

AN ORDINANCE ESTABLISHING A DOWNTOWN
DEVELOPMENT AUTHORITY AND DESIGNATING
THE BOUNDARIES OF THE DOWNTOWN DEVELOPMENT
DISTRICT WITHIN WHICH THE AUTHORITY
SHALL EXERCISE ITS POWER

THE VILLAGE OF CASS CITY ORDAINS:

Section 1. Establishment of a Downtown Development Authority.

There is hereby created in and for the Village of Cass City, Michigan an Authority to be known as the "Cass City Downtown Development Authority" pursuant to Public Act 197 of the Public Acts of Michigan, 1975. The boundaries of the "Downtown Development District" shall be as follows: a parcel of land situated in the Village of Cass City, County of Tuscola, State of Michigan, and more fully described in Exhibit "A" hereto attached.

Section 2. Purpose.

The "Authority" shall analyze the impact of economic changes and growth in the Downtown District, and develop plans in coordination with the Village's Planning Commission, to promote orderly economic growth in the "Downtown Development District". With the advise and consent of the Village Council, the "Authority" shall implement a Development Plan in the Downtown District as necessary to achieve the purposes of the Downtown Development Act, all in accordance with the powers granted by said Act.

Section 3. Membership, Appointment, Term, Vacancies.

Said "Authority" shall consist of nine (9) members, consisting of the Village President and eight (8) members appointed by the President, subject to approval of the Cass City Village Council. At least five (5) members shall be persons having an interest in property located in the downtown district, and at least one (1) member shall be a resident of the downtown district. Of the members first appointed, two shall be appointed for one year, two for two years, two for three years and two for four years. A member shall hold office until the member's successor is appointed. Thereafter, a member shall serve for a term of four years. An appointment to fill a vacancy shall be made by the President for the unexpired term only. Members of the "Authority" shall serve without compensation, but shall be reimbursed for actual and necessary expenses subject to approval by the Board. The Chairperson of the "Authority" shall be elected by the members.

Section 4. Powers and Duties.

The Cass City Downtown Development Authority shall have all the powers and duties as set forth in Public Act 197 of the Public Acts of Michigan, 1975, as amended.

Section 5. Meetings, Rules, Records, Quorum, Officers, Employees.

The "Authority" shall adopt its own rules governing its procedure and the holding of regular meetings, subject to the approval of the Village Council. Special meetings may be held when called in the manner provided in the rules of the Board. Meetings of the Board shall be open to the public and a record shall be kept of all proceedings. Five (5) members shall constitute a quorum for the transaction of business. A Chairperson and Vice-chairperson shall be elected by the "Authority". The "Authority" may appoint a Director who may also serve as Secretary, and such other employees or officers as shall be necessary. The "Authority" shall prescribe the duties of all its officers and employees and fix their compensation. All expense items of the "Authority" shall be publicized monthly and financial records shall be open to the public.

Section 6. Removal of Member.

Pursuant to notice and an opportunity to be heard, a member of the board may be removed for cause by the Village Council.

Section 7. Fiscal year, Adoption of budget, Reports, Audits.

(a) The fiscal year of the "Authority" shall begin on July 1st of each year and end on June 30th of the following year, or such other fiscal year as may hereafter be adopted by the Village.

(b) The Board shall annually prepare a budget and shall submit it to the Village Manager for submission to the Village Council. The Board shall not finally adopt a budget for any fiscal year until the budget has been approved by the Council. The Board may, however, temporarily adopt a budget in connection with the operation of any improvements which have been financed by revenue bonds where required to do so by the ordinance authorizing the revenue bonds.

(c) The "Authority" shall be audited annually by the same independent auditors auditing the Village and copies of the audit report shall be filed with the Council.

Section 8. Termination.

Upon completion of its purposes the "Authority" may be dissolved by an ordinance duly adopted by the Village Council. The property and assets of the "Authority", after dissolution and satisfaction of its obligations, shall revert to the Village.

Section 9. Severability.

Should any provision or section of this ordinance be held to be invalid for any reason, such holding shall not be construed as affecting the validity of any remaining portion of such section or of this ordinance, it being the legislative intent that this ordinance shall stand, notwithstanding invalidity