

ORDINANCE NO. 322

AN ORDINANCE TO AMEND AND APPROVE A DEVELOPMENT  
PLAN AND A TAX INCREMENT FINANCING  
PLAN FOR THE CITY OF BESSEMER DOWNTOWN  
DEVELOPMENT DISTRICT PURSUANT TO THE  
PROVISIONS OF ACT 197 PUBLIC ACTS  
OF MICHIGAN OF 1975, AS AMENDED, AND TO  
PROVIDE FOR ALL MATTERS RELATED THERETO.

THE CITY OF BESSEMER ORDAINS:

SECTION 1. **Definitions.** The terms used in the Ordinance shall have the following meaning unless the context clearly requires otherwise:

"**Amendment**" shall mean to alter by modification the Original Plan, the "Tax Increment Financing and Development Plan for the City of Bessemer", dated December 28, 1987, transmitted to the City Council by the Bessemer Downtown Development Authority for public hearing, copies of which are on file in the office of the City Clerk. Only those sections of the "Original Plan" are amended as are necessary to implement the "Amended Development Plan", which is the subject of this Ordinance.

"**Amended Development Plan**" means the Amendments to Development Plan and Amendments to Tax Increment Finance Plan for the City of Bessemer, which are contained in the 2003 City of Bessemer Downtown Development Authority's proposed "Development and Tax Increment Financing Plan Amendment", copies of which are on file in the office of the City Clerk, and incorporated herein as Ordinance Exhibit 1.

"**Development District**" shall mean the area legally described in Exhibit 1(A), which shall constitute the amended development district defined in Ordinance No. 278. Exhibit 1(A) is hereby made a part of this ordinance.

"**Original Plan**" means Ordinance No. 278, adopted on December 28, 1987, establishing the Downtown Development Authority of the City of Bessemer.

SECTION 2. **Approval and Adoption of Amended Development Plan** Based on the following determinations, the Amended Development Plan is hereby approved and adopted:

(a) The Amended Development Plan and all expenditures therefore constitutes a public purpose.

(b) The Amended Development Plan meets the requirements of Section 17(2) of Act 197, Public Acts of Michigan, 1975, as amended.

(c) The proposed method of financing the development is feasible, and the Downtown Development Authority has the ability to arrange the necessary financing.

(d) The proposed development is reasonable and necessary to carry out the purposes of the Act.

(e) The land included within the Development Area to be acquired is reasonably necessary to carry out the purposes of the Development Plan and the Act in an efficient and economically satisfactory manner.

(f) The Amended Development Plan is in reasonable accord with the Master Plan of the City of Bessemer.

(g) Public services, such as fire and police protection, and utilities, are adequate to service the project area.

(h) Any changes in zoning, streets, street levels, intersections and utilities proposed are reasonably necessary for the development and the City of Bessemer.

**SECTION 3. Boundaries of Development District** The boundaries of the Development District as set forth in the Amended Development Plan and described in Exhibit 1(A) are hereby adopted and confirmed.

This Ordinance shall be effective upon its adoption and publication, as required by law.

Adopted and approved by the City Council of the City of Bessemer, Michigan, this 16<sup>TH</sup> day of June, 2003.

  
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PETER MATONICH, Mayor

ATTEST:

  
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BRUCE CARLSON, City Clerk