

# the review

September /October 2017

the official magazine of the  michigan municipal league

Attracting Talent is Key  
to State and Local Prosperity



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# the review

The official magazine of the Michigan Municipal League

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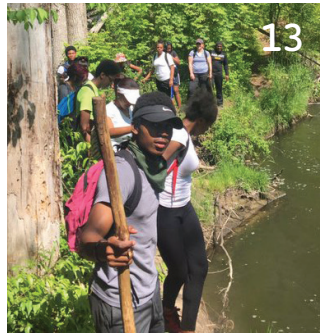
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# the review

The official magazine of the Michigan Municipal League

Volume 90, Number 5

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## Talent Retention and Attraction is Key to Michigan's Success

We're almost two decades into the 21st century, and although Michigan can claim some notable progress in transitioning to a knowledge economy, indicators show that we have a long way to go. Citing Lou Glazer's latest Michigan Future Inc. report, *"A Path to Good-paying Careers for all Michiganders: A 21st Century state policy agenda,"* Michigan ranks 40th in the country in the proportion of adults who work; 75 percent of Michigan households have stagnant or declining growth; 400,000 fewer Michiganders work today than in 2000; 16 percent are below the national average in wages and benefits per capita; and we rank 32nd in the proportion of adults with a four-year degree. These are just a few sobering statistics that the report presents.

Yes, back to the need for retaining and attracting talent issue. The data is exhaustive. Glazer goes on to report that there has been a loss of 5.5 million jobs by those with a high school degree or less since the 2008 Great Recession, contrasting with 8.6 million new jobs gained by those with a four-year degree or more in the same timeframe. If Michigan is going to succeed economically in the 21st century, it needs talent and pathways to improve the economic benefits of all Michiganders.

Right now, higher education institutions throughout Michigan are laying out the welcome mats to new students from all over the world. Eager for independence and new experiences, these students will be given an excellent education that will provide new perspectives, a nurturing environment to find their voice, and open the floodgates to a world of possibilities. Then they will graduate and over half of them will look elsewhere to begin anew, and we will lose most of them forever. Placemaking efforts to build communities where people want to live and work is certainly part of the equation, but it will also take state policy changes, strong partnerships, and innovative programs to address this challenge. Unless we increase our educational attainment, repurpose job training, and make structural policy changes, we will continue to only manage our decline.

You can catch more of Lou Glazer's report in this issue, which provides insight on a 21st century state policy based on 25 years of research. Other communities are creating their own innovative programs to retain college grads. Learn about the city of Ferndale's early college program partnership which allows high school students to pursue a degree in criminal justice and other subjects that can have real community impact. St. Clair County is offering reverse scholarships which pay students at the end of their college career upon completion of a degree in a STEAM (Science, Technology, Engineering, Arts, Mathematics) related field—but only if they agree to move back home and work within St. Clair County.

Our featured cover story is Holland's Home Energy Retrofit Program (HER) which is proactively trying to make a difference in the amount of energy that home owners use. It is a financial incentive offered by the Holland Energy Fund to homeowners, who can receive a rebate grant through the program. This is a great program for any community to think about doing.

We're in the final countdown for our annual Convention, which will take place September 13-15 in the city of Holland, for the first time ever. We couldn't be more excited and we hope that you plan to join us. While experiencing this beautiful pedestrian-friendly city on the shores of Lake Michigan, you will have the opportunity to connect with your peers and gain new perspectives and knowledge.

I want to give a shout-out to League staff. The Convention couldn't happen without their knowledge, talent, and diligence. Together as a team, they stretch their imaginations to make each Convention a unique and memorable experience for our members. I couldn't be more proud. See you there!



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# Talent Trumps Capital

## Michigan's path to prosperity lies in concentrated talent

By Lou Glazer

### The Top Ten Cities for College-Educated Millennials

A whopping 36 percent of them live in one of ten metro areas. In other words, the ten Metropolitan Statistical Areas who have the greatest number of college-educated Millennials have over one-third of the entire country's population.

1. New York-Newark-Jersey City
2. LA-Long Beach-Anaheim
3. Chicago-Naperville-Elgin
4. DC-Arlington-Alexandria
5. Boston-Cambridge-Newton
6. San Francisco-Oakland-Hayward
7. Philadelphia-Camden-Wilmington
8. Dallas-Fort Worth-Arlington
9. Houston-The Woodlands-Sugar Land
10. Atlanta-Sandy Springs-Roswell

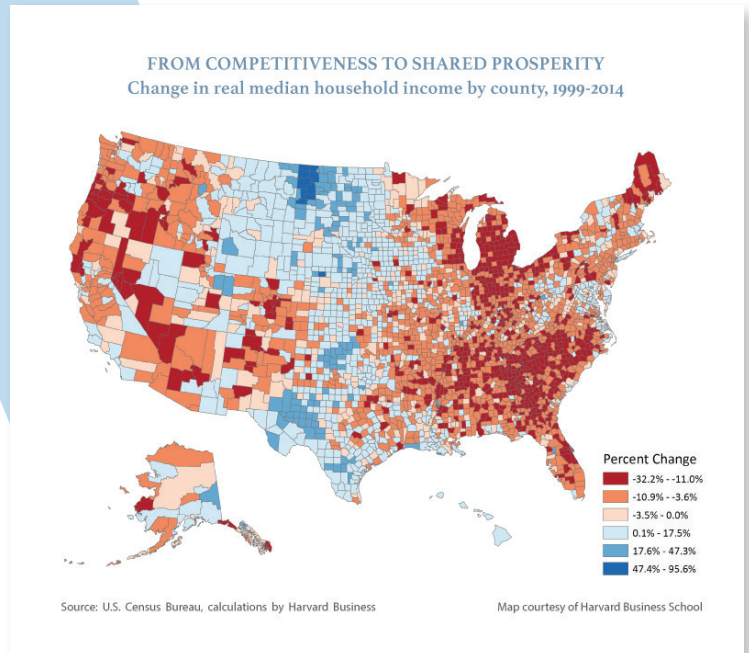
For the past two decades, Michigan has pursued a low tax driven economic development strategy. It hasn't worked! In the seventh year of a national economic expansion—and an even stronger rebound from near bankruptcy of the domestic auto industry—too many Michigan households are struggling. Michigan's substantial economic challenges are clearly structural.

In good times and bad, far too many Michigan households are experiencing declining or stagnant incomes. Over the last decade and a half—no matter who was in control in Lansing and Washington—Michigan has moved from being a high-prosperity to a low-prosperity state.

Most concerning, the Michigan Association of United Ways found that 40 percent of Michigan households do not have sufficient income to pay for the necessities: primarily housing, childcare, food, health care, and transportation. Their report makes it clear that this is an all-Michigan problem: in every county, among all races and all ages.

### A Path to Good-Paying Careers

Why hasn't a low tax strategy worked? As Michigan Future—the think tank I lead—details in its new report, *A Path to Good-paying Careers for all Michiganders: A 21st Century*



state policy agenda, human capital is now the asset that matters most to individual and state economic well-being. We agree with Governor Snyder when he wrote in his Special Message on Developing and Connecting Michigan Talent: "In the 20th Century, the most valuable assets to job creators were financial and material capital. In a changing global economy, that is no longer the case. Today, talent has surpassed other resources as the driver of economic growth."

Quite simply, in a flattening world where work can increasingly be done anyplace by anybody, the places with the greatest concentrations of talent win. The new path to prosperity is concentrated talent.

Then New York City Mayor Michael Bloomberg got it right when he wrote in a *Financial Times* column: "Economists may not say it this way but the truth of the matter is: being cool counts. When people can find inspiration in a community that also offers great parks, safe streets and extensive mass transit, they vote with their feet."

One might ask "What does quality of place have to do with economic well-being?" The answer is that talent is mobile, and increasingly where they go, high-wage knowledge-based enterprises follow. In his *Financial Times* article, Bloomberg also wrote: "I have long believed that talent attracts capital far more effectively and consistently than capital attracts talent."



Concentrated talent increasingly is what attracts high-wage employers. Talent is also entrepreneurial, so where it is concentrated increasingly are the places with the most high-wage business start-ups. So, talent concentration is essential to high-wage job creation.

And where you have concentrations of high-wage workers you get increased demand for local services. From buying and fixing up homes and second homes, to car and boat purchases, to increased demand for retail and hospitality, concentrations of professionals and managers are driving local economies just as high concentrations of high-wage factory workers did in the past.

## The Value of Placemaking

The evidence from around the country is that quality of place is an important—if not the most important—component in retaining and attracting talent. Places with quality infrastructure, basic services, and amenities are the places that retain and attract talent the best.

It is also clear that the desirable mix of infrastructure, basic services, and amenities differ from region to region. What makes small towns and rural communities attractive places to live and work are different than what makes big metros and their big cities appealing. So, Michigan's diverse regions need the resources and flexibility to develop and implement their own strategies to retain and attract talent. It's the key to their future economic success.

The places where talent is concentrating are increasingly big metros with vibrant central cities. Central cities because mobile talent increasingly wants to live in high-density, high-amenity neighborhoods where you don't have to own a car. Every high-prosperity state that is not energy-driven has an even higher prosperity big metropolitan area that has a

STATES	RANK IN PER CAPITA INCOME, 2015	RANK IN COLLEGE ATTAINMENT, 2015
CONNECTICUT	1	4
MASSACHUSETTS	2	1
NEW JERSEY	3	5
NEW YORK	4	9
ALASKA	5	24
WYOMING	6	39
MARYLAND	7	3
NORTH DAKOTA	8	27
NEW HAMPSHIRE	9	8
CALIFORNIA	10	14
VIRGINIA	11	6
WASHINGTON	12	11
COLORADO	12	2
MINNESOTA	14	10
ILLINOIS	15	12
MICHIGAN	32	32

high proportion of residents with a four-year degree or more. Michigan won't be a high-prosperity state unless metro Detroit and metro Grand Rapids are able to compete with national talent magnets like metro Chicago and metro Minneapolis.

## Policy Recommendations

These are the placemaking policies that matter most to Michigan and its regions to retain and attract talent:

- Welcoming to all. Talent is both diverse and mobile. If a place is not welcoming, it cannot retain and attract talent. People will not live and work in a community that isn't welcoming. That means state policies that provide everyone with basic civil rights and treat everyone the same no matter where they are born, their sexual orientation, race, religion or ethnic background.








“QUITE SIMPLY, IN A FLATTENING WORLD WHERE WORK CAN INCREASINGLY BE DONE ANYPLACE BY ANYBODY, THE PLACES WITH THE GREATEST CONCENTRATIONS OF TALENT WIN.”

- Increased public investments in the provision of quality infrastructure, basic services, and amenities as a state, regional and local priority.
- Understanding that economies are regional and each region needs the flexibility to develop and implement their own talent retention and attraction strategies.
- A substantial increase in returning state revenue from the state to local governments in a way that encourages regional cooperation.
- Removing restrictions on local government taxing authority, including a local/regional sales tax option.
- State and local development-friendly regulations that facilitate the creation of high-density, walkable, high-amenity neighborhoods, particularly in our cities and inner ring suburbs.

Michigan policymakers need to learn that the places with the strongest economies are those that combine high quality education systems and high quality of place that retains and attracts mobile talent. Both education and placemaking require public investments. These types of public investments, paid for by our taxes, is the state policy playbook most likely to return Michigan to high prosperity, creating an economy with lots of good-paying jobs. 

Lou Glazer is president of Michigan Future, Inc. You may contact him at 734.747.8120 or [lou@michiganfuture.org](mailto:lou@michiganfuture.org)



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## REVERSE SCHOLARSHIP ENTICES GRADS TO RETURN

By Lisa Donovan

**A**s the last notes of "Pomp and Circumstance" faded from her graduation ceremony at Michigan State University, Kim DeLand headed for the noise and action of Royal Oak. Like many recent graduates, she craved an urban lifestyle, much different from her small hometown of Marysville in St. Clair County.

For two years, DeLand and her husband enjoyed Royal Oak's exciting array of shops, restaurants, and nightlife. At the same time, she began putting her psychology degree to work for the MSU College Advising Corps. She was lucky enough to be placed at St. Clair County's Yale High School, where she also jumped into the role of junior varsity volleyball coach. But as her Advising Corps position came to an end, DeLand had to start thinking about the next step in her career path.

Enter the Come Home Reverse Scholarship, a new program offered by the Community Foundation of St. Clair County. The reverse scholarship pays students on the back-end of their college career, after they have completed a degree in a STEAM-related field (Science, Technology, Engineering, Arts, Math), but only if they agree to move back home and work within St. Clair County.

DeLand was more than happy to comply with those conditions. "I thought, wow, that's right up my alley.

St. Clair County is my home and I really want to make a mark there," she said. "My husband and I were ready to move and take another step in our life. We're excited to come home and raise a family and be around family."

In April, DeLand became one of the first two recipients of the reverse scholarship and began making plans to move back to Marysville. On July 1, she fulfilled the scholarship's second proviso when she started her new position as athletic director at Yale High School.

"I feel so lucky to be considered and even more to receive it," said DeLand. "Being able to alleviate a big chunk of my undergrad debt is allowing me to pursue my master's degree."

### Searching for a Solution

The idea for a reverse scholarship program began bubbling up in 2013, when a talent gap was afflicting communities all over St. Clair County. Jobs that needed college graduates were going unfilled. So, talent attraction became a hot topic at Blue Meets Green, a group which included Randy Maiers, CEO/President of the Community Foundation of St. Clair County, and about 30 other people across all genres of government and business. The overriding theme was what could be done to draw graduates back home and improve the prosperity of the region.

What followed was a lot of brainstorming and establishing ties with the county government and local municipalities—who all felt the impact of not getting graduates back home. “We spent two years talking about the problem, which led to a better, more cohesive approach to economic prosperity by tying it to the talent gap,” said Maiers.

In April, the Come Home Reverse Scholarship was officially launched. The initial award recipients will receive \$10,000, paid out on a quarterly basis, which must be used to pay off student debt. They’re also expected to move to the county and, within 120 days of receiving the award, they must secure a job or create their own business.

“If we can get a young couple that wants to buy a home and raise a family, that scores high for our program and the community,” said Maiers. “We want to see a desire to be part of our community for a long time.”

### Beyond Expectations

All the funds for the reverse scholarship come from individual donations to the Community Foundation. In 2016, they raised \$30,000 and the fund is already up to \$70,000 this year—doubling in less than a year. The number of applications has also exceeded expectations. “Our funding can’t keep pace with demand. Talented, motivated graduates want to move back to the Thumb Region,” said Maiers. “The perception is that they don’t want to move back to small towns, but that’s not true—and we’re seeing proof.”

Randall Fernandez, a member of the Blue Green group that helped put the reverse scholarship discussion in motion, is equally pleased with the program. “I commend Randy Maiers and the Community Foundation for nurturing the program,” said Fernandez, who is also city manager of Marysville and president of the Economic Development Alliance of St. Clair County. “It’s been successful and other cities are modeling their program after ours.”

### A Taxing Problem


The Community Foundation of St. Clair County is the only community foundation in the country operating a reverse scholarship program. That makes them innovative, but it also means they face a major challenge. Unlike front-end scholarships, the U.S. Department of the Treasury does not recognize reverse scholarship payments to recipients as charitable, meaning they’re not tax deductible.

For the past two years, Maiers has been working with the Council of Michigan Foundations and the national Council on Foundations to try to rectify that situation. They’ve met with the U.S. Department of the Treasury on several occasions.

“There is substantial interest,” said Robert Collier, president and CEO of the Council of Michigan Foundations. “Now an undersecretary of Treasury has been appointed by the Trump administration who can work with us and hopefully advance this opportunity.”

That would be a great benefit to DeLand as well as Muray Darling, this year’s other scholarship recipient. Darling heard about the scholarship while doing a post-doctoral veterinary internship in North Carolina.

“I had my eye on potentially coming back,” said Darling, who now lives in Jeddo, works at North River Animal Hospital in Fort Gratiot, and participates in career and leadership activities at local schools. “The scholarship was a nice piece to the puzzle. It has really helped me knock down my student debt. And it’s nice to be able to come home and give back to the community.”

For more information on the Come Home Reverse Scholarship, visit [http://www.stclairfoundation.org/funds/more/reverse\\_scholarship\\_fund](http://www.stclairfoundation.org/funds/more/reverse_scholarship_fund) 

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Kim DeLand congratulates Yale High School students at Decision Day 2016.



Scholarship recipient Murray Darling ultrasounds a cat named "Angel" at North River Animal Hospital.

“

I THOUGHT, WOW,  
THAT'S RIGHT UP  
MY ALLEY. ST. CLAIR  
COUNTY IS MY HOME  
AND I REALLY WANT TO  
MAKE A MARK THERE.

”





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# Early College Program

## Ferndale Builds a Talent Pipeline

By Kara Sokol

It's an issue across the nation, a regular headline in the news. Rampant mistrust of law enforcement by youth and people of color. Disinterest in the profession by minorities and women. A lack of diversity in police departments.

"It's not a new problem, and it's not going away," says Timothy Collins, chief of police for the Ferndale Police Department. After more than 35 years with the department—the last five spent as chief—Collins has experienced firsthand the challenge in attracting minorities and people of color to the field of law enforcement. Now, he's ready to take action and find a solution.

"The challenge exists, and there's no light-switch fix," Collins says. "Have you heard the phrase, 'The definition of insanity is doing the same thing over and over and expecting different results?' We knew that if we wanted to diversify our police department, we were going to have to break that cycle and try something completely different."

In order to find a new, more innovative solution, Collins sat down with staff from the City of Ferndale and Ferndale Public School District to brainstorm. From that discussion, a new idea was born: the Early College Program.

The program, which launched in the fall of 2015, is a unique new collaboration between Ferndale Public Schools, the Ferndale Police Department, and a local college—initially Baker College, soon to transition to Oakland Community College. Ferndale public high school students who enroll in the Early College Program earn college credit while still in high school, then complete a "13th



year" of schooling to receive their associate's degree. Students can choose from four concentrations of study: criminal justice, medical assistance, computer programming, and business and marketing. The entire program is free.

"Globally speaking, this kind of idea isn't really new," Collins says. "But it's new for us and our area."

### Opening the Doors to Criminal Justice

Collins and the Ferndale Police Department have been instrumental in shaping the Early College Program's criminal justice concentration. Ferndale officers serve as instructors, providing field training and teaching skills classes. Students get the chance to go on ride-alongs, learn one-on-one from officers—even join Ferndale Police Captain Vincent Palazzolo for fitness lessons and workouts.

"By getting kids interested at the high school level, our hope is that we see more young people, and a broader audience of them, wanting to pursue careers in law enforcement," said Collins.

Collins also says that one of the most innovative aspects of the program is

“THIS IS MEANT TO BE A GLOBAL, LONG-TERM SOLUTION. BUT IDEALLY, YES, WE WOULD LOVE TO HAVE THESE YOUNG PEOPLE COME BACK TO OR STAY IN FERNDALE.”

that it removes the barriers that often prevent students from finishing their education. After completing the 13th year and earning an associate's degree, students pursuing the criminal justice concentration are able to move right into an accredited police academy. Loans typically aren't offered for police academy programs, but in this case, the academy is considered an extension of the Early College Program. That means students can apply for Pell Grants, loans, and other alternative funding sources to cover the cost of attendance.

"We don't just lose young people due to lack of interest—we lose them because of financial reasons as well," Collins says. "It's not an absolute solution, but this program will certainly make it easier for our students to attend and complete college."





Early College students doing physical fitness training with Captain Palazzolo.

## Early College Program In Action

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Any tenth-grade Ferndale Public School student who meets the academic requirements will be eligible for the Early College Program. Though the Ferndale Police Department is closely involved with the educational programming, there is no requirement or expectation that students who complete the program and graduate from the police academy stay and work in Ferndale—though Collins would be thrilled if they did.

“This is meant to be a global, long-term solution,” Collins says. “But ideally, yes, we would love to have these young people come back to or stay in Ferndale.”

### Enhancing the Program

Now, after completion of the first two years of the Early College Program and seeing the success of the students involved, Collins and the Ferndale Police Department have found a way to do just that. This summer, the department launched its new Police Cadet Program for students pursuing criminal justice via the Early College

Program. The program supports up to two cadets working in paid assistant roles—supporting officers, learning the ins and outs of daily policing, and gaining a deeper understanding of the Ferndale community. The program is meant to both support students and continue their interest in working for the Ferndale Police Department.


The inaugural cadet roles were filled by Tanaya Kellom, a recent graduate of University High School in Ferndale, and Ronnell McGhee, a recent graduate of Ferndale High School. Both spent the summer assisting with dispatch, helping to book jailed individuals, and generally testing the waters to ensure that community policing is the right fit for them.

“This is a long ball game, not a short game,” Collins explains. “We’re in it for the end game. The cadet program allows the students to earn money and get a feel for the work, and it gives us the chance to evaluate them in an on-the-job setting.”

In the fall, Kellom will remain on as a cadet part time while attending college locally for her 13th year of schooling; McGhee will leave the area for his 13th year to pursue a wrestling scholarship. Asked whether they think they may want to return to Ferndale as fully trained and licensed officers, both cadets were positive and enthusiastic.


Which is exactly what makes the Early College and Cadet Programs so successful, according to Collins.

“This idea really was born out of sincerity,” he says. “We are sincere when we say that we want this profession to be open and accessible to all. And we’re going to do our very best to make that happen.”

For more information on the Ferndale Public Schools Early College Program, please visit [www.ferndaleschools.org/academics/earlycollege](http://www.ferndaleschools.org/academics/earlycollege). 

*Kara Sokol is director of communications for the City of Ferndale. You may contact her at 248.546.2501 or [ksokol@ferndalemi.gov](mailto:ksokol@ferndalemi.gov)*

Early College students on a leadership training retreat.



**“We are sincere when we say that we want this profession to be open and accessible to all. And we’re going to do our very best to make that happen.”**

# HOW ALBION COLLEGE'S NEIGHBORHOOD

**“THE COLLEGE HOPES TO USE THE PROGRAM AS A WAY OF ATTRACTING TALENTED FACULTY AND STAFF. THAT MEANS USING IT AS A RECRUITING TOOL, BUT ALSO MAKING THE BEST USE OF EXISTING TALENT.”**

## **The Power of the Porch**

By Lorin Ditzler



# REVITALIZATION EFFORTS ATTRACT TALENT

**A**fter living in 14 places over the past seven years, Professor Alli Harnish was ready to put down roots. “A log cabin in the woods... a tent [in Zambia]... eight different houses... I’ve felt like I’ve been living out of a suitcase.” But as a new professor at Albion College, she didn’t think she could afford to buy a home. That is, until her employer made her an unusual offer: they would sell her a newly renovated home next to campus...for \$25,000. They only had one request in return. “As students [walk] down the street, maybe Alli will be sitting on her porch and they’ll strike up a conversation,” explains Jerry White, coordinator of the college’s Harrington Neighborhood Project. The college is offering significant financial support to faculty and staff for the purchase or construction of homes in the Harrington Neighborhood, a 25-block area next to campus. The hope is that the proximity will create more spontaneous “front porch” moments with students.

“I call it serendipitous learning,” explains Albion College President Mauri Ditzler. When you run into a professor on campus or on the street, he says, “you talk to them about something in your class, or something in politics or something in the world. We find that our most successful students spent a lot of time having [these] conversations.” Ditzler says that informal interactions between faculty and students—while walking the dog, buying groceries, or sitting on the front porch—are a hallmark of successful small town liberal arts colleges.

For Charles Moreau, an Albion professor building a new home through the program, the opportunity to connect with students is part of the appeal. “We like to do things like have cookouts for our students. I think [living next to campus] is conducive to that.”

The college hopes to use the program as a way of attracting talented faculty and staff. That means using it as a recruiting tool, but also making the best use of existing talent. “If a [current] faculty member moves a half hour closer to campus, that is talent acquisition,” says Ditzler.

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## Creating New Memories

Michael Harrington, funder of the project and an Albion alum, hopes there will be more like Moreau. “We have important memories of sitting on the front porches of faculty members, talking about all sorts of things,” recalls Harrington. “And we’ve lost that a bit...since faculty have decided to live outside of Albion.”

Harrington and his wife, Judy, provided a \$1 million gift, the project’s sole funding. In a town where the median home price is less than \$60,000, that money will go a long way. The gift allows the college to purchase the property from the homeowner or the Calhoun County land bank; pay for major repairs (roof, electricity, plumbing); and provide the purchaser with a \$25,000, 5-year forgivable loan for a renovated house, or \$30,000 toward the construction of a new home.

Of the three houses that have been renovated so far, says White, the average post-renovation appraisal was \$48,000. Add in the loan from the college, and buyers like Harnish are essentially getting the house for half price. Ditzler predicts the project will continue full speed ahead. “We could do 40 houses and probably will.”

## Expanding The Bounds of a Public-Private Partnership

Albion’s devalued housing market is another one of the reasons why the College started the project. This town of 8,000 has struggled economically for years, and the 2008 housing crisis hit them hard. As values plummeted, it no longer made sense to invest in renovations, and the city’s older homes deteriorated.

“We were to the point that housing cost more to rehab than what people thought they would get out of it,” explains John Tracy, director of planning, building and code enforcement for the City of Albion. New housing construction stopped completely for nearly a decade.

The Harrington project is one of many efforts the college has made recently to revitalize the community, including orchestrating the development of a \$10 million downtown hotel and ongoing efforts to attract a healthcare clinic. When the college approached Harrington about the need to improve housing options, he realized it was an important piece of the revitalization puzzle.

“Housing would bring families into the community, including school age kids. It would create consumers for local shops and stores, consumers for the hotel, consumers for an eventual healthcare outlet,” says Harrington. “We’re really hoping that all of this lines up into a virtuous circle of economic development.”

Participants in the Harrington project share that vision. “I really believe strongly in the college and community working together for revitalization,” says Marc Roy, the provost at the college, as he plans to start construction of his home in the neighborhood. “When the Harringtons made their gift, I thought: I can help set the example.”

Housing programs like this one are not a new idea, but Albion’s program is unusual because it is run by a private entity rather than the city. The college is diving deep into public territory, making plans to pave the street, add sidewalks, and install street lights.

Leaders at City Hall are glad to have the help. “We’re thrilled that the college is being a leader in expanding the housing alternatives,” says Albion’s City Manager Sheryl Mitchell. “There are things that are the natural responsibility of the city that we are simply not in the position to afford.” Albion’s population—and tax base—have been decreasing for decades.


Fortunately, the city’s position is improving, she says—in part because of the partnership with the College. New residents are arriving and housing values are rising. “We’ve finally hit bottom and we’re...moving in a positive trajectory.”

## Signs of Success

The program is still in the early stages—six homes have been renovated and a handful of empty lots are available—but there are already signs of success. College-funded renovations have inspired other property owners in the neighborhood to make improvements, too—from full renovations to simply trimming the shrubs. “There’s probably as much renovation going on by other people as by us,” says Ditzler.

Tracy explains: “As houses are rehabbed and rebuilt [by the college], that raises your values in the area. So the investment into it can be recouped.” Homeowners finally have enough confidence in the neighborhood that they’re willing to spend time and money on their property.

“There’s far less trash and debris around town,” adds Mitchell. “People are starting to take pride in their neighborhood.”

The College realizes that the Harrington program isn’t for everyone. With so many renovations to complete, “you have to have some imagination to move into these houses,” says White. However, for those that do, there are a heap of potential benefits: an affordable mortgage; a meaningful connection to the campus and community; and the chance to be part of Albion’s budding revival. 

*Lorin Ditzler is a freelance writer and city planner living in Des Moines, Iowa. She is also the daughter of the Albion College president. You may contact her at [lorinditzler@gmail.com](mailto:lorinditzler@gmail.com).*





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# The League

By Daniel Matson



What does it mean  
to know diversity's  
elements so well

That all may be united  
in a membership  
where each unit is both common  
and unique,  
and its own locality.

When at some difference  
in time each drew  
its earthly boundaries,  
and each its form  
of government,

Their creation being  
within local selection  
and legal pronouncements,  
Communion with others  
was sought.

So they organized,

Knowing that each  
member has needs  
all must respect,  
and that time itself  
will bring new ones,

And the manner  
of solution  
properly offered.

What willingness to share  
insight and accomplishments  
with all.

To timely benefit  
each identity,  
large and small,

And their constituents  
who live, move,  
and have their being  
within.

And, in the aggregate,  
without.

To be in a league  
is to be in league,  
Is to be inseparable from  
all whose identity  
relates,

And, in reality,  
their necessity.

Who can describe  
with certainty  
The magnitude of such  
benefit  
brought by such  
participation?

The scope of its influence  
being beyond measure,  
as it constantly ascends  
its horizon.

Whether magnified  
by legal matters  
which appear or adjust  
From unpredictable  
or unforeseen sources.

Or are initiated  
by thoughtful policy  
to improve or correct  
whatever affects  
municipal concerns.

Consideration of relevant  
matters by the  
knowledgeable  
is a constant.

While their solutions  
may have current effect,  
their impact upon  
humanity projects  
far into the future.

For who can foretell  
what will appear  
to benefit or hamper  
local and broader  
concerns  
of the governed.

The effort to make  
such projection  
by the League  
is constant and  
continuous.

How fortunate to have  
timely knowledge  
of potential issues  
governing each matter  
to be decided.

To share such insight  
with its members  
in a relationship  
of camaraderie  
broadens the scope  
of ultimate benefit  
to the public servants  
who, being well informed,  
must decide in confidence  
and in good faith.

So, while territory,  
population and history  
of each member  
is distinct,

Their diversity forms  
the common bond  
fostered and preserved  
by the League.

Where would we be  
without you?

---

*Daniel Matson is a longtime supporter of the League, having served in a variety of capacities, including president of the Michigan Association of Municipal Attorneys. He also received the League's William L. Steude Ethics and Civility in Local Government Award, and the International Municipal Lawyers Association's Longevity of Service Award.*





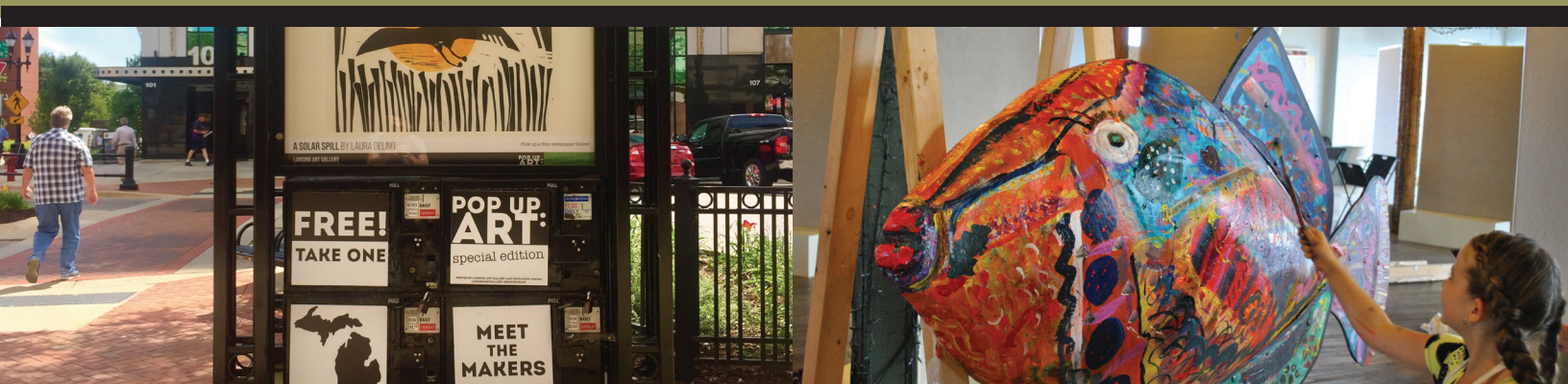
## PlacePlans: Where Are They Now?

# LANSING & ALPENA

By Tyler Hardy and Luke Forrest

### Public Spaces, Community Places Crowdfunding Projects

Our *Where Are They Now?* series previously focused on projects launched through the PlacePlans program. In this issue, we turn our attention to a different placemaking program: *Public Spaces, Community Places*, which provides a platform and match funding for crowdfunding public amenities.



Arts and culture play a pivotal role in placemaking. Strategic focus on cultural economic development can actively engage and attract educated workers and business owners. It also provides the community with a method for leveraging and showcasing its other assets. Per the American Planning Association, acknowledgment and support of arts and culture can potentially “improve a community’s competitive edge, create a foundation for defining a sense of place, attract new and visiting populations, integrate the visions of community and business leaders, and contribute to the development of a skilled workforce.”

Funding arts and culture projects presents an obstacle that often prolongs or stifles project completion. The League has partnered with the Michigan Economic Development Corporation (MEDC), mParks, and Patronicity to offer Public Spaces, Community Places (PSCP), a program that assists communities in overcoming the funding obstacle. This article explores two cities in which nonprofit organizations cultivated arts and culture in their communities by incorporating art into public spaces with funds raised through PSCP.

#### How PSCP Works

Public Spaces, Community Places is a collaborative funding program sponsored by MEDC and mParks in partnership with the Michigan Municipal League and Patronicity. Through this program, community advocates can use Patronicity as a crowdfunding platform to make the implementation of community-based projects more achievable. PSCP assists with the creation or activation of underused public spaces and community places, and is open to Michigan communities containing a traditional downtown. Nonprofits and municipalities begin by submitting their project ideas to Patronicity, and once the campaign has a set target goal, project pitch, and project approval, the public can begin donating through the site. MEDC will match up to \$50,000 for all projects that reach their target goal within the specified time frame.

#### Featured Projects

The cities of Lansing and Alpena each leveraged the strength and reach of local nonprofit organizations to launch their crowdfunding campaigns for arts and culture as a gateway to placemaking. Both projects exceeded their target goal, received a match from MEDC, and have since been completed. Additionally, each organization made a point to closely involve community members in the implementation process.

## Pop Up Art: Special Edition—Lansing, MI

### Launching the Campaign

Pop Up Art: Special Edition was launched by the Lansing Art Gallery to address under-utilized spaces in Downtown Lansing. The Gallery's mission was to beautify and repurpose newspaper kiosks to showcase work by Michigan artists. "Patronicity offered us the opportunity to take a hard look at how we were seeking resources," says Executive Director of Lansing Art Gallery Barb Whitney. Whitney credited matching funds from MEDC as a big incentive for patrons to donate because "it allowed donors to feel like their money was going further," she shared.

In 2015, the Gallery launched its campaign with a goal of raising \$7,500. Receiving an average donation of \$105.30, the gallery exceeded their goal and received a match from MEDC to help their activation of a public space. "As artists, we always see the possibility in things," says Whitney. "We wanted to take something that was no longer functional and give people a means to engage in learning about Michigan artists."

### Completing the Project

The Pop Up Art: Special Edition, located in Washington Square, is made up of 12 repurposed newspaper kiosks featuring hand-selected artwork that has been professionally reprinted and installed inside of the main display window of each kiosk. Accompanying the displays are free newspapers highlighting each of the featured artists. Five of the 12 selected artists hosted demonstrations and hands-on activities at the Lansing Art Gallery.

### Lasting Effects

In addition to generating excitement throughout the community, the repurposed newspaper stands have increased foot traffic in Washington Square and in the Lansing Art Gallery. They have also provided residents and visitors with the opportunity to watch or participate in art making. The project's success has sparked interest from Downtown Lansing Inc. to utilize the repurposed kiosks as wayfinding stations upon the completion of the exhibit.

## Make a Splash for Art—Alpena, MI

### Launching the Campaign

Alpena mobilized local artists and community members to enhance public art through its "Make a Splash for Art" workshop and fundraising event hosted by Art in the Loft. The campaign was a large-scale community oriented project intended to create a common space in the city that is centered around artwork. It was also important that the mural provide art appreciation and opportunities for culture in Northeast Michigan. "The mural is accomplishing this by not only being a colorful and beautiful work of art, it is now a meeting place for many community members, visitors, and activities," says Art in the Loft's Executive Director Justin Christensen-Cooper.

Located in Downtown Alpena, Art in the Loft is a nonprofit community arts center and artist gallery that prides itself on public participation in the arts and education. With the help of 152 patrons, the organization exceeded its target goal and received a matching grant from MEDC to help fund its mural project.

### Completing the Project


Christensen-Cooper credits Patronicity as being a huge asset for garnering the remaining funds needed to launch the workshop and hire a mural artist. Once funds were secured, artist Tony Hendrick was entrusted with the design of the now 30 ft. x 60 ft. mural, and members of the community took part in painting the 13-three-dimensional fish affixed to the mural.

### Lasting Effects

Members of the community are thrilled with the mural and believe that it has helped transform the downtown for both residents and tourists. "Since the mural has been installed, to say traffic has increased would be an understatement," Christensen-Cooper says. "The park is no longer a pass through, or an occasionally used space, it's a destination!" The mural also serves as a landmark backdrop for residents and visitors for wedding photos and family pictures, and the space is now used weekly for community functions.

Additionally, the increase of public art in downtown Alpena has increased dramatically since the mural's completion. Other local arts organizations have launched campaigns through Patronicity, and the Downtown Development Authority and Besser Museum have also been very active recently in bringing arts and culture to the community. "I'd like to say the mural had triggered not only a chain reaction, but boosted the arts and arts advocacy in our harbor town," said Christensen-Cooper.

### Lessons Learned

- Crowdfunding is a viable tool for cities looking to secure additional funding for activating public space.
- Public art can increase foot traffic
- There is great potential for positive social impact when nonprofits are given the tools to invest in their community's arts and culture.
- Arts and culture projects can help establish a sense of place.
- Involve the community. "Create projects that give communities the means to engage," Whitney shared. "Maintain an open channel of communication, and allow the community to help inform the project." 

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# CRUISING TO THE FINISH LINE

By Richard Murphy



## DOWAGIAC EARNS TOP PRIZE IN THE FIRST BETTER STREETS, BETTER MICHIGAN COMPETITION

Our first ever “Better Streets, Better Michigan” award was presented at this year’s Capital Conference. The award, a partnership between the League and the Michigan Department of Transportation, was created to recognize best-in-class projects that creatively improve the function and aesthetics of a street for a variety of users; support local placemaking efforts; and offer replicable examples for other communities.

### 2017 Winner: Dowagiac’s Downtown Gateway

Dowagiac’s downtown gateway improvements along Division and Commercial Streets took home the inaugural prize. The project was designed for the city by Wightman & Associates, and completed in the fall of 2016. It includes safety, accessibility, and pedestrian improvements on the two streets, as well as a new pocket park and gateway landscaping. The city worked with MDOT’s local Transportation Service Center staff to improve Division Street (M-51), both reducing curb cuts and improving turning movements to provide better safety and traffic flow for drivers, as well as identifying locations along that corridor for landscaping and public art elements.

On Commercial Street, brick pavers and more urban streetscape elements signal the entry into downtown, providing both a welcoming feel for pedestrians as well as slowing driver speeds in the transition from the state highway into the downtown district.

The Beckwith Commons, a new pocket park on Commercial Street, knits together the adjacent post office, public library, and Beckwith Theatre. It also created additional parking for those destinations. At the other end of the project area, the Goerlich Gateway removed a blighted and vacant industrial building, creating a new gateway into downtown.

**“WITH NUMEROUS  
SMALL DOWNTOWNS  
ACROSS THE STATE  
FACING SIMILAR  
CHALLENGES, THIS  
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GREAT PRECEDENT  
FOR OTHERS TO  
DRAW UPON.”**





The award panel noted the inter-agency collaboration that created a unified project across city and MDOT streets; the use of street design to reduce traffic speeds rather than posted speed limits alone; and the safety improvements that make downtown Dowagiac welcoming to both drivers and pedestrians. With numerous small downtowns across the state facing similar challenges, this project offers great precedent for others to draw upon.

As the finishing touch, Dowagiac is currently in the process of an open call for artists to design 18 metal panels reflecting “the Spirit of Dowagiac and a sense of place and arrival,” which will be installed as part of the gateways and along the M-51 edge of downtown. The town of 5,800 people hopes to continue their claim of “more public art per capita” than any other community. Existing pieces can be seen in their “Sculptour” at <https://sculptour.cityofdowagiac.com/>.

### The Judges Also Liked...

All the entries in this year’s competition showed off good projects. Some notable features included:


- Battle Creek’s Van Buren Street resurfacing used a complete streets design approach to increase bicycle and pedestrian safety on a major neighborhood corridor. It also showed extensive collaboration beyond the road surface, working with the high school located on the corridor to manage bus traffic and drop-off zones; coordinating with Consumer’s Energy to upgrade underground equipment while the right-of-way was already being reconstructed; and adjusting off-street parking policies to manage demand in light of losing some on-street parking.
- Detroit’s Randolph & Gratiot intersection improvements tackled a complicated, five-legged intersection with a history of crashes and poor pedestrian connectivity in downtown Detroit. The project consolidated seven lanes in the Randolph leg of the intersection into four and eliminated some turning options, creating a new pedestrian plaza with the “leftover” pavement, while also improving sight lines for drivers and improving rush hour traffic flow. The project relied on paint, movable planters, and sidewalk furniture to road test the changes before committing to expensive pavement or curb modifications.
- Detroit’s Michigan Avenue protected bike lanes flipped the bike lanes and parallel parking in the Corktown neighborhood, putting the bike lanes against the curb and the parking lanes against the travel lanes. A striped buffer zone between the bike lane and parking lane allows

car doors to open without hitting cyclists. The project responded to bicyclists’ requests for improved safety: drivers no longer must cross the bike lane when parking, and the parked cars provide a barrier between traffic and the bike lane. The new design makes use of 10-foot-wide travel lanes, which recent studies have shown to be safer in many cases than the 12-foot-wide lanes previously on the street. This option could be used on many streets to free up pavement width for complete streets projects.

- Southfield’s Evergreen Road improvement project included a complete reconstruction of the roadway through Southfield’s City Centre District. The design reduced the street from six and seven travel lanes to four, using new roundabouts to improve traffic flow and safety. New mid-block crossings and bike/walk paths increase safety for pedestrians and cyclists; replaced storm sewers were paired with permeable pavers and green infrastructure features to improve stormwater management; and extensive streetscaping helps unify the emerging suburban town center.
- Rochester Hills’ Hamlin Road rehabilitation used the 3-mile-long road project to tackle an array of local needs. The city added crosswalks and bike/walk sidepaths to fill gaps in the existing network; addressed needed water and storm sewer upgrades; and even reused clean spoils from the project to help an adjacent elementary school level an area to address parking shortages. The review team was especially impressed by the level of project communication with stakeholders to minimize disruption during the construction process.

### Whose Street Will Take Home The Next Prize?

The League and MDOT were pleased to see this year’s entries cover a wide range of streets: in big cities and small towns; in downtowns, neighborhoods, and suburban corridors; full reconstructions and smaller tweaks to existing streets. Our hope is that the competition continues to offer ideas on how to make our streets not just move traffic, but truly contribute to local prosperity.

While 2017’s competition saw six great entries from a variety of local environments, there are many more great streets out there. We hope to see even more entries in the next round. *Watch for a call for projects later this fall!* 

*Richard Murphy is a program coordinator for the League. You may contact him at 734.669.6329 or [rmurphy@mml.org](mailto:rmurphy@mml.org).*





Mayor Donald Lyons gladly accepts Dowagiac's "Better Streets, Better Michigan" award.



# TEXT MESSAGING SCANDALS

## TIPS TO AVOID THEM

By Matt Dreese

**B**eing in the public eye is difficult. Just ask any celebrity. Everything they do or say can cause quite the stir, and anything they do serves as fodder for the court of public opinion. Similar rules—and judgment—befall employees of local and state government agencies. The only difference is that their public notoriety often comes on the back of an embarrassing scandal. Many scandals start out as local stories that gain national attention quickly, and often involve digital records about what a government employee said, and how and where they said it. These records can be found in email, social media exchanges, and even text messaging. As the use of text messaging for official communication increases, many public-sector employee texts have become the centerpiece of media headlines in recent years.

### For Example:

#### BRIDGEGATE

NY/NJ, 2013–2016

Port Authority police were ordered to close lanes of the George Washington Bridge, causing potentially dangerous backups and delays. Allegations included that New Jersey Governor Chris Christie knew about the closure order—under the guise of a traffic study—and communicated with collaborators via text and email. Federal prosecutors and Gov. Christie’s attorney claimed a cell phone used by the governor that contained these messages had gone missing, and there was no proof of its existence. Twelve text messages sent between the governor and other key players in the lawsuit had also been deleted.

#### RACIST TEXTS

San Francisco Police Department, CA, 2014–2016

During the 2016 investigation of Officer Jason Lai for off-duty assault, a series of racist text messages between Lai and three former SFPD officers was discovered. The messages included racial and homophobic slurs and stereotypes, and were sent from Lai’s personal cell phone. The text messages may have affected 207 criminal cases Lai was part of, including three murder cases. A previous text-messaging case, involving former SFPD Sergeant Ian Furminger and 13 other officers, led to charges filed in federal court. This case led to the dismissal of 13 pending criminal charges and the review of 3,000 more.

#### JOHN DIEHL

Missouri House Speaker, 2015

In 2015, Missouri House Speaker John Diehl resigned from the Legislature after admitting to inappropriate text communications with a Capitol intern who was in college at the time the messages were exchanged. Mr. Diehl—who initially shirked colleagues’ requests to step down—announced his resignation after a local paper released a story and screenshots of the messages.

### Be Aware of the Risks

When electronic communications such as text messages reveal problems with the conduct of a public-sector employee, it also reflects poorly on the municipality, and can expose the following risks:

- **Reputational damage:** The public may lose trust that the municipality has their best interest in mind.
- **Criminal charges:** Formal charges or indictments may be brought against the individuals involved, or the entire agency.
- **Employment issues:** Someone in the agency may need to step down voluntarily, or be removed from his or her position.
- **Public relations problems:** The department may not recover from the public backlash, even if the scandal was limited to one employee.





## Avoid the Fallout


How can your organization avoid the risks inherent in employee misuse of text messaging? The following tips can help your employees responsibly use personal and agency-issued mobile phones to send and receive text messages for business purposes.

1. Put policies in place that outline specific expectations of conduct across device types—including permissible language and content guidelines—and the consequences of violating the agreement. Creating and implementing these policies will require input from multiple departments, including legal and public communications officers.
2. Train employees on your organization's policies and rules for text messaging. During training, emphasize that all electronic communications will be archived and supervised, and that any text message—even something an employee may consider mundane or insignificant—can be called into question or requested as a public record.
3. Use a comprehensive archiving solution. When an organization uses an automated archiving solution to capture and monitor text messages—and other digital content types—it is much easier to identify communications that present risk, and produce public records when they're called for in an open records request or litigation process.

**Remember:** Under public records laws, it does not matter if an employee uses a government-issued device or personally owned device to communicate. It is the content that qualifies the message as public, not the carrier or device type.

A versatile archiving solution keeps messages in their original context, indexed, and in a search-ready state. This makes it easier to sort through conversations, see which platform they originated from, and follow the conversation across devices and content types. A comprehensive solution may also help expedite your response to information requests, and reduce costs associated with lengthy e-discovery processes. And, because the content is archived, and not the device, it is virtually impossible for messages to go missing—even if the device is damaged or lost.

**Remember:** public records laws require all electronic communications used for public business to be archived and supervised. It is up to the agency to maintain communications archives and produce content in response to information (freedom of information) requests.

Policies and procedures, training, and a comprehensive archiving solution cannot always prevent public scandals that involve text messaging. However, implementing these tips may help public agencies identify potential behaviors, and appropriately address employees before the issues become public scandal. 

**"WHEN ELECTRONIC COMMUNICATIONS SUCH AS TEXT MESSAGES REVEAL PROBLEMS WITH THE CONDUCT OF A PUBLIC-SECTOR EMPLOYEE, IT ALSO REFLECTS POORLY ON THE MUNICIPALITY, AND CAN EXPOSE... RISKS."**

*Matt Dreese is a sales representative for Smarsh. You may reach him at <https://twitter.com/mattatsmarsh>.*



# HOLLAND ENERGY FUND



Underground sidewalk heating coils make winter in downtown Holland even more enjoyable.





# INNOVATIVE FINANCING ADVANCES THE CITY'S COMMUNITY ENERGY PLAN

By Jim Dulzo

HOLLAND  
POP. 33,051

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**"THE ON-BILL LOAN PROGRAM IS  
SOMETHING SO UNUSUAL THAT IT  
REQUIRED A NEW LAW STATE LAW..."**

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**S**andra Keirnan is proud of her hometown of Holland, and not just for its famous tulips and stellar downtown. She's also pleased about how the city helped remake her 125-year-old house. Financed by the Holland Energy Fund (HEF), part of the city's new, pioneering Home Energy Retrofit Program, and guided by that program's advisor, Keirnan hired contractors to transform her place from a drafty, expensive-to-operate building into a home that's cozy on cold days and cool on hot ones, with much lower energy bills.



She's not alone. Last year, the program's first 56 homeowners invested more than \$1 million in efficiency projects, about \$18,000 each. The work could cut their energy use by up to 35 percent—and improve some of the city's aging housing stock.

The HEF is winning plaudits in Lansing. It has already drawn two nominations for the Governor's Energy Excellence Awards—one for innovative financing, and another for Keirnan's use of it for her ambitious project, which doubled her home's efficiency rating.

## Community Energy Plan

All of this activity stems from Holland's visionary, 40-year, Community Energy Plan (CEP), which aims to make the community a world leader in efficiency and cleaner, lower-cost power generation, which local officials see as key to their community's economic future.

Using the HEF made it easy for Keirnan on two fronts—getting her five-figure loan and paying it off. Her note shows up on her utility bill, but thanks to energy savings from her deep retrofit—exterior wall sealing, insulation, new water heater, furnace, A/C, and windows—her bills for electricity, gas, and the loan are, on an annual basis, about what she previously paid for just her electricity and gas.

## Innovative Financing

Keirnan was the first resident to get a loan from the Holland Energy Fund. The On-Bill Loan Program is something so unusual that it required a new state law allowing organizations like the Holland Board of Public Works (HBPW) to provide capital for energy loans,





a \$3 million line of credit to the HEF, a non-profit managed by the city, which made a 10-year, 4.99 percent loan to Keirnan.

"Once everything was signed and completed there was nothing for me to do as far as the 'on bill' part," Keirnan says. "Everything was automatic."

Peter Boogaart, Holland's residential energy advisor, worked with Keirnan. He says the program is careful to keep in mind the economic vulnerability of some homeowners.

"If we wanted a successful program," Boogaart says, "we had to provide financing to anyone, regardless of their personal situation."

So homeowners and landlords who've paid their own or their tenants' utility bill on time for 12 months and have no tax delinquencies or current bankruptcies qualify for HEF loans. As a further incentive, in the first fiscal year those ordering more than \$10,000 in improvements automatically earned an additional 20 percent match from a city grant. The match is now 10 percent, although some income-qualified homeowners can instead receive a \$5,000 match through a community development block grant. The utilities and contractors also offer rebates.

"You don't want to let that opportunity pass, with so many incentives," Keirnan says. "It's nice to fix up your home and be comfortable while using your money so wisely."

She's also glad the loan stays with the house if she sells: "At my age, that is very attractive."

Boogaart, a veteran efficiency installer and manager, gives customers like Keirnan the confidence to move forward by explaining and carefully confirming why the major projects contractors usually propose make great economic sense.

"Everyone knows they should change to energy efficient lightbulbs," Boogaart says. "But when you get into deep savings, it's a more difficult lift for homeowners, more than most are prepared to take on their own. So, by design, we try to encourage deep retrofits."

### Extending The Program's Reach

The Holland program's other major partner is Michigan Saves, the 7-year-old nonprofit that has provided over \$100 million in efficiency and energy loans to homeowners, businesses, and the public sector through its network of authorized contractors. Michigan Saves vets contractors for the On-Bill Loan Program, performs quality assurance, and provides homeowners with a financial backstop to the Holland



*Sandra Keirnan celebrates her Energy Score with Mayor Nancy DeBoer, Peter Boogaart (City of Holland Residential Energy Advisor), Tim Vagle (City of Holland Finance Officer and Holland Energy Fund President), and Anne Saliers (Holland Board of Public Works Community Energy Services Manager).*

Energy Fund. Michigan Saves vets contractors for the On-Bill Loan Program, performs quality assurance, and provides homeowners with a financial backstop to the Holland Energy Fund. Anne Saliers, HBPU's community energy services manager, says that's handy.

"Of the first eight homeowners who were denied Holland Energy Fund loans due to late bill payments, five qualified for the Michigan Saves Home Energy Loan," Saliers says. "It's a great one-two punch that can keep homeowners moving forward."

In those situations, all rebates and incentives still apply—but customers send repayments to the Michigan Saves' lenders, not HBPU.


### Community-Wide Benefits

Meanwhile, as the city and its utility figure out how to reach 200 home retrofits a year, HBPU is moving away from high-carbon, coal-fired electricity toward cleaner power production. It gets 13 percent of its power from renewables; operates a new, state-of-the-art, gas-fired power plant; and pipes its excess heat beneath an expanded downtown snowmelt district during winter months.

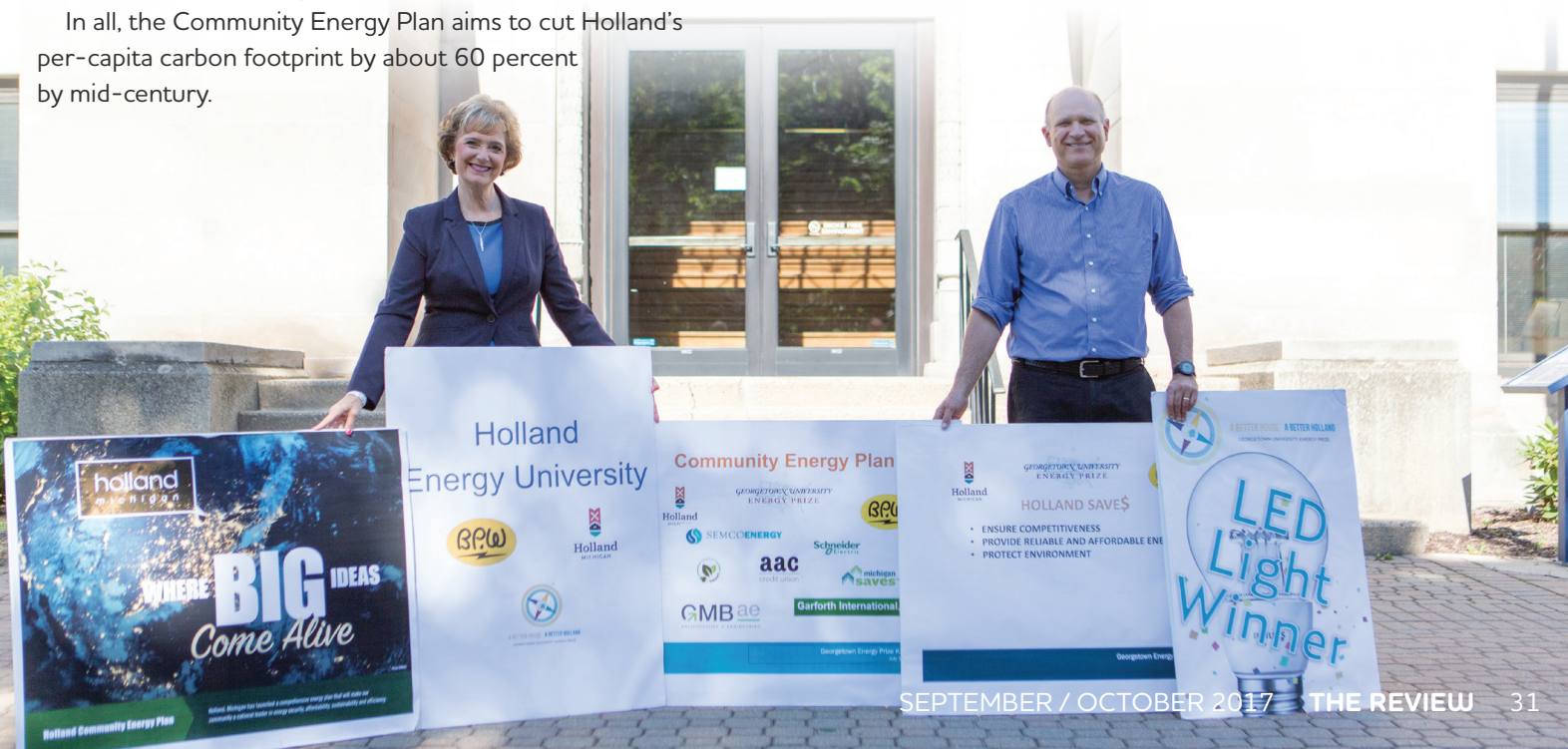
In all, the Community Energy Plan aims to cut Holland's per-capita carbon footprint by about 60 percent by mid-century.

"We wanted to think bigger than the next three to five years," explains Holland Mayor Nancy DeBoer, who was on city council in 2012 when it unanimously adopted the CEP. "Let's put Holland on the map as a city that values stewardship."

The home retrofits are a personalized form of that stewardship, one that officials believe will increase the quality of the city's housing; raise its tax base; annually free up as much as 10 million energy dollars for the local economy; keep contractors busy; and make this city of 33,000 attractive to new families, workers, and businesses.

"The praise goes to the city and HBPU for their vision and ability to do the heavy lifting," says Michigan Saves' Todd Parker, echoing Keirnan's pride in the city. "It takes a tremendous amount of leadership to develop something nobody else in Michigan has done. Michigan Saves' next step is to take this program beyond Holland to other utilities statewide." 

*Jim Dulzo reported on Holland's Community Energy Plan for five years, beginning in 2011, for what is now the Groundwork Center for Resilient Communities. You may contact him at [jimdulzo@gmail.com](mailto:jimdulzo@gmail.com).*



# Michigan Indigent Defense Commission

Working locally to improve indigent defense statewide

By Marla McCowan

**T**he Michigan Indigent Defense Commission (MIDC) was created after an advisory board recommended improvements to the state's legal system in 2012. The recommendations served as the basis for the legislation known as the Michigan Indigent Defense Commission Act, which the governor signed into law in July 2013. The 15-member commission is composed of all stakeholders in the criminal justice system, including defense attorneys, judges, prosecutors, lawmakers, the state bar, minority groups, local units of government, and the general public. They began working as a permanent commission in late 2014.

The MIDC develops and oversees the implementation of minimum standards, rules, and procedures to ensure that criminal defense services are delivered to all indigent adults in this state consistent with the safeguards of the United States Constitution, the Michigan Constitution of 1963, and the MIDC Act.

## First Standards For Indigent Defense

In 2015, the MIDC proposed four initial standards for indigent defense delivery systems to address: training and education of counsel; the initial client interview; use of investigation and experts; counsel at first appearance; and other critical stages. Those standards were conditionally approved by the Michigan Supreme Court in 2016, pending a series of necessary amendments to the enabling legislation.

## Why Did The MIDC Act Need To Be Amended?

The Michigan Supreme Court conditioned approval of the standards on legislative revisions to the MIDC Act to address certain constitutional questions implicated by the statute. These questions involved the placement of the MIDC within the judicial branch, separation of powers concerns, and the authority to regulate the legal profession. A significant change involves a new definition of "systems"—which now means the local unit of government that funds a trial court.

## What Does This Mean For Local Government?

In several systems around Michigan, municipalities fund the district courts. The funding unit or units (collectively) will need to plan for compliance with the standards. Every court funding unit in Michigan is required to submit a plan for compliance with the first four standards for indigent defense, along with a cost analysis, to the MIDC no later than November 20, 2017.


## How Much Will It Cost Local Systems To Comply With The Standards?

The MIDC Act makes it clear that systems will not have to pay additional funds for compliance. The systems are only required to maintain their "local share," which is the average annual expenditure for indigent adult criminal trial defense services in the three fiscal years prior to the MIDC Act (July 1, 2013), excluding money reimbursed to the system by individuals determined to be partially indigent. Any amount of money needed to comply with the standards above the local share will be part of a grant request submitted with a compliance plan. The funds will be provided by the State and distributed to systems through grants administered by the MIDC. If the grant funds are not provided to the systems, then compliance with the standards is not required.

## How Do Systems Plan For Compliance?

The MIDC has regional managers on staff to provide direction and guidance to indigent defense delivery systems around the state on compliance with MIDC-enacted standards. They serve as liaisons between local systems and the MIDC. The regional managers have been working in every county in Michigan during the past year, learning about local systems and gathering information and ideas for complying with standards. They have answers to all of the most common questions; they can provide technical information about how to determine spending on indigent defense; and they are prepared to offer practical solutions for compliance to maximize the impact of improvements. A map with contact information is attached and available on the MIDC's website.

## How Can I Learn More About The Michigan Indigent Defense Commission?

The commission meets regularly throughout the year in Lansing. Information about upcoming meetings, or agendas and minutes from prior meetings, can be found on our website at [www.michiganidc.gov](http://www.michiganidc.gov). We will continue to post progress about our work and any other developments about indigent defense in Michigan on our website as well. 

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*Marla McCowan is director of training, outreach and support for the Michigan Indigent Defense Commission. You may contact her at 517.657.3066 or [mmccowan@michiganidc.gov](mailto:mmccowan@michiganidc.gov).*





# Thank you!

## 2017-2018 Business Alliance Program Participants



business alliance program



### Premier

Blue Cross/Blue Shield of Michigan  
DTE Energy  
Plante Moran  
Plunkett Cooney



### Core

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Abonmarche Consultants, Inc.  
American Society of Employers  
Anderson, Eckstein and Westrick, Inc.  
Detroit Pure  
Foster Swift Collins & Smith, PC

Garan Lucow Miller PC  
GFL Environmental USA Inc.  
Medical Marijuana Licensing Attorneys  
Metro Consulting Associates  
Miller Canfield PLLC



### Basic

ACEC of Michigan/QBS  
American Fidelity Assurance Company  
American Water Resources  
Archive D.S.  
Beckett & Raeder, Inc.  
C2AE  
Carlisle/Wortman Associates, Inc.  
CBIZ Valuation Group  
Comcast  
Dornbos Sign & Safety  
Dykema Gossett PLLC  
Emergent Health Partners

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Fleis & VandenBrink  
GMG Public Affairs Consultants  
Hubbell, Roth & Clark, Inc.  
ICMA Retirement Corporation  
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McKenna Associates  
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Michigan Planners  
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**Q:** Should we wait until the state promulgates its rules under the Medical Marihuana Facilities Licensing Act (MMFLA) before we pass an ordinance opting in?

**A.** The Department of Licensing and Regulatory Affairs (LARA) is in the process of establishing the regulations. LARA can't predict the future, but believes the licensing board will be passing barebone rules before the December 15, 2017 deadline, and it is not necessary for municipalities to wait.

**Q:** Do we have to codify our ordinances?

**A.** The ordinance codification requirement for your municipality is governed by your home rule charter or the act that serves as your charter (e.g. General Law Village Act; Fourth Class City Act).

### **Home Rule Cities (MCL 117.5b)**

Each city shall have power, whether provided in its charter or not, to codify, recodify and continue in code its municipal ordinances, in whole or in part, without the necessity of publishing the entire code in full. The ordinance adopting the code, as well as subsequent ordinances repealing, amending, continuing or adding to the code, shall be published as required by law. The ordinance adopting the code may amend, repeal, revise or rearrange ordinances or parts of ordinances by reference by title only.

### **Home Rule Villages (MCL 78.24a)**

Each village shall have the power, whether provided in its charter or not, to codify, recodify, and continue in code the village's municipal ordinances, in whole or in part, without the necessity of publishing the entire code in full. The ordinance adopting the code and ordinances repealing, amending, continuing, or adding to the code shall be published as required by law provided that notification states where a copy of the entire code can be reviewed and obtained. The ordinance adopting the code may amend, repeal, revise, or rearrange ordinances or parts of ordinances by references to the title only.

### **General Law Villages (MCL 66.3)**

A village may codify, recodify, and continue in code the village's ordinances, in whole or in part, without the necessity of publishing the entire code in full. The ordinance adopting the code and ordinances repealing, amending, continuing, or adding to the code shall be published as required by section 4 of this chapter. The publication shall state where a copy of the entire code can be reviewed and obtained. The ordinance adopting the code may amend, repeal, revise, or rearrange ordinances or parts of ordinances by references to the title only.

### **Fourth Class Cities**

The Act is silent on ordinance codification.

**Q:** Do we have to publish our ordinances in the newspaper?

**A.** The ordinance publication requirement of your municipality is governed by your home rule charter or the act that serves as your charter (e.g. General Law Village Act; Fourth Class City Act).

### **Home Rule Cities (MCL 117.3)**

Each city charter shall provide for... the following:

(k) Adopting, continuing, amending, and repealing the city ordinances and for the publication of each ordinance before it becomes operative. Whether or not provided in its charter, instead of publishing a true copy of an ordinance before it becomes operative, the city may publish a summary of the ordinance. If the city publishes a summary of the ordinance, the city shall include in the publication the designation of a location in the city where a true copy of the ordinance can be inspected or obtained.

### **Home Rule Villages (MCL 78.23)**

Each village charter shall provide for... the following:

The publication of an ordinance or a synopsis of an ordinance before the ordinance becomes operative.

### **General Law Villages (MCL 66.4)**

Within 15 days after an ordinance is passed, the clerk shall publish the ordinance or a synopsis of the ordinance in a newspaper circulated in the village.

### **Fourth Class Cities (MCL 89.6)**

Within one week after the passage of any ordinance the same shall be published in some newspaper printed and circulated within the city.

**Q:** Do we have to publish our council meeting schedule for the year in a newspaper?

**A.** The Open Meetings Act (MCL 15.265(2)) only requires that you **post** the regular meeting schedule.

**Q:** Who can swear in elected officials in a city or village?

**A.** City, village, township, and county clerks; judges; any notary public; and state senators and representatives can give the oath of office to municipal officials. The mayor/president, trustees/councilmembers, manager, etc. are not empowered to give the oath of office. Your charter or the act that serves as your charter (General Law Village Act; Fourth Class City Act) will contain specifics on taking and filing the oath of office. Most municipalities use the oath of office from the Michigan Constitution.

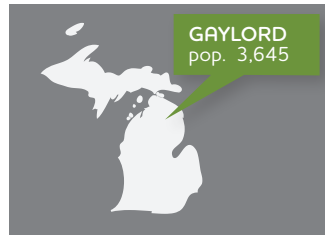
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*The League's Information Service provides member officials with answers to questions on a vast array of municipal topics. Call 1.800.653.2483 or email [info@mml.org](mailto:info@mml.org).*

# Downtown Improvements Project

## Gaylord Perseveres to Get the Job Done Right

By Joseph P. Duff



When we look at the improvements recently completed in Downtown Gaylord, it's important to review how this complex and intricate project began. The city's first downtown streetscape was completed in 1994. It took the conventional course and was funded by Gaylord's Downtown Development Authority, utilizing a Tax Increment Financing Plan and model. This project was bonded and took 15 years to pay off. At that time, the DDA completed the following improvements: burial and relocation of power lines; decorative streetlights, benches, trash receptacles and sidewalks with brick paver accents; and trees planted in ground-mounted grated planting areas. Other improvements included a downtown park and connecting city-owned parking lots to the downtown area.

After many years of service, deterioration and age had started to become very apparent. We had failures in the brick accents due to settling and aging concrete. The trees were dying and removals had occurred. Several renovations continued over the next 15 years, with the addition of flowers and a new unique events pavilion which added much-needed energy to our downtown.

But even with these additions, we found that the deteriorated infrastructure was having a detrimental effect on our district. We began dealing with everything from dying trees and water main breaks to curb and sanitary sewer failures. These items, together with the fact that Gaylord's Main Street is also State Highway M-32—one of the primary east-west corridors in Northern Lower Michigan—added traffic and safety concerns for pedestrians trying to utilize our downtown.



### The Renaissance

A partnership, led by the Otsego County Economic Alliance (OCEA), began forming in our community. In 2012, the OCEA secured leadership support from the city, the DDA, Otsego County, the Chamber of Commerce, and the Tourism Bureau. They began working closely with MDOT to develop a conceptual plan to address the needs of a new downtown and move it forward.

A series of design and public information charrettes were held to receive public input. Also, a series of stakeholder input and information meetings were held to provide information to various community service clubs and organizations. The original design for the new downtown had a three-lane configuration with increased width on the sidewalks, entertainment nodes, and gateway features to enhance the ambiance of downtown. The project's cost estimates were approximately \$3.8 million for the streetscape and utility improvements.

The city requested funding for an MDOT Transportation Alternatives (TAP) grant and worked with MDOT to secure roadway funding that was planned for a future mill and fill on the roadway. Efforts were unsuccessful to secure funds for a CDBG grant from the MEDC, so a local campaign was begun to assist in raising funds. The city had committed funds from its capital accounts, and the DDA was ready to request a \$700,000 bond to assist in paying for the improvements. However, the efforts of the DDA were abandoned after a challenge by local residents forced a vote on the bonding matter and the voters turned down the DDA bond in an election held in 2015.





## Downtown Improvements Project

Gaylord was left with few alternatives but to move the project forward in another capacity or abandon it completely. We still had a failing utility system and deteriorating pedestrian sidewalks, making our downtown a very difficult place in which to envision businesses making investments. The city, working with its design consultant C2AE, turned the project into a critical infrastructure project. The design was altered to continue with the existing five-lane configuration downtown and concentrate on replacing the sidewalks, curbing, streetscape items, traffic signals, adding decorative accents, and replacing the much-needed water and sanitary sewer lines. Along with other cost-saving options, the project eliminated two city blocks from the improvements.

The city moved forward with the design and secured a TAP grant in the amount of \$666,242. Several other contributions collected by the OCEA enabled the city to move the project forward, including a five-year commitment from our DDA in the amount of \$300,000; a county reimbursement of \$68,598 for improvements in front of the Courthouse; and community donors.


## Construction

The project began construction in September 2016. The general contractor was Team Elmer's out of Traverse City. Work on the streetscape was completed just prior to the 4th of July as well as our annual downtown Alpenfest celebration.

The project includes new curb and gutter with the addition of bump outs at the corners, which both define our intersections and provide safer and shorter distances for pedestrians to cross our busy Main St. They also provide some much-needed safety and traffic calming to allow parallel parking on Main St. to continue. The city added mid-block pedestrian crossings with refuge islands at three key locations in the project boundaries to provide increased pedestrian accessibility and safety. More decorative streetlights were added in the new design and old streetlights painted. Forty one trees were added to irrigated planter boxes.

The city, in collaboration with MDOT, was also able to see the placement of cantilevered traffic signal poles at our two major intersections, which add considerably to the new look for our downtown. Two entertainment nodes were placed in key locations to provide venues for street music, art displays, and festival activities to occur. We eliminated brackets on our streetlights and erected eight new 20-foot banner poles to display our flags and banners indicating upcoming events and activities. The streetlights continue to provide a place for the hanging flower baskets which adorn our downtown. We eliminated brick pavers and replaced the sidewalks with decorative stamped concrete, which we feel will hold up much better during our harsh winter season.

The city still has some punch list items to complete, and MDOT's mill and fill is expected to be completed by September 15. Once this work is completed, recessed high visibility crosswalks and new pavement striping will complete the project for our community. Our downtown businesses endured through this project and all events and activities continued throughout construction. Our contractor did a wonderful job ensuring that our community events, such as farmers markets and parades, could proceed as scheduled.

We have already noticed a considerable increase in pedestrian and business activity in our downtown in just a few short weeks. The patience of our business community was incredible and we see only good things to come from our \$2.2 million investment. We think all will agree that good things come to those who wait! 

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*Joseph P. Duff is Gaylord's city manager. You may contact him at 989.732.4060 or [duffj@cityofgaylord.org](mailto:duffj@cityofgaylord.org).*

# COMMUNITY MERGERS

## Do the benefits outweigh the challenges?

By Rick Haglund

**A**lma and St. Louis have been friendly neighbors for more than 160 years. But recent financial hardships, caused largely by declining property values and Michigan's broken municipal finance system, could force the two cities to seek a merger.

The city managers of these Gratiot County communities caution that a consolidation would be difficult to accomplish and might not occur. But they say their current financial paths are not sustainable. "We need to have a discussion about this because we are struggling financially," said Alma City Manager Phillip Moore, who proposed the consolidation idea earlier this year.

Merging two cities into a single entity could trim duplicative municipal services, cut payroll costs, and take advantage of economies of scale in purchasing and other areas. "We're good partners and good neighbors as it is," said St. Louis City Manager Kurt Giles. "The question has been brought up whether to expand our collaborative efforts."

Like many cities around the state, Alma and St. Louis saw steep declines in property values during the Great Recession. Those values have bounced back a bit, but not enough to make up for the losses in state revenue sharing and state-imposed caps on property tax increases. Cities depend heavily on property taxes to fund services.

Giles said under the current state funding system, taxable property values in his city will never catch up to projected inflation. "We are hopeful that by the year 2024 that St. Louis will be back up to at least our 2009 (taxable) values," he said in a recent budget presentation.

The city's general fund balance, or "rainy day" fund, has been declining for three years and stands at 26 percent of general fund expenses. That represents three months of expenses. "I'd like it to be four," Giles said.

Alma faces similar challenges. "The long-term stresses have become more acute," Moore wrote in his fiscal 2018 budget message. "It is becoming more and more difficult to maintain our traditional level of services." Alma's \$4 million annual general fund budget this year is roughly the same as it was in 1998. Adjusting for inflation, the real value of general fund tax dollars has shrunk by a third in that time frame, he said.

### A Complex Process

But merging two communities is a complicated, controversial process that can take years to accomplish. Since 1964, 15 Michigan communities have considered merging, but only two have succeeded, according to Michigan Municipal League records.



*A popular car show enlivens downtown St. Louis.*





*Downtown Alma from the air.*

Battle Creek merged with a portion of Battle Creek Township in 1982 under intense pressure from major employer Kellogg Corp., which threatened to leave unless the two consolidated. Kellogg said a single, larger community would make it easier to recruit talent and lower the cost of local government.

The decline of iron ore mining and a steep population loss prompted the city of Stambaugh and the village of Mineral Hills to merge with the city of Iron River into a new city that took Iron River's name in 2000. On its website, Iron River boasts that it is "Michigan's first consolidated city."

Merging communities is a lengthy process that involves winning approval from the state Boundary Commission, successful local votes in all the communities involved, writing a new city charter, and getting voters to approve the document in a second election. The governor also must approve the charter.

## Obstacles And Uncertainties

Most mergers fail because residents strongly identify with the communities they live in and don't want to give up that identity just to save money, said Eric Lupher, president of the Citizens Research Council of Michigan. "People

are willing to pay more in taxes to maintain that identity rather than forgo it," said Lupher, who has advised a number of cities considering mergers.


Merger talk also creates insecurity among employees and local elected officials, many of whom stand to lose their jobs if city governances and service departments become one. "People stand to be put out of work," Lupher said. "There's anxiety having to do with that."

He points to the decisive defeat of the proposed merger of Saugatuck and Douglas, two neighboring resort communities, as evidence of the difficulties involved in consolidation. Supporters of the measure cited nearly \$500,000 in proposed savings by combining city manager and city clerk offices. "If Saugatuck and Douglas can't get it done, I don't think there is a lot of hope others will jump in and figure it out," he said.

And cost savings from mergers are debatable. A 2010 state Fiscal Agency study, reported by *Bridge Magazine*, found government spending per person in Michigan and five other states was similar, even though the number of local governments in each state varied widely.

Merged communities in Michigan are spending less, in part, because they have less to spend. Iron River had total expenses of \$1,528,325 in 2015, the last budget posted on its website, down 19 percent from 2012. Total revenues fell 12 percent since 2012, including a 16-percent plunge in property tax revenues.

Lupher said voter opposition to mergers will require neighboring cities to continue merging services, such as police and fire, rather than seek a full consolidation. But even those efforts are unlikely to overcome the negative effects from the loss of state revenue sharing and a municipal finance system that severely limits property tax revenue growth, he said.

The city managers of Alma and St. Louis agree and say they will continue to work for changes in state law that will help secure their communities' financial future. But Moore, Alma's city manager, said the two cities also must consider a merger. "Our long-term trends will weaken our future unless we face the issue head on and take charge of our destiny." 

Rick Haglund is a freelance writer. You may contact him at 248.761.4594 or haglund.rick@gmail.com.

This column is designed to simplify complex technology topics for municipalities. Have an idea for a future column? Contact the League's Dene Westbrook at 734.669.6314 or [dwestbrook@mml.org](mailto:dwestbrook@mml.org).



# IT Recovery

## Be prepared if disaster strikes

Many communities have an emergency response plan in place for when disaster strikes. Natural disasters, or even power outages, can cause damage to people, property, and infrastructure. But what happens when information technology fails? If your community is unprepared and without a disaster recovery (DR) plan, it could lead to long system downtimes, data loss, and an expensive recovery.

### What Is A Disaster Recovery Plan?

To put it simply, a disaster recovery plan is a set of documented procedures that details how to protect and recover your technology infrastructure in the event of a disaster. A disaster could be classified as a simple power outage to a building, a piece of pesky malware on a user's computer, or a hardware failure of a key server. A good plan will account for each scenario, from small (a single device) to a complete loss (fire in the server room).

A disaster recovery plan should include:

- A complete listing of hardware, software, and device assets, along with contact information for vendors with which you may have warranties, contracts, or services.
- Allowable downtime or data loss per technical system, and a categorization of each by tiers, from greater to lesser importance. For example, if the BS&A software server is down, which is probably a significant system, how long is an acceptable timeframe?

- Identification of roles, responsibilities, and expectations for staff so that duties are clearly defined, including who among the team is declaring the disaster. Employee and officials' contact information should be included as well, so it's easily accessible.
- A clear incident communications strategy. Being able to communicate with officials, staff, vendors, and citizens about a disaster is essential for initial notification, as well as continued situational updates. If city hall (where the server room and data is stored) loses power, how would your community communicate that to those outside of the building? Do you have IT staff on-site to monitor the technical systems, or would you need to place a frantic call to a consultant? What if the power was out for days, instead of hours? Having a written procedure in place ensures that communications will be handled efficiently.
- Identification of where to go in an emergency if an alternate working location is needed. A different community building could provide space for staff, or a teleworking option could be a possibility.
- A testing schedule. Practice your recovery plan and record your results.




# BACKUP TECHNOLOGY RECOVERY PROCEDURE MANAGEMENT DISASTERS BUSINESS RELATIONAL HARDWARE MAN MADE

## Backups And Testing

A critical part of recovery planning is knowing what, where, when, and how your data is being backed up. Be sure to have multiple backup copies available in case of data corruption or loss, including location redundancy, if possible. Store a copy of your data in another community building, or explore cloud backup options to fully remove any possible regional disaster issues.

Test your backups often. Your backups are only as good as your testing. If you're not testing database backups, or even simple file restorations, then how do you know your backups will work when a recovery is needed? TEST, TEST, TEST!

## Share and Educate

What good is a disaster recovery plan if no one knows about it except for IT staff? Sharing the plan and training department directors, officials, and other staff is essential to being prepared. Education and training should be repeated periodically to account for staff turnover and plan changes due to new systems and hardware. Disasters happen, and if well-prepared with a good DR plan, you'll be ready. 

*Dene Westbrook is the internal operations director for the League. You may contact her at 734.669.6314 or [dwestbrook@mml.org](mailto:dwestbrook@mml.org).*



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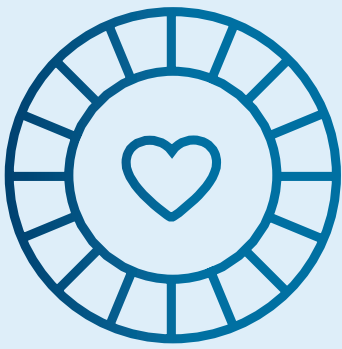
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# MAXIMIZE YOUR MEMBERSHIP

Michigan Black Caucus of Local Elected Officials

By Lois Allen-Richardson

**A**s a missionary, I spent close to ten years on the beautiful island of Trinidad. I have many fond memories of the time that I spent there. One of the sayings I often heard there I have adopted as my own: One Hand Won't Clap. Of course, the meaning of this East Indian proverb is that no man is an island, we cannot survive alone, and we cannot be successful in our endeavors if we are going at it singularly. I've share that saying everywhere I go. One hand won't clap... but two hands together can make lots of noise. Togetherness... that is what comes to mind when I think of the Michigan Black Caucus of Local Elected Officials (MBC-LEO).

MBC-LEO was the brainchild of George Goodman, former executive director of the Michigan Municipal League. Starting when he was mayor of Ypsilanti, George became involved with the National League of Cities, and its affiliate group, the National Black Caucus of Local Elected Officials (NBC-LEO). NBC-LEO was formed in 1970 to represent the interests of African-American officials. Their objectives included increasing African-American participation on NLC's steering and policy committees to ensure that policy and program recommendations reflect African-American concerns and benefit their communities. George suggested that Michigan form a similar group so that African-American officials could come together to discuss common issues, share information, and increase minority participation on League committees and boards.

George called a few officials together to begin laying a foundation for the organization. I was excited and felt honored to be included in that group, along with Southfield Councilmember Myron Frasier, a well-seasoned, active League member. After several organizational meetings, MBC-LEO became an official affiliate organization of the League in 2004. Its mission is to provide a forum for its members to come together to collaborate, network, coach, mentor, share informa-

tion, and provide support to one another in the state of Michigan. Clara Shephard, a former Muskegon commissioner, stepped forward and became MBC-LEO's first official president, while Myron continued to serve as first vice president. In 2012, I assumed the role of president.

## A Voice For Our Members and Beyond

MBC-LEO strives not just to meet the needs of our members, but to be very cognizant of the needs of our communities, our state, and our country. It is in this vein that, for the last couple of years, we have held forums that address race and law enforcement issues within urban communities. We have brought in speakers from the National League of Cities Race, Equity and Leadership (REAL) program, and law enforcement officials from across the state, to present on this very important subject. These forums have been very successful. Municipal officials and law enforcement agencies are realizing the importance of establishing positive relations between their citizens and law enforcement. In addition to the forums, we are presenting a workshop at the League's 2017 Convention in Holland on "Building Trust Between Citizens and Law Enforcement." Holland's police chief and human relations director, along with the mayor of Muskegon Heights, are just a few of the speakers you'll hear from at this event.


I'm proud to say that past MBC-LEO fundraisers have allowed us to raise funds for a college student book scholarship fund. Our goal is to continue to offer scholarships to college students, and eventually to our members, so that they can take advantage of professional development opportunities that they may not otherwise be able to afford.

It is important to note that, even though we are called the Michigan Black Caucus, we have a diverse membership. Everyone is welcome. You don't have to be an elected official. We have administrative staff as members as well. Everyone can share personal stories





George Goodman with the League's Deborah Walton-Medley and MBC-LEO President Lois Allen-Richardson.

and ideas that will develop commonalities. Diversity reflects our society and brings many views to the table. Remember the East Indian proverb. One hand won't clap... but two hands together can be heard. If you have a need or desire for any of the things mentioned in the mission statement, MBC-LEO is the organization for you. 

Lois Allen-Richardson is a councilmember in the City of Ypsilanti and president of the Michigan Black Caucus of Local Elected Officials. You may contact her at 734.972.3673 or [missionarylois@gmail.com](mailto:missionarylois@gmail.com).

## INTERESTED IN JOINING MBC-LEO?

We offer several membership levels:

- Full Member (\$35)
- Associate Member (\$35)
- Supporting Member (\$50)
- Corporate Member (\$100)
- Alumni Member (\$30)
- Student Member (\$15)

More information, and the MBC-LEO membership application, are available at [www.mbc-leo.org](http://www.mbc-leo.org).



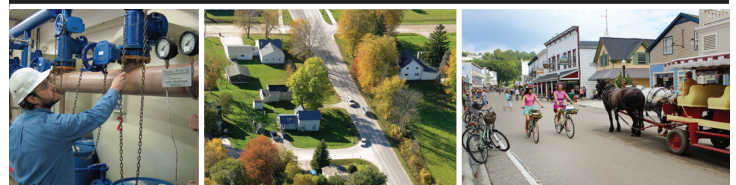
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Sue Jeffers is a legal consultant to the League. You may contact her at [sjeffers@mml.org](mailto:sjeffers@mml.org).

# For-profit educational institution gets personal property tax exemption

## FACTS:

SBC Health Midwest, a for-profit corporation, operates a college in Kentwood, Michigan. It requested a tax exemption for personal property used to operate the college as an educational institution under MCL 211.9(1)(a): The following personal property, and real property described in subdivision (j)(i), is exempt from taxation: (a) The personal property of charitable, educational, and scientific institutions incorporated under the laws of this state.

Kentwood denied the request for the exemption since SBC was a for-profit entity. On appeal, the Tax Tribunal upheld the city's decision on the basis that granting an exemption to a for-profit corporation would conflict with other statutory tax exemption provisions for educational institutions, most notably MCL 211.7n which provides an exemption for real or personal property owned and occupied by a nonprofit educational institution. The city also relied upon language in the Michigan Constitution which authorizes a tax exemption from real and personal property taxes of nonprofit educational organizations. Const 1963, art 9, sect 4. [Emphases supplied]

## QUESTION:

Must an educational institution seeking a personal property tax exemption under MCL 211.9(1)(a) be a nonprofit entity, in keeping with other tax exempt provisions relating to educational institutions?

## ANSWER ACCORDING TO THE TRIAL COURT AND THE MICHIGAN COURT OF APPEALS:

NO. The Supreme Court began its analysis by noting that under the General Property Tax Act, "all property, real and personal, within the jurisdiction of this state, not expressly exempted, shall be subject to taxation." It further noted that tax exemptions are to be narrowly or strictly construed in favor of the government, but not necessarily permitting a strained construction contrary to the Legislature's intent. The Court examined the language of the MCL 211.9(1)(a) and found that the language was clear and unambiguous, from which the Court assumed that the Legislature intended its plain meaning and enforced as written. The Court also stated that another corollary of statutory interpretation does not permit a court to read language into a statute that is unambiguous. Accordingly, the Court refused to write a nonprofit requirement into the applicable portion of MCL 211.9(1)(a).

SBC Health Midwest, Inc. v City of Kentwood, No. 151524 (May 1, 2017)

The Michigan Municipal League participated as an amicus curiae in the case.

## Upcoming League Events

### You Need to Know:

#### Medical Marijuana in Your Community

Sept. 26 – Novi

Oct. 3 – Kalamazoo

For more details, visit [www.mml.org/calendar.htm](http://www.mml.org/calendar.htm).

### Community Expo & Seminar

Oct. 26 – Mt Pleasant

This inaugural event is designed to bring League members and vendors together in an interactive, educational format.

Stay tuned for more details.



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## 2016 CEA FINALIST

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City of Gibraltar, Rotary Kayak Launch



### 2016 CEA Finalist

Since 2009, the City of Gibraltar has been in the process of planning, securing funding, engineering, and building a public access kayak launch at our city's center. The completion of the project was achieved in 2016. This new ADA-compliant and barrier-free accessible launch builds on a strong movement in southeast Michigan to take advantage of our greatest natural resource—the Detroit River and Lake Erie basin.

Installed in a unique location, the building of this launch meets location priorities listed in the city's Downtown Development Plan and builds off a synergy with adjacent properties: U.S. Fish and Wildlife to the north, Gibraltar Recreation to the west, and Huron Clinton Metro Park to the south. The location is also very significant because

of the natural canal system in our city that allows you to kayak from one end of town to the other, providing a unique transportation option.

Collaboration on funding for the project involved a significant donation by the Gibraltar/Rockwood Rotary Club, Wayne County Parks Grants, the City of Gibraltar Downtown Development Authority, ACT 51 non-motorized funding, and volunteer efforts.

The kayak launch provided a unique opportunity to improve one of the main focal points of the city. The synergy created with surrounding property uses is leading to a vibrant downtown full of energy and pedestrian activity.

