the review

the official magazine of the Michigan Municipal League

January/February 2009

Spearheading Mass Transit in Metro Detroit

John Hertel

Growing Public Transportation in Grand Rapids and Beyond

Peter Varga

Transit-Oriented Development

Amtrak in Michigan

Michigan's Transit Leaders

East Coast

West Coast

Spearheading Mass Transit in Metro Detroit

Growing Public Transportation in Grand Rapids and Beyond

Peter Varga
The Michigan Municipal League is
the one clear voice for Michigan
communities. Our goals are to
aid them in creating desirable and
unique places through legislative
and judicial advocacy; to provide
educational opportunities for elected
and appointed officials; and to assist
municipal leaders in administering
community services. Our mission
is that of a non-profit, but we act
with the fervor of entrepreneurs to
passionately push change for better
communities and a better Michigan.

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On the Cover
John Hertel, Detroit Regional Mass Transit CEO (left) and Peter
Varga, CEO of Grand Rapids bus line The Rapid (right). For the
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Cover photos by Anna Bruchmann
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Municipal clients across Michigan say they appreciate Plunkett Cooney's fearless determination to achieve the right result whether in council chambers or the courtroom.

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Investing in Roads and Transit to Create Jobs and a Prosperous Place Called Michigan

This issue of The Review focuses on Michigan’s livelihood—transportation. Never in Michigan’s 171 years has transportation been a more important public policy priority.

It can be argued that how Michigan residents get from Point A to Point B in the future will largely create Michigan’s future.

Today, we drive on growing miles of crumbling roads in Michigan. Making an adequate investment in road and bridge repairs will create thousands of good jobs, avoid an imminent safety catastrophe, and save a transportation network that supports our state’s manufacturing and tourism industries.

But Michigan must also establish transportation alternatives to the automobile. Led by the business community, local elected officials, and forward-thinking state lawmakers, momentum is building across Michigan to significantly expand public transit.

Why now? Rising energy costs, worsening road congestion, and curbing air pollution are contributing factors. The biggest motivators, however, are jobs and economic development. Every major U.S. urban area that has embraced transit in the past two decades has gained thousands of transit-related jobs and billions of dollars in commercial, residential, and infrastructure development near their transit stations. Apartments and condominiums, office buildings, restaurants, pubs and cafes, movie theaters, art centers, and retail shops are developing near the stops. The story is the same in Dallas, Charlotte, St. Louis, Minneapolis, and Portland.

Communities with real transit systems—buses and rail working together—are also places where young, college-educated people are increasingly choosing to live, work, and play. Michigan currently has no such community.

Building a real transit system requires substantial public and private investments. Because systems cross many local government borders, they also require the political and public policy cooperation of multiple elected officials and bodies. The Detroit Regional Chamber, the Grand Rapids Area Chamber of Commerce, the Michigan Municipal League, our Get Michigan Moving coalition, Transportation Riders United, the Grand Valley Metro Council, and officials in Livingston County and Ann Arbor, all are working on transit.

A public policy first step to help support future rapid transit systems in Detroit, Grand Rapids, and many other communities is state House Bill 6114, sponsored by Rep. Marie Donigan, D-Royal Oak. The legislation would create geographic “transit revitalization investment zones” around transit stations. As new development occurs in the zones, the resulting growth in tax revenues could be used to fund the operation, maintenance or infrastructure of the system, and used to support new recreational, residential, and commercial facilities that people today are seeking. The League and other transit supporters are urging the Legislature to pass HB 6114 before the end of the year. Other bills sponsored by Republicans and Democrats—state Sen. Jason Allen, R-Traverse City, and Rep. Bert Johnson, D-Detroit—would help advance a privately funded 3.4-mile light rail system planned along Woodward Avenue between Hart Plaza and Detroit’s Midtown area. Here are some other rapid transit expansion activities around Michigan:

- The city of Howell and Washtenaw County are working on a commuter rail line to connect the city and the communities in Washtenaw County.

- Business and political leaders in Wayne, Oakland, and Macomb counties worked with citizens and other groups to develop an official tri-county transit plan with rapid transit lines and bus improvements.

- Grand Rapids and west Michigan leaders are planning a rapid transit expansion that will start with a $40.1-million, nine-mile bus-rapid transit line already approved by the Federal Transit Administration.

- The state Department of Transportation and Southeast Michigan Council of Governments are working toward a 48-mile, high-speed commuter rail line between Ann Arbor and Detroit.

Investing in transportation will generate thousands of jobs and billions in new commercial and residential development and redevelopment. It will also create the types of places in Michigan where young, college-educated people seek to live once again. The result will be a return of prosperity to Michigan.

Daniel P. Gilmartin is executive director and CEO of the League. You may contact him at 734-669-6302 or dpg@mml.org.
Two Takes on Transit

By Jennifer Eberbach
Transportation impacts industry, culture, and history. Access to transportation systems can determine where people live, work, and shop. Communities in Michigan are exploring the costs and benefits of growing mass transit. Proponents push on with development initiatives, by championing improvements to existing systems and the creation of new fixed guideway projects like Bus Rapid Transit, streetcars, and light rails. They claim that these projects will spur economic growth, improve people’s daily lives, and attract new businesses and industries to Michigan.

**Detroit Regional Mass Transit CEO**

John Hertel and Peter Varga, the CEO of Grand Rapids bus line The Rapid, shared their thoughts on how improving mass transit can improve Michigan communities.

**Traveling Light in Detroit**

At the helm of major transportation initiatives, Detroit Regional Mass Transit’s John Hertel spearheads growing mass transit in greater Metro Detroit. According to Hertel, mass transit, “is the fastest way to get a gigantic improvement in Metro Detroit.” His most ambitious plan is to kick start a massive light rail line that would eventually connect Oakland, Wayne, and Macomb counties, by building a $102 million dollar “starter” line stretching 3.4 miles along the Woodward Avenue corridor. In the midst of campaigning for funds and support, he wanted to remind people of the benefits of mass transit. “You are talking about a tremendous economic machine,” he said.

Hertel listed the rewards of investing in mass transit, by prophesying the creation of jobs, improved road conditions, shorter commute times, and easier access to the places where people work, play, and shop. For every dollar the government invests in the light rail, Hertel projects private sources will invest $4-8 in developing local communities. “Every place that you’ll see mass transit done appropriately you’ll see growth, you’ll see improvement,” he said.

Other metropolitan areas utilize mass transit models that impress Hertel. He sited Denver and Minneapolis as successful case studies. Denver’s light rail has attracted a reported 2.5 million square feet of new commercial space and 9,635 residential units along...
the line, as of 2007. Denver’s success is not a stroke of luck. Minneapolis’s light rail system, The Hiawatha Line, had six million rides in its first year. The Michigan Land Use Institute merits the light rail with reducing the unemployment rate and encouraging commercial and residential development along the line. Hertel is concerned that Michigan is “behind everyone else in the country,” reporting that Metro Detroit is the only area of the Top 30 metropolitan areas without effective mass transit.

Grand Plans for Rapid Growth

The federal government recently approved the research and development of fixed guideway projects in Grand Rapids. The Rapid CEO, Peter Varga, is focused on encouraging private investment in Bus Rapid Transit and streetcars in order to secure a local match for federal funds. “Michigan is at a crossroads now,” Varga said, adding that communities will have to decide “whether they are going to be competitive in the global market and with other states.”

“Investment in transportation has been undermined because it has been underfunded,” causing Michigan’s infrastructure to be “inappropriate for the development of good public transit.”

- Peter Varga

Transportation is more than moving people from A to B for Varga. He sees potential for attracting new businesses to an area. Businesses are leaving Michigan as jobs and markets are lost, however, Varga asserts that improving mass transit “changes that pattern,” by “encouraging businesses to move in and develop based upon the new economy,” he said. “Instead of continued suburban growth, you would have inner city growth and greater concentration of employment and residences that are enhanced within the core communities,” he added.

Varga sited inadequate funding as the most imperative hurdle blocking movement on mass transit initiatives. “Investment in transportation has been undermined because it has been underfunded,” causing Michigan’s infrastructure to be “inappropriate for the development of good public transit,” he claimed. Varga’s recipe for success is two-fold. On one hand, he wants to see local officials support
the kinds of “master plans and zoning requirements that allow for transit oriented development and allow public transit to be supported through local funds.” On the other, success requires securing funds and support from state and federal sources. According to Varga, elected officials must “maximize their abilities to leverage funds to improve the local communities.”

Big Ticket, High Hopes

At such a high price, it is prudent to weigh the costs and benefits of mass transit. Residents who are concerned about a potential tax increase may question the usefulness and popularity of mass transit. It is impossible to know if ongoing initiatives will produce the level of change and urban growth that proponents predict, however they take more than an “if we build it, they will come” approach to development. John Hertel concluded that “America was built on big ticket items,” and he seems to have the same hopes for Michigan. The accomplishments of cities like Denver and Minneapolis indicate that mass transit can significantly impact a community’s wellness. Mass transit systems like The Rapid are reporting recent, dramatic increases in ridership. Approximately 8.2 million people rode The Rapid in 2007, an 11 percent increase within one year. As the needs of individuals change with the economy, it is likely that the number of people looking towards mass transit will continue to increase, but will it be there? Proponents predict that proposed mass transit plans will help Michigan gain a competitive edge, attract a new economy, and better the lives of residents. It is up to elected officials and communities to decide if growing mass transit is right for Michigan.

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Michigan will lose nearly $1 billion in federal road funds annually between 2010 and 2015—because we cannot meet the federal matching requirements for those funds.

Michigan’s transportation system, across all modes, is a growing problem. And the funds that are available are dwindling. In efforts to create policy ideas on how to address this situation, the Legislature created the Transportation Funding Task Force (TF2) two years ago. The TF2 was charged with reviewing the way that Michigan funds our transportation system and to make recommendations on how to fund it better.

Funding Outlook—Bleak Today

Very early on in their deliberations, they realized that just for roads and bridges, Michigan needs an additional $6.1 billion annually, doubling what we currently spend. If we were to “do nothing” and continue spending at current levels, Michigan could expect to lose more than 13,000 jobs and be unable to match an estimated $750 million per year in federal aid. By investing in transportation, we increase the number of good-paying jobs for our residents. Every $100 million spent on infrastructure projects creates or maintains 4,750 good-paying jobs. And every $1 spent on public transit projects generates $6 in local economic activity. These jobs are critical to the health of our economy, as well as our safety on the road.
For transit, the outlook is just as bleak. TF2 quickly saw that “doing nothing” would lead to the state losing out on $130 million in federal transit aid dollars because of our inability to provide matching federal dollars; the loss of AMTRAK services, and the cancellation of projects like the Howell-to-Ann Arbor commuter rail line, the Ann Arbor to Detroit commuter rail line, and the Grand Rapids Bus Rapid Transit project. Our hopes for an established regional transit system are quickly dashed without this aid.

At the same time, the amount of transportation funding available to cities and villages would continue to decrease, as motor fuel revenues decline from the use of fuel-efficient cars and lowered travel demand thanks to higher gas prices. Already in this fiscal year, municipalities will receive $14-$16 million less in state funding from the previous year.

**Funding Outlook–Better Tomorrow?**

A total of 23,000 road lane miles need to be repaired or replaced by 2015, while the expected state transportation budget will pay for only 876 lane miles (3.8 percent). All of this begs the question “How do we raise this amount of money?” TF2’s recommendations include short-term actions and long-term strategies. In the short term, they suggested motor fuel tax increases. Ten cent increases in both gasoline taxes and diesel taxes will raise $558 million in the short term. However, this source of funding will become more unreliable over the longer term and additional sources of funding will be required to keep up our annual investment needs. Accordingly, the TF2 is suggesting that the state should consider raising the sales tax to 7 percent, and dedicate that additional revenue solely to transportation needs. A sales tax increase would provide an estimated $1.3 billion in additional funds for the entire system (approximately $260 million of which would come to municipalities).

**Funding Outlook–What Will It Take to Get Better?**

There are indications that these recommendations will be discussed thoroughly during the upcoming legislative session, and it should be an intense debate. Senate Majority Leader Mike Bishop (R-Rochester) has been telling the transportation community that he wants some cost efficiencies implemented before he pitches any kind of revenue-raising mechanism to the Senate GOP caucus.

TF2 has suggested a number of efficiencies that might meet the majority leader’s request. They suggest that incentives should be created that will encourage consolidation and coordination by transportation providers. The current responsibility for Michigan’s transportation network lies with 83 county road agencies, 533 cities and villages, 79 transit authorities, and 14 airport authorities (not to mention the numerous private airport, bridge authorities, port authorities, and others). Our elected officials should consider some way that we can encourage, at the least, coordination between these entities in order to generate more efficiency.
In addition, the Legislature should make sure that every dollar raised for transportation purposes is actually spent on transportation. Last year, approximately $47 million in transportation revenue was re-directed to state agencies (Department of State and the Department of Treasury) to pay for the cost of collecting transportation taxes and fees. In addition, from FY 2002 and 2008 a total of $68 million was transferred away from transit agencies to help bridge gaps in the state’s general fund budget. Our transportation dollars will be much more efficient when the state Legislature decides to spend them on transportation.

In the end, the state may not be able to provide the funding necessary to improve our local roadways. It may be necessary to equip our local governments with the ability to raise some of the funds on our own. TF2 recognized this as well and has suggested that local investment should be encouraged. We need to have a full array of financial tools to sustain our local systems. The Legislature is expected to review the possibility of having county registration fees, county driver license fees, and regional fuel taxes to help raise the additional funds that we need.

**Failure Is Not An Option**

Drivers in Michigan know our roads, our infrastructure, and our transit systems need drastic improvements. Just ask anyone who has driven during pothole season. Unless our state elected officials take a serious look at how Michigan funds our transportation system, shortfalls will continue to stall the economic turnaround our state and our nation desperately need.

Legislators must commit to finding a solution to our transportation funding crisis. We must invest in our transportation system to continue to employ thousands of Michigan residents and provide the critical infrastructure which our economy relies on. Failure to do so will mean that we must brace ourselves as roads continue to crumble beneath us, as streets become more congested, and as our economy slips away.

I suggest to you and to our state legislators that failure is not an option!

Dave Worthams is a legislative associate for the League. You may reach him at 517-908-0303 or dworthams@mml.org.
To compete for jobs nationally and globally, we need a more robust transit system. It has been documented nationally that investment in transit-oriented centers leads to additional economic development dollars invested in the community. Choice riders of transit and our senior population are increasing. We need additional investment to innovate and expand our transportation system.

-- Gretchen Driskell, Mayor, City of Saline

It’s important to act soon to maintain the quality of Michigan’s roads. Our infrastructure is crumbling. We need to rebuild and maintain, and the time is now.

-- Dan Gilmartin, MML Executive Director and CEO

League officials urge lawmakers to “act now” on TF2 recommendations that equal jobs and development for Michigan communities.

(December 3, 2008 press conference)
Lessons from Portland

By Megan Gibb, as published on August 29, 2008 in the Lansing State Journal

“...college-educated 25- to 34-year-olds have immigrated to the Portland region five times faster than the nation as a whole during the past decade...due to sustainable land use and transportation alternatives.”
Two years ago, I moved from Michigan to Portland, Oregon, to live in a region making bold investments in transit, taking a regional approach to land use planning, and heading for a prosperous future. As a Michigan native and former planning and development director for Ypsilanti, I know the many reasons Michigan's economy and cities are struggling today.

I also know Michigan can create thousands of new jobs and generate billions in new commercial, residential and infrastructure development by following Portland's lead.

In the 1970s, Portland and nearby cities were struggling. Disinvestment in Portland's urban core was evidenced by empty storefronts, loss of jobs and declining prosperity. The Portland region made bold choices that set the course for the thriving community it is today. Following are three important tools Michigan leaders could adopt from Portland:

**Michigan Must Expand Public Transit**

In 1976, the Portland region cancelled the Mt. Hood Freeway Project and instead invested in its first light rail line, which opened in 1986. The system will soon expand to 90 miles of light rail, with streetcar lines connecting communities throughout the region. Most of the $5 billion cost came from federal sources. Thousands of new jobs and billions in new investments have occurred in the areas near the project.

**Michigan Must Practice Regional Planning**

Metro, the Portland area regional government, provides integrated land use and transportation planning that ensures transit investments are leveraged with appropriate land uses such as transit-oriented development—the infrastructure, housing and commercial development that springs up around public transit stops and stations. This resulted in urban reinvestment and has limited sprawl.
Michigan Needs More Public-Private Partnerships

Detroit must learn to marry government and private interests to achieve community goals. Public-private investments are responsible for the famous Portland Pearl District, a former blighted industrial area adjacent to downtown that gained 7,200 new residential units and 4.6 million square feet of commercial development between 1997 and 2005, all within three blocks of a new streetcar line. The $2.8 billion in private investment occurred because the city and developers acted in partnership.

Portland’s use of public transit as an economic development tool has paid off. Economist Joe Cortright reports in his CEOs for Cities white paper, “Portland’s Green Dividend,” that the region’s transit system and efficient land use results in $2.6 billion a year in transportation cost and time savings, freeing up money for residents to spend on other things, in turn stimulating the local economy.

Furthermore, college-educated 25- to 34-year-olds have immigrated to the Portland region five times faster than the nation as a whole during the past decade. This is due to sustainable land use and transportation alternatives.

Key Michigan leaders are working to implement transit-oriented development projects in Metro Detroit and West Michigan.

I urge the Michigan Legislature to pass House Bill 6114 to provide a funding tool necessary for public-private partnerships. Michigan can prosper once again. Expanding public transit will create thousands of jobs and spark billions in new investments.

Megan Gibb manages the Transit Oriented Development program at Metro, the regional transportation and planning agency in the Portland region.

Sound Off!
What do Michigan leaders think about transit?

Transportation is an investment: it directly impacts the development of communities, is a necessity for our economic competitiveness in a global economy, influences the quality of our environment, and creates jobs. Michigan will be aggressive in pursuing our state’s fair share of federal transportation funding.

-- Governor Jennifer M. Granholm
If we want to attract people, business and prosperity to Michigan, what will it take? At the League, all signs point to a new planning and development philosophy called Transit-Oriented Development (TOD).

TOD is a "mixed-use residential or commercial area designed to maximize access to public transport, and often incorporates features to encourage transit ridership." In short, TOD encourages development around transit stations. TODs are generally located within one-quarter to one-half mile of a transit stop. Transit-oriented development is an undisputed solution to several social, economic, environmental troubles afflicting so many of today’s communities.

TOD Essentials

Let’s start with the essential elements of transit-oriented development:

- **Walkability**—Streets are cycling and walking-friendly, with adequate facilities and attractive street conditions.
- **Street Connectivity**—Street design calms congestion and controls vehicle traffic speeds.
- **Mixed-Use**—A variety of housing types, shops, schools, and other public services are available.
• **Parking Management**—The amount of land devoted to parking compared to conventional development is reduced.

• **Transit Stops**—comfortable waiting areas, real-time vehicle arrival information, vendors and washrooms are transit stops necessities.

**TOD & People**

According to a 2006 CEOs for Cities study, young, educated people prefer not to have to drive to where they live, work and play. Instead, they want transportation alternatives including bike lanes, streetcars, light rail, buses, and more. America’s most prosperous states—places like Colorado, Virginia, California, New York, DC—where the average unemployment rate is low and personal incomes high—tend to have larger populations of young, college-educated residents.

Also, transportation is the second largest expense in the majority of households in the U.S., with some families spending as much as 50 percent of their income owning, insuring, maintaining and operating a car. The cost averages $8,000 to own and operate a single vehicle for a year. By comparison, according to the U.S. Bureau of Labor, the average annual transit pass costs about $800 per year.

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**HB 6114 – Passes the House of Representatives**

(as of 11/20/08)

After months of discussion, House Bill 6114, sponsored by Rep. Marie Donigan (D-Royal Oak), was finally taken up by the Michigan House of Representatives and passed by a vote of 78–22. This bill has been a priority of the League and its members, and represents a great first step in empowering municipalities to drive urban revitalization around transit systems—an idea known as transit-oriented development (TOD).

HB 6114 allows for the creation of “transit revitalization investment zones” around transit stations. It allows for the creation of transit tax increment finance (TIF) authorities. As commercial and residential development occurs in the zones, the resulting growth in property tax revenues could be used to fund the transition operation, maintenance or infrastructure of the transit station or related facilities. Theses zones exist in Dallas, Minneapolis, St. Louis and other major cities and in recent years have created thousands of jobs and billions of dollars in new developments by supporting and expanding light rail and bus rapid transit systems.

The bill moves on to the Senate and the League will continue to push the message that TOD is something that can work in Michigan.
“...young, educated people... want transportation alternatives including bike lanes, streetcars, light rail, buses, and more.”

TOD & Jobs, Investment

Many other states are using TOD as a primary means of generating jobs and attracting billions in new infrastructure, residential and commercial development. On average, according to the American Public Transit Association, every $1 invested in public transit returns $6 in local economic activity, and every $100 million invested in public transit creates and supports about 4,000 jobs.

Transit lines are also generating billions of dollars in private investment in new commercial and residential development and redevelopment (U.S. Bureau of Labor). As investments begin, tax revenues increase. As public transit systems develop, millions in federal funding become available. Jones Lang LaSalle in Property Futures found that 77 percent of new economy companies (those heavily involved in the technology sector) rated access to mass transit as an extremely important factor in selecting corporate locations.

TOD & the Environment

Public transit systems emit half as much carbon dioxide per mile as automobiles. They decrease car travel and air pollution.* And no one wants to drive on congested streets, not even the people who designed them. According to a report issued in 2000, “Michigan Roads, Streets, and Bridges: Ten-Year Investment Requirements,” an average motorist in Detroit will spend 30 hours a year stuck in traffic. If it is rush hour traffic, the amount is almost double—with 34 gallons of gas lost and a cost of $1,000 per motorist. Motorists in Grand Rapids will lose ten hours and six gallons of gas. Smaller urban areas such as Battle Creek, Kalamazoo, and Saginaw will see traffic delays that are similar to larger cities like Dayton, Cleveland, and Pittsburgh. Without a new approach to the way our cities redevelop, the problem will only get worse.

Next Steps for TOD in Michigan

So, you’ve got walkability, street connectivity, mixed-use, parking management but no transit. Not to fear, TOD is a planning and development philosophy that can be implemented before and after transit systems are established.

Check out www.getmichiganmoving.org for information about how TOD is working for communities across the country.

League Forms Get Michigan Moving (GM-2) To Support Transit

In November, the League created a new coalition called Get Michigan Moving (GM-2) that will work on public policy and education efforts aimed at expanding public transit in Michigan. Initial members of the GM-2 are the League, the Detroit Regional Chamber, and Transportation Riders United. Other influential organizations are expected to join the GM-2 soon. Please see the website at: www.getmichiganmoving.org

The initial goal of the coalition, to work for passage of House Bill 6114, was met halfway when it passed on the floor of the House of Representatives. The coalition will also work on fine-tuning and passing legislation recently introduced in the House and Senate that would advance a 3.4-mile light rail system in Detroit along Woodward Avenue between Hart Plaza and Grand Boulevard. GM-2 will also work to implement recommendations in a report released on Monday by the Transportation Funding Task Force, a blue ribbon panel of business, labor and government leaders who proposed sweeping reforms and investments to save Michigan’s transportation system and generate jobs and investments.

If your city would like to be an active part of this coalition, please contact Dave Worthams at 517-908-0303 or dworthams@mml.org.

Andrea Messinger is the legislative/communications coordinator for the League. You may contact her at 517-908-0302 or amessinger@mml.org.
Get Michigan Moving (GM-2) is a new coalition embracing public transit as a powerful economic development tool that could create thousands of jobs and generate billions in new commercial development and redevelopment in Michigan.

Initial members of the GM-2 are the League, the Detroit Regional Chamber, and Transportation Riders United.

In addition to the privately funded light rail line in Detroit, a new rapid transit project has already been approved for Grand Rapids. The state and Southeast Michigan Council of Governments are also working toward a 48-mile commuter rail line between Ann Arbor and Detroit.

Dallas, St. Louis and Charlotte, N.C., are among the major U.S. cities that, in recent years, have created thousands of jobs and attracted billions of dollars in new developments and re-developments by building and expanding light rail systems. The transit systems are credited with sparking the construction of new apartments and condominium units, restaurants, office buildings, retail stores, cafes, movie theaters, centers for the arts, and much more. Development around transit stations and systems is called “transit-oriented development.”

Interested in getting your community on the right track? Then visit the coalition website today to see what you can do to get Michigan moving!

About

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Interested in getting your community on the right track? Then visit the coalition website today to see what you can do to get Michigan moving!

Download these posters and more at www.getmichiganmoving.org
Coalition members as of 12-17-2008

get michigan moving

The Basics of Transit
- Producing Jobs & Billions in New Economic Development
- Putting Michigan Back to Work
- Improving Michigan's Environment, Saving Gasoline
- Keeping Young People in Michigan

What's New

**Urge Support for Increased Transportation and Transit Funding**
Currently, there are House bills that would raise $1.5 billion a year in new transportation money. The Michigan House of Representatives must pass these bills TODAY or else face a delay well into the next year. Read more...

**OTHER VOICES: State must snare federal transit funds**
"A thought is an idea in transit," Greek philosopher Pythagoras wrote. Transit has many in Michigan thinking that it's the vehicle to future prosperity..." - Crains Detroit Business Read more...

**Transit is Jump Starting the Economy**
According to the Center for Transportation Excellence, 70% of transit millages were approved on election day 2008. The Washington Post has taken notice of this and have suggested that if we want to give a jump start to the economy, transit is a way to do it. Read more...

More...
Harnessing the Transportation/Land-Use Relationship

By Jonathan Levine

The recipe for auto-dependent urban sprawl is no mystery: it’s written right into our regulations.

A recent survey on transportation alternatives available to workers in downtown Ann Arbor, Michigan, asked respondents about the system improvements that would encourage them to use those alternatives more. Options included increased public transit frequency, improved bike lanes, free bus passes, and more. One survey came back with the most telling answer of all written in by hand: “affordable housing in Ann Arbor.” The response sums up the relationship between transportation and municipal policies regarding the development of places. Some policies encourage low-density, land-use-separated, auto-oriented development, while others encourage walkability, mixed-use development and are transit friendly. The latter support downtowns and vibrant neighborhoods where people live and work in closer proximity.
Municipal Regulations

A municipality’s land-use regulations, including floor-area-ratio limits, minimum lot-size requirements, restrictions on accessory dwelling units, and parking requirements, affect both the affordability of housing and the viability of transportation alternatives the municipality can offer. Too often, subdivision requirements, zoning regulations, and transportation standards combine to create areas that are only accessible by car—requiring residents to drive many miles just to meet the ordinary needs of an ordinary day. The recipe for auto-dependent urban sprawl is no mystery: it’s written right into our regulations.

But isn’t this what people want? Americans, we are told, prefer big houses and large lots, and don’t mind driving as far as they need to in order to live in areas they can afford that offer these amenities. If this is the case, perhaps the problem of “auto dependence” is not a problem at all: it’s what people choose in order to live the way they want to. Surely no one is forcing the residents of areas designed this way to live in those neighborhoods.

Do Americans Really Want Big Houses on Large Lots?

This version of the American dream has had a strong hold on U.S. planning practice. But if everybody wanted to—and could afford to—live in big houses on large lots accessible only by car, would we really need to protect this particular land-use form from intrusion by more compact living forms? The regulatory prerogative that municipalities zealously guard to keep densities low and land uses separated would hardly be necessary, because buyers and tenants would not
be interested in the more compact alternative. The very fact that planning authorities are engaged in regulatory protection of low-density development suggests that more compact alternatives would indeed arise in some areas if the regulatory environment were relaxed.

Different People Want Different Things

It is hardly surprising that in the realm of transportation and land use, research shows that different people want different things: many prefer a low-density auto-oriented environment, while others seek walkability, transit-friendliness, or just the affordability that comes with living in denser areas near one’s work and non-work destinations. In other words, there is not a single American dream but a range, and regulations that enshrine large-lot single-family development amount to governmental preference for one dream over others.

If land-use regulations tend to lock in an auto-dependent pattern and limit the alternatives, our transportation policy further exacerbates this phenomenon. Large U.S. metropolitan areas exhibit a wide range of use of the automobile, from 15.9 daily vehicle-miles traveled (VMT) per capita in New York-Newark to 39.2 in Houston. The factor that explains this range more than any other? The highway system, specifically the number of freeway lane-miles per capita.

“…there is not a single American dream but a range, and regulations that enshrine large-lot single-family development amount to governmental preference for one dream over others.”

The more freeway-intensive our metropolitan regions, the farther people drive to reach their destinations within them. The implication is that congested cities relatively low on the freeway intensity scale could expand their freeway system—but in the process of becoming richer in freeways, they will probably increase their VMT as well. Much of the added capacity will end up going to more automotive travel rather than just faster travel.

What Can Be Done at the Local Level?

To harness the transportation-land use relationship productively, municipalities can reexamine their land-use regulations to determine whether the environments that they create support walking, biking, transit, and short-distance car travel. Where regulations are excluding or limiting development from close-in areas with reasonable transportation accessibility (including automotive) the regulations can be updated to ensure that both their land-use regulations (see www.smartgrowth.org/pdf/gettosg.pdf) and their transportation standards (see www.completestreets.org/) support transportation alternatives.
As most people involved with municipal government know, local constituencies can be resistant to change, and education can go a long way towards opening up new possibilities for transportation and land use. The publications referred to above have many excellent examples that can be used to demonstrate success in a range of locales.

“Requirements for low-density, land-use separated development can be relaxed even where public transportation is scarce or absent.”

San Francisco Prioritizes Transit-Friendly Areas for New Stations

Farther-reaching policy reform often involves higher levels of government. In some cases, the issue is changing the incentive structures that municipalities face. For example, the Bay Area Rapid Transit (BART) system in the San Francisco area gives municipalities with transit-friendly land-use plans higher priority for new stations than those whose zoning precludes the development of transit-supportive land uses. The most ambitious approaches go beyond incentives to include sharing of land-use responsibility between local and regional governments.

The Chicken or the Egg

The transportation and land-use issue is sometimes referred to as a chicken-or-the-egg problem: you can’t have transit-supportive land use without transit, but you can’t have effective transit without transit-supportive land uses. But sensible land-use planning can break out of this cycle. Requirements for low-density, land-use separated development can be relaxed even where public transportation is scarce or absent. Where these land-use reforms lead to more compact, mixed-use environments, they can begin to support walking and cycling. And, even when they end up swapping a short-hop car trip for a long-distance one, they can increase people’s effective range of choice in transportation and land use.

“Where...land-use reforms lead to more compact, mixed-use environments, they can begin to support walking and cycling.”

Jonathan Levine is professor and chair of Urban and Regional Planning at the University of Michigan. He may be reached at jnthnlvn@umich.edu.

Sound Off!

What do Michigan leaders think about transit?

A multi-modal transportation system is fundamental to the transformation of Michigan’s economy. We’ve been underinvesting in our transportation system for decades. Designing, building and expanding our transportation system will bring jobs, immediately. The 21st century worker, tourist, and business leader all require options for local and regional travel beyond a grid of roadways. If Michigan is to attract and maintain knowledge workers and baby-boomers, we must think beyond the family auto.

-- Robin Beltramini, Troy council member and League president
Amtrak leaders believe that the stage is now set for a passenger rail renaissance in the United States. A combination of higher gasoline costs, highway congestion, airline delays, and environmental concerns have helped to drive Amtrak ridership to unheard-of levels.

Each of the three Michigan routes—the six daily Wolverine Service trains between Pontiac/Detroit and Chicago and the daily Grand Rapids-Chicago Pere Marquette and Port Huron-Chicago Blue Water—racked up record-breaking ridership totaling nearly 800,000 passengers in the last year, an increase of 6 percent. Ticket revenue is up more than 10 percent, helping to offset higher diesel fuel costs.

In fact, ridership and revenue figures would have grown even more sharply if Amtrak had more cars to add to the Wolverines or the two state-sponsored routes. Amtrak funding requests to repair sidelined cars and/or buy new ones have not been fully funded in the past and there is no U.S. assembly line from which to order conventional rail passenger cars. However, there is pending legislation in the U.S. Senate to rekindle the U.S. passenger rail car manufacturing industry and Michigan’s leaders have expressed past interest in attracting this business.

**Sound Off!**

What do Michigan leaders think about transit? Michigan needs to double transportation funding to preserve existing roads and bridges, and expand rapid transit, especially in the Detroit and Grand Rapids regions, using innovative and new transportation revenue sources. Rapid transit modes must link service and skilled workers, and students with existing education facilities, assisted living centers and health care centers.

-- Jeff Jenks, Commissioner, City of Huntington Woods, Michigan Municipal League Vice President
In October, President Bush signed what amounts to a new charter for Amtrak that calls for increased funding, more partnerships between the federal government and the states for rail equipment and stations and improved on-time performance for Amtrak trains. With additional support from the capitol in Lansing and Washington, more trains, more frequencies, and perhaps more routes are on the horizon.

“While today Amtrak serves more passengers than at any time in its history, too many of America’s passenger rail stations—most not owned by Amtrak—are falling into disrepair” - Amtrak President and CEO Alex Kummant.

Michigan is also the location of some historic and scenic stations on all three routes, including some owned by Amtrak (Niles), but most owned by the communities.

That’s why Amtrak sponsors the GreatAmericanStations.com website, enabling an exchange of information providing a point of initial contact to develop partnerships in this initiative to rebuild and revitalize stations.
gradually raised to the current maximum of 95 mph for most of the route and higher speeds are planned in the next few months. This system uses modern information technologies to ensure grade crossing warning devices are working properly, while opposing and following trains are kept correctly separated.

Across the country, Amtrak is developing plans for a passenger rail network that offers intercity service at speeds in excess of 100 mph along routes shorter than 500 miles, a defensible and sustainable offering of longer distance services and a range of intermodal connections at its stations. The Amtrak system will provide energy efficient and clean travel on infrastructure that supports the full range of complementary commuter services and freight service, splits costs between private and public entities and allows the public the maximum range of destination choices.

While a goal to double ridership by 2020 would certainly be challenging, Michigan has an advantage over other states thanks to a robust Amtrak partnership with the Michigan Department of Transportation for the current services. Include Amtrak ownership of part of the routes, combined with a key midwestern location, Michigan can generate ridership in excess of anything that has been seen before.

Ray Lang is senior director of National State Relations for Amtrak’s Midwest Government Affairs Office. He can be reached at governmentaffairschi@amtrak.com or 525 West Van Buren Street, Chicago, IL 60607.

For decades, Michigan has underfunded its transportation network and neglected non-car alternatives. We need a major investment in high quality trains, buses, bike lanes, walking trails and more, which will boost our economy, fulfill the needs of all Michiganders, and start creating a successful, attractive state for the 21st century.

-- Megan Owens, Executive Director, Transportation Riders United

Sound Off!
What do Michigan leaders think about transit?
The Bangor Depot Revitalization Project

A ‘silk purse made from a sow’s ear’

By Larry Nielsen

The Problem

The 1925 Bangor railroad depot building had all the windows knocked out by vandals in the 1990s. CSX Transportation’s solution was to board up their building. It remained that way for 11 years. The building was deteriorating, and more significantly, it was an eyesore on the spirit of the community. Promises by CSX to take care of the property finally led to their announcement that it would be demolished.

The Solution

The Bangor DDA purchased the depot building from CSX Transportation. The DDA engaged an architect and a historian to complete a structural analysis, a historical analysis and a suggested re-use plan (with rehabilitation estimates). Once completed, the DDA began to market the building and its potential re-use. A buyer/developer was secured and the city council applied for and received a grant of $120,000 for street, sidewalk, parking lot improvements and landscaping from the Michigan Economic Development Corporation CDBG program. The city put in $22,880, and the private developer invested over $364,000 and created 20 jobs. The Michigan department of Transportation provided $125,000 toward refurbishing the rail passenger waiting station and the platform.

The Results

It was a success! What resulted was a ‘silk purse made from a sow’s ear’ as a building slated to be demolished was refurbished and now houses offices, a restaurant and a rail passenger station. Today the station, The Coffee Depot and Beacon professional offices are a key point of focus in the revitalized (and still revitalizing) city of Bangor.

Larry Nielsen is the former city manager of Bangor, and current village manager of Paw Paw. You may contact him at 269-657-3148 x 243 or l.nielsen@pawpaw.net.
Save the date for your regional meeting!

Enter the Community Excellence Award “Race for the Cup” by making a presentation at your Regional Seminar. The seven Regional winners go on to compete at the League’s Annual Convention!

2009 MML Regional Education Seminar
Dates & Locations

Region 1 - April 3, Wayne
Region 2 - April 17, Allegan
Region 3 - April 24, Spring Lake
Region 4 - May 1, St. Johns
Region 5 - May 15, Lexington
Region 6 - May 29, Mackinaw City
Region 7 - June 3-5, Calumet
What is Zipcar?
Zipcar is the world’s largest car sharing service, offering self-service, on-demand cars by the hour or day. Since 2000, when Zipcars first hit the road, nearly 200,000 consumers and businesses have joined. Zipcar currently operates 5,000 vehicles in London and 26 North American states and provinces, including key metro areas such as Atlanta, Boston, Chicago, New York City, Portland, Los Angeles, Seattle, San Francisco, Washington DC, Toronto, and Vancouver.

Each Zipcar Takes Over 15 Personally Owned Vehicles Off the Road.
Nearly 200,000 Zipcar members share 5,000 vehicles in more than 50 cities throughout the UK and 26 North American states and provinces, including operations in Atlanta, Boston, Chicago, London, New York, Pittsburgh, Philadelphia, Portland, San Francisco, Seattle, Toronto, Vancouver, and Washington DC. Recent surveys indicate that more than 40 percent of members would have kept their vehicle, or would have purchased a primary or secondary vehicle, if Zipcar did not exist.

To date, Zipcar estimates it has taken more than 50,000 vehicles off the road. This results in less congestion on the roadways and fewer greenhouse gas emissions and particulates. Older cars are replaced with new Zipcars that have more stringent pollution controls, preserving green space because fewer parking spaces are required to meet the needs of the same number of people.

Since each Zipcar takes approximately 15 cars off the road, less land and financial resources are needed to provide parking infrastructure.

Government agencies, University officials and real estate developers have told Zipcar that each new parking spot can cost from $35,000-$50,000.
to develop. M.I.T. provides students and faculty access to more than 20 Zipcar vehicles; because of Zipcar and other transportation demand management initiatives the school reports savings of more than $9 million, adding over one million square feet of new office space without a single new parking space.

Zipcar Members Are More Likely to Shop Locally.
On average, members state they save $436/month or $5,232/year using Zipcar—money that will likely be spent locally.

After joining Zipcar, 90 percent of members drive less than 5,000 miles per year. Prior to joining, only half did so.

Having to walk a block or pay for a vehicle by the hour or day changes driving and personal behavior patterns. It also results in decreased fuel consumption and urban emissions. Each Zipcar member now consumes 219 less gallons of gasoline per year. It is expected that Zipcar members will save more than 15 million gallons of gas, or 32 million gallons of crude oil from being consumed in 2007.

Members of Zipcar and car sharing programs report a 47 percent increase in public transit trips, a 10 percent increase in bicycling trips and a 26 percent increase in walking trips.

Zipcar is part of the urban transportation mix. With Zipcar, members are more likely to take advantage of all methods of transportation. Zipcar members use cars only when they need to, and often walk or bike more, resulting in healthier residents.

At Zipcar’s current membership adoption rates, Zipcar and other agencies anticipate that well over 10 percent of an urban population will participate in Zipcar’s car sharing service.

In Washington DC, for example, with a current population of over 600,000 residents, a conservative 10 percent adoption would result in 60,000 car sharing members throughout the city. At scale, over 24,000 vehicles would be taken off the road. Zipcar already has a 10 percent adoption in areas throughout all of its established metro markets.

For more information, visit www.zipcar.com

Downtown Ann Arbor go!Passes Up, Zipcars Waiting In Wings
CONCENTRATE, 10/29/2008

More people are coming and going from downtown Ann Arbor thanks to the go!Pass (a 5 dollar annual bus pass available to downtown businesses and employees) from the getDowntown program, which is also close to landing a fleet of Zipcars.

So far this year, getDowntown has sold 5,350 go!Passes—about 400 more than last year. Those passes are also being used more often, accounting for 41,253 rides on Ann Arbor Transportation Authority buses in September. That’s up from 32,701 in September, 2007.

“It’s a pretty significant increase,” says Nancy Shore, program director of getDowntown.

She also is optimistic about downtown Ann Arbor landing its first Zipcar fleet sometime in the near future. The city expects to have a handful of Zipcars ready within 4-6 weeks after Zipcar gives approval.

The University of Michigan Zipcar fleet might be next in line after downtown’s fleet is approved. Shore says the fleet on U-M’s campus is in high demand and could be ripe for an expansion.

Source: Nancy Shore, program director of getDowntown
“Considering the fuel economy rating of the Prius...and the 70 percent reduction in carbon emissions, the decision to go green was an easy one.”

The city of Parchment recently purchased a Toyota Prius hybrid vehicle to replace one of its police patrol vehicles. The decision is already paying dividends to taxpayers with fuel savings and significantly lower emissions.

“Considering the fuel economy rating of the Prius versus the old Crown Victoria patrol vehicles and the 70 percent reduction in carbon emissions, the decision to go green was an easy one,” said Dennis Durham, Parchment City Manager.

The Toyota Prius has ample space to transport prisoners and house the necessary gear and equipment for everyday police patrols. And, since putting the vehicle into service, gas mileage is averaging 39.5 mpg compared with the 10 mpg the Crown Victoria was experiencing.

For more information, contact Parchment city hall at 269-349-3785.
What do you get when the League puts a couple hundred community leaders, a sea of freshman and veteran lawmakers and top-notch policy experts together at one conference?

You're about to find out . . .
“Charlevoix the Beautiful” is this column’s highlight due to its foresight in cultural economic development. This past summer Charlevoix completed a makeover of East Park.

Charlevoix’s coastline boasts Lake Michigan, Lake Charlevoix, and Round Lake. The city is characterized by its charming, if occasionally inconvenient, drawbridge and a ferry service to popular Beaver Island. Charlevoix is a summer enclave for the yacht-set, with a residential population just shy of 3,000.

Charlevoix enjoys the double blessing of both summer and winter tourism, and has succeeded in providing the community with wonderful mixed-use development. It is a walkable community with ample parking one block behind the main shopping district. Shops, eateries and luxury loft-type living overlook the marina of sparkling Round Lake leading to Lake Charlevoix. Charlevoix’s marina park, however, was overdue for a facelift, and the transformation that occurred this summer is the type to which such surgeons aspire.

One of the primary desires expressed by a citizen committee formed to study the marina park, was that all improvements and additions be kept below street level so as not to obscure the view from downtown. City leaders rose to the challenge and can provide insight and encouragement to others desiring the same.

The city built a new bandshell with natural acoustics. If your bent is karaoke, you can entertain yourself for free here—it’s fun just to yodel, even without the aid of mountains or an audience. Seating for the shell is carved out of the slope in steps, with curving concrete for seats and natural grass underfoot, following the natural line of terrain.

The marina itself was substantially expanded and includes shopping piers; those slips reserved for “short-term parking,” encouraging day-boaters to stop, walk and shop.
Much attention was also paid to masonry in these constructions, which are reminiscent of the work of local architect Earl Young. Young built small English-type cottages created from Ice Age boulders, with wavy, overhanging shingled roofs. His signature work is found in both residential and commercial buildings, including the highly visible Weathervane Terrace Hotel, a development of vacation homes in Boulder Park, and his own home on Clinton Street. Young died in 1975, but his legacy lives on in the mushroom-cap shape of the bandshell and the extensive wavy brickwork throughout the park buildings and wall surrounds. Even metal banisters feature the stylish wave design.

Charlevoix has purposely highlighted their local architect and architecture—by providing educational kiosks that tantalize curious visitors to seek out more. Young’s work is in reasonable walking distance. It’s a lot like walking through the pages of a fairy tale. If you stop in Charlevoix for anything more than a fill-up, you will not leave without learning about this important cultural part of their community.

Maybe not unique, but awesome nonetheless, Charlevoix installed a musical, lighted fountain. Jets of water blast up to 30 feet high from underground pumps. Kids and adults alike delight in running through the jets, which can be set to interactive play mode, or coordinated with pre-programmed music or XM radio. An instrument even automatically adjusts water height as appropriate with wind velocity!

Caroline Weber Kennedy is manager of Field Operations for the League. You may contact her at 906-428-0100 or c kennedy@mml.org.
Academy (EOA). The EOA is a voluntary continuing education achievement of Level One of the League’s Elected Officials and Planning & Zoning—in a compact format that facilitates Leadership Roles & Responsibilities, Financial Management, critical information in four short courses—Legal Framework, community leaders. This weekend course offers the most knowledge upon which to build their effectiveness as All elected municipal officials must have a basic foundation Friday & Saturday, February 20-21, 2009 - Frankenmuth Elected Officials Academy Core Weekender Training Seminars - January 2009

**Essential Skills for Elected Officials**
**Wednesday, January 14, 2009 - Cadillac**

This session is not only for those recently elected, but for every elected official who wants to serve his or her municipality more effectively. This day-long session can clarify many of the questions that you have had since you assumed office, and it covers basic information about the responsibilities of your office. At this session you will be able to network with many new and experienced elected officials. Topics such as conducting meetings, the Open Meetings Act, and the Freedom of Information Act will be covered.

**Upon completion of the program attendees will:**
1. Be able to cite provisions of the Freedom of Information Act that regulates and sets requirements for the disclosure of public records (including the exceptions and rationale for nondisclosure under certain circumstance).
2. Be able to identify the issues affecting local government in the state legislature and of the importance of lobbying to assure the advocacy of local government interests.
3. Be able to schedule and conduct meetings within the guidelines of the Open Meetings Act.
4. List the tips to work with the media so that the local government message is accurately conveyed to the public.
5. Explain the laws that affect ethical standards for public officials at the state level and the reason for their importance.
6. Use the procedures and tips given to conduct an effective and time-efficient meeting.

**Check-in** 8:30 am; Begin 9:00 am; Lunch; **Adjourn** 4:00 pm

**Speakers:** A panel of experienced speakers

**Cost:** League full-member communities, $115; Nonmember communities, $160; Alcoa communities, $40. Less than one week before the program add $35 to the fee.

**Credits:** CEU .6; EOA 6

**Location:** Cadillac City Hall, Cadillac 231-775-0181
200 N. Lake St., Cadillac, MI 49601

**Training Seminars - February 2009**

**Elected Officials Academy Core Weekender**
**Friday & Saturday, February 20-21, 2009 - Frankenmuth**

All elected municipal officials must have a basic foundation of knowledge upon which to build their effectiveness as community leaders. This weekend course offers the most critical information in four short courses—Legal Framework, Leadership Roles & Responsibilities, Financial Management, and Planning & Zoning—in a compact format that facilitates achievement of Level One of the League’s Elected Officials Academy (EOA). The EOA is a voluntary continuing education program established to encourage and recognize the efforts of local elected officials to become effective leaders. Learn more about the EOA at www.mml.org. Upon completion of this program attendees will be able to differentiate between the role of the councilmember and the role of the mayor/ president, discuss the uniform Budgeting and Accounting Act, identify where taxes and revenue sharing come from, use zoning checks and balances and make effective zoning decisions.

**Friday Check-in** 6:30 pm; A light dinner; Begin 7:00 pm; **Adjourn** 9:00 pm;

**Saturday Check-in** 7:30 am; Begin 8:00 am; Lunch;

**Adjourn** 3:00 pm

**Speakers:** A panel of experienced speakers

**Cost:** League full-member communities, $115; Nonmember communities, $160; Alcoa communities, $40. Less than one week before the program add $35 to the fee.

**Credits:** CEU .9; EOA 9

**Location:** Bavarian Inn Lodge 989-652-2651
One Covered Bridge Lane, Frankenmuth

**Elected Officials Academy Advanced Weekender**
**Friday & Saturday, February 20-21, 2009 - Frankenmuth**

Veteran elected officials who have attended the EOA “Core Weekender” are ready to jump up to the next level of service ability with more in-depth knowledge of municipal issues. Formal presentations about advanced planning and zoning issues, financial modeling and intergovernmental cooperation are just some components of this invigorating learning experience. This session offers an excellent opportunity for networking and discussion in a relaxed environment that is often the most effective way for local elected officials to develop and enhance their knowledge and capabilities. Upon completion of this program attendees will be able to develop financial policies regarding long-term budgeting, be able to utilize financial models to make sound policy decisions, show a working knowledge of the components of planning and zoning, and demonstrate ways to increase intergovernmental cooperation.

**Friday Check-in** 5:30 pm; A light dinner; Begin 6:00 pm; **Adjourn** 9:00 pm;

**Saturday Check-in** 7:30 am; Begin 8:00 am; Lunch;

**Adjourn** 3:00 pm

**Speakers:** A panel of experienced speakers

**Cost:** League full-member communities, $115; Nonmember communities, $160; Alcoa communities, $40. Less than one week before the program add $35 to the fee.

**Credits:** CEU .9; EOA 9

**Location:** Bavarian Inn Lodge 989-652-2651
One Covered Bridge Lane, Frankenmuth
Training Seminars - March 2009

Essential Skills for Elected Officials
Tuesday, March 3, 2009
This session is not only for those recently elected, but for every elected official who wants to serve his or her municipality more effectively. This day-long session can clarify many of the questions that you have had since you assumed office, and it covers basic information about the responsibilities of your office. At this session you will be able to network with many new and experienced elected officials. Topics such as conducting meetings the Open Meetings Act, and the Freedom of Information Act will be covered.

Upon completion of the program attendees will:
1. Be able to cite provisions of the Freedom of Information Act that regulates and sets requirements for the disclosure of public records (including the exceptions and rationale for nondisclosure under certain circumstance).
2. Be able to identify the issues affecting local government in the state Legislature and of the importance of lobbying to assure the advocacy of local government interests.
3. Be able to schedule and conduct meetings within the guidelines of the Open Meetings Act.
4. List the tips to work with the media so that the local government message is accurately conveyed to the public.
5. Explain the laws that affect ethical standards for public officials at the state level and the reason for their importance.
6. Use the procedures and tips given to conduct an effective and time-efficient meeting. (09C-01)

Saving Money Through Risk Management
Tuesday, March 3, 2009
Come and learn how Risk Management can save you money. It’s within your control! A solid Risk Management plan will enable you to enhance safety, minimize lawsuits, meet regulatory compliance standards, improve business decisions, and enhance asset management. Attendees will view a PowerPoint presentation, see examples of case studies, and have the opportunity to ask questions about the information provided. At the end of the program, participants will be able to determine the true cost of accidents, analyze insurance options, and evaluate the causes of loss so that you can implement change to mitigate future claims. (09C-02)

Making Michigan a Box Office Hit
Tuesday, March 3, 2009
Lights, Camera, Action—Recently approved tax incentives have given Michigan communities a leg-up in the movie-making business. Learn how to capitalize on economic development opportunities associated with Hollywood. After attending this event community leaders will know how to register their communities with the film office; market their community as a movie making hot-spot; develop a streamlined permit process; and explain to others the positive economic impact the industry has on other communities. (09C-03)

Michigan Association of Municipal Attorneys 23rd Annual Advanced Institute Tuesday, March 3, 2009
Stay current on the latest legal issues affecting Michigan local governments. Attendees will hear various presentations from several experts who will review recent court decisions and legislation, challenges being faced, strategies and examples. The program will conclude with a cracker-barrel session at which the attorneys are asked to bring their quandaries and their successes. This is a perfect opportunity to “meet and greet” your colleagues while you network and exchange ideas and experiences. You will leave this session with a better understanding of current legal issues and the impact they will have on the municipalities you represent. You will be able to identify solutions to these questions. (09C-04)
Facts:
Washtenaw County Sheriff’s Deputy Ryan Stuck lawfully initiated a traffic stop of a car driven by Michael Mungo. Mark Dixon was the passenger in the car. Upon running a LIEN check on Dixon and Mungo, Deputy Stuck found that Dixon had two outstanding warrants issued for failing to appear in court to answer traffic-violation charges. Deputy Stuck arrested Dixon and placed him in the backseat of the squad car. Deputy Stuck then directed Mungo to step out of the car and conducted a pat-down search. Deputy Stuck then searched Mungo’s car and found an unloaded gun in a case underneath the driver’s seat and ammunition in the glove compartment. Upon Mungo’s failure to produce a concealed-weapons permit, Deputy Stuck arrested Mungo for unlawfully carrying a concealed weapon.

Mungo asserted that his rights under the Fourth Amendment of the U.S. Constitution were violated since no search warrant had been secured. The Fourth Amendment provides that

The right of the people to be secure in their persons, houses, papers, and effects, against unreasonable searches and seizures, shall not be violated, and no Warrants shall issue, but upon probable cause, supported by Oath or affirmation, and particularly describing the place to be searched, and the persons or things to be seized.

Question:
Where the passenger is arrested and there is no probable cause to believe before a search of the car that the car contains any contraband or that the driver has engaged in illegal activity, does a search of the passenger compartment violate the driver’s Fourth Amendment rights?

Answer according to the trial court:
Yes. The circuit court held that there was no probable cause to arrest Mungo and that the search of his car was not constitutionally permissible.

Answer according to the Michigan Court of Appeals:
No. The court noted that one’s privacy expectation in a car is greatly reduced compared to the expectation of privacy in a dwelling or in other personal property. The reduced expectation of privacy derives from the pervasive regulation of vehicles capable of traveling on the public highways. As a consequence, the automobile exception has evolved that allows searches or seizures without a warrant of automobiles based on probable cause to believe that the vehicle contains contraband. The court specifically ruled that the application of the automobile exception does not apply in this particular situation.

In applying an analysis based on a search incident to a lawful arrest, however, the court concluded that automobile searches incident to the arrest of a passenger are constitutionally permissible even when there is no reason to believe the automobile contains evidence that the driver of the automobile is engaged in illegal activity. The court further found that a bright line test was justified even when there is no basis to believe that there is evidence that needs to be preserved or that the arrested passenger will resort to violence.

People v Mungo, 277 Mich App 577 (2008)
Automotive Manufacturing & Sales

DaimlerChrysler Corporation - Gold
Frederick Hoffman
State Relations Director
CIMS 485-10-95 1000 Chrysler Dr.
Auburn Hills, MI 48326-2766
Ph: 248-512-3352 Fax: 248-512-3919
Email: fwh4@dcx.com
Website: www.daimlerchrysler.com
Description: DaimlerChrysler is one of the world’s leading automotive, transportation, and services companies. Its passenger car brands include Mercedes-Benz, Chrysler Jeep, Dodge, and smart. DaimlerChrysler Corporation, also known as the Chrysler Group, is the North American unit of DaimlerChrysler AG. It is involved in the manufacturing and selling of cars, minivans, sport-utility vehicles and trucks for customers worldwide.

Sherwin Industries - Silver
Alan P. Schultz
President
2129 W Morgan Ave
Milwaukee, WI 53221
Ph: 414-281-6400 Fax: 414-281-6404
Website: www.sherwinindustries.com
Description: Manufacturer/distributor of pavement maintenance, safety, airport, paint stripper, products and equipment.

Equipment Supplier

Cannon Equipment - Silver
James A. Brown
Territory Manager
51761 Dansview Tech Ct.
Shelby Township, MI 48315
Ph: 586-991-0054
Website: www.cannonequip.com
Description: Cannon Equipment is a truck up-fitter, engineering and designing heavy equipment such as crane, aerial lifts, dump trucks, etc. for municipal and contractor customers.

Transportation and Traffic Engineering

Spalding DeDecker Associates, Inc. - Silver
220 W. Congress, Suite 400
Detroit, MI 48226-3289
Ph: 313-967-4700 Fax: 313-967-4707
Website: www.spaldingdedecker.com
Description: For more than 50 years, SDA has been providing innovative solutions to our client’s challenges in municipal engineering, transportation, land development, construction engineering, operations and maintenance and surveying.

Traffic & Transportation

Concrete Pipe Association of Michigan - Silver
Jack L. Hilfiker
Managing Director
111 Mill Rd.
White Lake, MI 48386
Ph: 248-891-6869 Fax: 248-698-0346
Email: mhjack@comcast.net
Website: www.concretepipe-mi.org
Description: CPAM is a not-for-profit trade association composed of concrete pipe producers and their suppliers. CPAM works with state, county, and municipal government officials, consulting engineers, and construction contractors on the competitive benefits and many advantages of using rigid concrete pipe. We also provide the latest data and software needed to properly design and install concrete pipe. CPAM conducts training seminars and workshops on pipe and manhole design, hydraulics, and installation practices.
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Municipal Marketplace
Q: Can a city or village make a donation to the local Little League team?

It is quite difficult to meet the standard of “public purpose” for this type of expenditure. The Michigan Supreme Court has held that an improper “lending of credit” occurs when a municipality gives something of value without getting something of specific value in return. In some instances there may be the possibility of contracting with the organization for services, e.g. contracting with an organization to provide recreational opportunities for youth. You will need to talk with your municipal attorney about this.

The League has a One-Pager Plus (http://www.mml.org/pdf/opp/Contributions.PDF) on municipal expenditures which you may find helpful. There is also a Bulletin prepared by the Michigan Department of Treasury on the determining lawful expenditures (http://www.mml.org/pdf/opp/lawful_expenditures.pdf) and a handout prepared by the League on municipal finance (http://www.mml.org/pdf/opp/municipal_expenditures.pdf).

Q: We need to update our zoning ordinances. Can you recommend both a planning consultant and an attorney specializing in these areas?

The League does not make recommendations for professional services or specific products. However, we do have a Business Alliance Program (BAP) of municipal vendors. You can see a complete listing of our BAP participants on our website, categorized by the type of service provided and company name. In addition, there are a number of firms who advertise both in our Municipal Yellow Pages and in the Review. Other professional journals also carry similar ads. One more place to look is the list of exhibitors at the back of the program for the last MML Annual Convention and/or Capital Conference.

Q: Our council and staff need guidance on what constitutes appropriate contacts between individual councilmembers and city staff. Some councilmembers ask staff (other than the city manager) directly for information they desire. This causes problems because information is given to one councilmember and not to others. It sort of puts the city manager in the middle.

Direction on appropriate council action with respect to city staff can be incorporated into council rules or ethics policies. Grand Ledge has a section devoted to it in its code of conduct on city council relations with city staff. Manistee covers the issue in its council rules. Both of these cities encourage councilmembers to work through their city managers for information from city staff. Please send any written guidelines your city or village has adopted on the subject.

Q: In order to make our community more “user friendly” and attractive to millennials and boomers alike, we want to require installation of sidewalks during construction of a building or a subdivision.

A number of Michigan communities require sidewalk construction (or replacement) along property frontage when a new principal building is erected, when an existing principal building is extensively altered or when a building or site use requires site plan review. There are variations from city to city. Copies of some sample ordinances are available on the League website (http://www.mml.org/resources/sample_docs/ordinances).
The city of Muskegon, located on west Michigan’s beautiful shoreline, is a booming summer tourist town. The city offers many adventures including tours of a World War II submarine and museum, our own professional hockey team, a visit to the Hackley and Hume historical sites, Muskegon Art Museum, and the Lake Express, a high-speed ferry that connects visitors from Milwaukee to Muskegon in just 2.5 hours and offers several daily departures. Visitors can also enjoy Broadway scale plays and entertainment at the historic Frauenthal Theatre.

Muskegon serves 40,000 residents and boasts miles and miles of sandy beaches along the Lake Michigan shoreline. Visitors are invited to partake in sailboating classes, kiteboarding classes, or just enjoying a lazy day at the many beaches offered. Plenty of nighttime excitement exists at Heritage Landing, our community showplace that offers many festivals including Muskegon’s Summer Celebration, an eleven-day festival of headline artists, Irish Music Festival, Unity Christian Music Festival, and Muskegon Bike Time. Michigan Adventure, an amusement and water park, is located just minutes from downtown.

The city of Muskegon is experiencing a resurgence in its downtown development as a result of meeting citizen and business needs. The downtown is coming to life with the addition of several retail stores, restaurants, condominiums, and businesses. It is a wonderful addition to the historic Frauenthal Theatre, LC Walker Arena, Muskegon Art Museum, and Muskegon County Museum.

Muskegon’s beautiful beaches, scenic forests, outdoor life, festivals, and culture are here to be enjoyed. Today, Muskegon is a progressive city and has shown we can appreciate our history and its significance while continuing our forward growth and movement in creating a new identity for ourselves.