

SECTION 5. The City Council hereby determines that it is in the best interests of the public to proceed with 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 Downtown District.

SECTION 6. All ordinances or parts of ordinances in conflict with this ordinance are repealed only to the extent necessary to give this ordinance full force and effect.

SECTION 7. Should any section, subdivision, clause, or phrase of this ordinance be declared by the courts to be invalid, the validity of the ordinance as a whole, or in part, shall not be affected other than the part invalidated.

SECTION 8. All proceedings pending and all rights and liabilities existing, acquired or incurred at the time this ordinance takes effect, are saved and may be consummated according to the law in force when they were commenced.

SECTION 9. This ordinance shall be published in full promptly after its adoption in the Daily Tribune, 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 City Clerk.

SECTION 10. This 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 ten (10) days after its adoption and upon publication.

SECTION 11. A copy of this ordinance may be inspected or purchased at the City Clerk's Office between the hours of 8:00 A.M. and 4:30 P.M. on regular business days.

Yea: McGillivray, Russell, Scott, Stema, Suarez,
Clark and Mac Lean.

Nay: None.

178. Ordinance 974 - Final Reading.

Motion by Councilman Mac Lean, supported by Councilman Clark, to adopt Ordinance 974 on second and final reading, as follows:

ORDINANCE 974

AN ORDINANCE TO AMEND ORDINANCE 571,
BEING AN ORDINANCE CODIFYING AND
ADOPTING A NEW CODE OF ORDINANCES FOR
THE CITY OF MADISON HEIGHTS BY
AMENDING IN PART CHAPTER 2, ARTICLE
XV, DOWNTOWN DEVELOPMENT AUTHORITY,
TO PROVIDE A NEW SECTION 2-320 TO
APPROVE AND ADOPT A TAX INCREMENT
FINANCING AND DEVELOPMENT PLAN FOR
THE CITY OF MADISON HEIGHTS DOWNTOWN
DISTRICT.

THE CITY OF MADISON HEIGHTS ORDAINS:

SECTION 1. That Chapter 2, Article XV of the Code of Ordinances, Madison Heights, Michigan is hereby amended in part to add a new Section 2-320 to read as follows:

SECTION 2-320. Tax Increment Financing and Development Plan; Determination of Public Purpose; Approval of Plan.

(1) **Determination of Public Purpose.**

Following a duly noticed public hearing on the Tax Increment Financing and Development Plan, adopted by the City of Madison Heights Downtown Development Authority on the 10th day of March, 1998, and having given due consideration to the following standards and criteria as set forth in Section 19(1) of P.A. 197, of 1975, as amended:

- (a) The Tax Increment Financing Plan meets the requirements set forth in Section 14 and 15 of said P.A. 197 of 1975, as amended
- (b) The Development Plan meets the requirements set forth in Section 17(2) of said P.A. 197 of 1975, as amended.
- (c) The proposed method of financing the development is feasible and the authority has the ability to arrange the financing;
- (d) The development is reasonable and necessary to carry out the purposes of said P.A. 197 of 1975, as amended;
- (e) That the land included within the development area to be acquired, if any, is reasonably necessary to carry out the purposes of the Plan and of P.A. 197 of 1975, as amended in an efficient and economically satisfactory manner;
- (f) The Development Plan is in reasonable accord with the Master Plan of the City;
- (g) Public services such as fire and police protection and utilities are or will be adequate to service the project area;
- (h) No changes in zoning are necessary for the project and for the City. It is hereby found and determined that the Plan constitutes and seeks to accomplish a public purpose.

(2) **Approval of Plan.** In accordance with the foregoing considerations, the Tax Increment Financing and Development Plan is hereby approved and adopted for all purposes of P.A. 197 of 1975, as amended, consistent with said plan. Copies of the Tax Increment Financing and Development Plan and all respective amendments thereto shall be maintained on file in the City Clerk's Office and cross-indexed to this Ordinance.

(3) Public Purpose. The City Council hereby determines that the Plan constitutes a public purposes.

(4) Best Interest of the Public. The City Council hereby determines that it is in the best interests of the public to proceed with 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 Downtown District.

Section 2. All Ordinances or parts of Ordinances in conflict with this Ordinance are repealed only to the extent necessary to give this Ordinance full force and effect.

Section 3. Should any section, subdivision, clause, or phrase of this Ordinance be declared by the courts to be invalid, the validity of the Ordinance as a whole, or in part, shall not be affected other than the part invalidated.

Section 4. All proceedings pending and all rights and liabilities existing, acquired or incurred at the time this ordinance takes effect, are saved and may be consummated according to the law in force when they are commenced.

Section 5. This Ordinance as ordered shall take effect ten (10) days after its adoption and upon publication.

Section 6. A copy of this Ordinance may be inspected or purchased at the City Clerk's Office between the hours of 8:00 A.M. and 4:30 P.M. on regular business days.

Yea: Russell, Scott, Stema, Suarez, Clark, Mac Lean and McGillivray.

Nay: None.

179. Minutes.

Motion by Councilwoman Russell, supported by Councilwoman Scott that the minutes of the Regular Meeting held on April 27, 1998 be adopted as printed.

Yea: Scott, Stema, Suarez, Clark, Mac Lean, McGillivray and Russell.

Nay: None.

180. Minutes.

Motion by Councilman Mac Lean, supported by Councilman McGillivray, that the minutes of the Special Meeting held on April 25, 1998 be adopted as printed.

Yea: Stema, Suarez, Clark, Mac Lean, McGillivray, Russell and Scott.

Nay: None.