

PLANNING and DEVELOPMENT

An ordinance to create Article V, Tax Increment Financing Plan and Development Plan (the "Plan"), of Chapter 42, Planning and Development, of the Village of Brooklyn, Michigan, municipal code to enable the Corridor Improvement Authority (the "CIA") for the Village of Brooklyn to capture certain tax revenues for the purposes set forth in said Plan under the authority of the CIA Board as provided for in Article IV and as enacted by Public Act 57 of 2018, of the public acts of the State of Michigan, as amended.

THE VILLAGE OF BROOKLYN, JACKSON COUNTY, MICHIGAN (THE "VILLAGE") ORDAINS:

Section 1. Creation of Article V, Tax Increment Financing Plan and Development Plan.

Chapter 42, Article V, *Tax Increment Financing Plan and Development Plan* of the Code of Ordinances for the Village of Brooklyn, Michigan, approving of said Plan for the Corridor Improvement Authority of the Village of Brooklyn is hereby created as follows:

Sec. 42-57. Title.

This ordinance shall be known as the Tax Increment Financing Plan and Development Plan (*the "Plan"*), for the Corridor Improvement Authority of the Village of Brooklyn.

Sec. 42-58. Purpose.

The purpose of this ordinance is to approve the Tax Increment Financing Plan and Development Plan for the Corridor Improvement Authority of the Village of Brooklyn and providing for other matters related thereto.

Sec. 42-59. Determination of necessity.

The village hereby determines that it is necessary for the best interests of the public to approve the Tax Increment Financing Plan and Development Plan (the "Plan") for the Corridor Improvement Authority of the Village of Brooklyn among which purpose shall be, pursuant to Act 57 of the Public Acts of Michigan, 2018, as amended (the "Act"), to:

- a. Correct and prevent deterioration in business districts;
- b. Encourage historic preservation;
- c. Authorize the acquisition and disposal of interests in real and personal property;
- d. Authorize the creation and implementation of development plans and development areas in the districts;
- e. Promote the economic growth of the Development Area;

- f. Create a board and to prescribe the powers and duties of the board; and
- g. Authorize the use of tax increment financing.

Sec. 42-60. Definitions.

The terms used in this ordinance shall have the same meaning as given to them in Act 57 or as hereinafter in this section provided unless the context clearly indicates to the contrary. As used in this ordinance:

Act 57 means Act No. 57 of the Public Acts of Michigan of 2018, as amended.

Authority means the Corridor Improvement Authority of the Village of Brooklyn as defined in Art. IV and as created under section 604(1) of the Act.

Board or Board of Directors means the Board of Directors of the Corridor Improvement Authority; the governing body of the Authority.

Chief Executive Officer means the president of the village.

Council or Village Council means the governing body of the Village of Brooklyn.

Development Area means the area designated by Article IV and as defined in section 605 of the Act as now existing or hereafter amended, and within which the Authority shall exercise its powers.

Village means the Village of Brooklyn, Michigan.

Sec. 42-61. Determination of public purpose.

The village hereby determines that the Plan constitutes a public purpose, meets the requirements set forth in section 605 of Act 57, is reasonable and necessary to carry out the purposes of Act 57 and is in reasonable accord with the Village's master plan. The village hereby determines further that the proposed method of financing the projects outlined in the Plan is feasible; the Authority has the authority to arrange financing, when necessary; public services, such as public utilities, are or will be adequate to service the project area as specified in the Plan; all changes in zoning, street levels, intersections, and utilities are reasonably necessary for projects specified in the Plan; and for the village and the land included within the development area to be acquired is reasonably necessary to carry out the purposes of the plan and of Act 57 in an efficient and economically satisfactory manner.

Sec. 42-62. Approval of the Tax Increment Financing Plan and Development Plan.

The Tax Increment Financing and Development Plan, referenced hereto as Exhibit A, the original of which is on file and available for review at the village office, is hereby approved pursuant to Act 57 for the CIA.

Sec. 42-63. Severability.

The phrases, sentences, sections, and provisions of this ordinance are severable and a finding by a court of competent jurisdiction that any portion hereof is unconstitutional or otherwise unenforceable shall not detract from or affect the enforceability of the remainder of this ordinance.

Sec. 42-64. Repeal.

This ordinance shall be subject to repeal in part or in its entirety in compliance with the law should subsequent regulations or amendments to the Act be approved by the Legislature of the State of Michigan. Further, if the village determines that the purpose for which the CIA was created and the Plan developed have been achieved, the village may, by amendment of this ordinance, dissolve the CIA and dispose of remaining TIF revenue according to section 627 of the Act.

Sec. 42-65. Effective Date, Publication and Filing.

This Ordinance shall take immediate effect upon publication of the ordinance or a summary thereof in a newspaper of general circulation in the Village of Brooklyn. The Village Clerk shall file a copy of the ordinance with the State of Michigan, as may be required, upon its adoption.

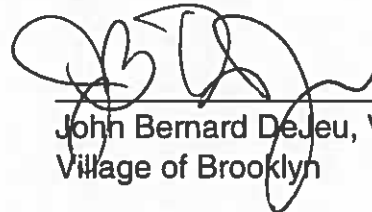
The above Ordinance was offered for adoption on a motion by Village Council Member Roberts, seconded by Member Jenson, and adopted by a majority vote of Village Council, the vote being as follows:

YEAS: Roberts, Bliven, Lorenz-Goings, Lutz, Jenson, DeJeu

NAYS: None

ABSENT/ABSTAIN: Krauss

ORDINANCE DECLARED and ADOPTED on April 8, 2019.



John Bernard DeJeu, Village President
Village of Brooklyn

CERTIFICATE OF ADOPTION AND PUBLICATION

I, Mick Linderman, the Clerk of the Village of Brooklyn, hereby certify that the foregoing ordinance is a true and complete copy of an ordinance enacted by the Village Council of the Village of Brooklyn, County of Jackson, State of Michigan, at a regular meeting held on April 8, 2019. Said meeting was conducted and public notice of said meeting was given pursuant to and in full compliance with the Open Meeting Act, being Act 267, Public Acts of Michigan, 1976. The minutes of said meeting were kept and will be or have been made available as required by said Act. Said ordinance shall be published in the Brooklyn Exponent, a newspaper of general circulation in the Village of Brooklyn on April 16, 2019.



Mick Linderman, Village Clerk
Village of Brooklyn