

the review

September/October 2015

the official magazine of the  michigan municipal league

Retrofitting Suburbia
Investing in Michigan:
A Developer's Perspective
Newaygo – The Stream



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— FIRST CERTIFIED
REDEVELOPMENT
READY COMMUNITY

THINK LIKE A DEVELOPER

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On the Cover:

Roseville is experiencing a development boom since completing a nearly two-year process to become a certified Redevelopment Ready Community. The time it takes to get approval for a big development project has fallen from six months to 90 days or less. The pay-off includes an expansion of the Macomb Mall and a new 100,000 sq ft Kroger Marketplace. Pictured from left to right: Roseville City Manager Scott Adkins; Ken McClure, Consumer Communications Manager for Kroger's Michigan division; Roseville Mayor Robert Taylor; and Ed Boutrous, CEO, The Boutrous Companies (developer).

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michigan municipal league

the review

The official magazine of the Michigan Municipal League

Volume 88, Number 5

We love where you live

The Michigan Municipal League is dedicated to making Michigan's communities better by thoughtfully innovating programs, energetically connecting ideas and people, actively serving members with resources and services, and passionately inspiring positive change for Michigan's greatest centers of potential: its communities.

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Please recycle this magazine

The Benefits of Ever Evolving

The word stagnant does not have a positive connotation. Nothing flourishes in a stagnant environment (except mosquitos, but nobody likes them either). To avoid stagnating, you have to continuously evolve and maneuver to serve your organization, your citizens, and your team. But this type of steady evolution is difficult. It doesn't feel natural to change what you are doing or how you are doing it right after you've spent a few years getting a great program or product up and going and it's finally clicking on all cylinders. It has to be intentional. However, when you think of the things that you've been really impressed with, or made a mental note to revisit in the hopes of replicating, it's probably something that is new and different. No one walks away from hearing about a program that is 10-15 years old and thinks "wow, that's pretty creative." Therefore, it's imperative for all of us to intentionally seek the opportunity to continuously change what we are doing and how we are doing it. It breeds excitement, motivation, and learning opportunities as people fail and adjust. It makes us better. It makes our communities better. It makes our culture better.

In this issue we're highlighting projects, programs, and people who have achieved success by transforming their businesses, their programs, or the physical environment. Certainly one of the best examples of this is the Michigan Economic Development Corporation's (MEDC) Public Spaces Community Places crowdfunding matching grant program, which over the past year has become one of the most popular programs it has ever rolled out. We're thrilled to be partners in that program and impressed that a state agency had the courage to be so creative. Additionally, we highlight the city of Roseville, which jumped in head first to the Redevelopment Ready Community certification program (also through the MEDC) and is now seeing the benefits of improving and streamlining their process for development.

At the League, our programs and structure are always morphing. I firmly believe that is the only way we'll continue to offer quality products and opportunities. One of the most recent ways we've done this is through our new educational opportunities—the Summits. We believe a better way to educate leaders is to group them by similar characteristics (suburban, urban, college town, waterfront, etc.) so we can better tailor speakers and case

studies to be more relevant to their needs. One of our first events, the Suburban Summits, was held this spring and featured Ellen Dunham-Jones, a national leader on retrofitting who is also featured in this issue.

We are also providing members with the opportunity to bring other community leaders (business leaders, civic leaders, etc.) to our events so that the momentum gained at League events can be better maintained back at home. In fact, we're offering a special promotion at our Annual Convention this year—each member who registers can bring one community leader (non-municipal official) FREE. We hope this will help spur better dialogue and a more meaningful experience for everyone.

I hope the examples in this issue serve as inspiration for the challenging task of continual evolution. It's different (and more meaningful) than "change" because it's a process that shouldn't end. We shouldn't make one adjustment, build one pocket park, or retrofit one strip mall and check the box. The best outcomes come from places and people who are challenging themselves and trying new things perpetually—to stay relevant, to stay competitive, to stay meaningful; to be aspirational.



Daniel P. Gilmartin
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Loft apartment as part of a mixed-use development in Pontiac, MI.

Place-Based Development:

WHAT DEVELOPERS AND COMMUNITIES WANT

By Mark A. Wyckoff, FAICP and James Tischler, AICP

Demographics are changing, markets are changing, and communities are changing. Talented workers have skills that are in high demand, and they can live anywhere they want. They will not choose your community unless it is a high quality place with a lot of amenities. Jobs increasingly locate where there are an abundance of talented workers. Thus, creating a quality place is the first step to talent and job attraction and improved economic competitiveness. But developers will not build what is needed unless the community makes it easy for them to do so.

Placemaking Required to Create Quality Places

Placemaking is the process of creating quality places where people want to live, work, play, and learn. There needs to be several quality places in each region for the region to be economically competitive. Creating quality places is a constant process of placemaking that focuses on public spaces and the interface of private spaces with public spaces (building façades, “build to lines,” height, and parking especially).

Barriers

Limited Master Plans

Most master plans are old or outdated. They are not based on contemporary analysis of demographic changes or informed by recent market trends. They focus primarily on land use and infrastructure and fail to consider urban form and the value of amenities (parks, trails, entertainment venues, well-equipped public spaces, good transit, etc.). In addition, they have no section on placemaking or priorities for public investments, and no clear guidance on plan implementation.

Outdated Zoning Ordinances

Most zoning ordinances are older and more outdated than master plans. Most still have a strong separation of land uses, cater to cars and not people, and require excessive parking. They also limit density and mixed-use in locations where they should be the highest. Most ordinances permit by right, suburban development forms in downtowns and along key corridors which kill walkability and the ability to densify. Most require by special use permit or other special approval, the very contemporary development forms that add interest to urban places. Most make it difficult to build downtown and easy to build at the periphery of town. And lastly, most ordinances are not sensitive to the time it takes to get through development review and approval. Review procedures that take a long time, and/or require a lot of public review, are a disincentive for mixed-use development.

Under- and Over-Regulation

Under-regulation includes regulations in downtowns and key commercial corridors that allow one story buildings, instead of requiring two to three stories. Under-regulation includes not permitting “missing middle” housing by only permitting single family homes, duplexes, and garden apartments.

Over-regulation includes downtown rules requiring on-site parking; planned unit developments (PUDs) for mixed-use buildings; and prohibitions on sidewalk dining, street performers, bicycle parking, angle parking, or sandwich signs.

The result is low quality development or no development—often in the downtown where the best quality development is most needed. Buildings with long economic lives and character, adaptable to many different uses, are being replaced with comparatively cheap buildings with short economic lives and little adaptability. Such changes reflect a temporary view, instead of building and maintaining a quality place that is resilient and adaptable to changing markets and demands.

What Developers Want

All developers want predictability and clear development regulations, but the best developers want a real partnership with



What is a Charrette?

Charrette is from the French for “cart” or “chariot.” Nineteenth century Parisian student architects worked in teams up until a deadline, when a charrette was wheeled among the students to pick up their work for review while they were working furiously to apply the finishing touches, they were said to be working en charrette, in the cart.

In municipal planning, the charrette is a multiday, collaborative planning event that harnesses the talents and energies of all affected parties to create and support a feasible plan that represents transformative community change.

the municipality—evidence that the master plan has broad stakeholder support; the planning commission and council are on the same page; the community supports quality development; and the community will get approvals right, and in a reasonable time.

What Communities Must Ensure

The community should not, however, take whatever a developer offers. Instead, it should ensure quality development in conformance with plans and regulations. It should ensure that concerns of disadvantaged persons are adequately considered, while engaging citizenry and businesses together to create a common well-articulated vision of the future of the area and updating of regulations. It means a well-trained and coordinated staff, planning commission, and council.

MISSING MIDDLE

Responding to the Demand for Walkable Urban Living



2015 MPlace “Missing Middle” Housing Design Competition

An international sampling of architects and design students stepped up to solve the problem of Michigan’s growing need for more diverse and affordable housing options to better fit the demands of urban lifestyles. The phrase “missing middle” refers to housing sites such as duplexes, fourplexes, bungalow courts, mansion apartments, live/work units, and courtyard apartments. These types of housing have rarely been built since the early 1940s due to regulatory constraints, the shift to auto-dependent patterns of development, and the incentivization of single-family home ownership.

This first-ever “Missing Middle” Housing Design Competition was the cooperative work of numerous sponsoring organizations. The primary planning groups included: AIA Michigan, Michigan State Housing Development Authority, MSU’s Land Policy Institute, the Michigan Municipal League, and the Michigan Chapter of the Congress for the New Urbanism. In addition, other endorsing sponsors included the Michigan Historic Preservation Network, Michigan Association of Planning, Habitat for Humanity of Michigan, and the Community Economic Development Association of Michigan.

The five winning designs and the designers were recognized at an Awards Symposium in June. First place winner, Niko Tiula, principal of Tiula Architects in El Paso, Texas and Helsinki, Finland, delivered a comprehensive presentation of his winning design.

Five Essential Principles

It comes down to the following “musts”:

1. Put people ahead of cars downtown, at key nodes, and along key corridors. Communities must be walkable (complete and safe sidewalk system) and bikeable (complete and safe bicycle system; slow, with bike parking).
2. Increase residential density downtown, at key nodes, and along key corridors.
3. Allow mixed-uses downtown, at key nodes, and along key corridors:
 - a. Retail and personal service on first floor, second and third floor residential; office on second floor if building is four or more stories,
 - b. No on-site parking requirement in most cases,
 - c. Encourage mixed-income residential units.
4. Put building form over land use when it comes to regulation outside of single family residential areas.
 - a. Allow no one story buildings downtown or at key nodes and probably not along key corridors.
 - b. No parking in front of buildings unless on the street.
5. Have fixed route transit from downtown to key locations (if over 5,000 population).

There Is More You Can Do

Municipalities can increase the likelihood of quality development by doing target market analysis (TMA); developing charrette-based master plans; and using form-based codes (at least for the downtown, key nodes, and along key corridors).

The TMA method analyzes the whole range of household and building types. Charettes permit broad public participation; and public, and often developer, approval in a much shortened time frame. Form-based codes are development rules to achieve a specific urban form.

In short, municipalities can achieve the above by creating streamlined development review procedures to “by right” status, tied to market-analyzed, stakeholder-engaged, charrette-facilitated, master plans and form-based codes.

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From Idle to Ideal:

Breathing New Life into Old Suburban Sites

By Lisa Donovan

A vacant eyesore. That's what most people saw as they drove past the former big box retail store at Ferndale's 9 Mile and Woodward intersection. But to Chris and Tiffany Best, it represented much more. They saw a building in the heart of the action—the perfect home for their new venture, Rust Belt Market. “Ferndale was up and coming, and the site had one foot in the suburbs and one foot in the city,” said Chris Best, who opened the market with his wife, Tiffany, in 2011. “It was good timing.”

Rust Belt Market is now a popular “living market” for artists, collectors, and local food products. The building has been completely redesigned, with an iconic gear-shaped sign over the front door. Throngs of people pour through that door every week in search of a unique shopping experience among 50 eclectic shops.

“Rust Belt has really come to be an iconic business downtown in a pretty short time,” said Ferndale Mayor David Coulter. “They're not just attracting people, they're attracting the kinds of customers that are also the right market for other Ferndale businesses—creative, adventurous people looking for something different.”

Key Retrofitting Strategies

The Rust Belt site is representative of underused suburban sites all across Michigan and the country. The recession left behind dead malls and big box stores, huge vacancies in strip malls, and empty office buildings. Changing demographics has had an effect, too, as millennials and baby boomers now crave a more walkable, urban lifestyle.

Ellen Dunham-Jones, co-author of *Retrofitting Suburbia*, says you can look at all these underperforming properties and be depressed, or view them as an opportunity for a different future. She chooses the latter, and she has over 1,200 examples of suburban retrofits to show just how it can be done.

Dunham-Jones' approach to creating a new life for old suburban sites involves three basic strategies:

- 1) Redevelop—build a more dense, urban, walkable place
- 2) Re-inhabit—use the building for a more community-serving purpose
- 3) Re-green—turn the site into a park or open space

21st Century Challenges

Retrofitting can also help suburbs address a variety of 21st century challenges—everything from auto-dependence and jobs to equity and affordability.

Auto-Dependence

Many of today's consumers would like to ditch their cars and walk or take transit to a variety of places—a pretty big challenge in our auto-oriented suburbs. At Mashpee Commons in Cape Cod, Massachusetts, developers addressed that problem by building a quaint New England village on the parking lot of an old strip center. The new development boasts first floor shops with apartments above, as well as civic space.

Equity and Affordability

Transportation costs are higher in the suburbs, particularly for people in the lower half of the income bracket. They often spend more on transportation than housing, so affordable housing near affordable transportation is essential. At Cottages on Greene Street in Rhode Island, the answer to affordable housing came in the form of dense, quaint cottages that seamlessly transition into the surrounding commercial area.

Jobs

Attracting and retaining millennial workers is tricky as most of them have no interest in the “Dilbert-style” cubicles typically available in suburban office parks, says Dunham-Jones. Denver, Colorado has the right idea with their TAXI development, a former taxi garage that now houses cool, loft-style office space and even a swimming pool made from shipping containers.



Photos by Timothy Hursley



Photos by June Williamson, 2014



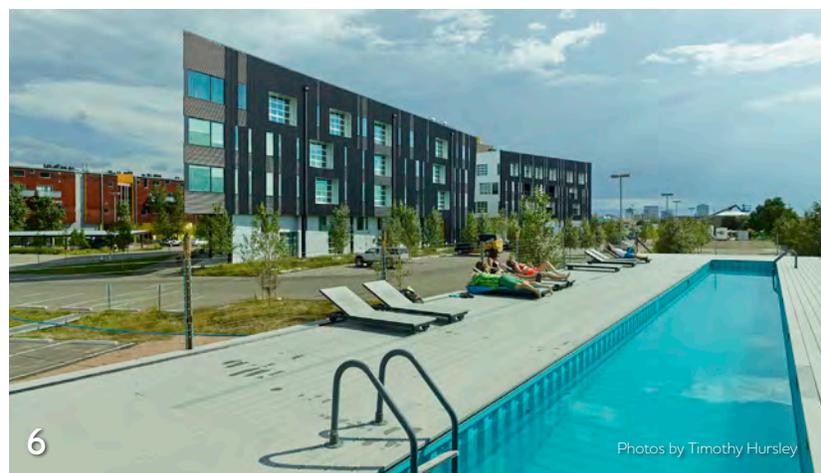
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1, 5, 6. The TAXI development in Denver, Colorado is a former taxi garage that now houses cool, loft-style office space and even a swimming pool made from shipping containers. 2, 4. Mashpee Commons in Cape Cod, Massachusetts. 3. Cottages on Greene Street in Rhode Island.



1

Photos by Timothy Hursley



2



3

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4

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5



6

Photos by Nat Rea

1. Rust Belt Market 2. The League hosted two Suburban Summits this spring featuring Ellen Dunham-Jones, a national leader on retrofitting. 3. The Bests started the Rust Belt Market in Ferndale MI. 4. Rust Belt Market 5. Ellen Dunham-Jones consults at a small group session on retrofitting suburbia at the League's Suburban Summit. 6. Cottages on Greene Street in Rhode Island.

How to Foster Retrofitting in your Community

Rust Belt Market didn't just spring to life on its own. The project was the result of a collaborative effort between the Bests and the city of Ferndale. They shared their unique business model with city officials and were met with a flexible attitude, particularly in terms of permitting. All parties worked together to develop a solution that allows all the independent vendors to operate under one blanket permit.

"I've put a big focus on making the permitting process simpler and easier in our city," said Coulter. "I'm proud to say that rather than use the unusual permit situation as a reason not to move forward, we worked with Chris to figure out how we could move it forward."

That type of flexibility on the part of the city is a key ingredient in retrofitting underperforming suburban sites. According to Dunham-Jones, zoning is often where that flexibility comes into play. She advises communities to consider some form of rezoning to allow mixed-use and more urban, walkable patterns. That can be done through overlay rezoning or updating the zoning ordinance. A big trend now is replacing the ordinance with form-based codes, a land development regulation that fosters predictable, high-quality development by using physical form, rather than the separation of uses, as the organizing principle. It's a regulation, not a mere guideline, adopted into a municipality's law.

"Rezoning makes a substantial difference in getting the ball rolling," said Dunham-Jones. "Form-based codes incentivize and encourage developers who otherwise aren't interested because of the long negotiation process with the city."

Another tool suburbs have in their retrofitting arsenal is publicly owned land. By engaging in a public/private partnership with a developer, the city can give underused sites a helpful push toward a positive new use that also increases tax revenue.

"If the city is willing to put in land, that's very attractive to a developer. It helps enormously in getting things done," said Dunham-Jones. "The public sector has the ability to be more patient and not charge interest the way a bank would. It's patience capital versus impatience capital."

For more ideas and examples on retrofitting underperforming suburban sites, consult Dunham-Jones' book, *Retrofitting Suburbia*, available at amazon.com.

Lisa Donovan is a communications coordinator for the League. You may contact her at 734-669-6318 or ldonovan@mml.org.

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1, 2, 3. Stadium District, Lansing 4. East End, Midland

INVESTING IN MICHIGAN'S FUTURE WITH PURPOSEFUL DEVELOPMENT

By Pat Gillespie

Michigan is back, and nothing points more to the state's reinvention than the revitalization of its urban cores. From Grand Rapids to Detroit, the heartbeat of the Great Lakes State is felt in our metropolitan centers and extended to its suburban communities.

At Gillespie Group, we are drawn to community and our ability to form public-private partnerships. Collaboration became the norm when we realized that we can do more by working together, especially when it comes to incentivizing projects involving environmental cleanup and urban renewal.

This has not always been the case. We purposefully transitioned from building suburban apartment communities to embracing complex downtown projects. You could say that we've seen the light when it comes to downtown development and community impact. Vibrant, colorful buildings walkable to entertainment venues, restaurants, and other city attractions are now the vision. We believe that a strong urban core is key to regional growth and sustainability.

Placemaking as a Growth Strategy

For Michigan to attract today's employee, we must embrace the concept of placemaking in both its aesthetic appeal and future development.

A young, talented workforce demands more from their workplaces. These high-energy, educated employees want a facility that encourages creativity, offers easy access to after-hour venues and is close to contemporary, urban living options. They want connectivity.

As a developer, we recognize—and applaud—this renewed interest in a revitalized urban core. Large employers have asked us to partner in this effort so that they can recruit and retain the best and brightest teams. The results are evidenced by the creation of modern, hip, multi-use facilities where our talent pool can be energized by day and entertained by night...and then take a short stroll home to their cool, contemporary homes.

This young workforce wants a place that exudes creativity and energy. They are ready to return to our state's urban roots when we can guarantee a place that is attractive, vibrant, and fulfills their needs. Throughout Michigan we are seeing these kinds of activities from Grand Rapids and Lansing to Detroit.

Thus, it is our job as developers, municipal planners, and as a community to not only acknowledge placemaking but to boldly move forward in creating the places that talent will flock to for work, play, and life. Our state, our economy, and our future depends on it. An economically strong urban core clearly benefits everyone. Slated for Michigan's urban cores, these meccas created by purposeful placemaking will prevent brain drains to other cities like Chicago, New York, and Los Angeles. We simply cannot afford this loss of talent if our state is to remain competitive.

In Lansing, we have put out the welcome mat for those entering the workforce and valued employees we wish to retain. Themed gathering places such as the Stadium District, Prud'homme Place, the Armory, Marketplace, and The Outfield have heeded the call of the region's employers by providing cool, contemporary places to work, live, shop, eat, and meet—all within a city block.

Other cities have recognized the importance of placemaking as well. Midland, home of a number of large companies and employers, features its own downtown Stadium District to house more than 600 employees. These companies and other state-based businesses understand that they must provide a culture that attracts the nation's best workers and keeps those who demand a workplace that's hip and high-tech.

To be sure, bringing new people into our cities is important, but placemaking represents so much more. Fulfilling the needs and aspirations of those who have already invested their talents is equally vital. After all, placemaking in its truest sense means promoting the health, happiness, and well-being of everyone in the community.

As a community, we must unite around a common, energized idea for Michigan's future. This collective vision will help us see the possibilities that surround our parks, downtown, waterfront, neighborhoods, streets, markets, campuses, and public buildings.

Together, we can create places ...cities... that embrace the energy and promise of a brighter tomorrow. It is our place to make.

The Power of Community

Gillespie Group developments represent community, energy, and collaboration. This was our vision when we created the properties noted above, including:

The Stadium District—Lansing

Just two blocks from Michigan's Capitol and across the street from the city's minor league baseball stadium, the Stadium District has grown tremendously from its original mixed-use building. The district's anchor building includes a Biggby Coffee, Beer Grotto, Fifth Third Bank, Greater Lansing Convention and Visitors Bureau, and the Lansing Area Chamber of Commerce.

The Stadium District also is home to the Lansing City Market, featuring local vendors and a riverside restaurant, and its residential next door neighbor, Marketplace.

Coming soon to the Stadium District is The Outfield, a grand slam for Michigan's capitol city, coupling the best of city living with America's favorite pastime. For baseball lovers, it really is a field of dreams come true...views of the diamond, the crack of the bat, cheers from the fans. The Outfield is one



Michigan Development Company of the Year

Established in 1994, the Gillespie Group's first decade in business was primarily focused on suburban and greenfield apartment projects in suburban areas of Michigan including Jackson, Adrian, Portland, Charlotte, and Delta Township.

It was in the second decade that Gillespie Group shifted its focus to real estate development within one mile of the state capitol. The result of that transition led to several landmark projects that served as a catalyst for urban renewal in Lansing.

The Gillespie Group is committed to public leadership and development for walkable, sustainable development. In addition to their smart growth projects, their commitment includes board positions on the Prima Civitas Foundation, Sparrow Foundation, Lansing Chamber of Commerce Political Action Committee, and MEDC's Redevelopment Ready Communities Advisory Council. The Gillespie Group has been at the forefront of development and is recognized as a driving force for smart growth in Lansing and throughout the state.

of the nation's first upscale residential units at a professional minor league ball field.

And, the district continues to grow with the recently announced Lansing Brewing Company, a historic brand that is being resurrected and will house the one and only full-production craft brewery with a distillery in the heart of downtown Lansing.

East End—Midland

The result of a partnership between Gillespie Group and Caddis Development, East End is a dynamic, mixed-use development in the heart of downtown Midland. East End serves as the metro hub for offices, restaurant/retail and other businesses. Most recently, the building welcomed Maru Sushi & Grill, its third Michigan location.

Located directly across from Dow Diamond, home of the Great Lakes Loons, the project links the baseball stadium to existing downtown establishments, enhancing Midland's appeal and creating a vibrant and cohesive city center.

Pat Gillespie is CEO of the Gillespie Group. You may reach him at 517-333-4123 or PGillespie@gillespie-group.com.

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COMMUNITY Excellence Awards

2015 Community Excellence Awards Finalists

The votes are in and the judges have spoken! Here are the four finalists for the 2015 Community Excellence Awards. Each community will present their project at Convention, and your votes will determine the next winner in the Race for the Cup. Visit cea.mml.org/vote for more details on each project.



FUNDING FOR THE FUTURE

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MICHIGAN IN MOTION

Transforming Woodward Together – The Journey to Better Transit

*Berkley, Birmingham,
Ferndale, Huntington
Woods, & Royal Oak*

These communities formed a collaborative foundation that unified the 27-mile Woodward Ave. corridor around a shared, common vision of safe, reliable transit options as a “linear city.”



PLACE FOR TALENT

Citizen Interaction Design (CID)

Jackson

A partnership between the UM School of Information and the City of Jackson in which university staff and students work with government officials to design information-based solutions to community issues.



STRENGTH IN STRUCTURE

Westland City Hall Big Box Retrofit

Westland

Using tax revenues generated by the city’s TIFA, a vacant big box store falling into disrepair was transformed into a modern, energy-efficient, 64,000 square-foot city hall.

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CONVENTION

Downtown Traverse City
September 16-18, 2015



Join hundreds of municipal officials who will gather from every corner of the state to Traverse City, voted one of the most charming places in the country. This Northern Michigan community—widely known as the Cherry Capital of the World—offers a vibrant downtown, breathtaking views of Grand Traverse Bay, and four seasons of outdoor recreation.

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Join us in downtown Traverse City, September 16-18. It's the place where the Michigan of tomorrow is being built today.

GENERAL SESSION SPEAKERS



Towards the City (and Village) We Need Rosalynn Bliss Mayor-Elect, Grand Rapids

Rosalynn Bliss, city commissioner in Grand Rapids since 2006 and member of the League Board of Trustees, was elected the first female mayor of Grand Rapids in August 2015. Hear from the mayor-elect on how local leaders can adapt to preserve their community's unique character while embracing the changing needs of their residents.



Order More Jerseys Frank Peterson City Manager, Muskegon

Frank Peterson has served as the Muskegon city manager since September 2013. As part of the MLGMA Colloquium he'll discuss creating a culture of openness and teamwork in communities.



Towards the City (and Village) We Need Hon. Deirdre Waterman Mayor, Pontiac

Deirdre Waterman was elected mayor of Pontiac in 2013, becoming the first woman to ever be elected to the position. Hear from the mayor on what she thinks local government will look like in the next 10 years and beyond.

AGENDA

WEDNESDAY, SEPTEMBER 16

8:30 am-5:30 pm	Registration Hours
9 am-Noon	Convention Workshops
9 am	Board of Trustees Meeting
12:15 pm	Michigan Women in Municipal Government Lunch
2-3:45 pm	Welcoming General Session Community Excellence "Race for the Cup" Awards
4:15-5:30 pm	Breakout Sessions
5:30-6:30 pm	Elected Officials Academy Board Meeting
6-8 pm	Host City Reception
8:30 pm	Foundation Fundraiser Tavern Tour

THURSDAY, SEPTEMBER 17

7 am-3 pm	Registration Hours
7:15-8:15 am	Michigan Association of Mayors Breakfast
8:30-9:45 am	Breakout Sessions
8:30-9:45 am	MBC-LEO Meeting
10-11:45 am	General Session
11:45 am-Noon	Delegate Check-in
Noon-12:30 pm	Annual Meeting
12:30-4:15 pm	Lunch & Mobile Workshops
/// DINNER ON YOUR OWN ///	
6:00 pm	Foundation Fundraiser Winery Tasting and Tour

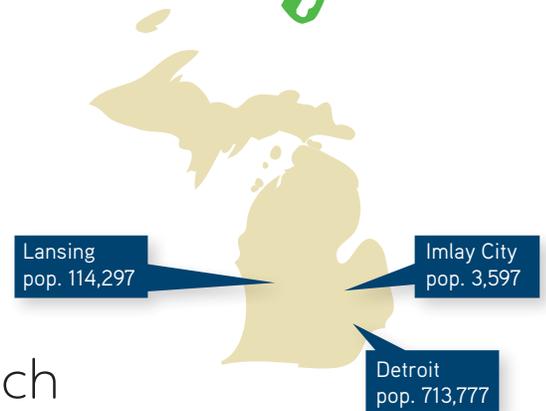
FRIDAY, SEPTEMBER 18

7-11 am	Registration Hours
7:45-8:45 am	Continental Breakfast
9-10:15 am	Breakout Sessions
10:45 am-Noon	Closing General Session Community Excellence Award "Race for the Cup" Winner Announced
Noon	Adjourn

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Public Spaces Community Places

Michigan Economic Development Corporation's Crowdfunding Approach to Revitalize Communities in Michigan



By Katherine Czarnecki

From big urban cities to smaller, rural towns, vibrant public spaces help revitalize communities and downtowns, making them ideal for business investment and talent attraction. Creating these spaces successfully requires planning, collaboration among the community and business leaders, participation among citizens, and...funding!

Through collaboration between the Michigan Economic Development Corporation (MEDC), Michigan Municipal League (MML), and Detroit-based crowdfunding platform Patronicity, the Public Spaces Community Places (PSCP) initiative is providing assistance to communities across Michigan. The first program of its kind in the country, PSCP is a crowdfunding platform that helps municipalities raise money for various projects that have the common goal of activating public spaces such as outdoor plazas, bike trails, soccer fields, farmers markets, art centers, and more. The practice of crowdfunding aims to fund projects by raising small amounts of money from a large number of people that invites residents to be engaged in the process from start to finish. "It has been tremendously successful from our end, with the project creators and with donors who love it as well. It has been incredible to see that this program has allowed for more than \$2.3 million in community impact from the state and citizens," said Ebrahim Varachia, president and co-founder of Patronicity.¹

Contributing patrons also receive project specific incentives, depending on the level of donation. The goal of this practice is to have an inclusive platform that allows local residents and stakeholders to play a role in projects that will transform their communities into places where talent wants to live, businesses want to locate, and entrepreneurs want to invest. Communities, nonprofit organizations, and other business entities that meet the criteria and have a traditional downtown² can apply to the program to conduct a crowdfunding campaign of up to \$50,000. Projects that reach their funding goal by the end of the timeframe will receive a matching grant, dollar-for-dollar, from the MEDC. This program can help projects from the initial steps, or, to receive the last amount of funding needed to finish an existing project.

From Detroit, to Grand Rapids, to Three Oaks, up to Petokey and Marquette—this program is creating unique, inviting places that are so vital for the attraction and retention of talent where people want to live, work, and play. Bob Trezise, president and CEO of the Lansing Economic Area Partnership told MiBiz, "I've been so impressed with the results so far (that) I begin to wonder whether we could actually use this tool as an incentive to companies. I wonder how far we can push the envelope here. It's been an important experiment and one that's worked with rave reviews."³



1



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1., 2. REACH Studio Art Center 3., 4. Imlay City

Success Stories REO Town, Lansing— REACH Studio Art Center

Raising \$49,365 through the Public Spaces Community Places crowdfunding with a \$48,000 matching grant from the MEDC, REO Town in the city of Lansing was able to re-purpose five vacant storefronts along Washington Avenue into an expanded community art center for youth and adults. REACH Studio Art Center is a nonprofit neighborhood space for arts and civic engagement in REO Town. REACH programs are dedicated to mentoring at-risk youth, urban revitalization, and strengthening community by connecting artists with local residents. They bring diverse individuals and groups together, and create an atmosphere of shared pride and creative problem solving. Programs including creative art classes, workshops, programs, and events such as outdoor movies, sculpture exhibits, and neighborhood gathering space are available for the Lansing community and beyond.

Detroit—Midtown Green Alley

In many urban areas, city alleys are unused spaces that are often unwanted and are in need of repair. Exceeding their goal by raising \$52,290 and receiving \$50,000 from a MEDC matching grant, The Midtown Green Alley Detroit project is turning alleys in Midtown into sustainable places that improve the public space, increase pedestrian traffic, and create connectivity in the neighborhood. The funds from this PSCP crowdfunding transformed the alleyway on Selden and Second Streets by utilizing green infrastructure to reduce the stormwater burden on sewer systems and improving visual aspects of the alley by adding flowers, brick pavers, and LED lights.

Imlay City—Rotary Park Renovation

Imlay City and its Downtown Development Authority partnered together to reactivate an underutilized public space to create a park for the entire community to enjoy. Through the



1, 2, 3. Detroit Green Alley

PSCP crowdfunding program, the city received \$9,200 from the MEDC and \$9,966 through crowdfunding, which helped to purchase new playground equipment to bring the space back to life.

For more information on MEDC's Public Spaces Community Places program, please visit: michiganbusiness.org/community/public-spaces-community-places/.

To see current and past projects from the Public Spaces Community Places program, please visit: patronicity.com/puremichigan.

1 MiBiz, *State-backed crowdfunding initiative hits 97% success rate in first year*, July 19, 2015, mibiz.com/item/22697-state-backed-crowdfunding-initiative-hits-97-success-rate-in-first-year.

2 A "traditional downtown" or "traditional commercial center" is defined as a grouping of 20 or more contiguous commercial parcels containing buildings of historical or architectural significance. The area must have been zoned, planned, built, or used for commercial purposes for more than 50 years. The area must consist of, primarily, zero-lot-line development and have pedestrian-friendly infrastructure.

3 *ibid*, MiBiz.

Katherine Czarnecki is director of community development at MEDC. You may reach her at 517-241-4950 or czarneckik@michigan.org.

“The first program of its kind in the country, Public Spaces Community Places is a crowdfunding platform that helps municipalities raise money for various projects that have the common goal of activating public spaces such as outdoor plazas, bike trails, soccer fields, farmers markets, art centers, and more.”

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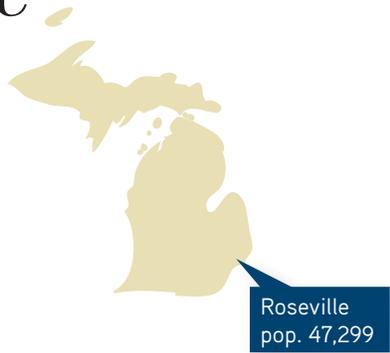
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5

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Site
10/17/14

Roseville Attains State's First Redevelopment Ready Community Certification



By Rick Haglund

Large shopping malls located in inner-ring suburbs are struggling to survive, the result of population shifts and changes in shopping habits. Northland Center in Southfield and Summit Place Mall, once two of the most popular shopping destinations in Southeast Michigan, recently closed.

But another retail behemoth, the 930,000-square-foot Macomb Mall in Roseville, is undergoing a multimillion-dollar expansion that mall officials say was made possible by Roseville becoming the state's first certified Redevelopment Ready Community in August of 2014.

"The time frames that we were presented by our new tenants could not be realized without the streamlined, single-source contact the city provided," said Karl Zarbo, director of operations at mall owner Lormax Stern Development Co. in Bloomfield Hills. "Every step was accelerated from standard municipal procedures. The City of Roseville has been wonderful to work with."

RRC Certification Specifics

Michigan's RRC program, administered by the Michigan Economic Development Corporation (MEDC), is a rigorous program that certifies communities are using best practices in the areas of planning, zoning, marketing, economic development, community engagement, and recruiting and educating local officials. "The RRC certification is a formal recognition that a community has a vision for the future and the fundamental practices in place to get there," according to the MEDC.

There is no cost for communities to participate in the program, which is designed to remove barriers to economic development. Once certified, communities have access to a team of local economic development experts contracted by

the MEDC, as well as MEDC staffers. Communities must issue progress reports to the MEDC twice a year.

In addition to Roseville, the cities of Allegan and Eastpointe have been certified as RRCs. Roseville City Manager Scott Adkins said his city started working toward certification several years ago because of the challenges the older suburb faced in remaining vibrant with declining property values and no room to grow.

"We were a largely built-out community," he said. "We felt it was important to rethink our strategy for redevelopment." But even though Roseville was mostly developed, the city had dozens of vacant or declining commercial and industrial properties that could be revitalized and bring new life to this working-class community located northeast of Detroit.

City Streamlines Development Process

One of the critical aspects of Roseville's RRC designation is changing how the city processes development proposals. All of the city's development ordinances and requirements for getting a project approved are in a single place on the city's website, which Adkins said has greatly sped up the process.

"We have a pre-meeting with developers and we provide them with an electronic packet that allows them to read all the ordinances and formal procedures," he said. "You've now cut the time needed to gather and process all those materials. It's a one-stop shop."

Adkins said since becoming a RRC, the time it takes to get approval for a big development project in Roseville like the Macomb Mall expansion has fallen from six months to 90 days or less. "It's been a huge improvement," he said. Roseville saw \$40 million in commercial development last year that he attributed directly to the city's RRC certification, which he compares to a "Good Housekeeping Seal" for development practices.

Marketing the city more aggressively to potential developers and businesses also has been critical in attracting more investment, Adkins said. While Roseville is easily accessible from several major freeways, many tend to pass it by. "We're fortunate enough to be on a well-traveled corridor," he said. "But we needed to reach out and shout to investors, 'Look at us!'"

Pulling Together to Get RRC Certified

Becoming certified wasn't easy, though. When Roseville started the process, Adkins estimated that only about 25 percent of its planning and development processes met RRC standards. It took hundreds of hours of staff time and numerous meetings with community stakeholders, including the city council, schools, and chamber of commerce to develop a community plan and implementation strategy that Adkins said meets 100 percent of the criteria.

“Since becoming a RRC, the time it takes to get approval for a big development project in Roseville has fallen from six months to 90 days or less.”



MEDC Praises City's Unrelenting Work

Jennifer Rigterink, who manages the RRC program at the MEDC, said she's especially impressed with how Roseville integrates its public schools into its "Destination Roseville" economic development marketing plan. "They're showing that Roseville is a great place for families and are highlighting the school system," she said. "The communities with the best schools are going to win."

The RRC program grew out of a 2003 report by then-Governor Jennifer Granholm's Land Use Leadership Council, which was charged with recommending policies to deal with urban sprawl and disinvestment in city centers. It was established by the Michigan Suburbs Alliance (now called Metro Matters) and was acquired by the MEDC in 2011.

Rigterink said Roseville was proactive from the start, even contacting the MEDC about its interest in the RRC program before it was publicly announced. "They had been evaluated by Suburbs Alliance and worked tirelessly on it for two years," she said. But the city "still had a lot of work to do" when the MEDC took over the RRC program.

She attributes Roseville's success in becoming a certified RRC to the unrelenting work of Adkins and other community leaders. "I can't stress enough how important it is to have a strong and innovative city manager, and never giving up. That leadership was key to Roseville becoming (the first) certified community."

Local Business Testimonial

Roseville's RRC certification has been just as important to developing small businesses like Just Delicious Scones and the Royal Treat Tea Room as it was in easing red tape in the expansion of the Macomb Mall. Jennifer Colombo, who owns the two businesses, said she came to Roseville five years ago with "a \$50 oven and a bag of flour," and has had tremendous support from the city in growing her businesses.

Colombo said the city helped her identify and apply for a \$25,000 grant to expand her wholesale scone business. And she said she gets regular assistance from Roseville city community and Economic Development Director Jason Friedman in dealing with growth issues.

Revenues of her two businesses grew by 65 percent last year and Colombo said she's planning to purchase the building her businesses have rented for the past few years. "I think I could say I'm the luckiest business in Roseville," she said.

Rick Haglund is a freelance writer. You may contact him at 248-761-4594 or haglund.rick@gmail.com.

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1. The Newaygo Brewing Co., a new craft beer business in an historic downtown building.

GO WITH THE FLOW

Newaygo's Positive Business Climate Inspires Innovation

By Lisa Donovan

What do craft beer, a vault full of money, home health care, and bright, contemporary office space have in common? They're all part of the new wave of developments in Newaygo that are bolstering the business community and contributing to an inviting sense of place.

This fall, customers will be ordering up cold, hard cash instead of soft drinks as Gerber Federal Credit Union's new building bubbles up on the site of a former root beer stand. But this spring has already seen increased activity in the city as they welcomed both Community Home Health Care and Newaygo Brewing Co.

The city joined the craft brewing trend when co-owners Nick and Krista Looman settled on Newaygo as the site for

their new business, Newaygo Brewing Co. They chose the city in part because of their fond memories of vacationing on nearby Pickerel Lake. Even more importantly, they wanted to bring craft beer to a place that didn't already have it and become a community hub.

Leaders from the city and River Country Chamber of Commerce jumped right in to help the Loomans find the perfect business site—a historic downtown building close to a Muskegon River staging area for rafting and kayaking. “We kind of get some customers delivered to us,” quipped Nick.

“We try to be helpful, flexible, and understanding,” said





2

2. Meeting room in The Stream, an ultra-modern co-working space in Newaygo

City Manager Jon Schneider. “When someone is interested in starting or expanding a business here, we meet with them to understand what they’re looking for, help them brainstorm ideas to be more effective, and if they have challenges, we help them solve them in an expedient manner.”

With a focus on lighter, subtly flavored, English-style craft beers and a menu with Italian flair, Newaygo Brewing Co. has already exceeded its founders’ expectations. “The community was very excited to see something new run by young people,” said Nick. “Now that summer is underway, we’re seeing people from places like Grand Rapids and Kalamazoo come here for the prime purpose of coming to the brewery. That’s what we hoped would happen.”

Adding to the Flow of Development

Perhaps the most innovative new development to hit Newaygo in recent years is The Stream, an ultra-modern co-working space “where talent flows.” Launched in 2010, the site’s state-of-the-art technology serves a variety of purposes for residents and visitors alike. If you’re an entrepreneur starting your own business, there’s a cool, private office calling your name. For commuters or vacationers, a cubicle filled with natural light and a high-speed Internet connection makes an

ideal remote workspace. Or, hard-working students can take a quick trip to The Stream to attend classes offered by Montcalm Community College.

The Stream also has the distinction of being a test site for office furniture maker Haworth. Members are treated to the latest designs in office furniture, walls, and flooring so that Haworth can study usage, traffic flows, and gathering spaces to help them perfect their products for the co-working/remote workplace market.

“People are surprised how nice it is. The professional environment and natural light are a real change of pace for someone who has worked in a basement or with fluorescent light,” said Executive Director Rhonda Wert-Carr. “Now, there are a number of work spaces like The Stream, but we were ahead of the curve for a small, rural town.”

The Stream developed from West Michigan’s recognition that our country is shifting to a knowledge-based economy and that is affecting how and where people work. Through the Workforce Innovation in Regional Economic Development (WIRED) initiative, Newaygo received several million dollars in grants to develop the second floor of a former fire-ravaged hotel into a workplace for the new knowledge economy. Many partners brought the project to fruition, including

state and local officials, economic development professionals, corporations, developers, and educators. Now, The Stream is owned and operated by the city.

The Stream prides itself on flexibility, both in the configuration of the building and the membership options it offers. Within 13,000 square feet, the site offers five meeting rooms that seat up to 40 people, three private offices, 40 cubicles, and a variety of informal areas with comfortable couches and chairs. Its flexible system also allows walls and floors to be moved and configured to meet a variety of needs.

Their high-tech, flexible space has caught the attention of individuals and groups alike. Organizers for Code Michigan were so impressed that they held their annual hackathon for developers of civic apps at The Stream in 2014. And lawyer Valerie Smulders has made it a regular meeting place for clients. "I have probably retained over 75 new clients from this location since I began using it in August 2012," said Smulders of Smulders Law Office, PLLC. "Almost all of my clients have commented on the space and how professional and modern it is for Newaygo. I feel that it provides me with an environment and working space that I can be proud of."

The meeting rooms, equipped with everything from a full wall of whiteboards to large flat-screen TVs, are especially popular. One member is a health care system that regularly

brings in employees from different sites to take advantage of the meeting rooms. Wert-Carr says she has seen more than a 100-percent increase in meeting room usage from spring to fall last year. She attributes that increase to people telling their friends how much they love the space.

Membership options are equally flexible. Most of The Stream's 50 members purchase monthly passes, but they will create customized packages based on the needs of the individual or company. Prices start at \$25 for a day pass, \$150 for a monthly individual membership, and \$300 per month for a small business. Some members are looking for permanent office space, and others have more temporary needs, such as the company that's housing 44 employees at The Stream for several months while they remodel their home office.

"People familiar with The Stream refer to it as a gem," said Wert-Carr. "Our biggest hurdle is that people don't know what we are and what we have to offer."

Lisa Donovan is a communications coordinator for the League. You may contact her at 734-669-6318 or ldonovan@mml.org.



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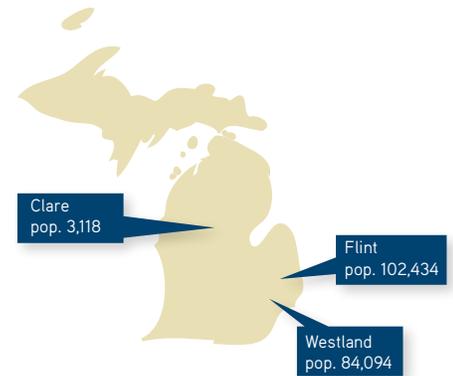


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Saving Money on Misunderstood Telecom Bills



By Dan Aylward

Telecommunications is often lumped in with other utilities that everyone must pay. “We have to keep the lights on, heat on, and phone service working.” However, telecommunications (local, long distance, Internet, cellular devices, conference calling, etc.) is often the most confusing of the bunch.

Since these services were deregulated in 1984, there has been a plethora of vendors to choose from. In fact, Michigan has more competitors to the incumbent carriers (AT&T and Frontier) than any other state.¹ This means municipalities have more vendor choices but not necessarily a greater understanding of what they’re selling. Couple that with newer technology; “sweetheart deals” the State of Michigan negotiated through MiDEAL that are going away; and the fact that carriers are starting to phase out traditional phone service—this means your rates will likely go up unless you make some significant changes. Let me summarize with the formula below:

(200+ vendors to choose from) x (new technologies here to stay) – (old technology must go) + (MiDEAL rates are gone) = costs are going up.

Abilita will analyze your telecom bills for savings. You only pay for our service if we find savings for you.

MUNICIPAL TELECOM BILL COST REDUCTION EXAMPLES

Clare

When City Manager Ken Hibl understood the telecom savings the city could realize, his eyes lit up! “Like most municipalities in Michigan today, the city of Clare is stretched thin in both time and resources. Being a small, rural community, we simply do not have the means or expertise to dissect telecom spending and services to find efficiencies and

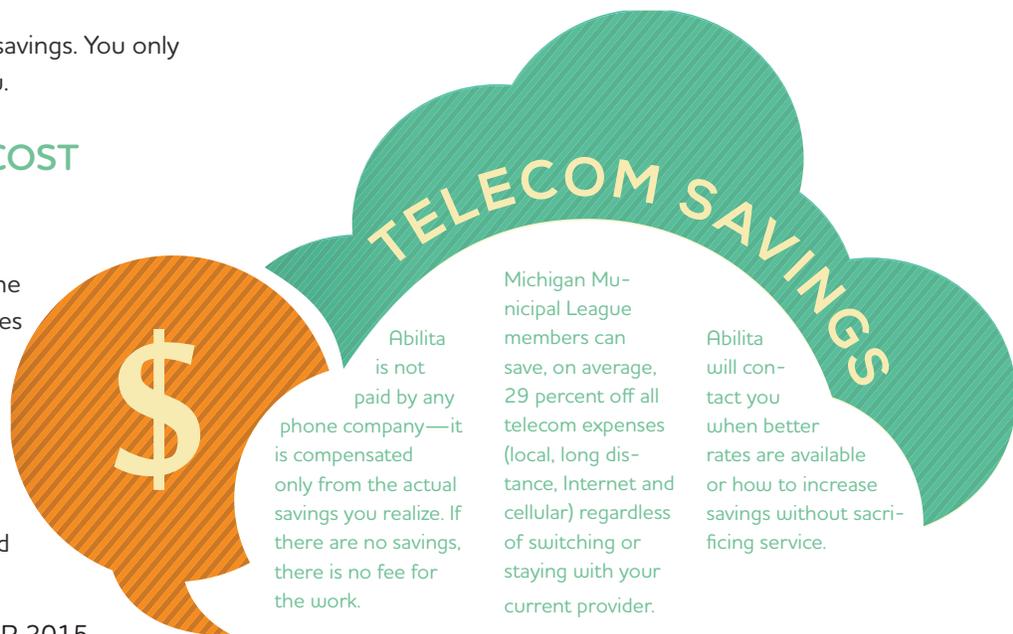
savings. We were very pleased that the Michigan Municipal League sanctioned and informed us of the services offered by Abilita. Our decision to work with this company is one of the smarter resource decisions we’ve made in the past year.”

The city reduced costs by approximately 57 percent and was able to outsource the responsibility to someone who understands and has a vested interest in bottom-line results. These savings were found by cutting unused lines and pagers, negotiating better contracts, and proactively monitoring these services so rates didn’t jump up again.

Flint

Recently, the City of Flint has been rightsizing their operational budgets (emergency management ceased on April 1). One of the more frustrating things for IT Director Paul Knific was not being able to tackle real cost savings since his staff stayed very busy.

The city knew they needed help in reducing costs immediately, as well as had the foresight to move away from old technology on traditional phone service (POTS, PRI, analog



data circuits). Getting the right people helped the city identify savings and set up a sustainable long term telecommunications plan to move to new technology while reducing the staffs' workload was key.

"We found Abilita through the League, since we knew we needed help; but there really are not a lot of choices when it comes to independent organizations out there who can help cities. Since we've been working with them for about a year now, we've seen a lot of savings in monthly reoccurring costs that we frankly wouldn't have found otherwise. Now we've engaged them to help us move to more cost-effective technologies while avoiding telecom landmines along the way."

Westland

The City of Westland's Chief Innovation Officer Dan Bourdeau, realized he could leverage the time and experience of our outsourced company, using city IT staff for other projects and day-to-day tasks. "Paul and Dan are consummate professionals who are tenacious and results driven individuals. Both men have relentlessly held the city's interest in their recommendations and in their drive to provide amazing service results."

After the cost savings were realized, the city looked to an outsourced company to help with moving city hall. Even with the multiple vendors in play (phone carriers, phone system vendors) the city found the best return on investment by outsourcing the work so it was done right the first time. In addition, when a new line is needed or not working (or the billing just doesn't look right) it is given to the outsourced company so Westland's IT staff can focus on their core strengths. All of this has been paid out of the savings they found.

Summary

Of the dozens of cities in Michigan we have worked with, we found the following to be true in most circumstances:

- Everyone was open to reducing costs and recovering credits without a degradation in telecommunications services;
- In most cases, nobody on staff either knew how to do this or had the confidence to remove lines, change plans, or switch to a new vendor for fear of a major disruption of service; and
- Very few staff members were interested in taking on a new project with a confusing but essential service (telecommunications) for the sake of saving money and/or cleaning up accounts payable.

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Dan Aylward is a senior consultant for Abilita. You may reach him at 517-853-8130 or mml@abilita.com.

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BUSINESS TO BUSINESS ACTIVITY IN GRATIOT COUNTY

By Kasey Zehner

The Michigan Certified Business Park (CBP) program was established by the Michigan Economic Developers Association (MEDA) and the Michigan Economic Development Corporation (MEDC) for dual purposes: attracting tenants and enforcing standards. Certification shows both potential and existing businesses within an industrial park that the park meets high-quality standards and offers the components necessary for success.

There are currently 65 Certified Business Parks in Michigan. Gratiot County is fortunate to have five, creating a tie between Gratiot, Muskegon, and Oakland counties for having the most CBPs in the state. Based on population, Gratiot is the smallest county to have the most industrial parks. Within Gratiot's five CBPs, there are 44 companies and over 2,000 full-time equivalent positions. Gratiot County's CBPs are essential to the wider community in that they represent over 10 percent of those currently employed in the county. CBPs are

beneficial because of the unique advantages they offer tenants, including supplier relationships and collaboration opportunities.

Business to business activity has become a common trend among businesses in Gratiot County's industrial parks, as companies have found a way to come together for the benefit of all involved. This type of collaboration leads to a stronger economy due to increased local sales, higher employment, and diverse businesses. When a company engages in business to business activity, it collaborates with other companies during the design and manufacturing process of a product. As a result, a business may learn new innovative processes and capabilities that it can use, opening the business up to a number of new possibilities.



Gratiot County
pop. 42,476



1. Alma Bolt Company 2. Monosem 3. Powder Coat of Central Michigan

Local Supplier Relationships

The impact of local supplier relationships is evident when looking at the production of a Monosem planter. Based out of France, Monosem is a manufacturer of custom precision planters with a production facility in the Ithaca Industrial Park in Ithaca, Michigan.

The manufacturing process starts with steel fabrication completed by Misenhelder Welding, a welding shop located in the South Ithaca Industrial Park. Parts and pieces are produced by C & S Steel and Precision Machine & Manufacturing, Inc., both located in the Ithaca Industrial Park. Once all parts and components are produced, they are taken to Powder Coat of Central Michigan, in the South Ithaca Industrial Park, for high-quality blue coating. For assembly, Monosem receives a variety of high-quality bolts from Alma Bolt Company, located only ten miles away in Alma, Michigan. Alma Bolt Company, though not located in an industrial park, services a number of industrial businesses and is a significant asset to the regional manufacturing community in mid-Michigan. Quality control gauging for the planter's lift mechanism is provided by a die manufactured by Anchor Danly, also located in the Ithaca Industrial Park.

Complete product assembly occurs at the Ithaca Monosem plant. Once completed, the planters are sold locally and internationally; some are even in use on Gratiot County farms, significantly benefiting another crucial facet of Gratiot's economy: agriculture.

Collaborative Initiatives

Supplier relationships are just one example of relationships that can form between businesses within, and surrounding, CBPs. Collaborative initiatives also emerge to solve a common problem or fill a mutual need. For example, the Central Michigan Manufacturers Association was formed to address the needs of manufacturers in Central Michigan by creating a manufacturing network that promotes the exchange of information and ideas. This organization was instrumental in promoting the recent approval of the Career and Technical Education millage for local high schools in Gratiot and Isabella counties, providing for a skilled and reliable workforce for future generations.

The CBP Program fosters collaborative relationships by

creating a sense of neighborhood comradery; all businesses are striving to be successful and maintain the high-quality standards for their property and the entire park. In this way, CBPs also have the capability of attracting new businesses to the area. With similar industries locating in a common area, such as a CBP, it promotes opportunities for new suppliers to locate within a park or in the surrounding regional area creating savings on logistics costs.

For more information about Gratiot County CBPs, please visit www.gratiot.org; for more information about the CBP program, visit the Michigan Economic Developers Association at www.medaweb.org.

Kasey Zehner is a project manager at the Greater Gratiot Development, Inc. You may reach her at 989-875-2083 or kasey.zehner@gratiot.org.



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*The Certified Business Parks program is a product of the State of Michigan and is administered by MEDA.

Gaming the System: Dark Stores

By Rick Haglund

Big box retail stores might offer great deals for shoppers, but they are becoming increasingly costly for the communities where they are located.

Recent court rulings and Michigan Tax Tribunal decisions have sliced tens of millions of dollars from the assessed value of stores such as Lowe's, Home Depot, and Meijer. Those rulings have resulted in the loss of millions of dollars in tax revenue by cities, townships, and counties, resulting in those local governments beginning to cut services.

In Marquette, the Peter White Public Library was forced to close on Sundays earlier this year after Marquette Township was ordered to refund more than \$750,000 in tax payments to Lowe's after the township lost a court appeal of a Tax Tribunal ruling.

Municipalities Losing Tax Assessment Challenges

All over Michigan and throughout the country, retail giants are winning case after case using what critics call the "dark store" method of assessing their properties. "We're losing (more than \$3 million) in taxable value from one store, and we will never recoup that cost," said Dulcee Atherton, Marquette Township's assessor. "That is the new tax base." Cutting back library hours could be just the beginning of widespread future cuts in local government services, Atherton and others warn.

The state Court of Appeals in 2014 upheld the Tax Tribunal's ruling that the Marquette Lowe's store had a taxable value (half of true cash value) of \$1.8 million in 2012, rejecting the township's assessment of \$5.2 million. The store was built in 2008 at a cost of \$10 million.

"This gaming of the system, known in tax circles as the 'dark stores' technique, must come to a halt before counties and communities across Michigan are stripped of the resources to operate basic public services," Michigan Association of Counties' President Jon Campbell wrote in a recent *Detroit Free Press* op-ed. Ottawa County alone has lost \$14.8 million in assessments, and \$745,000 in tax revenue since 2010,

through big box store appeals, the *Free Press* reported.

Explaining "Dark Stores"

Traditionally, big box stores have been assessed using the cost of construction of the stores, minus depreciation, to determine their true cash value. Assessors also can determine their value by calculating store income or through comparable sales of similar stores.

In the past several years, big box store owners have seized upon the comparable sales method. That has resulted in the Tax Tribunal and courts cutting their assessments by as much as 50 percent or more, and ordering local units of government to refund hundreds of thousand of dollars in tax payments from past years.

The problem is that big box store owners say there are so few comparable stores, the value of their new stores should be compared to vacant big box stores, which many of these same owners have abandoned. Thus, the "dark store" label.

Sen. Casperson Drafting New Legislation

Those vacant stores are often virtually worthless from a tax valuation standpoint because of deed restrictions that prevent them from being reused as big box stores. Such deed restrictions rattle Sen. Tom Casperson, a Republican who represents much of the western Upper Peninsula, including Marquette. The region has been hard hit by property assessment challenges from big box stores and other major employers. Casperson is working on legislation that would eliminate anticompetitive deed restrictions and clarify how commercial and industrial property should be assessed.

Casperson said he thought such legislation would be "a no-brainer" when he first tackled the issue more than a year ago. But he said many of his colleagues in the Legislature, who represented districts not yet affected by dark store assessments, viewed the move to limit them as "somehow raising taxes" on businesses.

"That wasn't our intent," Casperson said. But the Republican-controlled Legislature, which has been focused on cutting business taxes, often takes the view that closing a loophole, which is what Casperson calls dark store assessing, is a tax hike. "Everybody wants a tax cut, but we want to establish a system that is fair."

He sees Michigan sliding down a slippery slope unless something is done. Other kinds of large businesses in the Upper Peninsula, including paper mills, are beginning to challenge property assessments using the dark store argument. "I'm concerned that once this gets rolling, it's going to have a big impact," he said. "A lot of people say, 'What's wrong with going before the Tax Tribunal?' But the process is flawed; it's not a fair process." Casperson is planning to introduce legisla-



Photo by frankieleon

tion addressing dark store assessing practices this fall.

Not Just Michigan

The dark store assessment method is sweeping across the country. For example, the Indiana Board of Tax Review ruled in December that a Meijer store in Indianapolis should be assessed at \$30 a square foot, not the \$83 a square foot assessed by Marion County. The county has appealed but might have to refund \$2.4 million to Meijer if it loses, according to the *Indianapolis Business Journal*.

That case and others prompted Indiana Gov. Mike Pence to sign legislation in May reforming dark store assessment practices. But there is still confusion about the proper assessment of big box stores, according to media reports in Indiana.

Margaret Ford, president of the Michigan Assessors Association, said local assessors face a difficult task in determining the value of big box stores using the comparable sales method, because there are so few sales to use. "There should be some sort of resolution to this. It's not an issue that is just going to go away," said Ford, the assessor in Monitor Township on Bay City's west border. "We need to make it fair for everybody. The bottom line of assessing is to make sure property is assessed equally."

So far, the courts have upheld the big box stores' claims that the comparable sales model is an appropriate assessment method. But the negative impact the practice is having on the ability of local communities to provide an adequate level of services—services that the big box stores also benefit from—can't be ignored.

Rick Haglund is a freelance writer. You may contact him at 248-761-4594 or haglund.rick@gmail.com.

The problem is that big box store owners say there are so few comparable stores, the value of their new stores should be compared to vacant big box stores, which many of these same owners have abandoned. Thus, the "dark store" label.



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CROWDFUNDED ART PARK BUILDS COMMUNITY IN IRONWOOD

Ironwood
pop. 5,387



By League Staff

A lot had been sitting vacant in downtown Ironwood for years, and no one knew exactly what to do with it. In 2014, the city underwent a comprehensive planning process to guide future investment, development, and growth. Through a series of engagement activities including an open house, workshops, surveys, and small group discussions, residents repeatedly said they wanted a public place to display and enjoy local art. It didn't take long for the city to connect the dots, and they got to work creating the Ironwood Art Park.

Overview

The Art Park is a public-private partnership that gives residents and visitors a venue to gather, display art, hold performances, and offer classes. The city raised enough money through crowdfunding and a matching grant from the Michigan Economic Development Corporation (MEDC) to open the park with new landscaping, electricity, benches, and a performance area.

Participation

The public-private partnership is a coordinated effort of:

- The city of Ironwood;
- The Downtown Art Place (DAP);
- The Downtown Ironwood Development Authority (DIDA); and
- The Historic Ironwood Theatre

Patronicity, a Michigan-focused crowdfunding site, took on an advisory role through the crowdfunding campaign offering personalized support—including creating a funding strategy and handling communication between MEDC—throughout the campaign. MEDC supported the project through a matching grant. (See article on page 20.)

Budget

Start-up and initial construction costs for the Art Park came in at just under \$25,000. The city will continue limited maintenance of the park, but the DAP will seek grants to support the park long-term. This includes future improvements, art installations, and programming expenses.

How-To

1. *Listen to the community* – The city prioritized art and public spaces in its July 2014 comprehensive plan. Residents were sending a pretty clear message—and the city listened.

2. *Build a creative and collaborative team to lead the project* – After the community brought the idea of an art park to Ironwood, the city formed a committee with representatives from DAP, DIDA, the Historic Ironwood Theatre, and local artists. This is the first time the city had ever partnered with artists in this way. The committee created renditions of what the park could be, to use in its crowdfunding drive.

3. *Raise money* – In November 2014, the committee partnered with Patronicity to kick-off the campaign. Over the next 30 days, each partner worked hard to promote the park and solicit donations. “This speaks volumes of the support the community has for this project,” said Community Development Director Michael Brown. “People are excited about placemaking and this will really help give the community an edge.”

4. *Get to work* – The city transferred park designs into formal schematics, and construction started in June. A ribbon cutting event took place July 17, 2015 and the city hopes to create a mural within the next year. Art Park partners wanted to give



residents even more ownership of the space, so they plan on having them create a mural in the park themselves—children and adults will decorate tiles and each will be mounted on the wall to create a large community-driven art display.

5. *See what happens next* – DAP is taking over much of the programming and ongoing art exhibits in the park. DAP plans to open the space for organizations to host events, offer classes, put on performances, and display art. There aren't any set guidelines for how the park can be used, and that's on purpose! Partners hope the park will be an organic, public space so the city will watch what happens and only make changes or regulations when they really need to.

Lessons Learned

- Really listen to the community. “The park didn't come out of thin air and it didn't come from one person,” Brown said. “It started with public planning processes—people put an emphasis on public art and public spaces, so that's what we prioritized. You'll run into a lot of resistance for any project you do if you don't have strong public support and input.”

- Don't over-plan the future. “See how the public responds and learn from what takes place,” Brown said. “Evaluate before you move forward.”

For more information, contact Heather Van Poucker, director of information and policy research for the League, at 734-669-6326 or hvanpoucker@mml.org. To see a full listing of the League's Case Studies, please visit placemaking.mml.org.

Sue Jeffers is a legal consultant to the League. You may contact her at sjeffers@mml.org.

May an ordinance be repealed by a resolution?

FACTS:

Brookfield Township in Huron County adopted a zoning ordinance in 1968 which was updated in 2008 to be consistent with Michigan Zoning Enabling Act (ZEA), MCL 125.3101 et seq. In 2012, the township board adopted an ordinance that would have repealed the then-current zoning ordinance. In November 2012, the township’s electors rejected the repealing ordinance by referendum. At the board’s January 2013 meeting, it adopted a resolution repealing the zoning ordinance.

Michael Lorencz filed a declaratory action, seeking a declaration that the ordinance could not be repealed by a resolution.

act, not its impact.” (*Rollingwood Homeowners Corp v Flint*, 386 Mich 258, 267) The court of appeals held that the resolution purporting to repeal the zoning ordinance was void and that the zoning ordinance remains in effect.

Lorencz v Brookfield Township, No. 319235 (April 28, 2015) (unpublished).

This column highlights a recent judicial decision or Michigan Municipal League Legal Defense Fund case that impacts municipalities. The information in this column should not be considered a legal opinion or to constitute legal advice.

QUESTION:

May an ordinance be repealed by a resolution?

ANSWER ACCORDING TO THE TRIAL COURT:

COURT: Yes. The trial court held that because MCL 125.3202 was silent regarding the procedure to be followed for repealing an ordinance, the zoning ordinance was properly repealed by the resolution.

ANSWER ACCORDING TO THE COURT OF APPEALS:

NO. The Michigan court of appeals reversed the trial court, noting that the Michigan Supreme Court has consistently held that an ordinance may not be repealed or amended “without action of equal dignity to that required in its enactment.” (*Saginaw v Consumers Power Co*, 213 Mich 460, 469) The court also quoted the Supreme Court: [W]here the substance of City action requires the adoption of an ordinance, a resolution cannot operate as a de facto ordinance. The attempt to legislate by resolution is simply a nullity.” There “may be small ordinances and big resolutions: the difference lies in the nature of the

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left to right, top to bottom: Supreme Court Justice Bridget Mary McCormack; Lori Grigg-Bluhm, MAMA President; Kester So, PCLS Chair; Harbor Inn marina; speaker Richard Broughton, University of Detroit Mercy.

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Q: How does the recent U.S. Supreme Court decision on same-sex marriage affect my municipality as an employer?

A: While the Supreme Court decision in *Obergefell v. Hodges* has made major headlines, the overall impact on employers is likely minimal. Employers will want to review their plan documents and policies to ensure they are clear in the definition of “spouse.” Examples include:

- **Employee Benefits**

Employers who offer spousal benefit coverage will need to extend that same coverage to same-sex spouses. Additionally, same-sex spouses can be spousal beneficiaries on life insurance and retirement plans. Employers can contact their insurance and retirement carriers for assistance in changing these plan documents accordingly if needed.

- **Summary Plan Descriptions and Cafeteria Plans**

Employers should review their legal plan documents, Summary Plan Descriptions (SPD) and Cafeteria Plans to determine if the definition of spouse needs updating. Similarly, employers will want to verify that there aren't conflicting statements specific to same-sex spouses.

- **Bereavement Leave**

Employers who offer bereavement leave to employees will need revisit this policy to determine if the language needs clarification on the definition of “spouse.”

While this may seem overwhelming, employers primarily only need to recognize that the term “spouse” now includes same-sex spouses and take the appropriate steps to ensure that any organizational policies and plans don't have contradictory definitions.

Employers are encouraged to seek guidance from their benefit carriers, insurance agents, or attorneys for help on updating plan documents. Additionally, many of the League's Business Alliance Program participants may have useful information, as well.

Q: We need to have a special council meeting. Who can call it?

A: The source of the answer is your municipal charter and/or your council rules of procedure. The General Law Village Act (the “charter” for general law villages) provides that the president or three trustees can call a special

meeting. However, a home rule city or home rule village must check its own charter.

Don't forget: The Open Meetings Act requires 18 hours' posting notice for a special meeting.

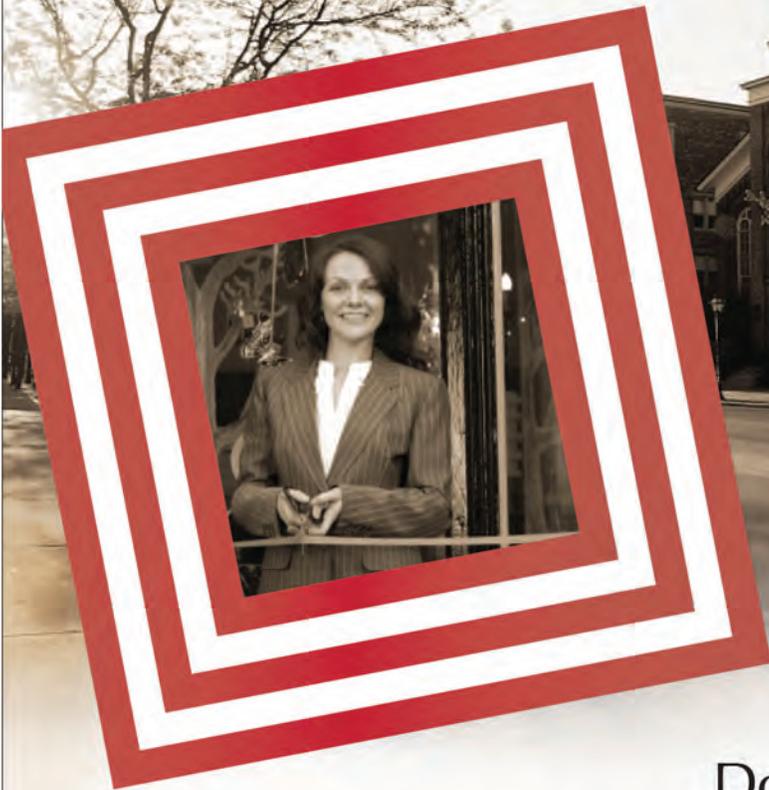
Q: When a councilmember asks to be on public record, or makes a comment, do we have to put it in the minutes?

A: The Open Meetings Act only requires that the minutes include “the date, time, place, members present, members absent, any decisions made at a meeting open to the public, and the purpose or purposes for which a closed session is held. The minutes shall include all roll call votes taken at the meeting.” (MCL 15.269) Whether or not you include any discussion or comments will depend on your local charter and council rules of procedure.

Q: Our council and staff need guidance on what constitutes appropriate contact between individual councilmembers and city staff. Some councilmembers ask staff (other than the city manager) directly for information. This causes problems because information is given to one councilmember and not to others; at times it puts the city manager in the middle.

A: Direction on appropriate council action with respect to city staff can be incorporated into council rules of procedure or ethics policies. Grand Ledge has a section in its code of conduct devoted to city council relations with city staff. Manistee covers the issue in its council rules of procedure. Both cities encourage councilmembers to work through their city managers for information from city staff.

The League's Information Service provides member officials with answers to questions on a vast array of municipal topics. Send your municipal inquiries to info@mml.org, or call 1-800-653-2483.



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Bike Cadillac! is a novel program where anyone may, free of charge, borrow a bicycle (along with a lock) to use for the day to enjoy Cadillac's trails and beautiful scenery. Bike Cadillac! is a recreation and health fitness program offered by the city to residents and guests.

Cadillac has much to offer, and through this program residents and guests that might not have a bicycle at their disposal can take full advantage of borrowing a bike from one of two Bike Cadillac! Stations. The stations are conveniently located on the west side and east side of Lake Cadillac, at the After 26 Depot Restaurant and Mitchell State Park, respectively. Bikes are loaned on a daily basis at no charge, courtesy of the city. The goals of the program are to provide people the opportunity to enjoy the visual beauty and many assets found in the city, and to do so in a healthful and relaxing manner.

There are many sights to see when experiencing Cadillac by bicycle. There are several different paths to choose from, such as the White Pine Trail or Clam River Greenway; circling around Lake Cadillac is also a great option! In 2014, it was estimated that there were over 1,200 Bike Cadillac! participants representing 46 Michigan counties, 18 states, and 2 Canadian provinces.

Bike Cadillac! would not have been possible without the generous grant from the Cadillac Area Community Foundation and support from local merchants.



Cadillac
pop. 10,355

Cadillac