

## Chapter 12

### COMMUNITY DEVELOPMENT\*

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\* **State Law References:** Housing and slums clearance projects, MCL 125.651 et seq.; housing corporation law, MCL 125.601 et seq.; urban redevelopment corporations, MCL 125.901 et seq.; rehabilitation of blighted areas, MCL 125.71 et seq.; state housing development authority act of 1966, MCL 125.1401 et seq.; downtown development authority, MCL 125.1651 et seq.; economic development corporations, MCL 125.1601 et seq.

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### ARTICLE I.

### IN GENERAL

Secs. 12-1--12-18. Reserved.

### ARTICLE II.

### DOWNTOWN DEVELOPMENT\*

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\* **State Law References:** Downtown development authority, MCL 125.1651 et seq.

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Sec. 12-19. Definitions.

The following words, terms and phrases, when used in this article, shall have the meanings ascribed to

them in this section, except where the context clearly indicates a different meaning:

*Act 197* means Public Act No. 197 of 1975 (MCL 125.1651 et seq.).

*Authority* means the city downtown development authority created by this article.

*Board or board of directors* means the board of directors of the authority.

*Chief executive officer* means the city manager of the city.

*Downtown district* means the downtown district designated by this article, as now existing or hereafter amended, and within which the authority shall exercise its powers.  
(Ord. No. 3-01, art. 3, 5-27-2003)

#### **Sec. 12-20. Creation of downtown development authority.**

There is hereby created, pursuant to Act 197, a downtown development authority for the city. The authority shall be a public body corporate and shall be known and exercise its powers under the title "Downtown Development Authority of the City of Grayling." The authority may adopt a seal, may sue and be sued in any court of the state and shall possess all of the powers necessary to carry out the purposes of its incorporation as provided by this article and Act 197.  
(Ord. No. 3-01, art. 4, 5-27-2003)

#### **Sec. 12-21. Determination of necessity.**

The city council has determined 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 and herein declare its intention to create and provide for the operation of the city downtown development authority pursuant to Public Act No. 197 of 1975 (MCL 125.1651 et seq.).  
(Ord. No. 3-01, art. 2, 5-27-2003)

#### **Sec. 12-22. Termination.**

Upon completion of its purpose, the authority may be dissolved by the city council. The ownership property and assets of the authority, after dissolution and satisfaction of its obligations, shall revert to the city.  
(Ord. No. 3-01, art. 5, 5-27-2003)

#### **Sec. 12-23. Description of downtown district.**

The downtown district shall consist of the territory in the city described in exhibit A, made a part hereof and kept on file in the office of the city clerk, subject to such changes as may hereinafter be made pursuant to this article and Act 197.  
(Ord. No. 3-01, art. 6, 5-27-2003)

#### **Sec. 12-24. Board of directors.**

(a) The authority shall be under the supervision and control of the board. The board shall consist of eight members in addition to the chief executive officer. The board shall be appointed and serve in accordance with Act 197. The chief executive officer shall appoint the first members of the board according to the following schedule:

- (1) Two members for one year.
- (2) Two members for two years.
- (3) Two members for three years.
- (4) Two members for four years.

(b) Prior to the expiration of any member's term the chief executive officer shall appoint new members for a term of four years. The chief executive officer shall fill any vacancies of the board to fill the unexpired term. All appointments are subject to the approval of the city council. Not less than a majority of the members shall be persons having an interest in property located in the downtown district.

(c) Members of the board shall serve without compensation, but shall be reimbursed for actual and necessary expenses. The board shall elect a chairperson and a recording secretary and any other officers it deems necessary from among its members. It shall also adopt bylaws governing its procedures subject to the approval of the city council.

(d) All regular and special meetings shall be noticed and conducted in accordance with the Michigan open meetings act, Public Act No. 267 of 1976 (MCL 15.261 et seq.). The secretary of the board shall give the minutes of all meetings to the city clerk for presentation to the city council.  
(Ord. No. 3-01, art. 7, 5-27-2003)

#### **Sec. 12-25. Powers of authority.**

The authority shall have all those powers enumerated in section 2 of Act 197 (MCL 125.1652).  
(Ord. No. 3-01, art. 8, 5-27-2003)

#### **Sec. 12-26. Fiscal year; budget.**

(a) *Fiscal year.* The fiscal year of the authority shall begin on July 1, of each year and end on June 30, of the following year or such other fiscal year as the council may hereafter adopt.

(b) *Budget.* The director shall annually prepare and submit a budget for the operation of the authority for the ensuing fiscal year to the board for approval. The board shall not formally adopt a budget for any fiscal year until the budget has been approved by the city council. The board may, however, temporarily adopt a budget in connection with the operation of any improvements, which have been financed by revenue bonds where required to do so by the article authorizing the revenue bonds.

(c) *Financial reports.* The authority shall submit financial reports to the city council at the same

time and on the same basis as departments of the city are required to submit reports. The authority shall be audited annually by the same independent auditors auditing the city and copies of the audit shall be filed with the council.

(Ord. No. 3-01, art. 9, 5-27-2003)

**Sec. 12-27. Residential property.**

(a) Residential structures that are owner-occupied and not used for commercial purposes shall be excluded from and not subject to this chapter for so long as the same are so owned and occupied.

(b) Any property owner who desires to have his property excluded from this chapter, pursuant to this section, shall before December 1, of each year, file with the city treasurer an affidavit available in the treasurer's office. A copy of the affidavit shall be sent from the city treasurer to each resident home within the DDA district each year, on October 1, notifying them of their obligation to the affidavit to be excluded from the district.

(Ord. No. 3-01, art. 10, 5-27-2003)

**Secs. 12-28--12-57. Reserved.**

**ARTICLE III.**

**HOUSING COMMISSION\***

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\* **State Law References:** Housing facilities, MCL 125.651 et seq.

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**Sec. 12-58. Established.**

There is hereby created in and for the city a commission to be known as city housing commission pursuant to Public Act No. 18 of the extra session of 1933 (MCL 125.651 et seq.).

(Ord. of 7-27-1964, § 1; Ord. of 2-11-2008, § 1)

**Sec. 12-59. Membership; appointment; term; compensation; vacancies.**

The city housing commission shall consist of five members who are city residents to be appointed by the city manager, as the chief administrative officer for the city. When possible at least one member shall be a tenant of public or subsidized housing. The term of office of members of the commission shall be five years. Members of the first commission existing hereunder shall be appointed for the term of one year, two years, three years, five years, respectively, and annually thereafter one member shall be appointed for the term of five years. Members of the commission shall serve without compensation; however, such members are entitled to reasonable expenses and mileage reimbursement incurred while carrying out their duties. A member may be removed from office upon recommendation of the appointing authority to the city council which may remove a member of the housing commission from office before the expiration of his term. Any vacancy in office shall be filled by the appointing authority for the remainder of the unexpired term.

(Ord. of 7-27-1964, § 2; Ord. of 2-11-2008, § 2)

**Sec. 12-60. Powers and duties.**

The city housing commission shall have all the powers and duties vested or permitted to be vested in the housing commission by said Public Act 18 of the extra session of 1933, as heretofore or hereafter amended, and any laws heretofore or hereafter enacted which are supplemental thereto, it being the intention of this chapter to vest in the city housing commission all powers and duties permitted by law.  
(Ord. of 7-27-1964, § 3; Ord. of 2-11-2008, § 3)

**Sec. 12-61. Meetings; rules; records; quorum; officers; employees.**

The city housing commission shall meet at regular intervals. The said meeting shall be public. It shall adopt policies necessary to assist with oversight of housing operations, its own rules of procedure, and shall keep a record of the proceedings. Three members shall constitute a quorum for the transaction of business. A president and vice-president shall be elected by the commission. The commission may appoint a director who may also serve as secretary, and such other employees or officers as shall be necessary. The commission shall prescribe the duties of all of its officers and employees and may, with the approval of the city council, fix their compensation. The commission may from time to time as necessary employ engineers, architects and consultants within the limitation of its establishment budget.  
(Ord. of 7-27-1964, § 4; Ord. of 2-11-2008, § 4)

**Sec. 12-62. Funds for operation.**

Funds for the operation of the housing commission may be provided by the city council but the commission shall as soon as possible reimburse the city for all monies expended by it for the commission from revenues received from the sale of bonds.  
(Ord. of 7-27-1964, § 5; Ord. of 2-11-2008, § 5)

**Sec. 12-63. Interest of members, officers, employees in contracts.**

No member of the housing commission or any of its officers or employees shall have any interest, directly or indirectly, in any contract for property, materials, or services to be acquired by the commission. No free services or rental shall be furnished to any employee or person without written authorization from the city council.  
(Ord. of 7-27-1964, § 7; Ord. of 2-11-2008, § 7)

**Sec. 12-64. Reports to the city council.**

The housing commission shall make an annual report of its activities to the city council and shall make such other reports as the city council may, from time to time, require in a manner sufficient to allow the city council to exercise the authority granted under the act to supervise the activities of the commission. The housing commission shall forward a copy of its annual operating budget to the city council.  
(Ord. of 7-27-1964, § 8; Ord. of 2-11-2008, § 8)