessary to persuade property owners to implement the plans to the fullest extent possible;
- e. Implement any plan of development in the downtown district necessary to achieve the purposes of the site in accordance with the powers of the Authority as granted by this Act;
- f. Make and enter into contracts necessary or incidental to the exercise of its power and performance of its duties;

- g. Acquire by purchase or otherwise, on terms and conditions and in the manner the Authority deems proper to own, convey, or otherwise dispose of, release as lessor or lessee land and other property, real or personal, or rights or interests which the Authority determines is reasonably necessary to achieve its purposes of this Act, and to grant or acquire licenses, easements, and options with respect thereto;
- h. Improve land and construct, reconstruct, rehabilitate, restore and preserve, equip, improve, maintain, repair, and operate any building including multi-family dwellings, and any necessary or desirable appurtenances thereto, within the downtown district for the use, in whole or in part, of any public or private person or corporation, or a combination thereof;
- i. 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 the fees, rents, and charges for the payment of revenue bonds issued by the Authority;
- j. Lease any building or property under its control, or any part thereof;
- k. Accept grants and donations of property, labor, or other things of value from a public or private source;
- l. Acquire and construct public facilities.
- m. Provide financial assistance, advisory services and reimbursement of certain expenses to persons displaced from real property or deprived of certain rights in real property pursuant to Act 227 of the public Acts of 1972.
- n. To receive property taken by the City of Hartford under its power of eminent domain for use in an approved development on terms and conditions that deems appropriate and as necessary for public purposes and for the benefit of the public.
- o. The 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 2 mills. The municipality creating the authority levying the tax shall collect 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 for purposes of financing only the operations of the authority. The municipality may at the request of the authority, borrow money and issue its notes therefor pursuant to Act No.202 of the public Acts of 1943, as amended, in anticipation of collection of the ad valorem tax authorized in this section.
- p. The authority may borrow money and issue its negotiable revenue bonds therefor pursuant to Act No. 94 of the Public Acts of 1933, as amended. 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.
- q. When the authority determines that it is necessary for the achievement of its purposes the authority shall prepare and submit a tax increment-financing plan to the

governing body of the municipality. The plan shall be pursuant to Act No.197 of the Public Acts of 1975, as amended.

- r. The municipality may by resolution of its governing body authorizes, issue. And sell general obligation bonds subject to the limitations herein set forth to finance the development program of the tax increment plan and shall pledge its full faith and credit for the repayment of the bonds. The bonds shall mature in not more than 30 years and shall be subject to Act No.202 of public Acts of 1943, as amended
- s. Carry on any activity for the purpose above stated, either directly or as agent for or with public authorities, or in whole or in part through or by means of public authorities, individuals, corporations or other organizations.
- t. In general, and subject to such limitations and conditions as are or may be prescribed by law, to exercise such other powers which now are or hereafter may be conferred by law upon a corporation organized pursuant to Act No. 197 of the Public Acts of 1975, as amended.

## ARTICLE II

### **BOARD**

#### Section 1. General Powers.

The Authority shall be under the supervision and the control of a Board.

#### Section 2. Number, Tenure and Qualifications.

“ The Board of the Authority shall consist of not less than 8, nor more than 12 members in addition to the Hartford Commission Representative. The Board shall be appointed by the Hartford City Mayor subject to the approval of the City Commission.” Other than for the City representative, members shall be appointed for a term of four (4) years, except those members first appointed, two (2) shall be appointed for one (1) year, two (2) for two (2) years, two (2) for three (3) years and four (4) for four (4) years.

“Not less than a majority of the members shall be persons having, or representing persons having an interest in property located in the downtown district. At least one (1) of the members shall be a resident of the downtown district, if the downtown district has one hundred (100) or more persons residing within it. Before assuming the duties of office, members shall qualify by taking and subscribing to the constitutional oath of office.

#### Section 3. Compensation of Members.

Members of the Board shall serve without compensation, but shall be reimbursed for actual and necessary out – of –pocket expenses, as approved by the Board.

#### Section 4. Expiration of Term, Continuation in Office, Reappointment, and Filling Vacancies.

A member shall hold office until the member’s successor is appointed. An appointment to fill a vacancy shall be made by the Mayor for the unexpired term only.



Section 5. Removal.

Pursuant to notice and an opportunity to be heard, a member of the Board may be removed for cause by the governing body. Cause shall include, but not limited to, failure to attend three (3) successive regularly scheduled meetings of the Board.

Section 6. Disclosure of Interest.

A Board member who has a direct interest in any matter before the Authority shall disclose his interest prior to the Authority taking any action with respect to the matter, which disclose shall become a part of the record of the Authority's official proceedings. Further, any member making such disclosures shall then refrain from participating in the Authority's decision-making process relative to the matter.

ARTICLE III

**OFFICERS**

Section 1. Officers.

The officers of the Authority shall be a Chairman, Vice-Chairman, Secretary, and Treasurer.

Section 2. Removal of Officers

The Board may remove an officer whenever in its judgment the best interest of the Authority would be served. Such action requires a vote of two – thirds (2/3) or more appointed and serving on the Board.

Section 3. Filling of Vacancies

The Board may fill a vacancy for the unexpired portion of the term.

Section 4. Chairman.

The Chairman shall preside at all meetings of the Board. He shall discharge the duties of a presiding officer.

Section 5. Vice – Chairman.

In the absence of the chairman or in the event of his inability or refusal to act, the Vice – Chairman shall perform all duties of the Chairman and when so acting shall have all the powers and be subject to all restrictions of the Chairman.

Section 6. Secretary

The Board may employ and fix compensation of a secretary who shall maintain custody of the official seal 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 as are delegated by the Board.

Section 7. Treasurer.

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 expenditures 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 the amount prescribed by the Board.

Section 8. Terms.

Terms of officers shall be one (1) year or until a successor is elected and qualified. The term of office shall begin at the annual meeting.

ARTICLE IV

**MEETINGS**

Section 1. Annual Meeting

The annual meeting shall be held on the second Thursday of January at the hour of 12.00 Noon. in the Commission chambers at the City Hall. The election of officers shall occur at the annual organizational meeting. If the election of officers should not occur on the day designated, or adjournment thereof, the Board shall cause the election to be held at a regular or special meeting of the Board within ninety (90) days of the annual meeting.

Section 2. Regular Meetings

Regular meetings are held on the Third Wednesday of each month. Additionally, rescheduled meetings at the call of the Chairman, The financial records shall always be opened to the public. Any regularly scheduled meeting canceled for lack of quorum will be rescheduled by the chairman except as provided by the law.

Section 3. Special Meetings.

Special meetings of the Board may be called by the Chairman, by the vice-chairman in the absence of the Chairman, or by any four (4) members, stating the purpose of the meeting and by posting the notice of the meeting eighteen (18) hours prior to the meeting.

Section 4. Notice of Meeting.

All meetings shall be preceded by public notice posted eighteen (18) hours prior to the meeting in accordance with Act 267 of the Public Acts of 1976, as amended.

Section 5. Agenda

The Chairman may prepare the agenda for all meetings and send them to the Authority members at least twenty – four hours prior to a meeting. Any member of the Authority may request any item to be placed upon or removed from the agenda.

Section 6. Quorum and Voting.

A majority of the voting members of the Board in office shall constitute a quorum for the transaction of business. Each member present at a meeting shall have one (1) vote on a question and affirmative vote of a majority of the quorum shall constitute the action of the Board unless the vote of a larger number is required by law or in these By- laws.

Section 7. Rules of Order.

Robert Rules of Order will govern the conduct of all meetings.

ARTICLE V

**EMPLOYMENT OF PERSONNEL.**

Section 1. Director.

The Board may employ and fix the compensation of a director subject to the approval of the Hartford City Commission. The director shall serve at the pleasure of the Board. A member of the Board is not eligible to hold the position of the Director. Before entering upon the duties of his office, the director shall 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 Clerk. The premium on the bond shall be deemed an operating expense of the Authority for expense of operation.

The Director shall be the Chief Executive Officer of the Authority and the Director shall co-sign checks, vouchers, purchase orders, and open or close accounts by co-signature, with the treasurer of the Authority. In general, the Director shall not be able to act in a fiduciary or contractual capacity without Board direction, supervision and participation. 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 Act 197 of Public Acts of 1975, as amended. The Director shall attend the meetings of the Board and shall render the Board and the governing Hartford City Commission, a regular report covering 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 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 require.

## ARTICLE VI

### **COMMITTEE AND ADVISORY BOARDS.**

#### Section 1. Committee.

The Board, by resolution, may designate and appoint one (1) or more committees to advise the Board. The committee members shall be members of the Authority. The Chairman of the Authority shall appoint the members and select the Chairperson. The committees may be terminated by a vote of the Authority. At the annual meeting, the committees will be evaluated and reappointed or dissolved. A majority of the members present at the meeting at which a quorum is present shall be empowered to act on behalf of the committee. No committee shall have the Authority to bind the Authority without a vote of the Board.

#### Section 2. Advisory Boards.

The Board may, by resolution, authorize the establishment of advisory boards of the Authority. The Chairperson shall select with the advice and consent of the Authority members, the members of each advisory board. The advisory boards shall elect their own officers and establish rules governing their actions. No Board shall have the Authority to bind the Authority without a vote of the Board.

## ARTICLE VII

### **CONTRACTS AND FUNDS**

#### Section 1. Contracts.

The Board may authorize officers of the Authority or an agent or agents, not the Director of the Authority, to enter into any contracts necessary or incidental to the exercise of its powers and performance of its duties authorized under Act 197.

#### Section 2. Funds

All checks, drafts, or order for payment of money, notes, or other evidence of indebtedness issued in the name of the authority shall be signed by the treasurer and countersigned by the Director of the Authority. One Board member may be designated as acting treasurer with full authority of the treasurer in cases of absence or illness. The Board shall select banks, trust companies, or other depositories for the deposit of the Authority funds. No funds of the Authority shall be disbursed except as provided for in the budget of the Authority, which must have been, adopted by the Hartford City Commission pursuant to MCL 125-1678.

Section 3. Contributions or Gifts.

The Board may accept on behalf of the Authority any contribution, gift, bequest, or device for the general purpose or for any purpose of the Authority.

ARTICLE VIII

**BOOKS AND RECORDS.**

Section 1. Bookkeeping, Minutes, and the Annual Audit.

The Authority shall keep correct and complete records of its books, accounts and minutes of its meetings. The records shall be kept at the registered office of the Authority. The registered office and principle place of the business of the Authority is City Hall, 19 West Main Street, Hartford, Michigan 49057 or such other place as, from time to time, be designated by resolution of the Authority. All books and records of the Authority shall be open to the public. An annual audit b the City’s auditors shall be conducted.

Section 2. Fiscal Year.

The fiscal Year of the Authority shall begin on the First day of July and end on the last day of June of each year.

ARTICLE IX

**FUNDING.**

Section 1. Funding

The Authorities shall finance its activities from one or more of the following sources:

- (a) Donations to the Authority for the performance of its function.
- (b) Proceeds of a tax imposed pursuant to section 12 of Act 197.
- (c) Money borrowed and to be repaid as authorized by section13 of Act 197.
- (d) Revenue from any property, building, or facility owned, leased, licensed, or operated by the Authority imposed upon the Authority by trusts or other agreements.
- (e) Proceeds of a tax increment-financing plan established under sections 14 to 16 of Act 197.
- (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. Money received by the Authority and not covered under this section shall immediately be deposited to the credit of the Authority, subject to disbursement pursuant to Act197. Except as provided in Act 197, the municipality shall not obligate

itself, other than money received by the municipality pursuant to Act 197, for or on account of the activities of the Authority.

ARTICLE X

**DISTRICT BOUNDARIES**

The Authority shall exercise its powers within the following areas of the Downtown Development District of the City of Hartford.

(See legal description attached.)

ARTICLE XI

**AMENDMENT TO BY-LAWS**

These By-laws may be altered, amended or replaced only by the affirmative vote of a majority of the Board at any regular meeting of the Authority. All amendments are subject to the approval of the Hartford City Commission.

ARTICLE XII

**INDEMINIFICATION.**

Any member of the Board, officer, or employee shall be indemnified or reimbursed by the Authority for expenses (including attorney's fees) judgements, fines, and amounts paid in settlement actually and reasonably incurred in connection with any threatened, pending, or completed action, suit or proceeding, whether civil, criminal, administrative or investigative (other than an action suit by or in the right of the Authority, in the event of which such indemnification or reimbursement may extend only to expenses, including attorney's fees, actually and reasonably incurred in the connection with the defense or settlement of such action or suit and then only if such person acted in good faith and in a manner he/she reasonably believed to be in or not opposed to the best interest of the Authority) to which he/she was or is a party or is threatened to be made party by reason of his/her being or having been a member of the Board, Officer or employee of the Authority or of Corporation, partnership, joint venture, trust or other enterprises which he/she served in any such capacity at the request of the Authority.

Provided, However, that no person shall be so, indemnified or reimbursed in relation to any matter in any such action, suits, or proceeding as to which he/she finally to be adjudged to have been guilty of or liable for gross negligence, willful misconduct or criminal acts in the performance of his /her duties to the authority; and provided, further, that no person shall be so indemnified or reimbursed in relation to any such matter in any such action, suit, or proceeding which has been made the subject of a compromise settlement, except with the approval of a court of competent jurisdiction, or the Board of the Authority, acting by vote of members not parties to the same or substantially the same action, suits, or proceeding, constituting a majority of the Board.

The foregoing right of indemnification or reimbursement shall not be deemed exclusive of other rights which such person may be otherwise entitled, and shall continue as to a person who has ceased to be a member of the Board, Officer, or employee and shall insure to the benefit of the heirs, executors and administrators of such a person.

The Authority may, upon affirmative vote of the majority of its Board, purchase insurance for the purpose of indemnifying its members, officers, and other employees to the extent that such indemnification is allowed in the preceding paragraph. Such insurance may, but need not be, for the benefit of all members, officers, or employees.

Expenses incurred in defending a civil or criminal actions, suits, or proceeding described in the first paragraph of this Article XII may be paid by the Authority in advance of final disposition of such action, suit, or the proceeding as authorized by the Board of the Authority in the specific case upon receipt of an undertaking by or on behalf of the board, officer, or employee to repay such amount unless it shall ultimately be determined that he/ she is entitled to be indemnified by the Authority as authorized in this article XII.



**CITY OF HARTFORD  
DOWNTOWN DEVELOPMENT DISTRICT  
DEVELOPMENT PLAN**

**AMENDED  
TEN (10) YEAR  
PUBLIC IMPROVEMENT PROJECTS.**



## DEVELOPMENT PLAN

### A. Boundaries of the Hartford Downtown Development Area (Project Area).

1. The boundaries of the DDA Development (Project) Area have been set as shown in the Attached Map.
2. Legal and general description of the boundaries of the Hartford Downtown Development District as shown in the attached.

### B. DEVELOPMENT PLAN OBJECTIVES:

It is the Objective of the DDA of the City of Hartford to develop and implement a development and financing plan focused on a retail commercial portion of the City. This plan will seek to improve the attractiveness of the Commercial core by addressing certain public improvements. The Plan will be directed at eliminating the vacant stores, increasing the foot traffic flow in the downtown area, and also generate increased retail activities for the businesses.

In order to accomplish this objective the DDA expects to engage in the proposed activities which may:

1. Improve the general aesthetic of the Downtown Area.
2. Stimulate the development of new commercial facilities.
3. Redevelop and or/ provide incentives to redevelop existing commercial areas in the City of Hartford.
4. Provide adequate infrastructure to support existing and new development in the Downtown Area.
5. Clean-up, Land scape and maintain property in the downtown area.

### C. PROPERTY ACQUISITION:

There is a provision in the proposed plan to acquire, demolish, clean and market private dilapidated properties that has become nuisance to the overall appearance of the Downtown Area. The ownership would be strictly temporary

until the property is properly disposed. Some vacant parcels may also be acquired to expand parking needs and to accommodate future developments. No property acquisition will involve any kind of displacement.

**D. OPEN SPACE UTILITY:**

There is a need to develop Ely Park in order to attract more shoppers to the Downtown area. If there is ever any opportunity to expand the park by acquiring additional property, the City should take full advantage of it. This would in turn make the park more accommodating and better utilized.

**E. PROPOSED LAND DISPOSITION TERMS AND BIDDING PROCEDURES:**

The terms under which land purchased and cleaned up would be sold, leased or otherwise conveyed by private development interests shall be determined by the DDA upon the approval of the Hartford City Commission.

The procedures by which land purchase bids will be received and awarded will be in accordance with existing procedures and practices currently used by the City of Hartford in disposing other City owned property.

The DDA and Hartford City Commission will reserve the right to select the development proposal and or the developer whose proposal for purchase best meets the intent of this development plan and the interest of the City.

\*\*\*\* Please refer to the attached proposed improvements in the Downtown Development Area. \*\*\*\*

**PROJECT IMPROVEMENT AND LOCATION:**

- Streetscape Implementation along Main Street and Center Street.
- Includes Sidewalk replacement and construction, Storm drains and road way development.
- Replacement and addition of Flower boxes, Ornamental Street lights, and Dwarf Trees.
- Safety Traffic Signals for Cross walk and other accessories.

**RATIONALE:**

The need to keep Main Street, the thorough fare in the City in good physical and aesthetically pleasing condition and continue to make it a complete and walkable street to support retail retention and attraction activities in the Commercial district.

**ESTIMATED COST:**

1. **\$500,000.00 PLUS \$50,000 FOR CONTIGENCIES.**

**FUNDING SOURCES:**

Combination Grants and TIF and General Fund.

**Status:** Project needs engineering drawings, seek funding, bids and contract.

**PROJECT AND LOCATION:**

2. Development of Ely Park
3. Add Play Structure
4. Add Playground Equipment, Grills & picnic Tables.
5. Explore the possibility of expansion and acquire additional property.

**RATIONALE:**

- Provide a center of attraction for mixed activities for relaxation in the Downtown Area and increase people traffic to aid retail business. Ely Park with its strategic location should provide a positive impact on our commercial district. It is underutilized now because of its limited amenities that would attract people to Downtown.

**ESTIMATED COST:**

- **\$130,000.00**

**FUNDING SOURCES:**

Grant from MNRTF, TIFA, POKAGON FUNDS and OTHER PRIVATE DONATIONS.

**STATUS:** Preliminary engineering is complete.

**PROJECT AND LOCATION:**

- ACQUISITION OF SUBSTANDARD STRUCTURES WITHIN THE DISTRICT.
- DEMOLITION OF SUBSTANDARD STRUCTURES WITHIN THE DISTRICT.

**RATIONALE:**

This is a strategic move to remove dilapidated and substandard buildings within the downtown environment. It would help to improve the overall aesthetics of the downtown while creating additional attraction for businesses to locate.

**ESTIMATED COST:**

- \$100,000.00

**FUNDING SOURCES:**

Combination of Grants and TIF.

**STATUS:** Need assessment have been completed; a couple of buildings that fall under this category have been identified.

**PROJECT AND LOCATION:**

ACQUISITION OF VACANT AND AVAILABLE DEVELOPABLE PARCELS  
WITHIN THE DISTRICT.

**RATIONALE:**

To create the right opportunity for development within the district especially when property owner is an absentee owner and there is difficulty in making connection for proper sale or dis position of that property.

**ESTIMATED COST:**

**\$25,000.00**

**FUNDING SOURCES:**

Combination of Grants and TIF.

**STATUS:** Need assessment is being conducted.

**PROJECT AND LOCATION:**

- Development and adoption of a retail theme for the downtown. (This includes the construction of building façade to reflect the theme.)
- Every building and business owner to subscribe to the theme concept and improve their property to match accordingly.

**RATIONALE:**

The need to create a marketable identity/brand for the downtown in Hartford. A need to find the commercial niche to attract other businesses and visitors to the city.

To create a defined sense of place in the visitor's mind and keep it in the user's mind as a pleasant, clean, aesthetically attractive location to which he or she would want to return

**ESTIMATED COST:**

- **\$120,000.00**

**FUNDING SOURCES:**

- Combination Grants, TIF and Private funds.

**STATUS:**

Need to prepare RFP for consulting work on the project.

**PROJECT AND LOCATION:**

- Maintenance of downtown Parking lots (includes both on street and off street parking's.) This is to allow good access for the business patrons. It would include both underground infrastructure needs and necessary paving.

**RATIONALE:**

The need to maintain the parking lots in the district in the best possible condition and allow convenient access to the businesses.

**ESTIMATED COST:**

- \$ 50,000.00

**FUNDING SOURCES:**

- Combination of Grants and TIF.

**STATUS:** Continuous assessment will be conducted every five years.



**PROJECT AND LOCATION:**

- Marketing Effort for the DDA district.
- This is an opportunity to promote the branding of Hartford's commercial district. It allows everyone to be able to connect with the concept and how it would benefit the whole community.

**ESTIMATED COST:**

**\$25,000.00**

**FUNDING SOURCES:**

- Combination of Grants, TIF and Private funds.

**STATUS:** Need RFP to select the right consulting firm for project.

**PROJECT AND LOCATION:**

- Holidays and Festival decoration for the district.
- General promotion of the downtown areas during the holidays and local festival.

**RATIONALE:**

- To ensure the consistency of the district's visual environment.
- To emphasize the downtown district as the center of commercial attraction to the residents and visitors alike.
- To use the local holidays and festival celebrations as added incentive for additional attraction to the commercial district in the city.

**ESTIMATED COST:**

- **\$ 5,000.00**

**FUNDING SOURCES:**

**Combination Grants Gifts, TIF.**

**STATUS:** Project is an on-going process and should be improved yearly.

**PROJECT AND LOCATION:**

- Revolving Loan Fund to assist individual business within the district to undertake capital improvement to enhance the exterior of their facilities.
- Allows the DDA to offer low interest loans to assist fellow business owners.

**RATIONALE:**

- To create financial access to businesses within the district as an incentive to invest and enhance the condition of their properties.
- An opportunity to provide assistance to businesses from the captured tax base from the district.

**ESTIMATED COST:**

- **\$50,000.00**

**FUNDING SOURCES:**

- **TIF and other Available Economic development funds.**

**STATUS:** Program is ongoing and several businesses have benefited from the program.

**DOWNTOWN DEVELOPMENT DISTRICT  
DEVELOPMENT PLAN  
SUMMARY LIST OF PROPOSED PROJECTS**

<b>PROJECTS</b>	<b>PROJECT ESTIMATE</b>
1. STREETScape PROJECT	\$550,000.00
2. ELY PARK EXPANSION	\$ 130,000.00
3. BLIGHT REMOVAL	\$ 100,000.00
4. ACQUISITION OF VACANT PARCELS	\$ 25,000.00
5. DEVELOPMENT OF RETAIL THEME	\$ 120,000.00
6. MAINTENANCE OF PARKING LOTS	\$ 50,000.00
7. DDA MARKETING	\$ 25,000.00
8. HOLIDAY & FESTIVAL DECORATION	\$ 5,000.00
9. REVOLVING LOAN FOR BUSINESSES	<u>\$ 50,000.00</u>
<b>TOTAL PROJECT COSTS</b>	<b>\$ 1,055,000.00</b>

**CITY OF HARTFORD  
DOWNTOWN DEVELOPMENT AUTHORITY  
LEGAL BOUNDARY DESCRIPTION**

The boundaries of the proposed district are generally described as follows:

Beginning at the Northwest corner of Ely Park;

then East along the North boundary of Ely Park to the Northeast corner of Ely Park;

then along the East boundary of Ely Park to the Northwest corner of Lot 3, Block 9 of the original Plat of Hartford;

then EAST to the Northeast corner of said Lot 3;

then across Maple Street to the Northwest corner of Lot 6, Block 2 of said original Plat;

then EAST to the Northeast corner of Lot 6,Block 2 of said original Plat;

then NORTH to the Northwest corner of Lot 16 of Block 2 of said original Plat;

then EAST to a point 100 feet West of the West line of Center Street;

then NORTH to a point on the North line of Michigan Avenue, 100 feet West of the line of Center Street;

then EAST to the East line of Center Street;

then SOUTH to the North line of Olds Street;

then EAST to the East line of Haver Street;

then SOUTH to the Northwest corner of Lot 1,Block 8 of Olds Addition

then EAST to the Northeast corner of said Lot 1;

then SOUTH to the North line of Main Street;

then East along said North line of Main Street to the East line of East Street extended;

then SOUTH along the East line of East Street to a point due EAST of the South line of Lot 2, Block 1 of said original plat extended;

then WEST to the Southwest corner of said Lot 2;

then NORTH to the Southeast corner of Lot 2,Block 11 of said original Plat;

then WEST to the Southwest corner of said Lot 2;

then due WEST across Haver Street to the West line of Haver Street;

then NORTH to the Southeast corner of Lot 3,Block 3 of said original Plat;  
then WEST to the southwest corner of said Lot 3;

then SOUTH to the Southeast corner of Lot 11,Block 3 of said original Plat;

then WEST to the Southwest corner of said Lot 11;

then SOUTH to the intersection of the East line of Center Street and the South boundary of Lot 1,Block 1 of the original Plat extended;

then WEST across Center Street along the South boundaries of Lots 1,2 and 4 of Block 1 of the said original Plat to the southwest corner of said Lot 4;

then SOUTH to the Southeast corner of Lot 7, Block 1 of said original Plat;

then WEST to the Southwest corner of said Lot 7 then due WEST across Maple Street to the West line of Maple Street;

then North to the Southwest corner of Lot1, Block 1, Stratton's Addition;

then WEST to the Southwest corner of said Lot 1;

then SOUTH to the Southeast corner of Lot 2, Block 1 of Stratton's Addition;

then WEST to the Southwest corner of Lot 1, Block of Stratton's Addition;

then due WEST across Franklin Street to the West Line of Franklin Street;

then North to the South line of Main Street;

then WEST along the South line of Main Street to its intersection with the West boundary of Ely Park extended;

then North to the Southwest corner of Ely Park then North along the West boundary of Ely Park to the point of beginning;

all in the City of Hartford, Van Buren County, Michigan.

**CITY OF HARTFOR  
DOWNTOWN DEVELOPMENT AUTHORIT  
TAX INCREMENT FINANCE PLAN**



**TAX INCREMENT FINANCING PLAN  
FOR CITY OF HARTFORD  
DOWNTOWN DEVELOPMENT DISTRICT AREA.**

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

**A. Tax Increment Finance 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 1year, 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 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 in subdivision (c)" of the Act.

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 17.2 of the Act, a detailed explanation of the tax increment procedure, and 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 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 captures 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 1 hearing and approval procedure is required for the 2 plans together. Presented in Exhibit B are schedules of the current or "initial assessed values of all real and personal property in the Development Area.

In order to provide for an efficient and proper means of accounting assessed values on personal property in the Development Area, the City of Hartford will, by the adoption of this plan, establish a tax report filing system, requiring owners of personal property to file on a yearly basis a separate report to the City Assessor of possession located within the boundaries of the Development Area.

Provided under Exhibit A is the procedure for preparing the tax rolls for the Development and Tax increment Financing Area.

**B. Estimates of Captured Assessed Values and Tax Increment Revenues.**

The initial estimate of the captured assessed values and Tax increment revenues will be totally dependent on the inflation factor as allowed by the law. The projection set forth in exhibit C would include potential new construction in the coming year. The DDA will only be able to collect 20.2938 mills in tax increment within the Development Area, and it can only be utilized by the DDA in that area.

**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:

- The principal, interests and reserve payments required for any bonded indebtedness to be incurred in its behalf for purposes provided in the Development Plan.
- Cash payments for initiating and completing any improvements or activity called for in the Development Plan.
- Any annual operating deficits, that the DDA incur from acquired and/or leased property in the Development Area.
- 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, after approval by the City of Hartford.
- Payments required establishing and maintaining a capital replacement reserve.
- Payments required to establishing and maintaining a capital expenditure reserve.
- Payments required establishing and maintaining any required sinking fund.
- 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 Hartford.
- Any administrative expenditure required to meet the cost of operation of the DDA and to repay any cash advances provided by the City of Hartford. 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

1. There is no present bonded indebtedness and none is anticipated in the nearest future.
2. If any funds is borrowed from the City of Hartford at rates and terms to be agreed upon or as set forth elsewhere in this Development and Financing Plan and ?or
3. Cash.

Tax collections generated by the "Captured Assessed Value" are adequate to provide for payment of principal and interest on such revenue bonds or funds borrowed from the City of Hartford.

4. A two (2) mill tax assessment on the properties within the district.

The amounts of bonded indebtedness or indebtedness to be incurred by the DDA and/or the City of Hartford for all bond issues or loans including payments of capitalized interest, principal and required reserve shall be determined by the City of Hartford, upon the recommendation of the DDA. There are presently no bonded indebtedness incurred by the DDA.

**E. Annual Surplus of Tax Increment Revenues:**

To the extent that the tax increment revenues of the DDA in any one year exceed the sum necessary for the DDA to meet the commitments and payments as set forth above, said surplus funds shall revert proportionately to the respective taxing jurisdictions as provided in Section 15(2) of the act.

**F. Duration of Plan:**

The Tax increment plan shall last twenty (20) years except as the same may be modified from time to time by the City Commission of the City of Hartford upon notice and upon public hearing and amendments as required by the act.

**G. 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, Downtown District, the City of Hartford and possibly Van Buren County. This increase in activity will, in turn, generate additional amounts of tax revenue to local

employment within the Development Area, the Downtown District, the City of Hartford, neighboring communities and Van Buren County.

**H. 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.

**I. Reports:**

The DDA shall submit annually to the Hartford City Commission and the state tax commission a report on the status of the tax increment financing account. Such report shall comply with the requirements of Section 15(3) of the Act, as amended.

EXHIBIT A.

PROCEDURE FOR THE PREPARATION OF ASSESSMENT ROLLS

HARTFORD DOWNTOWN DEVELOPMENT AUTHORITY

PREPARATION OF BASE YEAR ASSESSMENT ROLL.

A. Real Property.

In accordance with the boundaries set for the tax increment financing district, the Assessor shall list the individual parcels by permanent parcel number and assessed value opposite the owner of said real property.

Properties (building improvements) qualifying for public Acts 198 of 1974 and 255 of 1978 shall also be listed in a separate itemization by certificate number, address, and the valuation for the initial assessed value placed opposite the holder of said certificate.

B. Personal Property.

In accordance with the boundaries set for the tax increment-financing district, the Assessor shall list the individual parcel account number, and place the initial assessed value on the roll for the personal property located within the project area opposite the name of the taxpayer.

Personal property qualifying for public Act 198 shall also be listed in a separate itemization by certificate number, address and taxpayer and the respective assessed value for that personal property located within the tax increment financing district, placed on the assessment roll.

C. Copies of roll, receipt of.

The Assessor shall submit copies of the initial assessed value assessment roll to the City Treasurer, County Treasurer, Downtown Development Authority, and all other taxing jurisdiction levying property taxes within the Project Area.

D. Notice of Assessment; Hearing on Project Area.

Those property owners and/or taxpayers listed on the aforesaid base year assessment rolls within the boundaries of the project area are the source of subsequent assessment and hearing notices mailing addresses

**PREPARATION OF ANNUAL PROJECT AREA  
ASSEMENT ROLL AND TAX ROLL.**

Each year within fifteen days following the final state equalization of property, the assessor shall prepare an updated base year assessment roll. The updated base year assessment roll shall show the information required in the initial base year assessment roll and the captured assessment value for the current year. Copies of this annual project assessment roll are to be submitted to the treasurers of those political subdivisions and agencies levying property taxes within the project area and the Downtown Development authority.

**PARCEL IDENTIFICATION:**

**A. Real Property.**

1. Appraisal record cards are to be color and/or number coded or otherwise identified for the tax increment-financing district.
2. The assessor shall record the amount of captured assessment (or loss) for entry to the system.

**B. Personal Property.**

1. Statements mailed in January are to be color and/or number coded or otherwise identified in order to identify individual accounts with personal property:
  - a. Located in the tax increment-financing district.
  - b. Located out of the tax increment-financing district.
  - c. Partially in partially out of the tax increment financing district.
2. Maps of the tax increment financing area and instructions may be mailed with the annual personal property statement mailing.
3. The Assessor shall determine the captured assessed value increase or decrease from the base value year for separate entry.

pertaining to the Project Area and also for compliance with MCL211.24c (Notices of Assessment Changes).



TAX ROLL AND TAX STATEMENTS:

Tax roll and tax statements will provide:

1. Base year assessment and respective tax levy.
2. Captured assessment and respective tax levy.
3. Valuation changes creating revenue losses that are to be subsequently absorbed in the district net total levy. Distributions are to be made by the City Treasurer to the Downtown Development Authority no later than April 15<sup>th</sup> following date of levy is.

EXHIBIT B

DDA REAL PROPERTY STATE EQ.VALUES.

Property Number	2000 A.V.
80-52-004-002-50	\$ 9,884.00
80-52-008-001-00	\$14,700.00
80-52-008-001-50	\$20,273.00
80-52-741-002-00	\$25,780.00
80-52-741-001-00	\$24,400.00
80-52-011-001-00	\$ 4,761.00
80-52-011-001-50	\$ 5,694.00
80-52-011-002-00	\$10,611.00
80-52-003-002-01	\$56,630.00
80-52-003-001-01	\$78,786.00
80-52-001-003-00	\$ 0.00
80-52-001-005-00	\$ 3,000.00
80-52-001-004-00	\$28,988.00
80-52-001-006-00	\$ 8,592.00
80-52-001-007-00	\$ 7,660.00
80-52-001-008-00	\$ 6,729.00
80-52-001-009-00	\$57,562.00
80-52-001-017-00	\$17,703.00
80-52-001-012-00	\$23,914.00
80-52-001-014-00	\$19,200.00
80-52-001-016-00	\$ 1,300.00
80-52-001-021-00	\$13,148.00
80-52-001-020-00	\$ 9,000.00
80-52-001-019-00	\$ 5,072.00
80-52-001-018-00	\$ 5,694.00
80-52-001-023-00	\$ 5,694.00
80-52-001-024-00	\$12,423.00
80-52-002-005-00	\$29,000.00
80-52-002-004-50	\$27,400.00
80-52-002-004-00	\$ 1,700.00
80-52-002-004-25	\$ 1,700.00
80-52-402-015-00	\$11,900.00
80-52-402-013-10	\$ 0.00
80-52-402-013-00	\$ 0.00
80-52-402-012-00	\$24,536.00
80-52-402-010-00	\$ 7,500.00
80-52-402-009-10	\$ 0.00
80-52-402-008-00	\$11,000.00
80-52-402-007-00	\$ 9,100.00

80-52-402-004-01	\$16,600.00
80-52-402-004-10	\$ 8,967.00
80-52-402-003-00	\$19,100.00
80-52-402-001-00	\$15,000.00
80-52-402-007-10	\$ 0.00
80-52-551-010-00	\$13,877.00
80-52-002-019-70	\$39,400.00
80-52-004-007-00	\$28,300.00
80-52-04-07-70	\$31,100.00
80-52-004-003-00	\$212,600.00
80-52-004-001-11	\$ 0.00
80-52-005-001-00	\$ 9,200.00
80-52-004-001-20	\$ 2,200.00
80-52-004-001-50	\$ 1,900.00
80-52-004-002-00	\$ 2,600.00
80-52-001-022-00	\$ 17,392.00
80-52-	\$ 0.00
80-52-010-002-00	\$ 34,400.00
80-52-010-001-00	\$ 200.00
80-52-010-001-20	\$ 9,524.00
80-52-010-001-40	\$ 2,000.00
80-52-010-001-60	\$ 2,000.00
80-52-010-001-80	\$ 2,000.00
80-52-701-002-00	\$ 5,000.00
80-52-701-001-00	\$ 13,800.00
80-52-002-006-00	\$ 27,900.00
80-52-002-006-10	\$ 200.00

EXHIBIT C

CITY OF HARTFORD DOWNTOWN DEVELOPMENT AUTHORITY

TAX INCREMENT PROJECTION

Year	Captured Value	x	Millage Rate as of 2000	Tax Increment
2000	0.00		20.29	0.00
2001	\$22,285.90		20.29	\$452.00
2002	\$27,857.38		20.29	\$565.00
2003	\$27,858.65		20.29	\$565.00
2004	\$28,554.45		20.29	\$579.00
2005	\$29,267.85		20.29	\$594.00

**CITY OF HARTFORD****COUNTY OF VAN BUREN****AN ORDINANCE TO APPROVE THE DOWNTOWN DEVELOPMENT PLAN  
AND TAX INCREMENT FINANCING PLAN OF THE DOWNTOWN  
DEVELOPMENT AUTHORITY OF THE CITY OF HARTFORD.****THE PEOPLE OF THE CITY OF HARTFORD ORDAINS:**

**SECTION 1. PRELIMINARY FINDINGS.** It is hereby preliminarily determined that:

- (a) A public hearing was held on the proposed Downtown Development Plan and Tax Increment Financing Plan, following notice thereof, all in accordance with Act 197 of the Public Acts of 1975, as Amended.
- (b) There are no findings or recommendations of a development area citizen's council, as there was no statutory requirement to form such a development area citizen's council.
- (c) The proposed Downtown Development plan and Tax Increment Financing Plan meet the requirements set forth in Act 197 of the Public Acts of 1975, as Amended.
- (d) The proposed method of financing the proposed development is feasible and the Downtown Development Authority of the City of Hartford has the ability to arrange the financing.
- (e) The proposed development is reasonable and necessary to carry out the purposes of Act 197 of the Public Acts of 1975, as amended.
- (f) Any land included within the proposed development area is reasonably necessary to carry out the purposes of the plan and of Act 197 of the Public Acts of 1975, as amended, in an efficient and economically satisfactory manner.
- (g) The proposed Development Plan is in reasonable accord with the Master plan of the City of Hartford.
- (h) Public services, such as Fire, and Police protection and Utilities, are or will be adequate to service the proposed project area.

- (i) Changes in zoning, streets, street levels, intersections and utilities, if any are reasonably necessary for the proposed project and for the City of Hartford.

**SECTION 2. APPROVAL OF PLAN.** It is hereby finally determined that:

- (a) Based upon the foregoing findings, the Downtown Development Plan and Tax Increment Financing Plan constitutes a public purpose.
- (b) The Downtown Development Plan and Tax Increment Financing Plan is hereby approved.

**SECTION 3. EFFECTIVE DATE.**

This Ordinance shall become effective upon its adoption and publication as provided by its charter.

**Motion by;** **Supported by:** **that**  
**the foregoing ordinance be adopted.**

**YEAS:**

**NAYS:**

**ORDINANCE DECLARED ADOPTED.**

JAN KELLY, CITY CLERK

I hereby certify that the foregoing ordinance was adopted by the Hartford City Commission at a regular meeting held on October 23, 2000.

JAN KELLY, CITY CLERK.

Said "Proposed District" is described as:

Beginning at the Northwest corner of Ely Park; then East along the North boundary of Ely Park to the Northeast corner of Ely Park; then along the East boundary of Ely Park to the Northwest corner of Lot 3, Block 9 of the Original Plat of Hartford; then East to the Northeast corner of said Lot 3; then across Maple Street to the Northwest corner of lot 6, Block 2 of said Original Plat; then East to the Northeast corner of Lot 1 of Block 2 of said Original Plat; then East to a point 100 feet West of the West line of Center Street; then North to a point on the North line of Michigan Avenue, 100 feet West of the West line of Center Street; then East to the East line of Center Street; then South to the North line of Olds Street; then East to the East line of Haver Street; then South to the Northwest corner of Lot 1, Block 8 of Olds Addition; then East to the Northeast corner of said Lot 1; then South to the North line of Main Street; then East along said North line of Main Street to the East line of East Street extended; then South along the East line of East Street to a point due East of the South line of Lot 1, Block 1 of said Original Plat extended; then West to the Southwest corner of said Lot 2; then North to the Southeast corner of Lot 2, Block 11 of said Original Plat; then West to the Southwest corner of said Lot 2; then due West across Haver Street to the West line of Haver Street; thence North to the Southeast corner of Lot 3, Block 3 of said Original Plat; then West to the Southwest corner of said Lot 11; then South boundary of Lot 1, Block 1 of the Original Plat, extended; then West across Center Street along the South boundaries of Lots 1, 2 and 4 of Block 1 of said Original Plat to the Southwest corner of said Lot 7; then due West across Maple Street to the West line of Maple Street; then North to the Southwest corner of Lot 1, Block 1, Stratton's Addition; then West to the Southwest corner of said Lot 1; then South to the Southeast corner of Lot 2, Block 1 of Stratton's Addition; then West to the Southwest corner of Lot 1, Block 1 of Stratton's Addition; then due West across Franklin Street to the West line of Franklin Street; then North to the South line of Main Street; then West along the South line of Main Street to its intersection with the West boundary of Ely Park extended; then North to the Southwest corner of Ely Park; then North along the West boundary of Ely Park to the point of beginning; all in the City of Hartford, Van Buren County, Michigan.

said Original Plat; then East to the Northeast corner of Lot 1 of Block 2 of said Original Plat; then East to a point 100 feet West of the West line of Center Street; then North to a point on the North line of Michigan Avenue, 100 feet West of the West line of Center Street; then East to the East line of Center Street; then South to the North line of Olds Street; then East to the East line of Haver Street; then South to the Northwest corner of Lot 1, Block 8 of Olds Addition; then East to the Northeast corner of said Lot 1; then South to the North line of Main Street; then East along said North line of Main Street to the East line of East Street extended; then South along the East line of East Street to a point due East of the South line of Lot 1, Block 1 of said Original Plat extended; then West to the Southwest corner of said Lot 2; then North to the Southeast corner of Lot 2, Block 11 of said Original Plat; then West to the Southwest corner of said Lot 2; then due West across Haver Street to the West line of Haver Street; thence North to the Southeast corner of Lot 3, Block 3 of said Original Plat; then West to the Southwest corner of said Lot 11; then South boundary of Lot 1, Block 1 of the Original Plat, extended; then West across Center Street along the South boundaries of Lots 1, 2 and 4 of Block 1 of said Original Plat to the Southwest corner of said Lot 7; then due West across Maple Street to the West line of Maple Street; then North to the Southwest corner of Lot 1, Block 1, Stratton's Addition; then West to the Southwest corner of said Lot 1; then South to the Southeast corner of Lot 2, Block 1 of Stratton's Addition; then West to the Southwest corner of Lot 1, Block 1 of Stratton's Addition; then due West across Franklin Street to the West line of Franklin Street; then North to the South line of Main Street; then West along the South line of Main Street to its intersection with the West boundary of Ely Park extended; then North to the Southwest corner of Ely Park; then North along the West boundary of Ely Park to the point of beginning; all in the City of Hartford, Van Buren County, Michigan.

#### SECTION 5.95 OATH; RULES

Before assuming the duties of office, a member shall qualify by taking and subscribing to the constitutional oath of office. The authority shall adopt rules governing its procedure and holding of regular meetings, subject to the approval of the governing body. Special meetings may be held when called in the manner provided in the rules of the Authority. Meetings of the Authority shall be open to the public.

#### SECTION 5.96 DIRECTOR; PERSONNEL

The Authority may employ and fix the compensation of a director, treasurer, secretary and other personnel pursuant to the provisions of said Act No. 197 of the Public Acts of 1975, as amended. Before entering upon the duties of his office, the director shall take and subscribe to the constitutional oath and



ARTICLE VI  
DOWNTOWN DEVELOPMENT AUTHORITY

SECTION 5.90 IN GENERAL

To Establish a Downtown Development Authority in the City of Hartford, Michigan, and designating the boundaries of the Downtown District:

SECTION 5.91 PURPOSE

The purpose of the within Article is to correct and prevent deterioration in business districts; to encourage historic preservation; to authorize the acquisition and disposal of interests in real and personal property; to authorize the creation and implementation of development plans; and to promote economic growth of the downtown district hereinafter described.

SECTION 5.92 ESTABLISHMENT

A Downtown Development Authority (hereinafter referred to as the "Authority") is hereby established pursuant to Act No. 197 of the Public Acts of 1975 (MCLA Section 5.3010, et seq.) as amended. See Appendix D for a copy of Public Act 197 of Public Acts of 1975.

SECTION 5.93 MEMBERSHIP, POWERS, DUTIES AND AUTHORITY

The City of Hartford Downtown Development Authority shall be composed of the chief executive officer of the municipality and eight (8) members appointed by the chief executive officer, as is prescribed in said Act 197, and shall have all of the powers and duties prescribed therein, including but not limited to implementing development plans; acquiring and disposing of interests in real development plans; acquiring and disposing of interests in real and personal property; levying an ad valorem tax not to exceed two (2) mills on the real and tangible personal property in the downtown district; issuing bonds and other evidences of indebtedness; and authorizing the use of tax increment financing plans, all as prescribed in said Act 197.

SECTION 5.94 BOUNDARIES

Said "Downtown District" is described as:

Beginning at the Northwest corner of Ely Park; then East along the North boundary of Ely Park to the Northeast corner of Ely Park; then along the East boundary of Ely Park to the Northwest corner of Lot 3, Block 9 of the Original Plat of Hartford; then East to the Northeast corner of said Lot 3; then across Maple Street to the Northwest corner of lot 6, Block 2 of

## City of Hartford DDA

# Memo

**To:** DDA Chairman Hildebrand  
**From:** Sanya Vitale  
**cc:** DDA Board Members  
**Date:** 04/26/23  
**Re:** DDA Budget

It is time to complete the DDA's Annual Budget.

1. The DDA should receive roughly \$13,764 in TIFA funds in FY 23/24
2. As part of my review of budgeting practices for the DDA, I reviewed the **TAX INCREMENT FINANCING ACT 57 of 2018** which states *The authority shall expend the tax increment revenues received for the development program only pursuant to the tax increment financing plan*
3. Section **125.4218 Ordinance approving or amending development plan or tax increment financing plan; public hearing; notice; record** that in order to successful amend the **Downtown Development Authority Development Plan** (like the DDA proposed to do in 2015), that the following would have to occur:

*(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.*

- A. Unfortunately, upon review of the available City Council Minutes and related documents with the City Clerk, **this protocol did not occur**, therefore the proposed **2015 Downtown Development Authority Development Plan** was not properly enacted according to the law. Please note that I also checked the previous legislation, **DOWNTOWN DEVELOPMENT AUTHORITY Act 197 of 1975** which contained the same protocol language.
- B. That said, there appears to be nothing in the Act stating that the previously approved and enacted Plan from 2000 must be updated according to a set schedule- thus it appears that the Downtown Development Plan from 2000 remains valid.
- C. I would advise that the DDA contact the Michigan Municipal League or the MEDC for guidance in these matters and consider only budgeting for those events that are fundraising for DDA related improvements or otherwise directly improving the DDA, as well as maintenance and upkeep, upgrades to the downtown streetscape, upgrades or repairs to downtown buildings or parking areas, infrastructure or sidewalk improvements, façade improvements, new developments, etc.

- D. The DDA has donated to programs and projects like the Lion's Club Concerts in the Park, Lion's Club Hispanic Heritage Festival and Lion's Club Holiday Decorations at Ely Park and similar programs and projects.

This line item was \$3,104 in FY 21/22 and is budgeted for \$2,400 for this.

- E. The DDA has also budgeted for Administration Fees each year. These are fees paid to the City for administering the DDA program. These services include:
1. Fiscal Management, including audit and reports to the Treasury
  2. Commission Staff Support

The City proposes to charge the DDA \$200/month for these services.

- F. The DDA has also budgeted for Façade Improvements

This line item was approved at \$5,500 in FY 22/23, however no funds have been expended to date.

- G. Should the DDA want to move forward with updating the Downtown Development Plan in the meantime:
1. The DDA should review the criteria outlined in **TAX INCREMENT FINANCING ACT 57 of 2018** for amending the Downtown Development Authority Plan and consider updating the Plan according to the prescribed process outlined in Sections [125.4316](#), [125.4317](#) & [125.4318](#) of the Act
  2. Once the DDA has a draft amendment to the Downtown Development Authority Plan that it would like to recommend to the City Council for consideration of adoption, I will forward it to the City Clerk to begin the process of scheduling the Public Hearing and ensuring that the protocol required for adoption is adhered to by the City.

DDA BUDGET	Actual	Amended Budget	Requested
Fund: 248 - DOWNTOWN DEVELOPMENT AUTHORITY			
<b>Revenues</b>			
Dept: 000.000			
434.000 DDA CAPTURED TAX	13,213	12,000	13,764
665.000 INTEREST ON INVESTMENTS	0	0	0
665.002 BANK INTEREST ON ACCOUNTS	17	0	0
671.000 MISCELLANEOUS REVENUE	0	0	0
699.101 TRANSFER FROM GENERAL FUND	0	0	0
Dept: 000.000	13,230	12,000	0
<b>Total Revenues</b>	<b>13,230</b>	<b>12,000</b>	<b>13,764</b>
<b>Expenditures</b>			
Dept: 729.000 Downtown Dev. Authority			
730.000 OPERATING SUPPLIES	0	500	0
810.000 ADMINISTRATION FEE	2,400	2,400	2,400
818.000 CONTRACTUAL SERVICES	3,104	3,600	0
825.000 BANK SERVICE CHARGES	0	0	0
890.000 FACADE IMPROVEMENTS	0	5,500	0
956.000 MISCELLANEOUS	0	0	0
<b>Downtown Dev. Authority</b>	<b>5,504</b>	<b>12,000</b>	<b>2,400</b>
Dept: 730.000 Intergovernmental Projects			
999.000 OPERATING TRANSFER	0	0	0
<b>Intergovernmental Projects</b>	<b>0</b>	<b>0</b>	<b>0</b>
Dept: 959.000 DONATIONS			
999.000 OPERATING TRANSFER	10,000	0	0
<b>DONATIONS</b>	<b>10,000</b>	<b>0</b>	<b>0</b>
Total Expenditures	15,504	12,000	2,400