

WEBBERVILLE DOWNTOWN DEVELOPMENT AUTHORITY
115 S. Main St., Webberville, MI 48892

Resolution No. 2023- 01
(Enacted September 18, 2023)

**RESOLUTION APPROVING WEBBERVILLE DOWNTOWN
DEVELOPMENT AUTHORITY 2023 DEVELOPMENT PLAN AND TAX
INCREMENT FINANCING PLAN AMENDMENT**

WHEREAS, the Webberville Downtown Development Authority (hereinafter "WDDA") desired to amend the Development Plan and Tax Increment Financing Plan ("Plan") to incorporate new projects and other related matters; and

WHEREAS, such an amendment is permitted under Michigan Compiled Law (hereafter "MCL") 125.4214 and MCL 125.4219;

WHEREAS, the Village of Webberville (hereinafter "Village") previously advertised for qualified volunteer members to form a development area citizens council (formerly MCL 125.1671, now MCL 125.4221) in anticipation of this prior amendments in order to satisfy the statutory requirement to meet and consult therewith. No volunteers answered said advertisement.

WHEREAS, sufficiently qualified persons have failed to volunteer to form a development area citizens council, the WDDA and the Village have determined that the development area citizens council has failed to organize or to consult, as required by the statute. Thus the Village and the WDDA have determined to proceed with the drafting and adoption of this amendment without the participation of a development area citizens council, pursuant to MCL 125.4224 (4).

IT IS THEREFORE RESOLVED that:

- (1) the Webberville Downtown Development Authority hereby approves the Webberville Downtown Development Authority's 2023 Development Plan and Tax Increment Financing Plan Amendment, attached hereto as **Exhibit 1**; and
- (2) the WDDA Chairman is authorized to execute any documents prepared by the WDDA's attorney to facilitate and enter into the Webberville Downtown Development Authority's 2023 Development Plan and Tax Increment Financing Plan Amendment; and
- (3) the Webberville Downtown Development Authority's 2023 Development Plan and Tax Increment Financing Plan Amendment is transmitted to the Village of Webberville for consideration and approval by the Village Council in accordance with the provisions of the Recodified Tax Increment Financing Act, specifically MCL 125.4218.

Adopted at a regular meeting of the Webberville Downtown Development Authority on September 18, 2023.

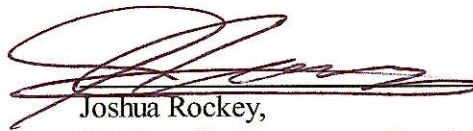
MOVED BY: Diana Baxter

SECONDED BY: Mike Rumsey

YEAS: Diana Baxter, Mike Rumsey, Bradley Hitchcock, Joe Warner, Josh Rockey

NAYS: -none-

ABSENT: Christina Bucceri, Jordon Fuller, and Skip Horton



Joshua Rockey,
Webberville Downtown Development Authority Chairperson

SECRETARY'S CERTIFICATION

Jessica Kuch, the undersigned, is duly qualified and acting as Secretary of the Village of Webberville's Downtown Development Authority, Ingham County, Michigan, does hereby certify the foregoing is a true and complete copy of a Resolution adopted by the Village of Webberville's Downtown Development Authority at a Regular Meeting held on September 18, 2023.



Jessica Kuch,
Webberville Downtown Development Authority
Secretary

Drafted by: John L. Gormley (P53539),
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EXHIBIT 1

**WEBBERVILLE DOWNTOWN DEVELOPMENT AUTHORITY
2023 DEVELOPMENT PLAN AND
TAX INCREMENT FINANCING PLAN**

Pursuant to the requirements of MCL 125.4214 and MCL 125.4219, the Village of Webberville's Downtown Development Authority (hereinafter "WDDA") recommends that the following amendments be incorporated into the WDDA's Development Plan and Tax Increment Financing Plan (hereinafter "Plan") and under former MCL 125.1653 (5) recommended the Downtown District be enlarged as set forth herein:

1. The boundaries of the Plan's Tax Increment Finance District (hereinafter "Development Area") and the Development District are set forth in the Zoning Map contained on Page 3B (Map # 2) of the Tax Increment Finance Plan dated November 11, 1985, were altered by the 2018 Amendment to add the following additional property purchase by the WDDA in 1998:

- 1.1 The property added to the legal description is legally described as being located in the Village of Webberville, County of Ingham, and the State of Michigan, to wit:

Exhibit A

- 1.2 The boundaries of the Plan's Amended Development District (a/k/a the Amended Tax Increment Finance District) are:

- 1.2.1 Set forth in the map contained as **Exhibit B**:

- 1.2.2 The Plan's Amended Development District (a/k/a the Amended Tax Increment Finance District) is legally described as being located in the Village of Webberville, County of Ingham, and the State of Michigan, to wit:

Exhibit C

2. The location and extent of existing streets and other public facilities within the Development Area are set forth in the Zoning Map contained on page 5A (Map # 3) of the Tax Increment Finance Plan dated November 11, 1985. The WDDA's original District Zoning Map was contained on Page 5B (Map #4) of the Plan dated November 11, 1985. The Zoning Map has been updated by the Village of Webberville, since this time and this Plan Amendment incorporates by reference WDDA's new District Zoning Map, which is attached at **Exhibit D** to this 2019 Plan Amendment. The New Zoning Map sets forth the designated location, character, and extent of the categories of public and private land uses existing and proposed for the Development Area, including residential, recreational, commercial, industrial, educational, and other uses. The revised legal description of the development area is described as being located in the Village of Webberville, County of Ingham, to wit:

See Legal Description attached at **Exhibit C**

3. The description of the existing improvements in the Development Area to be demolished, repaired, or altered, a description of any repairs or alterations, and an estimate of the time required for completion.

- 3.1 The WDDA purchased 124 West Grand River Ave, Webberville, MI 48892 earlier in 2023, pursuant to the authority granted to it in the 2nd 2022 Plan Amendment. The property's tax identification number is 33-43-08-11-255-005 and it is legally described as being located in the Village of Webberville, County of Ingham, and the State of Michigan, to wit:

WEB 131 W 22 FT OF LOT 136 AND ENTIRE OF LOT 137 VILLAGE OF WEBBERVILLE

The building is a signature building in the downtown district, but is in poor repair. The WDDA intends to restore the building to its former glory, the cost of which is estimated to be \$250,000.00, for engineering, roof repairs, windows, doors and facade enhancements. The WDDA intends to create a "vanilla box" of the interior to make it available for a variety of future uses, with handicap accessible bathrooms, updated wiring, plumbing, and HVAC. The WDDA will then either keep the building and use it for a municipal purpose, incubator business, and/or list it for sale to the public.

4. The description of the location, extent, character, and estimated cost of the improvements, including rehabilitation contemplated for the Development Area, and an estimate of the time required for completion, signage, or signalization.

No changes in this Plan Amendment.

5. The following is a statement of construction, or stages of construction planned, and the estimated time for completion of each stage.

- 5.1 The WDDA's renovations of 124 West Grand River Ave, Webberville, MI 48892 for no more than \$250,000.00 shall be done in one continuous "stage of construction," between 2023 and 2026 calendar years.

6. The description of any parts of the Development Area to be left as open space and the use contemplated for the space is contained in Section 1.1.1 of the 2001 Plan Amendment.

- 6.1 No change is contemplated to this Paragraph in this Amendment.

7. The following is a description of any portion of the Development Area that the WDDA desires to sell, donate, exchange, or lease, to or from the municipality and the proposed terms.

- 7.1 No change is contemplated to this Paragraph in this Amendment.

8. The following is a description of desired zoning changes, and changes in streets, street levels, intersections, or utilities.

- 8.1 No change is contemplated to this Paragraph in this Amendment.

9. The following is an estimated cost of the project, a statement of the proposed method of financing the project, and the ability of the Authority to arrange the financing. The estimated cost of the developments outlined in this Plan Amendment is:

1.	Building Remodel	\$250,000.00
2.	WDDA Revenue Sharing Village	\$10,000.00
3.	WDDA Revenue Sharing NIESA	\$20,000.00*
4.	Farmer's Field Day	\$25,000.00*
5.	Jeep Takeover	\$5,000.00*
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	Net Total	\$310,000.00

* maximum annual fiscal year costs

The WDDA proposes to finance the projects through the capture of tax increments and the sale of existing land to pay the purchase price and environmental costs. The WDDA may also utilize any of the following financing mechanisms:

- A. Any tax increment revenue bonds issued by the Village, pursuant to MCL 125.4213 of the Recodified Tax Increment Financing Act;
 - B. Any tax increment revenue bonds issued by the WDDA, pursuant to MCL 125.4213(a) of the Recodified Tax Increment Financing Act;
 - C. Other advances from the Village repayable from tax increment revenues of the WDDA, which advances may be financed through obligations incurred by the Village under the Local Building Authority Act or other authorizing statutes;
 - D. Tax increment revenues on a pay-as-you-go basis; and
 - E. Other Federal or State grants or contributions, not specified above.
10. The following is a designation of the person or persons, natural or corporate, to whom all or a portion of the Development Area is to be leased, sold, or conveyed in any manner, and for whose benefit the project is being undertaken if the information is available to the Authority.

No change is contemplated to this Paragraph in this Amendment.

11. The procedures for bidding for the leasing, purchasing, or conveying in any manner of all or a portion of the Development Area upon its completion, if there are no express or implied agreements between the Authority and persons, natural or corporate, that all or a portion of the Development Area will be leased, sold, or conveyed in any manner to those persons.

No change is contemplated to this Paragraph in this Amendment.

12. It is estimated that there are less than 100 persons and families residing in the Development Area. It is estimated that zero (0) persons or families residing in the Development Area will be displaced.

Since the Plan does not call for the acquisition of occupied residential property, the Plan does

not include a survey of the families or individuals to be displaced, including their income and racial composition, a statistical description of the housing supply in the community, including the number of private and public units in existence or under construction, the condition of those units in existence, the number of owner-occupied and renter-occupied units, the annual rate of turnover of the various types of housing and the range of rents and sale prices, an estimate of the total demand for housing in the community, and the estimated capacity of private and public housing available to displaced families and individuals.

13. The following constitutes the plan for establishing priority for the relocation of persons displaced by the project in any new housing in the Development Area.

Because of the answer to Section 12, no plan for establishing priority for relocation is required.

14. The following shall constitute the provision for the costs of relocating persons displaced by the project, and financial assistance and reimbursement of expenses, including litigation expenses and expenses incident to the transfer of title, in accordance with the standards and provisions of the *Federal Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970*, being Public Law 91-646, 42 U.S.C. Sections 4601, *et seq.*

Because of the answer to Section 12, no provision for the costs of relocating persons displaced is included.

15. No persons are being relocated in the Development Area, but any future relocation will be done in compliance with *Act No. 227 of the Public Acts of 1972*, being Sections 213.321 to 213.332 of the Michigan Compiled Laws.

16. This Plan Amendment provides for no other material that the Authority, local public agency, or governing body considers pertinent, except:

16.1 VILLAGE REVENUE SHARING: In the 2018 WDDA Plan Amendment it was disclosed that the Village and the WDDA entered into a revenue sharing agreement, wherein the Village will be providing the WDDA with services outlined in the Agreement, please see Exhibit J to that Plan Amendment. The original cost was \$5,000.00 per year. However, that Plan Amendment authorized the WDDA pay the Village up to \$25,000.00 per year for said services, pursuant to MCL 125.1663(4). The source of funding is TIF revenues, pursuant to MCL 125.1661 (1)(e). The Village and the WDDA have agreed to increase this payment annually to \$10,000.00 per year beginning 2023-2024 fiscal year and are placing everyone on notice, even though it is within the authority of the 2018 Plan Amendment and no new amendment is required.

16.2 NIESA REVENUE SHARING: The Northeast Ingham Emergency Service Authority (NIESA) and the WDDA have entered into a revenue sharing agreement, wherein NIESA will be providing the WDDA with services outlined in the Agreement, please see **Exhibit E**. This Plan Amendment authorized the WDDA pay NIESA up to \$20,000.00 per year for said services, pursuant to MCL 125.1663(4). The source of

funding is TIF revenues, pursuant to MCL 125.1661 (1)(e).

- 16.3 FARMER'S FIELD DAY FUNDING: The Village of Webberville sponsors a Farmers Field Day in downtown Webberville every fall (generally last weekend of September). The Field Day brings hundreds of people to downtown Webberville that weekend who are exposed to local merchants and often purchase goods from them. The WDDA intends to assist in sponsoring this project up to \$25,000.00 per year.
- 16.4 JEEP TAKEOVER FUNDING: During the Farmer's Field Day, a private entity operates the Jeep Takeover on Sunday in downtown Webberville. The Jeep Takeover brings hundreds of additional Jeep owners and enthusiast to the downtown during the field day. Those Jeep enthusiast are, also, exposed to local merchants and often purchase goods from them. The WDDA intends to assist in sponsoring this project up to \$5,000.00 per year.
17. This Plan does not provide for improvement related to a qualified facility, as defined in the *Federal Facilities Development Act, Act No. 275 of the Public Acts of 1992*.
18. The time for completing the Plan has been amended over time, but now the time frame for completion of the Plan has been extended until 2045, or all the projects contemplated within the Plan, as amended from time to time, are completed and paid for, whichever occurs first. This amendment does not purport to change that date.
19. The estimated impact of tax increment financing on all taxing jurisdictions in which the WDDA's Development Area is located was originally addressed by the WDDA in previous amendments. This Amendment provides updated information in regard to this matter. This Amendment, therefore, relies upon the statements contained at pages 18 - 19 of the Original Plan, dated November 11, 1985, regarding the impact of tax increment financing on all taxing jurisdictions, plus adds on an updated impact statement was attached as **Exhibit F** to the 2019 Plan Amendment and has not changed. Additionally, the WDDA states:

Tax increment financing permits the WDDA to capture Tax Increment Revenues (as defined below) attributable to increases in the value of real and personal property in the Development Area. The tax increment finance procedure is governed by Part 2 - Downtown Development Authorities of *Act 57 of the Public Acts of 2018*, being MCL 125.4201 - 125.4230, as amended (hereafter referred to as Downtown Development Authorities, or "DDA" law. The procedures outlined below are the procedures provided by the DDA law effective as of the date this plan is adopted, but are subject to any changes imposed by future amendments to the DDA law.

The Tax Increment Revenues are generated when the Current Assessed Value of all properties within the Development Area exceed the Initial Assessed Value of the properties. The amount in any one year by which the Current Assessed Exceeds the Initial Assessed Value is the Captured Assessed Value.

Initial Assessed Value: When the Village Council enacted the Original Tax Increment Finance Plan by Ordinance No. 102 on November 11, 1985, the Initial Assessed Value of the Development Area was established as the assessed value, as equalized, of all the taxable property within the boundaries of the Development Area at the time that Ordinance was approved, as shown by the then most recent assessment roll of the Village for which equalization had been completed, prior to the adoption of the November 11, 1985 Original Tax Increment Finance Plan by Ordinance. Property exempt from taxation at the time of the determination of the Initial Assessed Value was included as zero. However, in determining the Initial Assessed Value, property for which a "specific local tax" was paid in lieu of a property tax was not considered to be property that was exempt from taxation. A "specific local tax" is defined in the DDA Act and includes "Industrial Facilities Taxes" levied under 1974 PA 198, taxes levied under the *Technology Park Development Act*, 1984 PA 385, and taxes levied on lessees and users of tax-exempt property under 1953 PA 189. The Initial Assessed Value or Current Assessed Value of property subject to a specific local tax was determined by calculating the quotient of the specific local tax paid divided by the *ad valorem* millage rate, or by other method as prescribed by the State Tax Commission.

Current Assessed Value: Each year the "Current Assessed Value" of the Development Area will be determined. The Current Assessed Value of the Development Area is the taxable value of the property in the Development Area.

Captured Assessed Value: The amount by which the Current Assessed Value exceeds its Initial Assessed Value in any one year is the "Captured Assessed Value."

Tax Increment Revenues: For the duration of the Plan, taxing jurisdictions will continue to receive tax revenues based upon the Initial Assessed Value of the Development Area. The WDDA will receive that portion of the *ad valorem* tax levy of all taxing jurisdictions on the Captured Assessed Value of the taxable property in the Development Area, other than the State, local school district, and intermediate school district tax levies, and specific local taxes attributable to such *ad valorem* property taxes (the "Tax Increment Revenues"), subject to limitations and exemptions which may be contained in the DDA law, this Tax Increment Financing Plan, and the provisions of any agreements for the sharing of Captured Assessed Value.

Increases in the Current Assessed Value which generate Tax Increment Revenues can result from any of the following:

- A. Construction of new developments.
- B. New rehabilitation, remodeling, alterations, or additions.
- C. Increases in property values which occur for any other reason.

Tax Increment Revenues can be used as they accrue annually, can be held to accumulate amounts necessary to make improvements described in the Plan, or can be pledged for payment of bonds or notes issued by the WDDA or the Village under the DDA law. Further, the WDDA may not borrow money or issue revenue notes without the prior approval of the Village. The WDDA may expend tax increment revenues only in accordance with this Plan;

surplus revenues revert proportionally to the respective taxing jurisdictions.

20. **Adoption of these Amendments.** The Village of Webberville, before adopting an Ordinance approving this 2023 Amendment, shall hold a public hearing on this Plan and seek input and approval from the Citizens Advisory Committee. At the time of the hearing, the Village Council shall provide all interested persons an opportunity to be heard and shall receive and consider communications in writing with reference thereto. The hearing shall provide the fullest opportunity for expression of opinion, for argument of merits, and for introduction of documentary evidence pertinent to the Plan. The Village Council shall make and preserve a record of the public hearing, including all data presented at that time. All provisions of the original Economic Development Plan dated May 21, 1984, the Original Tax Increment Finance Plan dated November 11, 1985, the First Amendment to the Tax Increment Finance Plan dated December 17, 1990, the First Amendment to the Economic Development Plan dated March 10, 1999, and the Second Amendment to the Economic Development Plan and Tax Increment Finance Plan dated September 22, 2003, the Webberville Downtown Development Authority 2007 Amendment to the Development Plan and Tax Increment Financing Plan, the Webberville Downtown Development Authority 2018 Amendment to the Development Plan and Tax Increment Financing Plan, the Webberville Downtown Development Authority 2019 Amendment to the Development Plan and Tax Increment Financing Plan, the 2020 #1 and #2 Webberville Downtown Development Authority 2020 Development Plan and Tax Increment Financing Plan Amendments to Incorporate New Projects and Other Related Matters, the Webberville Downtown Development Authority 2021 Amendment to the Development Plan and Tax Increment Financing Plan, the Webberville Downtown Development Authority 2022 #1 Amendment to the Development Plan and Tax Increment Financing Plan, the Webberville Downtown Development Authority 2022 #2 Amendment to the Development Plan and Tax Increment Financing Plan and any Plan not modified by this 2023 Amendment to the Plans, shall remain in full force and effect. The original plan, to the extent it is not modified by these amendments to the Plan, shall remain in full force and effect.

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