

## Chapter 2

### Administration\*

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### Article I. In General

**Sec. 2-1—2-25. Reserved.**

### Article II. Officers And Employees<sup>†</sup>

#### Division 1. Generally

**Sec. 2-26—2-50. Reserved.**

#### Division 2. Salaries

#### **Sec. 2-51. Applicability.**

This division shall be applicable to the president, clerk, treasurer, all trustees, deputy clerk and deputy treasurer during their term of office, whether by election or appointment. (Ord. No. 18F, § 3, 3-6-89)

#### **Sec. 2-52. President**

The president of the village shall be paid an annual salary equal to the sum of sixty dollars (\$60.00) for each meeting, general, special or committee, of the village council actually physically attended by him/her during his/her term of office. This shall also include meetings to conduct business of the village as authorized by the village council that shall span a period of one (1) hour duration or more.  
(Ord. NO. 18F, § 1A, 3-6-89; Ord. No. 18-H, § 1A, 3-4-96)

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\* **Cross references**—Planning, Ch.12; police, Ch. 13; parking violations bureau, § 5-66 et seq.; water and sewers, Ch. 17; zoning, Ch. 18.

**State law references**—Open Meetings Act, MCL 15.261 et seq., MSA 4.1800(11) et seq.; Freedom of Information Act, MCL 15.231 et seq., MSA 4.1801(1) et seq.

<sup>†</sup> **State law references**—Village officers, MCL 62.1 et swq., MSA 5.1215 et seq.; standard of conduct and ethics, MCL 15.341 et seq., MSA 4.1700(71) et seq.

**Sec. 2-53. Trustees.**

The trustees of the village shall be paid an annual salary equal to the sum of thirty-five dollars (\$35.00) for each meeting, general, special or committee, of the village council actually physically attended by him/her during his/her term of office. This shall also include meetings to conduct business of the village as authorized by the village council that shall span a period of one (1) hour duration or more.

(Ord. No. 18F, § 1b, 3-6-89; Ord. No. 18-H, § 1B, 3-4-96)

**Sec. 2-54. Clerk**

The clerk of the village shall be paid an annual salary equal to the sum of forty-five dollars (\$45.00) for each meeting, general, special or committee, of the village council actually physically attended by him/her during his/her term of office. This shall also include meetings to conduct business of the village as authorized by the village council that shall span a period of one (1) hour duration or more.

(Ord. No. 18F, § 1A, 3-6-89, Ord. No. 18-H, § 1B, 3-4-96)

**Sec. 2-55. Treasurer.**

The treasurer of the village shall be paid an annual salary of two thousand dollars (\$2000.00) per year. A motion was made and passed at the August 8, 1994 council meeting.

(Ord. No. 18F, § 1d, 3-6-89; Ord. No. 18-G, § 1d, 2-23-93; Ord. No. 18-H, § 1D, 3-4-96)

**Sec. 2-56. Deputy clerk, deputy treasurer.**

The deputy clerk and deputy treasurer, as appointed by the village president and confirmed by the village council, shall be paid the sum of four dollars (\$4.00) per hour for each hour actually physically worked by him/her. This amount, as due, will be included in the regular weekly payroll.

(Ord. No. 18F, § 1e, 3-6-89; Ord. No. 18-H, § 1E, 3-4-96, Ord. No. 18-J, 11-14-13)

**Sec. 2-57. Annual payment date for certain officers.**

The salary due the president, clerk, treasurer and each trustee for the preceding fiscal year shall be payable on or about the fifteenth day of March in each year from the general fund of the village.

(Ord. No. 18F, § 2, 3-6-89; Ord. No. 18-H, § 2, 3-4-96)

**Sec. 2-58—2-75. Reserved.**

**Article III. Boards And Commissions**

Division 1. Generally

**Secs. 2-76—2-100. Reserved.**

Division 2. Park And Recreation Commission

**Sec. 2-101. Membership in Millington-Arbela Park and Recreation Commission.**

The village shall simultaneously with the other municipalities of Millington Township and Arbela Township become members of the Millington-Arbela Park and Recreation Commission.

(Ord. No. 36, § II, 4-2-73)

**Sec. 2-102. Execution of membership agreement.**

The president and clerk of the village are hereby empowered and directed to execute for and on behalf of the village the agreement for establishment of the Millington-Arbela Park and Recreation Commission, as presented.

(Ord. No. 36, § III, 4-2-73)

**Sec. 2-103. Terms of membership agreement.**

The officers and employees of the village are hereby empowered and directed to do all acts necessary to perform and carry out the terms of the agreement for establishment of the Millington-Arbela Park and Recreation Commission.

(Ord. No. 36, § IV, 4-2-73)

**Sec. 2-104.—2-120. Reserved.**

**ARTICLE IV. PRIVATE SALE OF PUBLIC GROUNDS AND BUILDINGS**

**Sec. 2-121. Short title.**

This article shall be known and cited as the private sale of public grounds and buildings ordinance, and is adopted pursuant to the provisions of section 4 of Chapter 7 of Act No. 3 of the Public Acts of Michigan of 1895 (MCL 67.4, MSA 5.1288), as amended. (Ord. No. 50, § 1, 4-7-86)

**Sec. 2-122. Procedure.**

Whenever the village desires to sell at private sale any of its public grounds or buildings, the procedure for the sale shall be as follows:

1. The village council shall declare by resolution its intent to sell certain grounds or buildings of the village at private sale and shall cause such property to be appraised.
2. The village council shall secure two (2) appraisals, for the fair cash value of the property from at least two (2) competent real estate appraisers who are real estate brokers licensed by the state.

3. The village council may sell the property at private sale for not less than the average price of the two (2) appraisals after it has so established the minimum sale price by resolution. No sale shall take place more than eighteen (18) months from the date of the resolution establishing the minimum price unless at least two (2) more new appraisals are secured.
4. A private sale may be negotiated privately without public bidding or advertisement, but it must be for at least the minimum price established exclusive of any real estate commissions.
5. Any sale must be for cash and pursuant to a written offer to purchase signed by all purchasers. The sale must be confirmed by resolution of a majority of the members-elect of the village council at any regular or special meeting called for that purpose.
6. The village president and clerk are authorized to execute any conveyance on behalf of the village for a private sale, and the revenue stamps shall be paid for by the village from its general fund. Before consummating any sale, the village clerk is authorized to secure at the expense of the village the updating of any abstract to the property to be sold, or to secure an owner's policy of title insurance to the property. Taxes, if any, shall be prorated on a due-date basis at time of closing, and rents and utility bills, if any, shall also be prorated at time of closing to the date of surrender of possession.
7. Payment of the purchase price to the village shall be by cash, cashier's check or certified check, unless in the opinion of the village clerk it is safe to accept a personal check or bank money order. All checks shall be made payable to the Village of Millington.

(Ord. No. 50, § 2, 4-7-86)

## **ARTICLE V. DOWNTOWN DEVELOPMENT AUTHORITY**

### **Sec. 2-123. Created.**

Pursuant to the authority of Act No. 197 of the Public Acts of 1975, as it may be amended from time to time, the Millington downtown development authority shall be created. (Ord. No. 52, § 1, 7-2-90)

### **Sec. 2-124. Powers and duties.**

The downtown development authority shall exercise such powers and duties as provided and in accordance with the terms of Act No. 197 of the Public Acts of 1975, being MCL 125.1651 et seq., MSA 5.301 (1) et seq., including but not limited to the definition of a development area, the origination of a development plan, in the implementation of a development program as defined by this Act.

(Ord. No. 52 § 2, 7-2-90)

### **Sec. 2-125. Boundaries designated.**

Pursuant to the requirements of Act 197 of the Public Acts of 1975, the boundaries of the downtown development district within which the authority may exercise its powers, shall be as set out on Attachment A to Ord. No. 52, which is not set out herin, but is on file and available for inspection in the office of the village clerk.  
(Ord. No. 52, § 3, 7-2-90)

### **Sec. 2-126. Definitions.**

The terms used in this article shall have the following meaning unless the context clearly requires otherwise:

*Base year assessment roll* means the amount in any one year by which the current assessed value as finally equalized of all taxable property in the development area exceed the initial assessed value.

*Development area* means that area to which this development plan is applicable.

*Development fund* means the downtown development authority development fund established pursuant to section 2-131 of this article.

*Development plan* means the tax increment financing and development plan for the village transmitted to the village council by the downtown development authority for public hearing as amended by the village council, copies of which are on file in the office of the village clerk.

*Downtown development authority* means the Village of Millington downtown development authority.

*Initial assessed value* means the most recently assessed value as finally equalized of all the taxable property within the boundaries of the development area at the time of adoption of this article.

*Taxing jurisdiction* shall mean each unit of government levying an ad valorem property tax on property in the development area.  
(Ord. No. 66, § 1, 8-12-96; Ord. No. 57, § 1, 2-14-97)

### **Sec. 2-127. Approval and adoption of development plan.**

Based on the following determinations, the development plan is hereby adopted and approved.

1. The development plan and all expenditures therefore constitutes a public purpose.
2. The development plan meets the requirement section 17(2) of Act 197, Public Acts of Michigan of 1975 as amended.
3. The proposed method of financing the development is feasible and the downtown development authority has demonstrated the ability to arrange the necessary financing.

4. The proposed development is reasonable and necessary to carry out the purposes of this act.
  5. Public services, such as fire and police protection and utilities are adequate to service the project area.
  6. Changes in zoning, streets, street levels, intersections and utilities are reasonable necessary for the development and for the village.
- (Ord. No. 66, § 1, 8-12-96; Ord. No. 57, § 1, 2-14-97)

**Sec. 2-128. Boundaries of development area.**

The boundaries of the development area as set forth in the development plan are hereby adopted and confirmed.

(Ord. No. 66, § 1, 8-12-96; Ord. No. 57, § 1, 2-14-97)

**Sec. 2-129. Preparation of base year assessment roll.**

(a) Within sixty (60) days of effective date of this article, the village assessor shall prepare the initial base year assessment roll. The initial base year assessment roll shall list each taxing jurisdiction in which the development area is located, the initial assessed value of the development area on the effective date of this article and the amount of tax revenue derived by each taxing jurisdiction from ad valorem taxes on the property in the development area.

(b) The assessor shall transmit copies of the initial base year assessment roll to the village treasurer, township treasurers, county treasurer, downtown development authority and each taxing jurisdiction, together with a notice that the assessment roll has been prepared in accordance with this article and the tax increment financing plan contained in the development plan approved by this article.

(Ord. No. 66, § 1, 8-12-96; Ord. No. 57, § 1, 2-14-97)

**Sec. 2-130. Preparation of annual captured assessment value assessment roll.**

Each year within fifteen (15) days following the final equalization of property in the development area, the assessor shall prepare an assessed captured value assessment roll. The updated captured assessment roll shall show the information required in the initial year assessment roll and in addition, the captured assessed value for that year. Copies of the annual captured assessed value assessment roll shall be transmitted by the assessor to the same persons as the initial base year assessment roll, together with a notice that it has been prepared in accordance with this article and the development plan. (Ord. No. 66, § 1, 8-12-96; Ord. No. 57, § 1, 2-14-97)

**Sec. 2-131. Establishment of development fund—approval of depository.**

The treasurer of the downtown development authority shall establish a separate Fund which shall be kept in a depository bank account or accounts in a bank or banks approved by the village treasurer to be designated downtown development authority

development fund. All moneys received by the downtown authority development fund. All moneys received by the downtown development authority development fund. All moneys received by the downtown development authority pursuant to the development plan shall be deposited in the development fund. All moneys in that fund and earnings thereon shall be used only in accordance with the development plan and this article. (Ord. No. 66, § 1, 8-12-96; Ord. 57, § 1, 2-14-97)

**Sec. 2-132. Payment of tax increments to downtown development authority.**

The village, township and county treasurer shall, as ad valorem taxes are collected on the property in the development area, pay that proportion of the taxes except for penalties and collection fees, that constitutes the captured assessed value to the treasurer of the downtown development authority for deposit in the development fund. The payments shall be made on the date or dates on which the village, township and county treasurers are required to remit taxes to each of the taxing jurisdictions.

(Ord. No. 66, § 1, 8-12-96; Ord. No. 57, § 1, 2-14-97)

**Sec. 2-133. Use of moneys in the development fund.**

The money credited to the development fund and on hand therein from time to time shall annually be used in the following manner and following order of priority:

- (1) To pay the cost of the public improvements provided in the development plan.
- (2) To pay administrative and operating cost of the DDA to the extent provided in the annual budget of the DDA. To reimburse the village of funds advanced to acquire property, clear land, make preliminary plans and improvements necessary for the development of the development area in accordance with the development plan.
- (3) Any tax increment receipts in excess of those needed under the preceding paragraphs shall revert proportion to the taxing jurisdiction.

(Ord. No. 66, § 1, 8-12-96; Ord. No. 57, § 1, 2-14—97)

**Sec. 2-134. Annual report.**

Within ninety (90) days after the end of each fiscal year, the downtown development authority shall submit to the village council with copies to each taxing jurisdiction, a report on the status of the development fund. The report shall include the amount and source of revenue in the account, the amount and purpose of expenditures from the account, the initial assessed value of the development area, the captured assessed value of the development area, the tax increments received and the amount of any surplus from the prior year and any additional information requested by the village council or deemed appropriate by the downtown development authority. The secretary of the downtown

development authority shall cause a copy of the report to be published once in full in a newspaper of general circulation in the village.  
(Ord. No. 66, § 1, 8-12-96; Ord. No. 57, § 1, 2-14-97)