

- AGENDA -

REGULAR MEETING OF THE WEST BRANCH DOWNTOWN DEVELOPMENT AUTHORITY (DDA) TO BE HELD IN PERSON AND VIRTUALLY AT THE WEST BRANCH CITY POLICE DEPARTMENT, 130 PAGE ST, WEST BRANCH, MICHIGAN, 48661 ON TUESDAY, MARCH 23, 2021, BEGINNING AT 12:00 P.M.

- I. Call to Order
- II. Roll Call
- III. Additions to agenda
- IV. Public comment on agenda items only
- V. Approval of the minutes from the meetings held February 23 and March 12, 2021
- VI. Bills
- VII. Bids
- VIII. Unfinished Business
- IX. New Business
 - A. Naming of officers
 - B. Budget
- X. Reports
 - A. Chairperson Report
 1. Excuse members
 2. Downtown flower discussion
 - B. Member Report
 - C. Treasurers Report
 - D. City Manager Report
 - E. Planning Commission
- XI. Communications
 - A. Library Opt out letter
 - B. In person meeting update
- XII. Public comment
- XIII. Adjournment

Reminder

The DDA meeting will be held at the police department due to the Council Chambers being used by the Zoning Board of Appeals

REGULAR MEETING OF THE WEST BRANCH DOWNTOWN DEVELOPMENT AUTHORITY
HELD VIRTUALLY AT THE WEST BRANCH CITY HALL, 121 N. FOURTH ST. ON TUESDAY,
FEBRUARY 23, 2021.

The meeting was called to order by Chairperson Samantha Fabbri at 12:01 pm.

Present: Joe Clark, Sandy Rabidue, Ken Walters, and Cathy Zimmerman in person; Anthony Bair (West Branch-COVID), Joanne Bennett (West Branch-COVID), Samantha Fabbri (West Branch-COVID), and Erin Resteiner (West Branch-COVID) attended virtually.

Absent: Members: Autum Hunter.

Others present: City Manager John Dantzer.

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MOTION BY FABBRI, SECOND BY BENNETT, TO EXCUSE MEMBERS BAIR AND HUNTER FROM THE JANUARY 26 MEETING AND EXCUSE MEMBER HUNTER FROM THE CURRENT MEETING.

Yes – Bair, Bennett, Clark, Fabbri, Rabidue, Resteiner, Walters, Zimmerman

No – None

Absent – Hunter

Motion carried.

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MOTION BY BENNETT, SECOND BY RABIDUE, TO APPROVE THE MINUTES FROM THE MEETINGS HELD JANUARY 26 AND FEBRUARY 1, 2021.

Yes – Bair, Bennett, Clark, Fabbri, Rabidue, Resteiner, Walters, Zimmerman

No – None

Absent – Hunter

Motion carried.

* * * * *

MOTION BY RABIDUE, SECOND BY CLARK, TO APPROVE BILLS IN THE AMOUNT OF \$6,320.00

Yes – Bair, Bennett, Clark, Fabbri, Rabidue, Resteiner, Walters, Zimmerman

No – None

Absent – Hunter

Motion carried.

* * * * *

John Iacoangeli of Beckett and Raeder gave a presentation on providing consulting for a streetscape design to be done along with the Houghton Avenue redesign.

The Board discussed the pros and cons of the streetscape plan and the consensus was to get a formal proposal from Becket and Raider and then schedule a special meeting to go over it.

* * * * *

MOTION BY CLARK, SECOND BY FABBRI, TO MOVE THE MARCH 23 MEETING LOCATION TO THE WEST BRANCH POLICE DEPARTMENT DUE TO COUNCIL CHAMBERS BEING USED BY THE BOARD OR REVIEW.

Yes – Bair, Bennett, Clark, Fabbri, Rabidue, Resteiner, Walters, Zimmerman

No – None

Absent – Hunter

Motion carried.

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The Board discussed a pocket park issue and the consensus was to get a legal opinion from the City attorney.

* * * * *

Manager Dantzer discussed the Christmas decorations purchased so far and went over light pole snowflake decoration options. The Board discussed options and the consensus for the snowflakes was to purchase the 4' option. That option was more than the original amount approved.

MOTION BY FABBRI, SECOND BY RESTEINER, TO APPROVE AN ADDITIONAL \$2,000 TO BE USED FOR CHRISTMAS DECORATIONS RESULTING IN A TOTAL AMOUNT NOT TO EXCEED OF \$27,000

Yes – Bair, Bennett, Clark, Fabbri, Rabidue, Resteiner, Walters, Zimmerman

No – None

Absent – Hunter

Motion carried.

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The meeting was adjourned at 1:17 pm.

SPECIAL MEETING OF THE WEST BRANCH DOWNTOWN DEVELOPMENT AUTHORITY
HELD IN PERSON AND VIRTUALLY AT THE WEST BRANCH CITY HALL, 121 N. FOURTH ST.
ON FRIDAY, MARCH 12, 2021.

The meeting was called to order by Chairperson Samantha Fabbri at 9:00 am.

Present: Joe Clark and Ken Walters in person; Anthony Bair (West Branch-COVID),
Samantha Fabbri (Lupton-COVID), Sandy Rabidue (West Branch-COVID), and Erin
Resteiner (West Branch-COVID) attended virtually.

Absent: Members: Joanne Bennett, Autum Hunter, and Cathy Zimmerman.

Others present: City Manager John Dantzer.

* * * * *

**MOTION BY FABBRI, SECOND BY RESTEINER, TO EXCUSE MEMBERS BENNET,
HUNTER, AND ZIMMERMAN FROM THE MEETING.**

Yes – Bair, Clark, Fabbri, Rabidue, Resteiner, Walters

No – None Absent – Bennet, Hunter, Zimmerman Motion carried.

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**MOTION BY FABBRI, SECOND BY RABIDUE, TO APPROVE THE STREETSCAPE
PLAN AS SUBMITTED FROM BECKETT AND RAEDER NOT TO EXCEED
\$22,000.00.**

Yes – Bair, Clark, Fabbri, Rabidue, Resteiner, Walters

No – None Absent – Bennet, Hunter, Zimmerman Motion carried.

* * * * *

Chairperson Fabbri noted that part of the streetscape plan was to have two members serve
on a development subcommittee to work on the project

It was the consensus of the Board to have Members Clark and Resteiner serve as the DDA
subcommittee.

* * * * *

The meeting was adjourned at 9:27 am.

twenty-five percent (25%) of regular meetings in any fiscal year, the member may be removed from the Board unless such absence is excused by the Board. If removal is deemed appropriate, the member will receive notice and an opportunity to be heard.

- 4.6 Conflict of Interest. A Board member who has any interest in any matter before the DDA shall disclose his/her interest prior to the DDA taking any action with respect to the matter; which disclosure shall become a part of the record of the DDA's official proceedings. Any member making such disclosure, shall then refrain from participating in the Authority's decision making processes relative to such matter.

4.6.1 In the event a member isn't sure whether he/she is in a conflict of interest position, the remaining members of the DDA, by a majority vote, shall decide whether or not a conflict of interest exists. Any such decision shall be binding and final.

- 4.7 Election of Officers. Officers shall be elected by a majority vote of the Board. The term of office shall be for one (1) year and begin at the close of the Annual Meeting at which they are elected. No member shall hold more than one office at a time.

- 4.8 Officers. Officers of the Board shall be a Chairperson, Vice-Chairperson, Treasurer and Secretary. All officers shall be members of the Board, with the exception of the Secretary. The officers of the Board shall be elected by the Board

4.8.1 Chairperson. The Chairperson shall preside at all meetings of the Board and shall discharge the duties as presiding officer. The Chairperson shall have the general powers and duties of supervision and management of the Board.

4.8.2 Vice-Chairperson. In the absence of the Chairperson or the event of inability to serve as Chairperson, the Vice-Chairperson shall perform the duties of the Chairperson.

4.8.3 Treasurer. The Treasurer shall review a monthly statement of all revenues and expenses with the assistance of City Officials. The fiscal year of the DDA shall be the same as that of the City. Funds shall not be disbursed for any expense (invoices, bills, etc.) of the DDA until after the Board's approval of said expense.

4.8.4 Secretary. The Secretary shall record all votes, take minutes and shall maintain accurate records of all proceedings of the DDA.

4.8.5 Legal Counsel. The Board may retain legal counsel of their choice to advise the Board in the proper performance of its duties, to represent the DDA in actions brought by or against the DDA or for any other reason deemed necessary by the Board.

ARTICLE V: MEETINGS

- 5.1 Regular Meetings. Regular meetings of the Board will be held at least once each month.

- 5.2 Special Meetings. Special meetings of the Board may be called by the Chairperson or three members by written request to the Board Secretary with at least 24 hours' notice (written, email or voicemail) to each member of the Board.

- 5.3 Annual Meeting. An annual meeting shall be held once per year in or around March for the purpose of the election of officers, strategic planning, and budget planning.

GL NUMBER	DESCRIPTION	2018-19 ACTIVITY	2019-20 ACTIVITY	2020-21 AMENDED BUDGET	2020-21 ACTIVITY THRU 03/31/21	2021-22 RECOMMENDED BUDGET	2022-23 RECOMMENDED BUDGET	2023-24 RECOMMENDED BUDGET	2024-25 RECOMMENDED BUDGET	2025-26 RECOMMENDED BUDGET
Fund 248 - DDA OPERATING FUND										
ESTIMATED REVENUES										
Dept 000.000										
248-000.000-400.400	TAX INCREMENT FINANCING	47,809	54,543	69,200	69,192	69,200	69,200	69,200	70,584	71,996
248-000.000-403.400	CURRENT PROPERTY TAX GEN.OP.	10,853	10,942	10,750	10,715	10,000	10,000	10,000	10,200	10,404
248-000.000-408.400	PERSONAL PROPERTY TAX LOSS REIMBURSEMENT		28,797	19,445	19,445	19,445	19,445	19,445	19,445	19,445
248-000.000-634.400	GRANT									
248-000.000-664.400	INTEREST INCOME	371	740	500	(24)	100	100	0	0	0
248-000.000-695.400	MISCELLANEOUS	5,485	800	800	1,000	800	800	800	500	500
Totals for dept 000.000 -		64,518	95,822	100,695	100,327	99,545	99,545	99,545	101,529	103,145
TOTAL ESTIMATED REVENUES										
		64,518	95,822	100,695	100,327	99,545	99,545	99,545	101,529	103,145
APPROPRIATIONS										
Dept 000.000										
248-000.000-729.700	FLOWER PROJECT	3,816	4,214	5,000		5,000	5,000	5,000	5,000	5,000
248-000.000-750.700	RETAIL MERCHANTS	7,500	7,500	7,500	7,500	7,500	7,500	7,500	7,500	7,500
248-000.000-782.700	ADMINISTRATION	6,000	2,400	2,400	1,800	2,400	2,400	2,400	2,400	2,400
248-000.000-801.700	CONTRACTUAL SERVICES	12,943	7,432	60,818	7,145	73,845	73,345	72,845	74,329	75,445
248-000.000-865.700	PROFESSIONAL DEVELOPMENT		990	1,000	300	1,000	1,000	1,000	1,000	1,000
248-000.000-935.703	SHOWMOBILE EXPENSES		300	300		300	300	300	300	300
248-000.000-940.700	GEN. MAINTENANCE/SNOW REMOVAL			7,500		8,000	8,500	9,000	9,500	10,000
248-000.000-948.700	DDA MAINTENANCE	12,512	7,500			0				
248-000.000-956.700	EXPENSES	650	1,342	1,500	286	1,500	1,500	1,500	1,500	1,500
Totals for dept 000.000 -		43,421	31,678	86,018	17,031	99,545	99,545	99,545	101,529	103,145
TOTAL APPROPRIATIONS										
		43,421	31,678	86,018	17,031	99,545	99,545	99,545	101,529	103,145
NET OF REVENUES/APPROPRIATIONS - FUND 248										
BEGINNING FUND BALANCE		21,097	64,144	14,677	73,699	0	0	0	0	0
ENDING FUND BALANCE		21,566	42,663	106,807		121,484	121,484	121,484	121,484	121,484
		42,663	106,807	121,484		121,484	121,484	121,484	121,484	121,484

Fund 248 DDA OPERATING FUND

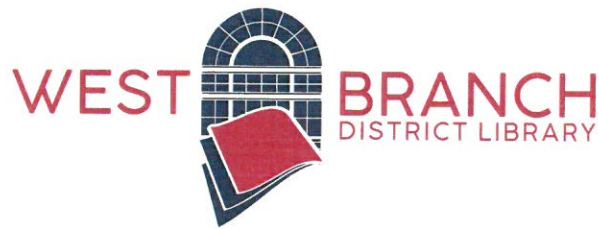
GL Number	Description	Balance
*** Assets ***		
248-000.000-001.000	CASH CHECKING - CHEMICAL BANK	190,103.88
Total Assets		<u>190,103.88</u>
*** Liabilities ***		
Total Liabilities		<u>0.00</u>
*** Fund Balance ***		
248-000.000-390.000	CARRY OVER	106,807.65
Total Fund Balance		<u>106,807.65</u>
Beginning Fund Balance		106,807.65
Net of Revenues VS Expenditures		83,296.23
Ending Fund Balance		190,103.88
Total Liabilities And Fund Balance		190,103.88

REVENUE AND EXPENDITURE REPORT FOR WEST BRANCH

PERIOD ENDING 03/31/2021

% Fiscal Year Completed: 75.07

GL NUMBER	DESCRIPTION	2020-21	2020-21	YTD BALANCE	ACTIVITY FOR		AVAILABLE	% BDDT USED
		ORIGINAL BUDGET	AMENDED BUDGET	03/31/2021 NORM (ABNORM)	MONTH 03/31/21 INCR (DECR)	BALANCE NORM (ABNORM)		
Fund 248 - DDA OPERATING FUND								
Revenues								
Dept 000.000								
248-000.000-400.400	TAX INCREMENT FINANCING		69,200.00	69,191.64	0.00	8.36	99.99	
248-000.000-403.400	CURRENT PROPERTY TAX GEN. OP.	46,718.00	10,750.00	10,714.57	84.57	35.43	99.67	
248-000.000-408.400	PERSONAL PROPERTY TAX LOSS REIMBURSEMENT	10,000.00	19,445.00	19,444.89	0.00	0.11	100.00	
248-000.000-634.400	GRANT	28,000.00	0.00	0.00	0.00	0.00	0.00	
248-000.000-664.400	INTEREST INCOME	0.00	500.00	(23.96)	0.00	523.96	(4.79)	
248-000.000-672.400	VETERAN BANNER CONTRIBUTIONS	500.00	0.00	0.00	0.00	0.00	0.00	
248-000.000-695.400	MISCELLANEOUS	3,000.00	800.00	1,000.00	1,000.00	(200.00)	125.00	
Total Dept 000.000		89,018.00	100,695.00	100,327.14	1,084.57	367.86	99.63	
TOTAL REVENUES								
		89,018.00	100,695.00	100,327.14	1,084.57	367.86	99.63	
Expenditures								
Dept 000.000								
248-000.000-729.700	FLOWER PROJECT	5,000.00	5,000.00	0.00	0.00	5,000.00	0.00	
248-000.000-750.700	RETAIL MERCHANTS	7,500.00	7,500.00	7,500.00	0.00	0.00	100.00	
248-000.000-782.700	ADMINISTRATION	2,400.00	2,400.00	1,800.00	200.00	600.00	75.00	
248-000.000-801.700	CONTRACTUAL SERVICES	60,818.00	60,818.00	7,145.00	0.00	53,673.00	11.75	
248-000.000-865.700	PROFESSIONAL DEVELOPMENT	1,000.00	1,000.00	300.00	0.00	700.00	30.00	
248-000.000-884.700	VETERAN BANNER EXPENSE	3,000.00	0.00	0.00	0.00	0.00	0.00	
248-000.000-935.703	SHOWMOBILE EXPENSES	300.00	300.00	0.00	0.00	300.00	0.00	
248-000.000-940.700	GEN. MAINTENANCE/SNOW REMOVAL	7,500.00	7,500.00	0.00	0.00	7,500.00	0.00	
248-000.000-956.700	EXPENSES	1,500.00	1,500.00	285.91	0.00	1,214.09	19.06	
Total Dept 000.000		89,018.00	86,018.00	17,030.91	200.00	68,987.09	19.80	
TOTAL EXPENDITURES								
		89,018.00	86,018.00	17,030.91	200.00	68,987.09	19.80	
Fund 248 - DDA OPERATING FUND:								
TOTAL REVENUES								
		89,018.00	100,695.00	100,327.14	1,084.57	367.86	99.63	
TOTAL EXPENDITURES								
		89,018.00	86,018.00	17,030.91	200.00	68,987.09	19.80	
NET OF REVENUES & EXPENDITURES		0.00	14,677.00	83,296.23	884.57	(68,619.23)	567.53	



9 September 2020

To:

City of West Branch

221 N. 4th St.

West Branch, MI 48661

The West Branch District requests that the DDA no longer capture property tax voted to support the Library pursuant to Public Acts 505-510 of 2016. We also request that any monies captured after the passing of the millage renewal in August of 2018 be refunded to the library.

We have spoken to the County Clerk and they are reviewing their records to determine how much has been captured after the passing of the millage proposal in August 2018.

For the West Branch District Library Board,

John Sheridan, Director

West Branch District Library
Board of Trustees Meeting
August 31, 2020, 5 p.m.

Meeting called to order at 5 p.m by president Michael followed by the pledge of allegiance. Voting members present: K. Michael, T. Barnhart, S. Smith, S. Jennings, director John Sheridan and program director, Lori Rimaldi. Absent: R Taylor, K. Shirey and alternates J Headings. R. Dinse, M. Durfee.

Motion by Barnhart, second by Smith to approve the agenda

Public Comment: none

Board Minutes. on file. Motion by Jennings, second by Smith to approve minutes of August 3, 2020 All in favor, motion passed.

Bills to Pay: John passed out bills to pay up to August 28 and reviewed with board. Motion by Smith, second by Jennings to pay bills. All in favor, motion carried

Financials: on file. John reviewed several line items. Legal fees are higher than expected because elevator issue with Schlindler has not been resolved. Photocopies line item has typo; John will correct.

Correspondence: none

Old business. none

New business: John reviewed procedure manual, feels that is okay for now. However, the policy manual has not been updated since 2012. Policy committee needs to meet (Taylor, Smith, Jennings, Dinse). First policy to be addressed is guidelines for closing for inclement weather. John will research other policies and report to committee.

Letter to Toni Felice was sent offering her a position as clerk and tech support. Deadline for response is August 31. If no response, John will contact unemployment office to suspend payments

Discussion on rearranging children's area to make room for more shelving. The "playhouse" will be moved and some other adjustments made to allow for wheelchair access. Motion by Michael, second by Smith to remove blue sofas in teen area and replace them with 3 vinyl bean bag chairs. All in favor, motion carried.

John presented a letter requesting that the DDA no longer capture property tax. voted to support the library per Public Acts 505-510 of 2016. We also request that any monies captured after the passing of the millage renewal in August of 2018 be refunded to the library. This letter will be sent to West Branch Twp, Ogemaw Twp, and the City of West Branch which all have DDA's. The letter will also be sent to the County Clerk. Motion by Michael, second by Barnhart to approve and send this letter. All in favor, motion carried

The Book Nook is overflowing with donations of books; Sue Jennings will look into having a book sale

Plaque is finished for Lorie Levasseur. She will be invited to attend the October meeting to receive it

Directors report: on file

Next meeting is October 5, 2020 at 5 p.m. Adjourned by president Michael at 6:05

Terry Barnhart, acting secretary

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Main Content

Section 125.4203

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RECODIFIED TAX INCREMENT FINANCING ACT (EXCERPT) **Act 57 of 2018**

125.4203 Resolution of intent to create and provide for operation of authority; public hearing on proposed ordinance creating authority and designating boundaries of downtown district; notice; exemption of taxes from capture; action by library board or commission; adoption, filing, and publication of ordinance; altering or amending boundaries; agreement with adjoining municipality; agreement with qualified township.

Sec. 203.

(1) When the governing body of a municipality determines that it is necessary for the best interests of the public to halt property value deterioration and increase property tax valuation where possible in its business district, to eliminate the causes of that deterioration, and to promote economic growth, the governing body may, by resolution, declare its intention to create and provide for the operation of an authority.

(2) In the resolution of intent, the governing body shall set a date for the holding of a public hearing on the adoption of a proposed ordinance creating the authority and designating the boundaries of the downtown district. Notice of the public hearing shall be published twice in a newspaper of general circulation in the municipality, not less than 20 or more than 40 days before the date of the hearing. Not less than 20 days before the

hearing, the governing body proposing to create the authority shall also mail notice of the hearing to the property taxpayers of record in the proposed district and for a public hearing to be held after February 15, 1994 to the governing body of each taxing jurisdiction levying taxes that would be subject to capture if the authority is established and a tax increment financing plan is approved. Beginning June 1, 2005, the notice of hearing within the time frame described in this subsection shall be mailed by certified mail to the governing body of each taxing jurisdiction levying taxes that would be subject to capture if the authority is established and a tax increment financing plan is approved. Failure of a property taxpayer to receive the notice shall not invalidate these proceedings. Notice of the hearing shall be posted in at least 20 conspicuous and public places in the proposed downtown district not less than 20 days before the hearing. The notice shall state the date, time, and place of the hearing, and shall describe the boundaries of the proposed downtown district. A citizen, taxpayer, or property owner of the municipality or an official from a taxing jurisdiction with millage that would be subject to capture has the right to be heard in regard to the establishment of the authority and the boundaries of the proposed downtown district. The governing body of the municipality shall not incorporate land into the downtown district not included in the description contained in the notice of public hearing, but it may eliminate described lands from the downtown district in the final determination of the boundaries.

(3) Not more than 60 days after a public hearing held after February 15, 1994, the governing body of a taxing jurisdiction levying ad valorem property taxes that would otherwise be subject to capture may exempt its taxes from capture by adopting a resolution to that effect and filing a copy with the clerk of the municipality proposing to create the authority. The resolution takes effect when filed with that clerk and remains effective until a copy of a resolution rescinding that resolution is filed with that clerk. If a separate millage for public library purposes was levied before January 1, 2017, and all obligations and other protected obligations of the authority are paid, then the levy is exempt from capture under this part, unless the library board or commission allows all or a portion of its taxes levied to be included as tax increment revenues and subject to capture under this part under the terms of a written agreement between the library board or commission and the authority. The written agreement shall be filed with the clerk of the municipality. However, if a separate millage for public library purposes was levied before January 1, 2017, and the authority alters or amends the boundaries of a downtown district or extends the duration of the existing finance plan, then the library board or commission may, not later than 60 days after a public hearing is held under this subsection, exempt all or a portion of its taxes from capture by adopting a resolution to that effect and filing a copy with the clerk of the municipality that created the authority. For

ad valorem property taxes or specific local taxes attributable to those ad valorem property taxes levied for a separate millage for public library purposes approved by the electors after December 31, 2016, a library board or commission may allow all or a portion of its taxes levied to be included as tax increment revenues and subject to capture under this part under the terms of a written agreement between the library board or commission and the authority. The written agreement shall be filed with the clerk of the municipality. However, if the library was created under section 1 or 10a of 1877 PA 164, MCL 397.201 and 397.210a, or established under 1869 LA 233, then any action of the library board or commission under this subsection shall have the concurrence of the chief executive officer of the city that created the library to be effective, and, if the action of the library board or commission involves any bond issued by this state or a state agency, the concurrence of the state treasurer.

(4) Not less than 60 days after the public hearing, if the governing body of the municipality intends to proceed with the establishment of the authority, it shall adopt, by majority vote of its members, an ordinance establishing the authority and designating the boundaries of the downtown district within which the authority shall exercise its powers. The adoption of the ordinance is subject to any applicable statutory or charter provisions in respect to the approval or disapproval by the chief executive or other officer of the municipality and the adoption of an ordinance over his or her veto. This ordinance shall be filed with the secretary of state promptly after its adoption and shall be published at least once in a newspaper of general circulation in the municipality.

(5) The governing body of the municipality may alter or amend the boundaries of the downtown district to include or exclude lands from the downtown district pursuant to the same requirements for adopting the ordinance creating the authority.

(6) A municipality that has created an authority may enter into an agreement with an adjoining municipality that has created an authority to jointly operate and administer those authorities under an interlocal agreement under the urban cooperation act of 1967, 1967 (Ex Sess) PA 7, MCL 124.501 to 124.512.

(7) A municipality that has created an authority may enter into an agreement with a qualified township to operate its authority in a downtown district in the qualified township under an interlocal agreement under the urban cooperation act of 1967, 1967 (Ex Sess) PA 7, MCL 124.501 to 124.512. The interlocal agreement between the municipality and the qualified township shall provide for, but is not limited to, all of the following:

- (a) Size and makeup of the board.
- (b) Determination and modification of downtown district, business district, and development area.
- (c) Modification of development area and development plan.

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Michigan Governor Signs Law Excluding Library Taxes from Capture by Tax Increment Financing Entities

January 13, 2017

On Jan. 9, 2017, Michigan Governor Snyder signed into law a package of bills, all with immediate effect, that would exempt certain taxes levied for library purposes from being captured by tax increment financing authorities, including downtown development authorities (DDAs), tax increment finance authorities (TIFAs), local development finance authorities (LDFAs), and corridor improvement authorities (CIAs), (collectively, the "TIF Authorities"). The new laws do not affect the ability of brownfield redevelopment authorities to capture library millages.

The law automatically exempts taxes levied pursuant to library millages passed after Dec. 31, 2016, from capture by the TIF Authorities. Taxes collected pursuant to library millages levied before Jan. 1, 2017 are also exempt from capture under the law so long as all other obligations of the TIF Authority have been paid. A library board (or commission) may, however, allow the capture of all or a portion of the taxes levied by a millage passed before Jan. 1, 2017 pursuant to an agreement with the TIF Authority.

Libraries may also exempt taxes collected pursuant to library millages levied before Jan. 1, 2017 if the TIF Authority alters or amends the boundaries of the authority district or extends the duration of the existing finance plan. In order to exempt these millages, the library board (or commission) must adopt a resolution declaring all or a portion of its taxes exempt from capture within 60 days following the public hearing, and the resolution must be filed with the clerk of the municipality.

This change is notable for two reasons. First, when deciding whether to amend the boundaries of the authority district or extend the duration of the existing financing plan, TIF Authorities will need to consider the possibility that all of the taxes collected pursuant to library millages may be exempt from capture should the TIF Authority choose to make those changes.

Second, this change creates internal inconsistencies in the amended acts. There are two public hearing provisions in each of the amended acts that deal separately with amendments to the boundaries of the TIF Authorities and amendments to the financing plans. The language in the DDA, TIFA, and LDFA statutes was added to the sections that govern amendments to the boundaries of those TIF Authorities. This is problematic because the language also allows a library to opt-out of capture if the authority amends the duration of a *financing plan* "not later than 60 days after a public hearing is held *under this subsection*." Those sections, however, do not govern amendments to financing plans. The opposite problem exists in the CIA statute. The same language was added to the section of the CIA statute governing amendments to the financing plan, but that section does not govern amendments to the boundary of a CIA. Given these discrepancies, it is unclear what standard the legislature intended to apply.

Finally, certain city libraries are subject to additional restrictions in that any of the above described actions by the library board must also be approved by the chief executive officer of the city.

For more information about these changes to the law, contact any of the authors or your Miller Canfield attorney.

65-052	2002 TV	2020 TV		Entity	Millage	Capture	
102-001	42,721	95,752		County	0.0061035	12,941.93	
102-002	24,920	48,300		City	0.014546	30,843.51	
102-007-10	104,382	202,871		Garbage	0.0029105	6,171.46	
103-001	41,254	59,488		DDA	0.0019573	4,150.28	
103-002	28,236	40,714					
103-007	106,315	152,700		Summer Total	0.0255173	54,107.19	
104-001	93,525	65,000					
104-007	173,791	250,638		Transit	0.0003000	636.12	
104-009	27,868	37,397		Senior Serv	0.0007500	1,590.31	
104-010	0	33,830		Veteran Serv	0.0001250	265.05	
105-000	17,598	25,370		Kirtland	0.0022293	4,727.03	
105-001	18,310	31,094	→	Library	0.0004000	848.16	←
105-002-10	25,868	37,296		EMS Authority	0.0009863	2,091.36	
105-004-20	67,769	202,800		Veterans 214	0.0000400	84.82	
105-005	84,679	0		911	0.0007500	1,590.31	
105-006	29,206	42,112		MSU	0.0001465	310.64	
105-008	5,802	0		Transit 2	0.0003000	636.12	
105-008-10	4,662	0		Sheriff Road	0.0010000	2,120.41	
105-009	32,908	47,452					
105-010	41,104	0		Winter Total	0.0070271	14,900.35	
106-001	78,235	140,651					
106-002	69,353	117,485		Both Total	0.0325444	69,007.54	
106-003	29,276	42,214					
106-004	4,333	6,240					
106-006	11,169	29,000					
106-007	20,133	31,367		DDA Millage	0.0019573	15,115.63	
106-008	23,202	32,451					
106-009	39,447	82,948					
106-010	37,696	0					
106-011	26,334	43,267					
106-011-20	35,225	50,607					
106-011-40	90,506	96,101					
106-011-60	27,578	42,572					
106-011-80	23,758	42,363					
107-001	41,126	59,918					
107-001-30	20,737	29,897					
107-001-60	114,892	165,695					
107-002	66,400	74,085					
107-002-50	30,484	35,163					
107-004	75,087	102,748					
107-005	97,605	140,761					
107-011	36,960	53,295					
107-011-50	63,950	76,067					
107-012	28,776	41,492					
107-012-30	55,627	99,941		non pre		4,862,013.00	6,899,747.00
108-001-01	45,434	62,437		pre		87,193.00	137,449.00
108-001-50	72,558	0		personal		657,740.00	685,500.00
108-001-55	48,437	53,500				5,606,946.00	7,722,696.00
401-001	37,701	47,757					
401-002	80,728	102,530				5,602,284.00	7,148,563.00
401-005	28,350	41,057					
401-007-50	166,300	192,800					
402-001	37,710	54,375					
402-001-30	37,633	77,700					
402-001-60	91,951	93,702					
402-002	23,450	42,063					
402-002-30	39,009	63,314					
402-007	12,566	5,588					
402-008-50	11,413	16,451					

Changes to the **Gatherings and Mask Order** go into effect Friday, March 5, and remain in effect through Monday, April 19.

Capacity changes include:

- Restaurants and bars are allowed to be at 50% capacity up to 100 people. Tables must be six feet apart with no more than six people per table. There is now an 11 p.m. curfew.
- Indoor non-residential gatherings where people interact across households are permitted up to 25 people, allowing public meetings and other small indoor gatherings to resume.
- Outdoor non-residential gatherings where people interact across households are permitted up to 300, allowing larger outdoor events to resume.
- Indoor entertainment venues are allowed to be at 50% capacity, up to 300 people.
- Exercise facilities are allowed to be at 30% capacity with restrictions on distancing and mask requirements.
- Retail is allowed to be at 50% capacity.
- Casinos are allowed to be at 30% capacity.
- Indoor stadiums and arenas are allowed have 375 if seating capacity is under 10,000; 750 if seating capacity is over 10,000.
- Outdoor entertainment and recreational facilities may host up to 1,000 patrons.

Indoor residential gatherings are now limited to 15 people from three households, while outdoor residential gatherings can include up to 50 people.

The epidemic order continues to temporarily pause other venues and activities where participants have close physical contacts and are not consistently masked, like water parks. As before, employees who work in jobs that cannot be performed from home can continue to go to work, while employees who can work from home should continue to do so.

**CITY OF WEST BRANCH
DDA MEETING
MARCH 23, 2021**

PLEASE TAKE NOTICE that the regular meeting of the West Branch City DDA scheduled for March 23, 2021 starting at 12:00 pm will be conducted in person at the West Branch Police Department at 130 Page St., West Branch, MI 48661 and virtually (online and/or by phone), due to health concerns surrounding Coronavirus/COVID-19.

Public comment will be handled by the "Raise Hand" method as instructed below within Participant Controls.

To comply with the Americans with Disabilities Act (ADA), any citizen requesting accommodation to attend this meeting, and/or to obtain this notice in alternate formats, please contact the City Clerk by phone at (989) 345-0500 from 8:00 am-4:30 pm Monday- Friday or by email at clerk@westbranch.com, at least five business days prior to the meeting.

Zoom Instructions for Participants

To join the conference by phone:

1. On your phone, dial the teleconferencing number provided below.
2. Enter the **Meeting ID number** (also provided below) when prompted using your touch-tone (DTMF) keypad.

Before a videoconference:

1. You will need a computer, tablet, or smartphone with speaker or headphones. You will have the opportunity to check your audio immediately upon joining a meeting.
2. Details, phone numbers, and links to videoconference or conference call is provided below. The details include a link to "**Join via computer**" as well as phone numbers for a conference call option. It will also include the 9-digit Meeting ID.

To join the videoconference:

2. At the start time of your meeting, enter the link to **join via computer**. You may be instructed to download the Zoom application.
3. You have an opportunity to test your audio at this point by clicking on "Test Computer Audio." Once you are satisfied that your audio works, click on "Join audio by computer."

You may also join a meeting without the link by going to join.zoom.us on any browser and entering the Meeting ID provided below.

If you are having trouble hearing the meeting, you can join via telephone while remaining on the video conference:

1. On your phone, dial the teleconferencing number provided below.
2. Enter the **Meeting ID number** (also provided below) when prompted using your touch-tone (DTMF) keypad.

3. If you have already joined the meeting via computer, you will have the option to enter your 2-digit participant ID to be associated with your computer.

Participant controls in the lower left corner of the Zoom screen:



Using the icons in the lower left corner of the Zoom screen, you can:

- Mute/Unmute your microphone (far left)
- Turn on/off camera ("Start/Stop Video")
- Invite other participants
- View Participant list – opens a pop-out screen that includes a "Raise Hand" icon that you may use to raise a virtual hand during Call to the Public
- Change your screen name that is seen in the participant list and video window
- Share your screen

Somewhere (usually upper right corner on your computer screen) on your Zoom screen you will also see a choice to toggle between "speaker" and "gallery" view. "Speaker view" shows the active speaker. "Gallery view" tiles all of the meeting participants.

The DDA is inviting you to a scheduled Zoom meeting.

Topic: DDA regular meeting

Join Zoom Meeting

<https://us02web.zoom.us/j/9150121648>

Meeting ID: 915 012 1648

One tap mobile

+16465588656,,9150121648# US (New York)

+13017158592,,9150121648# US (Washington DC)

Dial by your location

+1 646 558 8656 US (New York)

+1 301 715 8592 US (Washington DC)

+1 312 626 6799 US (Chicago)

+1 669 900 9128 US (San Jose)

+1 253 215 8782 US (Tacoma)

+1 346 248 7799 US (Houston)

Meeting ID: 915 012 1648

Find your local number: <https://us02web.zoom.us/j/kcet2uGKrV>

If you wish to speak with any of our DDA members, please reach out via their email addresses below or you may call City Hall @ (989) 345-0500 to leave a message for them.

CITY COUNCIL MEMBERS

Chairperson Samantha Fabbri – fabbriwbdda@westbranch.com

Joe Clark -- clarkwbdda@westbranch.com

Autum Hunter --- hunterwbdda@westbranch.com

Cathy Zimmerman --- zimmermanwbcouncil@westbranch.com

Joanne Bennett -- bennettwbcouncil@westbranch.com

Anthony Bair – bairwbdda@westbranch.com

Sandy Rabidue – rabiduewbdda@westbranch.com

Ken Walters – waltersk@westbranch.com

Erin Resteiner – resteinerwbdda@westbranch.com

And as always, minutes of all DDA Meetings can be found on our website at www.westbranch.com, under the Government Tab.