

CITY OF CHARLOTTE, COUNTY OF EATON, STATE OF MICHIGAN

RESOLUTION NO. 2021-059

**A RESOLUTION TO SET DATE FOR A PUBLIC HEARING ON THE ESTIMATED COSTS
AND CREATION OF A SPECIAL ASSESSMENT DISTRICT**

WHEREAS, the City Manager has prepared a cost estimate for fire protection for the fiscal year that begins July 1, 2021 and has submitted the document to the City Council; and

WHEREAS, the City Council wishes to consider the creation of a special assessment district to defray the costs as estimated to provide fire protection and has directed the Assessor to distribute the levy; and

WHEREAS, prior to the creation of the special assessment district, the City Council is required to afford the public an opportunity to appear or protest the assessment;

NOW, THEREFORE, BE IT RESOLVED that the City Council does hereby authorize a public hearing on the distribution of the levy of a special assessment district to defray the costs of fire protection to be held on _____ at 7:00 p.m.; and

BE IT FURTHER RESOLVED that the City Clerk is hereby authorized to provide notice of the public hearing in accordance with legal requirements.

The foregoing resolution offered by Council member _____ and supported by _____.

Upon roll call vote, the following voted:

Aye:

Nay:

Absent:

I, the undersigned, the duly qualified and acting Clerk of the City of Charlotte, County of Eaton, State of Michigan, do hereby certify that the foregoing is a true and complete copy of a resolution adopted by the City of Charlotte at a regularly scheduled meeting held on Monday, April 19, 2021, relevant to the Michigan Open Meetings Act, the original of which is on file in my office as part of council minutes.

IN WITNESS WHEREOF, I have hereunto set my official signature this 19th day of April 2021.

Pearl Tidwell, City Clerk / Treasurer
City of Charlotte



Memo

Date: April 16, 2021
To: Honorable Mayor Armitage; City Council
From: Erin LaPere, City Manager
Re: Set Second Public Hearing for Special Assessment District

On the agenda for Council's consideration is a resolution to set a public hearing date for the second and final hearing required to establish a special assessment district for fire protection.

As discussed in the March 9th study session, the creation of a special assessment district to defray the costs of fire protection is a two-step process. Step one, is to estimate the costs and consider the establishment of the district. At that time, a public hearing is required. Per PA 33 of 1951, a notice of the hearing must be placed in the newspaper of general circulation not less than five days prior to the hearing date. Additionally, per PA 162 of 1962 and the city charter and ordinance, property owners must be notified by first class mail of the hearing at least 10 days prior to the hearing date. As required per statute, in order for the property owner or person having an interest in the real property to be eligible to appeal the assessment to the state tax tribunal, he or she must first appear at the hearing to protest the assessment. At the meeting held April 19th, Council shall, by resolution, determine whether to create the special assessment district, determine the boundaries of the district, and determine the amount of special assessment levy. Council will then direct administration to spread the assessment levy to defray the costs of fire protection.

Upon creation of the district, the second public hearing can be set to hear objections to the distribution of the special assessment. This hearing is subject to the same notification requirements as the initial hearing on the creation of the district. At this time the actual costs to each homeowner would be known. A resolution to set the hearing and authorizing the city clerk to notice the hearing is attached. I have left the date blank pending further discussion at the Council meeting.

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attachment