



Memorandum

Date: July 8, 2026

To: Darwin McClary, Village Manager

Subject: Request for Resolution of intent to Amend the Boundaries of the Downtown District

Dear Darwin,

Please consider this my request to add the attached item, Request for Resolution of intent to Amend the Boundaries of the Downtown District, to be added to the Agenda for consideration at the July 13, 2026 Village Council Meeting.

At this time the Village has increase its millage to pay for increased police costs, the Township is asking for increased milages for police and fire services. Oakland County is cutting programs and increasing its charges for services by historic amounts.

Informational literature states that the Downtown District captures our Village millage, the Village Police millage and the Township Fire millage.

It necessary to reduce the Downtown District as it is the only effective way to recover Village, Police and Fire millages without ending the Downtown Development Authority as they cannot just give them back.

These funds are needed elsewhere in the County, Township and Village.

If necessary I am willing to make a presentation on the attached materials.

Very truly yours,

Michael Lamb, Councilman



PROPOSED COUNCIL ACTION SUMMARY SHEET

MEETING DATE: July 13, 2026

TOPIC: Resolution of intent to Amend the Boundaries of the Downtown District

BACKGROUND BRIEF:

The Village Council is being asked to adopt a Resolution of Intent to begin the statutory process for considering an amendment to the boundaries of the Village of Lake Orion Downtown Development Authority Downtown District.

This action does not itself amend the Downtown District, remove any property from the Downtown District, or adopt a final ordinance. The proposed resolution only declares the Council's intent to consider a boundary amendment and sets the required public hearing.

Under the Recodified Tax Increment Financing Act, 2018 PA 57, MCL 125.4203, the Village Council may alter or amend the boundaries of the Downtown District to include or exclude lands from the district. Act 57 requires that a boundary amendment follow the same general procedure used to adopt the original ordinance creating the authority and designating the district boundaries.

If the Resolution of Intent is adopted, the Village Clerk will be directed to provide the required statutory notices, including publication, mailing to property taxpayers of record in the proposed district, certified mailing to affected taxing jurisdictions, and posting within the proposed Downtown District. The matter would then return to the Village Council for a public hearing at which citizens, taxpayers, property owners, and representatives of affected taxing jurisdictions would have the right to be heard.

No final boundary amendment may be adopted at this meeting. After the public hearing is held, the Village Council must wait at least 60 days before adopting an ordinance amending the Downtown District boundaries. Any final amendment would require later Council action by ordinance.

The purpose of this agenda item is therefore limited to initiating the public process required by Act 57 and setting the matter for public hearing.

SUMMARY OF PREVIOUS COUNCIL ACTION:

FINANCIAL IMPACT:

Increased tax revenue to the Village of Lake Orion. Decreased tax capture revenue to the Downtown Development Authority

ATTACHMENTS:

Summary of process to Amend Downtown District Boundaries

Proposed amended assessment role , map of proposed reduced district, map of existing district.

RECOMMENDED MOTION:

See attached : “RESOLUTION OF INTENT TO AMEND THE BOUNDARIES OF THE VILLAGE OF LAKE ORION DOWNTOWN DEVELOPMENT AUTHORITY DOWNTOWN DISTRICT AND TO SET A PUBLIC HEARING”

Summary of steps to amend the Downtown District boundaries under Act 57

1. **Draft the proposed amended boundary description.**
The ordinance and public notice must describe the proposed Downtown District boundaries. The amended boundary should identify what land remains in the district and what land is excluded.
2. **Village Council adopts a resolution of intent.**
The governing body adopts a resolution stating its intent to amend the Downtown District boundaries and sets the date, time, and place for a public hearing on the proposed ordinance. Act 57 uses the same process for altering boundaries as for adopting the original ordinance.
3. **Publish notice of the public hearing twice.**
The notice must be published twice in a newspaper of general circulation in the municipality. Publication must be not less than 20 days and not more than 40 days before the hearing.
4. **Mail notice to property taxpayers of record.**
At least 20 days before the hearing, notice must be mailed to the property taxpayers of record in the proposed district. Failure of a taxpayer to receive the notice does not invalidate the proceedings.
5. **Mail notice by certified mail to affected taxing jurisdictions.**
At least 20 days before the hearing, notice must be sent by certified mail to the governing body of each taxing jurisdiction whose taxes would be subject to capture.
6. **Post notice in the district.**
Notice must be posted in at least 20 conspicuous and public places in the proposed Downtown District at least 20 days before the hearing.
7. **Hold the public hearing.**
Citizens, taxpayers, property owners, and officials from affected taxing jurisdictions have the right to be heard regarding the proposed boundary amendment. The Council may eliminate lands from the district, but it may not add land that was not included in the hearing notice.
8. **Wait at least 60 days after the public hearing.**
The ordinance cannot be adopted until at least 60 days after the public hearing.
9. **Adopt the boundary amendment ordinance.**
Council adopts the ordinance by majority vote, subject to any applicable Village Charter or ordinance-adoption procedures.
10. **File the ordinance with the Secretary of State.**
After adoption, the ordinance must be filed with the Michigan Secretary of State.
11. **Publish the adopted ordinance.**
The ordinance must be published at least once in a newspaper of general circulation in the municipality.

The controlling language is Act 57, Section 203(5): the governing body “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.”

VILLAGE OF LAKE ORION
COUNTY OF OAKLAND, MICHIGAN

RESOLUTION NO. 2026-____

RESOLUTION OF INTENT TO AMEND THE BOUNDARIES OF THE VILLAGE OF LAKE ORION DOWNTOWN DEVELOPMENT AUTHORITY DOWNTOWN DISTRICT AND TO SET A PUBLIC HEARING

At a regular meeting of the Village Council of the Village of Lake Orion, County of Oakland, Michigan, held in the Village Council Chambers on _____, 2026, at ____ p.m.

PRESENT: _____

ABSENT: _____

The following resolution was offered by Councilmember _____ and supported by Councilmember _____:

WHEREAS, the Village of Lake Orion has previously established a Downtown Development Authority pursuant to Michigan law; and

WHEREAS, the Downtown Development Authority operates within a Downtown District designated by ordinance of the Village Council; and

WHEREAS, the Village Council is authorized under the Recodified Tax Increment Financing Act, 2018 PA 57, MCL 125.4203, to alter or amend the boundaries of the Downtown District to include or exclude lands from the Downtown District pursuant to the same requirements applicable to adoption of the ordinance creating the authority; and

WHEREAS, the Village Council desires to consider an amendment to the boundaries of the Downtown District for the purpose of excluding certain lands from the Downtown District; and

WHEREAS, the Village Council has determined that it is appropriate to initiate the statutory process for consideration of a proposed ordinance amending the Downtown District boundaries; and

WHEREAS, before adopting an ordinance amending the Downtown District boundaries, the Village Council is required to hold a public hearing after providing notice as required by Act 57.

NOW, THEREFORE, BE IT RESOLVED by the Village Council of the Village of Lake Orion as follows:

1. The Village Council declares its intent to consider adoption of an ordinance amending the boundaries of the Village of Lake Orion Downtown Development Authority Downtown District.
2. The proposed amended Downtown District boundaries shall be generally described as follows:

[Insert general description of the proposed amended Downtown District boundaries.]

3. The lands proposed to be excluded from the existing Downtown District are generally described as follows:

Exhibit A, "Map and Assessment Role of reduced Amended Downtown District"

4. A public hearing on the proposed ordinance amending the Downtown District boundaries shall be held on _____, 2026, at ____ p.m., or as soon thereafter as the matter may be heard, at the Village Council Chambers, Village of Lake Orion, Michigan.
5. The Village Clerk is directed to provide notice of the public hearing as required by Act 57, including publication, mailing to property taxpayers of record in the proposed district, certified mailing to affected taxing jurisdictions, and posting within the proposed Downtown District.
6. The notice of public hearing shall state the date, time, and place of the hearing and shall describe the proposed amended boundaries of the Downtown District.
7. At the public hearing, citizens, taxpayers, property owners of the Village, and officials from taxing jurisdictions whose taxes would be subject to capture shall have the right to be heard regarding the proposed amendment to the Downtown District boundaries.
8. This Resolution does not adopt the proposed boundary amendment and does not amend the Downtown District. It only declares the Village Council's intent to consider the proposed ordinance and sets the required public hearing.
9. All resolutions and parts of resolutions in conflict with this Resolution are repealed to the extent of the conflict.

AYES: _____

NAYS: _____

RESOLUTION DECLARED ADOPTED.

Village Clerk

CERTIFICATION

I certify that the foregoing is a true and complete copy of a resolution adopted by the Village Council of the Village of Lake Orion, County of Oakland, State of Michigan, at a regular meeting held on _____, 2026, and that the meeting was conducted and public notice was given in compliance with the Michigan Open Meetings Act.

Village Clerk