

CHAPTER 53 OF TITLE V

ORDINANCE NO. 274

AN ORDINANCE TO AMEND THE CODE OF THE CITY OF BESSEMER BY ADDING A NEW CHAPTER, WHICH NEW CHAPTER SHALL BE DESIGNATED AS CHAPTER 53 OF TITLE V OF SAID CODE.

CHAPTER 53 : DOWNTOWN DEVELOPMENT AUTHORITY

5.301: DOWNTOWN DEVELOPMENT AUTHORITY ESTABLISHMENT

A Downtown Development Authority and a Downtown Development District, pursuant to Act 197 of the Public Acts of 1975, State of Michigan, being MCLA 125.1651, et al, is hereby established.

5.302: MEMBERS, TERM APPOINTMENT

In accordance with Section 4 of Act 197, Public Acts of 1975, the Downtown Development Authority shall consist of nine (9) members to be appointed by the Mayor, one of which will be the Mayor, whose term will coincide with his term as Mayor. The eight other members, exclusive of the Mayor, shall serve for a term of four (4) years and until his successor shall be appointed and qualified. Members of the first Board shall be appointed for staggered terms in accordance with the provisions of Section 4 of Act 197 of Public Acts of 1975. No appointment to the Downtown Development Authority shall be effective until confirmed by the Common Council. Members shall serve without compensation but shall be reimbursed for any actual and necessary expenditures. The Chairman of the Board shall be elected by the Board. Not less than a majority of the members shall be persons having an interest in property located in the downtown district, and not less than one of the members shall be a resident of the downtown district.

5.303: POWERS AND DUTIES

The Downtown Development Authority shall have all the powers and duties vested or permitted to be vested in Downtown Development Authorities by Act 197, Public Acts of 1975 for the State of Michigan, as heretofore or hereafter amended, it being the intention of this Chapter to vest in the Downtown Development Authority all powers and duties vested or permitted by law, subject to applicable superintending control by the Common Council of the City of Bessemer.

5.304: EMPLOYEES

The Downtown Development Authority shall select and appoint such employees as it shall deem necessary for the proper exercise of its powers, functions and duties in accordance with Act 197, Public Acts of 1975.

5.305: TAXING POWER, RATE

In addition to other financing as may be permitted under the Act, the Downtown Development Authority may levy an ad valorem tax on the real and tangible personal property not exempt by law and as finally equalized in the Downtown Development District, with the exception of any one or two family dwellings within the District. The tax shall not be more than two (2) mills. The tax shall be collected as provided in Act 197, Public Acts of 1975.

5.306: DOWNTOWN DEVELOPMENT DISTRICT BOUNDARIES

The Downtown Development District will include all of the land described as follows:

Lots 1 through 88, Mill Site Addition
Lots 1 through 13, Block 1, Original Plat
Lots 7 through 10, Block 2, Original Plat
Lots 7 & 8, Block 3, Original Plat
Lots 1 & 2, Block 4, Original Plat
Lots 1 & 2 and 13 & 14, Block 5, Original Plat
Lots 1 through 10 and Lots 15, 16 & 17, Block 6, Original Plat
Lots 8 through 16, Block 4, Hibbing Addition
Lots 8 through 14, Block 5, Hibbing Addition
Lots 13 & 14, Block 12, Hibbing Addition

Unplatted land along the South Side of US-2 from Sophie Street to Eastern limits of City of Bessemer which includes the abandoned Chicago & Northwestern Railroad Right-of-Way.

Adopted and approved by the Common Council of the City
of Bessemer, this 4th day of May, 1987.



JOSEPH C. BONOVELTZ, Mayor

ATTEST:



Bruce W. Carlson, Clerk/Manager



Section 5.306 of Chapter 53 of Title V of the code of the City of Bessemer is hereby amended by repealing the present Section 5.306 and inserting a new Section 5.306 to read as follows: Ord 279

5.306 DOWNTOWN DEVELOPMENT DISTRICT BOUNDARIES

The Downtown District will include all of the land described as follows:

- ✓ Lots 4 through 7, Block 5, Hillcrest Park Addition
- ✓ Lots 5 through 10, Block 3, Assessor's Plat No. 1
- ✓ Lots 1, 2, 6, 7, 8, 11, 12, 13, 14, 15, and 16, Block 3, Canal Company Addition
- ✓ Lots 1 through 3, Block 7, Canal Company Addition
- ✓ Lots 1, 2, 3, 4, 5, 6, 11, 12, 13, 14, 15, and 16, Block 2, East End Addition
- ✓ Lots 1 through 88, Mill Site Addition
- ✓ Lots 1 through 13, Block 1, Original Plat
- ✓ Lots 5 through 11, Block 2, Original Plat
- ✓ Lots 4 through 8, Block 3, Original Plat
- ✓ Lots 1 & 2, Block 4, Original Plat
- ✓ Lots 1 & 2 and 13 & 14, Block 5, Original Plat
- ✓ Lots 1 through 10 and Lots 15, 16, & 17, Block 6, Original Plat
- ✓ Lots 7 through 16, Block 4, Hibbing Addition
- ✓ Lot 1 & 2 and Lots 8 through 14, Block 5, Hibbing Addition
- ✓ Lots 13 & 14, Block 12, Hibbing Addition
- ✓ N $\frac{1}{2}$ of Parcel Be-Sec 9-37
- ✓ N $\frac{1}{2}$ of Parcel Be-Sec 9-36
- ✓ N $\frac{1}{2}$ of Parcel Be-Sec 9-35
- ✓ N $\frac{1}{2}$ of Parcel Be-Sec 9-34
- ✓ Parcel Be-Sec 9-32

Right-of-Way.

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 28th day of December, 1987.

Paul Semmerling, Mayor
Paul Semmerling, Mayor

ATTEST:

Bruce Carlson
Bruce Carlson
City Manager

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 ~~16th~~ day of June, 2003.



PETER MATONICH, Mayor

ATTEST:



BRUCE CARLSON, City Clerk

EXHIBIT A

CITY OF BESSEMER
DOWNTOWN DEVELOPMENT AUTHORITY
TAX INCREMENT FINANCING DISTRICT

- ✓ Lots 1, 2 and 8 through 14, Block 5, Hibbing Addition
- ✓ Lots 13 and 14, Block 12, Hibbing Addition
- ✓ N $\frac{1}{2}$ of Parcel Be-Sec. 9-37
- ✓ N $\frac{1}{2}$ of Parcel Be-Sec. 9-36
- ✓ N $\frac{1}{2}$ of parcel Be-Sec. 9-35
- ✓ N $\frac{1}{2}$ of Parcel Be-Sec. 9-34
- ✓ Parcel Be-Sec. 9-32

- ✓ Lots 4 through 7, Block 5, Hillcrest Park Addition
- ✓ Lots 5 through 10, Block 3, Assessor's Plat No. 1
- ✓ Lots 1, 2, 6, 7, 8, 11, 12, 13, 14, 15 and 16, Block 3, Canal Company Addition
- ✓ Lots 1 through 3, Block 7, Canal Company Addition
- ✓ Lots 1, 2, 3, 4, 5, 6, 11, 12, 13, 14, 15 and 16, Block 2, East End Addition
- ✓ Lots 1 through 88, Mill Site Addition
- ✓ Lots 1 through 13, Block 1, Original Plat
- ✓ Lots 5 through 11, Block 2, Original Plat
- ✓ Lots 4 through 8, Block 3, Original Plat
- ✓ Lots 1 and 2, Block 4, Original Plat
- ✓ Lots 1, 2, 13 and 14, Block 5, Original Plat
- ✓ Lots 1 through 10, 15, 16 and 17, Block 6, Original Plat
- ✓ Lots 7 through 16, Block 4, Hibbing Addition

ORDINANCE NO. 333

AN ORDINANCE TO ADOPT AND APPROVE AN AMENDMENT TO THE DEVELOPMENT AND TAX INCREMENT FINANCING PLAN OF THE CITY OF BESSEMER DOWNTOWN DEVELOPMENT AUTHORITY PURSUANT TO THE PROVISIONS OF ACT 197, PUBLIC ACTS OF MICHIGAN OF 1975, AS AMENDED.

WHEREAS, pursuant to Ordinance No. 278 of the City of Bessemer (the "City") adopted on December 28, 1987, the City Council approved the Development and Tax Increment Financing Plan (the "Original Plan") of the City of Bessemer Downtown Development Authority (the "Authority"); and

WHEREAS, on June 16, 2003, the City Council approved an amendment to the Original Plan; and

WHEREAS, the Original Plan, as amended by the 2003 amendments (hereinafter referred to as the "Plan"), is on file with the City Clerk; and

WHEREAS, in accordance with the provisions of Act 197, Public Acts of Michigan, 1975, as amended ("Act 197"), the Authority has prepared and recommended for approval additional amendments to the Plan entitled "Amendment No. 2 to Development and Tax Increment Financing Plan", which amendments have been presented to the City Council and are on file with the City Clerk (the "2006 Amendments"); and

WHEREAS, on December 4, 2006, the City Council held a public hearing on the 2006 Amendments pursuant to Act 197; and

WHEREAS, the City Council has given the taxing jurisdictions in which the Development Area of the Authority is located an opportunity to meet with the City Council and to express their views and recommendations regarding the 2006 Amendments, as required by Act 197; and

WHEREAS, after consideration of the 2006 Amendments, the City Council has determined to approve the 2006 Amendments to the Plan.

NOW, THEREFORE, THE CITY OF BESSEMER ORDAINS:

1. Findings.

(a) The Plan, as amended by the 2006 Amendments, meets the requirements set forth in Act 197.

(b) The proposed method of financing the development is feasible and the Authority has the ability to arrange the financing.

(c) The development is reasonable and necessary to carry out the purposes of Act 197.

(d) The land included within the Development Area to be acquired is reasonably necessary to carry out the purposes of Act 197 and the Plan, as amended by the 2006 Amendments, in an efficient and economically satisfactory manner.

(e) The Plan, as amended by the 2006 Amendments, is in reasonable accord with the Master Plan of the City.

(f) Public services, such as fire and police protection and utilities, are or will be adequate to service the Development Area.

(g) Changes in zoning, streets, street levels, intersections and utilities, to the extent required by the 2006 Amendments, are reasonably necessary for the Plan, as amended by the 2006 Amendments, and for the City.

2. Public Purpose. The City Council hereby determines that the Plan, as amended by the 2006 Amendments, constitutes a public purpose.

3. Best Interest of the Public. The City Council hereby determines that it is in the best interests of the public to proceed with the 2006 Amendments to the Plan in order to halt property value deterioration, to increase property tax valuation, to eliminate the causes of the deterioration in property values, and to promote growth in the Development Area.

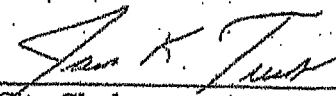
4. Approval and Adoption of 2006 Amendments. The 2006 Amendments are hereby approved and adopted. A copy of the Plan, the 2006 Amendments and all later amendments thereto shall be maintained on file in the City Clerk's office.

5. Conflict and Severability. All ordinances, resolutions and orders or parts thereof in conflict with the provisions of this Ordinance are to the extent of such conflict hereby repealed, and each section of this Ordinance and each subdivision of any section hereof is hereby declared to be independent, and the finding or holding of any section or subdivision hereof to be invalid or void shall not be deemed or held to affect the validity of any other section or subdivision of this Ordinance.

6. Paragraph Headings. The paragraph headings in this Ordinance are furnished for convenience of reference only and shall not be considered to be a part of this Ordinance.

7. Publication and Recordation. This Ordinance shall be published in full promptly after its adoption in Ironwood Daily, a newspaper of general circulation in the City qualified under State law to publish legal notices, and shall be recorded in the Ordinance Book of the City, which recording shall be authenticated by the signature of the Mayor and City Clerk.

I hereby certify that the foregoing is a true and complete copy of Ordinance No. 333 adopted by the City Council of the City of Bessemer, County of Gogebic, State of Michigan, at a regular meeting held on December 4, 2006, and that said meeting was conducted and public notice of said meeting was given pursuant to and in full compliance with the Open Meetings Act, being Act 267, Public Acts of Michigan, 1976, and that the minutes of said meeting were kept and will be or have been made available as required by said Act.



City Clerk

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8. Effective Date. The Ordinance is hereby determined by the City Council to be immediately necessary for the interests of the City and shall be in full force and effect from and after its passage and publication as required by law.

Passed and adopted by the City Council of the City of Bessemer, County of Gogebic, State of Michigan, on December 4, 2006.

AYES: Members Matonich, Peterson, Carpenedo, McDonald

ABSENT: Members Olsen

NAYS: Members _____

We hereby certify that the above Ordinance was duly adopted by the City Council of the City of Bessemer on the 4th day of December, 2006.

Douglas E. Olsen
Douglas E. Olsen, Mayor

First Reading: November 20, 2006
Second Reading: December 4, 2006

James K. Trudgeon
James K. Trudgeon, City Clerk

ORDINANCE NO. 359

CITY OF BESSEMER, MICHIGAN

**ORDINANCE APPROVING AMENDMENTS TO THE DOWNTOWN DEVELOPMENT AUTHORITY PLAN AND
TAX INCREMENT FINANCING PLAN OF THE CITY OF BESSEMER DOWNTOWN DEVELOPMENT
AUTHORITY**

Whereas the City of Bessemer, County of Gogebic, State of Michigan (the "City" has previously established the City of Bessemer Downtown Development Authority (the "Authority") pursuant to the provisions of Act 197, Public Acts of Michigan, 1975, ad amended ("Act 197"); and

Whereas, the authority has previously approved a Downtown Development Authority Plan and Tax Increment Financing Plan (the "Plan") for the Development Area described in the Plan; and

Whereas, the City Council of the City approved the current plan by ordinance adopted on November 1st, 2006

Whereas, the current plan expires in December of 2017, it is necessary to adopt a more current plan

Whereas, in accordance with the provisions of Act 197, the Authority has prepared the Downtown Development Authority Plan and Tax Increment Financing Plan of the City of Bessemer Downtown Development Authority to amend the current plan

Whereas, the City conducted a public hearing on Monday, August 21st at the City Council meeting pursuant to Act 197; and

Whereas the City Council has given the taxing jurisdictions in which the development Area of the Authority is located and opportunity to meet with the City Council and to express their views and recommendation regarding the 2017 Amendments, as required by Act 197; and

Whereas, after consideration of the 2017 Amendments, the City Council has determined to approve the 2006 Amendments to the Plan.

Now, therefore the City of Bessemer ordains

1) Findings

- a) The Plan, as amended by the 2017 Amendments, meets the requirements set forth in Act 197.
- b) The proposed method of financing the development is feasible and the Authority has the ability to arrange the financing.
- c) The development is reasonable and necessary to carry out the purposes of Act 197.
- d) The land included within the Development Area to be acquired is reasonably necessary to carry out the purposes of Act 197 and the Plan, as amended by the 2017 Amendments, in an efficient and economically satisfactory manner.
- e) The Plan, as amended by the 2006 Amendments, is in reasonable accord with the Master Plan of the City.

- f) Public Services, such as fire and police protection and utilities, are or will be adequate to service the Development Area.
- g) Changes in zoning, streets, street levels, intersections and utilities, to the extent required by the 2017 Amendments, are reasonably necessary for the plan,, as amended by the 2017 Amendments, and for the City.
 - 2) Public Purpose. The City Council hereby determines that the Plan, as amended by the 2006 Amendments, constitutes a public purpose.
 - 3) Best Interest of the Public. The City Council hereby determines that it is in the best interest of the public to proceed with the 2006 Amendments to the Plan in order to halt property value deterioration, to increase property tax valuation, to eliminate the causes of the deterioration in property values, and to promote growth in the Development Area.
 - 4) Approval and Adoption of the 2017 Amendments. The 2017 Amendments are hereby approved and adopted. A copy of the Plan, the 2017 Amendments and all later amendments thereto shall be maintained on file in the Clerk's office.
 - 5) Conflict and Severability. All ordinances, resolutions, and orders or parts thereof in conflict with the provisions of this ordinance are to the extent of such conflict hereby repealed, and each section of this ordinance and each subdivision of any section hereof is hereby declared to be independent and the finding or holding of any section or subdivision hereof to be invalid or void shall not be deemed or held to affect the validity of any other section or subdivision of this ordinance
 - 6) Publication and Recordation. This ordinance shall be publishes in full promptly after its adoption in the Ironwood Daily Globe, a newspaper of general circulation in the City qualified under state law to publish legal notices, and shall be recorded in the Ordinance Book of the City, which recordings shall be authenticated by the signature of the Mayor and City Clerk
 - 7) Effective date. The Ordinance is hereby determined by the City Council to be immediately necessary for the interests of the City and shall be in full force and effect from and after its passage and publication as required by law.

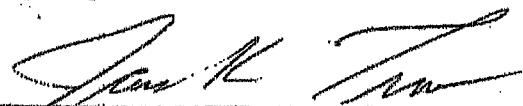
Motion by: FRELLO Supported by: GAISS

YES: FRELLO, NELSON, COLEMAN, GAISS, WHITBURN

NO: NONE

ABSTAINING: NONE

First Reading: August 7, 2017
 Second Reading: August 21, 2017

ATTESTED: 

 James K. Trudgeon, City Clerk