

CITY OF PINCONNING, BAY COUNTY, MICHIGAN

ORDINANCE NO. 2020-02-18

**AN ORDINANCE AMENDING THE CITY OF PINCONNING ORDINANCE 7, AS
AMENDED BY ORDINANCES 8 AND 09-7**

Purpose:

An Ordinance amending the Development Plan and Tax Increment Financing Plan established by the City of Pinconning Ordinance 7 and 8, as amended by the City of Pinconning Ordinance 09-7, to make possible the financing of the public improvements necessary or desirable to halt current and prevent future deterioration, encourage historic preservation, and promote economic development and growth within the Development Area.

THE CITY OF PINCONNING ORDAINS:

SECTION 1. CITY COUNCIL FINDINGS

The amendments to the Development Plan and Tax Increment Financing Plan are hereby approved based on the following considerations:

- (1) The Development Plan meets the requirements set forth in Section 217 of 2018 PA 57 (the "Act").
- (2) The proposed method of financing the development is feasible and the City of Pinconning Downtown Development Authority ("Authority") has the ability to arrange the financing.
- (3) The development is reasonable and necessary to carry out the purposes of the Act.
- (4) The Development Plan is in reasonable accord with the master plan of the City of Pinconning.
- (5) Public services, including but not limited to fire and police protection and utilities, are sufficient to service the Development Area; however, any increase in public services will only enhance the Authority District and assist the City of Pinconning with conforming to the purpose of the Act.
- (6) Changes in zoning, street levels, intersections, and utilities are stated in Section II(H) of the Amendment identified as the City of Pinconning Downtown Development Authority Development Plan and Tax Increment Financing Plan and attached hereto as Exhibit A and is incorporated by reference herein.

- (7) The tax increment financing plan is necessary and reasonable in order to fund the Development Plan. The tax increment financing plan is being amended so that it will now expire at the end of fiscal year 2040.
- (8) The proposed amendments constitute an essential public purpose as they halt property value deterioration and promote economic growth and development.

SECTION 2. AMENDMENTS

2.1 The Development Plan for the City of Pinconning is hereby amended as set forth in the City of Pinconning Downtown Development Authority Development Plan and Tax Increment Financing Plan attached hereto as Exhibit A and incorporated herein by reference.

2.2 The Tax Increment Financing Plan for the City of Pinconning is hereby amended as set forth in the City of Pinconning Downtown Development Authority Development Plan and Tax Increment Financing Plan and attached hereto as Exhibit A and incorporated herein by reference.

SECTION 3. EXHIBITS

A copy of the City of Pinconning Downtown Development Authority Development Plan and Tax Increment Financing Plan is attached hereto as Exhibit A and is incorporated by reference herein.

SECTION 4. REPEAL

All ordinances or part of ordinances of the City of Pinconning inconsistent or in conflict with this Ordinance are repealed.

SECTION 5. INVALIDITY

If any section, paragraph, sentence, clause, phrase or part of this Ordinance shall be declared invalid for any reason whatsoever, such a decision shall not affect the remaining portions of this Ordinance which shall remain in full force and effect and to this end the provisions of this Ordinance are hereby declared severable.

SECTION 6. EFFECTIVE DATE

This Ordinance will become effective as required by law and the Charter of the City of Pinconning.

SECTION 7. WHERE ORDINANCE CAN BE INSPECTED

A copy of this Ordinance may be obtained from the Clerk of the City of Pinconning at the City of Pinconning City Hall located at 208 Manitou Street, Pinconning, Michigan 48650.

SECTION 8. PUBLICATION

This Ordinance upon adoption is ordered to be given publication as required by law.

Motion by LaPorte, seconded by Saha, to adopt Ordinance 2020-02-18.

Ordinance 2020-02-18 was adopted by the following roll call vote:

Vote:

- Yea, Mayor Gerald Gibson
- Yea, Mayor Pro-Tem Brian Saha
- Yea, City Council Member Lorcie Ford
- Nay, City Council Member Sherri Boettcher
- Yea, City Council Member Rebecca Coyer
- Yea, City Council Member Ann LaPorte
- Yea, City Council Member Chris Kuehne

The foregoing Ordinance was duly adopted at a special meeting of the City of Pinconning City Council held on the 18th day of February, 2020.

Gerald Gibson, Mayor

Dawn Hoder, Clerk

I, Dawn Hoder, Clerk of the City of Pinconning, do hereby certify that the above is a true and exact copy of the Ordinance heretofore passed by the City of Pinconning City Council, Bay County, Michigan voted.

This Ordinance was given publication in the Pinconning Journal on the 9th day of March, 2020.

Dawn Hoder
Clerk of the City of Pinconning

Addendum to Ordinance #2020-12-18

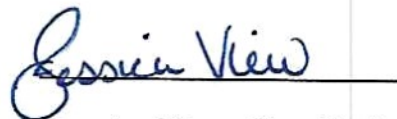
August 8, 2023

Due to circumstances caused by the loss of the original signed Ordinance dated March 9, 2020, and the election of a new Mayor and City Clerk, the following revisions have been made. With the recommendation from the DDA attorney, Kevin Kilby, the March 9, 2020, minutes are attached, and the current Mayor and City Clerk have signed the addendum.

This ordinance will now be signed by: City Mayor Sheri Boettcher and City Clerk Jessica View.

A handwritten signature in blue ink, appearing to be 'Sheri Boettcher', written over a horizontal line.

Sheri Boettcher, Mayor

A handwritten signature in blue ink, appearing to be 'Jessica View', written over a horizontal line.

Jessica View, City Clerk

FORMAL CITY COUNCIL MEETING – February 18, 2020. Meeting held at City Hall.

Meeting called to order by Mayor Gibson at 5:17 pm

ROLL CALL: Present: Boettcher, Ford, Kuehne, LaPorte, Coyer, Saha; Mayor Gibson. Quorum: Present.

Opening Ceremony: Pledge of Allegiance led by Mayor Gibson.

PUBLIC COMMENT ON AGENDA ITEMS:

PRESENTATIONS: N/A

CORRESPONDENCE: N/A

APPROVAL OF CONSENT AGENDA: Meeting minutes of January 21, 2020, Formal City Council meeting. Approval of bills for February 18, 2020 in amount of \$116,216.42. Ford/LaPorte: Yeas: All Nays: None. Motion carried.

CITY MANAGERS REPORT: Written report in packets

COMMITTEE REPORTS: Park and recreation meeting on 2/19/2020. Special events to start planning the sesquicentennial for Pinconning.

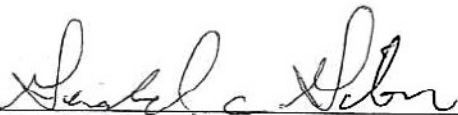
UNFINISHED BUSINESS: Ordinance 2020-02-18 passed to renew the Downtown Development Plan, as well as Ordinance 2020-02-18-B for a PILOT for Whispering Pines.
Northern Bay Ambulance moved to March meeting.

NEW BUSINESS: Council referred sale of water tower to attorney, while taking favorable action on motion by Saha/LaPorte to engage Spectrum for internet service. LaPorte/Saha also motioned to move Board of Review dates to March 11 and 12, motion carried.

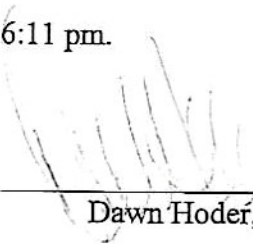
PUBLIC COMMENTS:

Commissioner Duranczyk urged our joint fire Department to take advantage of FEMA money.

ADJOURNMENT: Mayor Gibson adjourned meeting at 6:11 pm.



Gerald Gibson, Mayor



Dawn Hoder, City Clerk