

VILLAGE OF CALUMET

ORDINANCE NO. 110

An Ordinance pertaining to the creation of a Downtown Development Authority for the Village of Calumet.

The Village of Calumet Ordains that a Downtown Development Authority shall be and hereby is created for the Village of Calumet pursuant to Act 163 of the Public Acts of Michigan for 1975, and further that the Articles of Incorporation of the aforementioned Downtown Development Authority shall be as follows:

ARTICLES OF INCORPORATION  
OF  
DOWNTOWN DEVELOPMENT AUTHORITY OF THE VILLAGE OF CALUMET

These Articles of Incorporation are adopted by the Village of Calumet for the purpose of creating a Downtown Development Authority pursuant to the provisions of Act 163, Public Acts of Michigan for 1975, as amended.

ARTICLE I

The name of this Authority is "DOWNTOWN DEVELOPMENT AUTHORITY OF THE VILLAGE OF CALUMET". The principal office of the Authority will be located at the Calumet Village Hall, 340 Sixth Street, Calumet, Michigan 49913. The Authority is incorporated pursuant to the provisions of Act 163, Public Acts of Michigan for 1975, as amended, hereinafter referred to as "the Act".

ARTICLE II

The downtown district which is subject to the jurisdiction of the Downtown Development Authority shall encompass or lie within the following geographic area: All property abutting Fourth, Fifth, Sixth, Seventh, Pine Street and Scott Street and that property bounded on the east by Fourth Street, on the west by Seventh Street, on the North by Pine Street, and on the South by Scotts Street.

### ARTICLE III

The purpose of this Authority is to halt property value deterioration and increase property tax valuation where possible in the downtown district, to eliminate the causes of that deterioration, to promote economic growth, and to accomplish such other goals as are authorized by the Act.

### ARTICLE IV

The Authority shall be a public body corporate which may sue or be sued in any court of this State. It shall possess all of the powers granted by statute and by these Articles, and those incident thereto, except that the Authority may not do the following acts without the authorization by resolution of the Village Council of the Village of Calumet:

1. Levy an ad valorem tax as provided by Section 12(1) of the Act.
2. Borrow money and issue negotiable revenue bonds of the Authority pursuant to Section 13 of the Act.
3. Implement a tax increment financing plan pursuant to Section 14 and Section 15 of the Act.

The enumeration of any powers herein shall not be construed as a limitation upon the general powers of the Authority unless the context shall clearly indicate otherwise. The Authority shall have a corporate seal.

### ARTICLE V

The fiscal year of the Authority shall be the calendar year. The Authority shall prepare a budget for each of its fiscal years which shall be subject to the approval of the Village Council. The revenues of the Authority shall consist of voluntary contributions or donations, gifts, grants, and devises, non-tax revenues raised or earned by the Authority, appropriations to the Authority made from time to time by the Village Council, borrowings, the proceeds of revenue bonds or general obligation bonds, and other revenues raised pursuant to the Act and with the approval of the Village Council.

#### ARTICLE VI

The Authority shall continue in existence perpetually or until dissolved by act of the Village Council or by law. Provided, however, that the Authority shall not be dissolved if such dissolution could operate as an impairment of any of its contracts.

#### ARTICLE VII

The governing body of the Authority shall be a Board of Trustees, hereinafter referred to as the Board, which shall consist of the President of the Village and eight (8) members appointed by the President of the Village, subject to approval by the Village Council. At least five (5) of the members of the Board shall be persons having an interest in property located in the downtown district, as defined in the Act. At least one (1) of the members shall be a resident of the downtown district if the downtown district has 100 or more persons residing within it. Of the members first appointed, two (2) shall be appointed for one year, two (2) for two years, two (2) for three years, and two (2) 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 Village President for the unexpired term only. Members of the Board shall serve without compensation, but may be reimbursed for actual and necessary expenses by resolution of the Board. Before assuming the duties of office, a member shall qualify by taking and subscribing to the constitutional oath of office. Pursuant to notice and an opportunity to be heard, a member of the Board may be removed for cause by the Village Council. Removal of a member is subject to review by the Circuit Court for Houghton County. In case of a temporary absence or disability of any member, the Village President may appoint some person temporarily to act in his stead, subject to the approval of the Village Council.

## ARTICLE VIII

The Officers of the Board shall be a Chairman, Vice-Chairman, Secretary and Treasurer. The Officers of the Board shall be elected by the Board. The term of the office of the Officers shall be for a period of one (1) year. In case of the temporary absence or disability of any officer, the Board may appoint some person temporarily to act in his stead.

The Chairman shall preside at meetings of the Board of Trustees and may sign and execute all authorized bonds, contracts, checks, and other obligations and execute interest coupons with his facsimile signature in the name of the Authority when so authorized by the Board of Trustees. He shall do and perform such other duties as may be fixed by the Bylaws and from time to time assigned to him by the Board of Trustees.

The Vice-Chairman shall preside and accomplish the duties of the Chairman in the absence of the Chairman and shall perform such other duties as may be fixed by the Bylaws and from time to time assigned to him by the Board of Trustees.

The Secretary shall keep the minutes of all meetings of the Board of Trustees in books provided for that purpose. He shall attend to the giving, serving and receiving of all notices or process of or against the Corporation. He may sign with the Chairman in the name of the Authority all bonds, contracts and other obligations authorized by the Board of Trustees, and when so ordered, he shall affix the seal of the Authority thereto. He shall have charge of all books and records which shall at all reasonable times be open to inspection and examination by the Board of Trustees or any member thereof, and by the Village Council, and, in general, perform all the duties incident to his office and such other duties as may be fixed by the Bylaws and from time to time assigned to him by the Board of Trustees.

The Treasurer shall have custody of all the funds and securities of the Authority which may come into his hands or possession. When necessary or proper, he shall endorse in behalf of the Authority for collection, checks, notes and other obligations and shall deposit them to the credit of the Authority in a designated bank or depository.

He shall sign all receipts and vouchers for payment made to the Authority. He shall jointly with such other officer as may be designated by the Board of Trustees sign all checks, promissory notes, and other obligations of the Authority when so ordered by the Board of Trustees. He shall render a statement of his cash accounts when required by the Board of Trustees. He shall regularly, in the books of the Authority to be kept by him for that purpose, keep full and accurate accounts of all monies received and paid by him on account of the Authority and shall, at all reasonable time, exhibit his books and accounts to the Board of Trustees or any member thereof when so required. He shall perform all acts incidental to the position of Treasurer fixed by the Bylaws and as assigned to him from time to time by the Board of Trustees. He shall be bonded for the faithful discharge of his duties as Treasurer, the bond to be of such character, form, and in such amount as the Board of Trustees may require. The bond of the Treasurer shall be paid by the Authority.

#### ARTICLE IX

Meetings of the Board shall be held at least monthly at such time and place as shall be prescribed by resolution of the Board. Special meetings of the Board may be called by the Chariman or any three members thereof, by serving written notice of the time, place and purpose thereof, upon each member of the Board, personally, or by leaving it at his place of residence at least twenty-four hours prior to the time of such meeting, or by depositing the same in a United States Post Office or mailbox within the Village of Calumet at least seventy-two hours prior to the time of such meeting, enclosed in a sealed envelope properly addressed to him at his home or office address, with postage fully pre-paid. Special meetings of the Board at which all members are present shall be deemed to be valid even though no written notice thereof may be given as above specified. Any member of the Board may waive notice of any meeting either before or after the holding thereof. At least the majority of the members of the Board shall be required for a quorum. The Board shall act by motion or resolution. For the passage of any

resolution providing for the issuance of bonds or the levy of a tax or for the execution of any contract, there shall be required a majority vote of the members of the Board. For all other matters, a vote of the majority of the members of the Board present at any meeting at which a quorum is present shall be sufficient for passage. The Board shall have the right to adopt rules or bylaws governing its procedure which are not in conflict with terms of any statute or of these Articles, subject to the approval by resolution of the Village Council. The Board shall keep a journal or minutes of its proceedings which shall be signed by the Secretary. All votes shall be "ayes" and "nays", except that where the vote is unanimous, it shall only be necessary to so state.

#### ARTICLE X

The Authority shall possess the power, subject to limitations of law and these Articles, necessary to carry out its purposes and functions. It may acquire private property by purchase, lease, gift, or devise, either within or without the downtown district, and may hold, manage, control, sell, exchange or lease such property. Provided, however, that the purchase, sale or lease of real property by the Authority shall be subject to the approval of the Village Council. Provided, further, however, that the power of the Authority to purchase or lease property shall be subject to the limitations imposed by its budget.

The Authority, at the time of organization, has no assets, real or personal.

#### ARTICLE XI

The Board shall have the power to hire a director and other employees to carry out its functions and to fix the compensation therefor, subject to the approval of the Village Council.

#### ARTICLE XII

The Board shall cause an annual audit to be made of its financial transactions by a certified public accountant and shall furnish at least five (5) copies thereof to the Village Council.

#### ARTICLE XIII

If words or terms are used in these Articles of Incorporation which are defined in the Act, then these words or terms shall have the same meaning in these Articles that they do in the Act.

#### ARTICLE XIV

The resident agent of the Authority is the Village Clerk of the Village of Calumet. The location and post office address of the registered office of the Authority is Calumet Village Hall, 340 Sixth Street, Calumet, Michigan 49913.

#### ARTICLE XV

The Ordinance which creates these Articles shall be published once in the Daily Mining Gazette, of Houghton, Michigan, which newspaper has general circulation within the limits of the jurisdiction of the Authority. One printed copy of the Ordinance by which the Articles of Incorporation are created, certified as a true copy thereof, with a date and place of publication, shall be filed with the Secretary of State within thirty (30) days after the adoption of such Ordinance. The Authority shall become effective upon the filing of the certified copy of these Articles with the Secretary of State.

#### ARTICLE XVI

These Articles of Incorporation may be amended from time to time by the Village Council by a duly adopted ordinance which shall be published at least once in a newspaper of general circulation in the Village of Calumet and by the filing with the Secretary of State of such ordinance. Provided, however, that the Village Council may not alter or amend the boundaries of the downtown district to include or exclude lands from the downtown district unless it complies with the requirements prescribed for adopting the ordinance creating the Authority set forth in the Act.

This Ordinance by which the aforementioned Articles of Incorporation are adopted, shall be effective after publication and expiration of the time prescribed by law.

Adopted and approved by the Village Council of the Village  
of Calumet on the 21st day of June , 1979.

---

RITA FINCH, President


  
DOROTHY BEATTY, Village Clerk

---



I hereby certify that the foregoing is a true and complete copy of an Ordinance adopted by the Village Council of the Village of Calumet, County of Houghton, Michigan, on the 21st day of

June , 1979, and that public notice of said meeting was given pursuant to and in compliance with Act no. 267, Public Acts of Michigan, 1976.

  
DOROTHY BEATTY, Village Clerk

VILLAGE OF CALUMET  
County of Houghton, Michigan

RESOLUTION CONCERNING AMENDMENTS  
TO ORDINANCE NO. 110

Minutes of a regular meeting of the Village Council of the Village of Calumet, Houghton County, Michigan, held on the 20th day of September, 1979, at 7:30 p.m. Eastern Daylight Time in the Village Hall.

PRESENT: Members James Pintar, William Lake, Marie Bianchi,

Ray Ostermeyer, Gerald LaBonte

ABSENT: Members John Vertin

The following resolution was offered by Member Pintar and seconded by Member Ostermeyer.

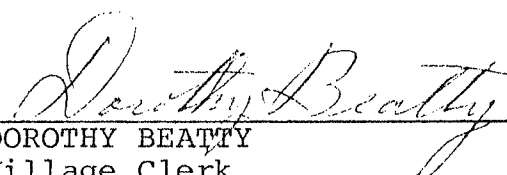
RESOLVED, that, to correct typographical errors which occurred on the adoption of Ordinance No. 110 for the creation of a Downtown Development Authority pursuant to Act No. 197 of Public Acts of 1975, the prologue and Article I of Ordinance No. 110 are hereby amended in accordance with the revised prologue and Article I of Ordinance No. 110 which is attached hereto and made a part hereof.

AYES: Members James Pintar, William Lake, Marie Bianchi,

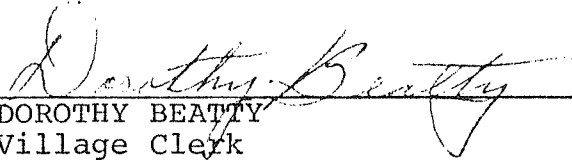
Ray Ostermeyer, Gerald LaBonte

NAYS: Members NONE

RESOLUTION DECLARED ADOPTED.

  
DOROTHY BEATTY  
Village Clerk

I hereby certify that the foregoing is a true and complete copy of a resolution adopted by the Village Council of the Village of Calumet, County of Houghton, Michigan, at a regular meeting held on September 20, 1979, and that public notice of said meeting was given pursuant to and in full compliance with Act No. 267, Public Acts of Michigan, 1976.

  
DOROTHY BEATY  
Village Clerk

VILLAGE OF CALUMET  
AMENDMENT TO ORDINANCE NO. 110

Ordinance No. 110 of the Village of Calumet is hereby amended as follows, with all articles of the Articles of Incorporation of the Downtown Development Authority of the Village of Calumet, following Article I, remaining unchanged from Ordinance No. 110 as originally adopted:

An Ordinance pertaining to the creation of a Downtown Development Authority for the Village of Calumet.

The Village of Calumet Ordains that a Downtown Development Authority shall be and hereby is created for the Village of Calumet pursuant to Act 197 of the Public Acts of Michigan for 1975, and further that the Articles of Incorporation of the aforementioned Downtown Development Authority shall be as follows:

ARTICLES OF INCORPORATION  
OF  
DOWNTOWN DEVELOPMENT AUTHORITY OF THE VILLAGE OF CALUMET

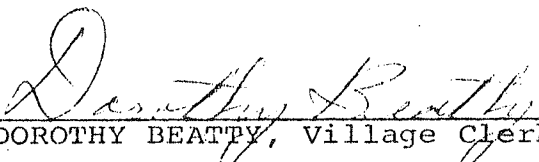
These Articles of Incorporation are adopted by the Village of Calumet for the purpose of creating a Downtown Development Authority pursuant to the provisions of Act 197, Public Acts of Michigan for 1975, as amended.

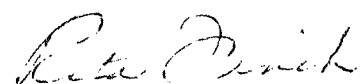
ARTICLE I

The name of this Authority is "DOWNTOWN DEVELOPMENT AUTHORITY FOR THE VILLAGE OF CALUMET". The principal office of the Authority will be located at the Calumet Village Hall, 340 Sixth Street, Calumet, Michigan 49913. The Authority is incorporated pursuant to the provisions of Act 197, Public Acts of Michigan for 1975, as amended, hereinafter referred to as "the Act".

This Amendment to Ordinance No. 110 shall be effective after publication and expiration of the time prescribed by law.

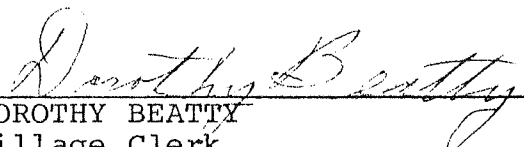
Amendment adopted and approved by the Village Council of the Village of Calumet on the **20th** day of September, 1979.

  
DOROTHY BEATY, Village Clerk

  
RITA FINCH, President

CERTIFICATE

I hereby certify that the attached is a true copy of the proposed minutes of a regular meeting of the Village Council of the Village of Calumet held on September 20 , 1979, and that proposed minutes have been available for public inspection at the address designated on the posted public notice of said meeting from and after the 20 th day of September , 1979.

  
\_\_\_\_\_  
DOROTHY BEATTY  
Village Clerk

VILLAGE OF CALUMET  
COUNTY OF HOUGHTON  
STATE OF MICHIGAN

---

RESOLUTION CALLING FOR A PUBLIC HEARING  
CONCERNING A PROPOSED AMENDMENT BY ORDINANCE  
TO ORDINANCE NO. 110 OF THE VILLAGE OF CALUMET

Minutes of a special meeting of the Village Council of the Village of Calumet, Houghton County, Michigan, held on the 8th day of December, 1983, at 12:01 p.m. Eastern Standard Time in the Village Hall.

PRESENT: Members AUBIN, CARON, ERKKILA, GERMAIN, JOHNSON AND

PRESIDENT LA BONTE

ABSENT: Members BREWER

---

The following resolution was offered by Member ERKKILA and seconded by Member AUBIN.

RESOLVED, that a public meeting or hearing shall be held at 6:00 p.m. on Friday, December 30, 1983, in the Village Council Chambers at the Village Hall, 340 6th Street, Calumet, Michigan 49913, following which there shall be a special meeting of the Village Council of the Village of Calumet.

The purpose of the aforementioned public hearing will be to consider an amendment to Ordinance No. 110 of the Village of Calumet which shall amend all of the language contained in Ordinance No. 110 from the beginning of the Ordinance through Article II of the Ordinance, this amendment being as follows:

An Ordinance pertaining to the creation of a Downtown Development Authority for the Village of Calumet.

The Village of Calumet Ordains that a Downtown Development Authority shall be and hereby is created for the Village of Calumet pursuant to Act 197 of the Public Acts of Michigan for 1975, and further that the Articles of Incorporation of the aforementioned Downtown Development Authority shall be as follows:

*Resolution  
110*

ARTICLES OF INCORPORATION  
OF  
DOWNTOWN DEVELOPMENT AUTHORITY OF THE VILLAGE OF CALUMET

These Articles of Incorporation are adopted by the Village of Calumet for the purpose of creating a Downtown Development Authority pursuant to the provisions of Act 197, Public Acts of Michigan for 1975, as amended.

ARTICLE I

The name of this Authority is "DOWNTOWN DEVELOPMENT AUTHORITY OF THE VILLAGE OF CALUMET". The principal office of the Authority will be located at the Calumet Village Hall, 340 Sixth Street, Calumet, Michigan 49913. The Authority is incorporated pursuant to the provisions of Act 197, Public Acts of Michigan for 1975, as amended, hereinafter referred to as "the Act".

ARTICLE II

The downtown district which is subject to the jurisdiction of the Downtown Development Authority shall encompass or lie within the following geographic area:

Block 10, Lots 9 and 10;  
Block 11, Lots 9 and 10;  
Block 18, Lots 9 and 10;  
Block 23, the East 80' of Lot 9 and all of Lot 10;  
Lots A, B, C, and D, fronting Pine Street from the Easterly Village limits to Fifth Street, also Lots 1 through 11, and the 86' x 58' parcels of land adjacent to Lots 2 through 11 and East thereof, all being a part of Block E;  
Lots A and 1 through 15 and the South ½ of Lot 16 of Block 19;  
All of Block 20;  
All of Block F;  
All of Block A;  
All of Block G;  
All of Block I;  
All of Block H;  
All of Block B;  
Lots 1 through 5 and 9 and 10, Block K;  
Lots 3 and 4, Block C;  
Lot 10, Block 32;  
Lots 1 through 10, 11, and 12, and 16 through 20, in Block 21;  
Lots 9, 10, 11, 12, 13, and the South 36' of Lot 14, Block 22;  
The East 78' of Lot 10, Block 31;  
The South ½ of Lot 20, Block 19 on Sixth Street;

3 parcels of property bounded by Scott Street, Fourth Street, Red Jacket Road and Fifth Street, said parcels being 146' in the east-west dimension and 60', 90' and 112.14' respectively along Fourth Street;

Also all that property abutting the East Side of Fourth Street from Elm Street to Red Jacket Road, said property along Fourth Street being bounded by the Easterly Village limits typically, and being described as follows: Commencing at the NW corner of Block F, thence 240' East to the Point of Beginning, thence East 1004.51', thence S 00°-08'-20" E 161.20', thence S 55°-58'10" E 58.00', thence S 33°-44'-10" W 771.60', thence S 24°-24'10" W 310.86' thence N 56°-02'-40" W 92.15', thence S 33°-57'-20" W 698.65', thence N 63°-23'-10" W 33.92', thence N 00°-06'-50" E 601.25', thence North 1030.00' to the Point of Beginning.

The special meeting following the aforementioned public hearing or meeting shall be for the purpose of consideration by the Village Council of the adoption of the amendment set forth above.

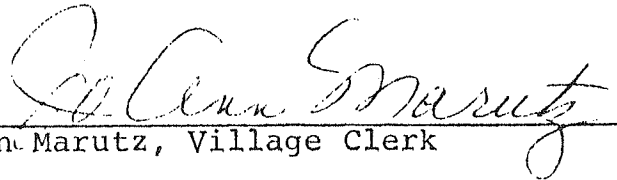
AYES: Members TRUSTEES ERKKILA, AUBIN, JOHNSON

---


NAYS: Members TRUSTEES CARON, GERMAIN

---

RESOLUTION DECLARED ADOPTED.

  
JoAnn Marutz, Village Clerk

I hereby certify that the foregoing is a true and complete copy of a resolution adopted by the Village Council of the Village of Calumet, County of Houghton, Michigan, at a special meeting held on December 8, 1983, and that public notice of said meeting was given pursuant to and in full compliance with Act No. 267, Public Acts of Michigan, 1976.

  
JoAnn Marutz, Village Clerk

*Resolution to 113*