

CITY OF BUCHANAN

**SPECIAL ASSESSMENT DISTRICT FOR EMERGENCY MEDICAL SERVICES
THROUGH SOUTHWESTERN MICHIGAN COMMUNITY AMBULANCE SERVICE,
DISTRICT NO. 1**

**RESOLUTION NO. 3
FILING OF SPECIAL ASSESSMENT ROLL FOR SPECIAL ASSESSMENT DISTRICT;
NOTICE OF PUBLIC HEARING**

At a regular meeting of the City Commission of the City of Buchanan, held on the _____
day of _____, 2024, at ____ p.m.

PRESENT: _____

ABSENT: _____

The following Resolution was offered by _____ and
seconded by _____.

WHEREAS, pursuant to Act 368 of 1978, as amended by Act 179 of 1990 (MCL 333.20948), a combination of local governmental units may operate an ambulance authority and defray, in whole or part, the cost of ambulance service by special assessment, with such special assessments conforming as nearly as possible to the procedure set forth in section 1 of Act 33 of 1951; and

WHEREAS, Act 33 of 1951 provides that all proceedings related to special assessments shall conform as nearly as practicable to Act 188 of 1954; and

WHEREAS, pursuant to Act 368 of 1978, as well as the Urban Cooperation Act, Act 7 of 1967, the City and other local governmental units have formed the Southwestern Michigan Community Ambulance Service (“SMCAS”), which provides ambulance services to the member municipalities and certain other municipalities pursuant to contracts (“Services”); and

WHEREAS, the costs of maintaining and operating SMCAS are shared by the local governmental units who are members of SMCAS, including the City, pursuant to the Articles of Incorporation of SMCAS; and

WHEREAS, the City wishes to defray its share of the cost of maintaining and operating SMCAS (“SMCAS Costs”) by establishing a special assessment district pursuant to Act 368 of 1978, as amended by Act 179 of 1990; and

WHEREAS, following a properly noticed public hearing on September 23rd, 2024, the City Commission adopted a resolution on September 23rd, 2024, to determine the “Special Assessment District for Emergency Medical Services Through Southwestern Michigan Community Ambulance Service, District No. 1” (the “District”) and directed the City Assessor to prepare a Special Assessment Roll for the District; and

WHEREAS, the City Assessor has made and certified a special assessment roll for the parcels located in the District and has reported the special assessment roll to the City Council.

NOW, THEREFORE, BE IT HEREBY RESOLVED AS FOLLOWS:

1. The special assessment roll for the District (the "Special Assessment Roll"), as reported to the City Council by the City Assessor, attached hereto as Exhibit A, shall be filed in the office of the City Clerk and shall be available for public inspection during the normal working hours of the City office.

2. The City Commission shall hold a public hearing at a regular meeting of the City Commission on October 14th, 2024, at 7:00 p.m. at the City Hall in the City to review the Special Assessment Roll and hear any objections to it.

3. The City Commission directs the City Clerk to give notice of the time, date and purpose of the hearing, by first class mail, to each record owner of, or party-in-interest in, real

property within the City whose name appears upon the last City tax assessment records, at least ten days before the date of the hearing in the form substantially similar to **Exhibit B**, attached to this Resolution. In addition, notice shall also be published in the same form at least twice before the hearing in a newspaper circulating in the City. The first publication shall be at least ten days before the date of the hearing.

4. The form of the notice of hearing to be published shall be substantially as set forth in Exhibit B, with such modifications as are deemed necessary by the City Manager to ensure that notice is provided to property owners within the District.

5. All actions heretofore taken by City officials, employees and agents with respect to the special assessment are hereby ratified and confirmed.

6. All resolutions and parts of resolutions insofar as they conflict with the provisions of this resolution shall be and the same are hereby rescinded.

ADOPTED:

YEAS: _____

NAYS: _____

STATE OF MICHIGAN)
)
COUNTY OF _____)

I, the undersigned, the duly qualified and acting City Clerk of the City of Buchanan, Berrien County, Michigan, DO HEREBY CERTIFY that the foregoing is a true and complete copy of certain proceedings taken by the City Commission of said City at a regular meeting held on the _____ day of _____, 2024.

_____, City Clerk

EXHIBIT A
SPECIAL ASSESSMENT ROLL

See Attached

EXHIBIT B

**NOTICE OF PUBLIC HEARING AND
FILING OF SPECIAL ASSESSMENT ROLL**

NOTICE IS HEREBY GIVEN that the City Council of the City of Buchanan, has resolved its intention to proceed to make defray its share of the cost of maintaining and operating the Southwestern Michigan Community Ambulance Service (“SMCAS”) by establishing a special assessment district pursuant to Act 368 of 1978.

The City Council has tentatively determined that all or part of the cost shall be specially assessed against all residential units, commercial parcels, industrial parcels, and agricultural parcels within the City, unless such lands and premises are exempt by law from paying special assessments. "Residential unit" includes each unit in multiple family dwellings, apartments, condominiums and townhouses, and includes each pad in a mobile home or manufactured housing community. A complete list of parcels and units to be assessed is on file with the City Clerk. **The annual assessment for each assessed parcel or unit shall be based on the year of the assessment in the amounts as follows:**

2024	\$40.00
2025	\$45.00
2026	\$50.00
2027	\$50.00
2028	\$50.00

NOTICE IS FURTHER GIVEN THAT the City Assessor has made and certified a special assessment roll for the special assessment district, which roll sets forth the relative portion of the cost which is to be levied in the form of a special assessment against each benefited lot and parcel of land in the special assessment district.

TAKE NOTICE THAT THE CITY COUNCIL WILL HOLD A PUBLIC HEARING AT A REGULAR MEETING ON OCTOBER 14TH , 2024, AT 7:00 P.M., AT THE CITY HALL, 302 N REDBUD TRAIL, BUCHANAN, MI 49107, TO REVIEW THE SPECIAL ASSESSMENT ROLL AND TO HEAR AND CONSIDER ANY OBJECTIONS THERETO.

TAKE FURTHER NOTICE that the special assessment roll as prepared has been reported to the City Council and is on file with the City Clerk at the City Hall for public examination.

TAKE FURTHER NOTICE THAT AN OWNER OR PARTY IN INTEREST IN A LOT OR PARCEL OF LAND SUBJECT TO A SPECIAL ASSESSMENT MAY FILE A

WRITTEN APPEAL OF THE SPECIAL ASSESSMENT WITH THE MICHIGAN TAX TRIBUNAL WITHIN THIRTY (30) DAYS AFTER THE DATE OF CONFIRMATION OF THE SPECIAL ASSESSMENT ROLL, BUT ONLY IF SAID OWNER OR PARTY IN INTEREST APPEARS AND PROTESTS THE SPECIAL ASSESSMENT AT THIS HEARING. An appearance may be made by an owner or party in interest, or his or her agent, in person or, in the alternative, an appearance or protest can be filed with the City by letter prior to the hearing, in which case a personal appearance at the hearing is not required.

82945:00003:6346273-1