

July/August 2014



the official magazine of the michigan municipal league

Regional Promotion of Hidden Treasure

CONVENTION PREVIEW

MICHIGAN'S BLUE ECONOMY

CHESANING • PETOSKEY • SOUTH HAVEN

the review

The official magazine of the Michigan Municipal League

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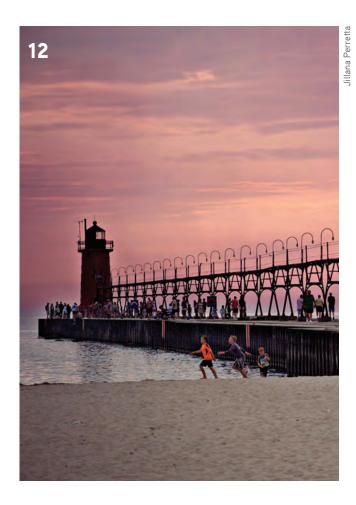
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On the Cover:

Participants in the Lake St. Clair Tourism Initiative on location at Grosse Pointe's Neff Park: Front row, left-right: Pete Dame, Grosse Pointe City Manager; Mayor Dale Scrace, Grosse Pointe; Mayor James C. Farquhar, Jr., Grosse Pointe Farms; Shane Reeside, Grosse Pointe Farms City Manager;

Back row, left-right: Brad Simmons, Lake St. Clair Tourism Initiative; Jennifer Boettcher, Grosse Pointe Chamber of Commerce; Grace Shore, Macomb County Chamber of Commerce; Wayne Oehmke, Sterling Heights Regional Chamber of Commerce; Chris Hardenbrook, Director of Parks and Recreation, Grosse Pointe; Mayor John Dupray, New Baltimore; Lisa Edwards, Sterling Heights Regional Chamber/Anchor Bay; Amanda Priemer, Macomb County Department of Planning and Economic Development; Gerry Santoro, Program Manager Land & Water Resources, Department of Planning and Economic Development, Macomb County.

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The official magazine of the Michigan Municipal League

Volume 87, Number 4

Better Communities. Better Michigan.

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 nonprofit, but we act with the fervor of entrepreneurs to passionately push change for better communities and a better Michigan.

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EXECUTIVE DIRECTOR'S MESSAGE DANIEL P. GILMARTIN

Sailing Ahead to a Blue Future

It's time for Michigan to make some waves.

Maybe more than any other state, Michigan is literally shaped by the water around it. Culturally, economically, historically, and of course, physically. The Great Lakes define our 3,000 miles of coastline. More than 11,000 inland lakes and hundreds of rivers and wetlands nourish everything in between. Our water resources have always been at the top of Michigan's most valuable natural assets, the lifeblood for our farming, fishing, shipping, manufacturing, recreation, and tourism.

None of that is new. What's new is this concept called the Blue Economy—and by understanding what it means, and acting on it, we are in a unique position to become national and even global leaders in the emerging technologies, research, and economic development based on innovative and sustainable uses of our freshwater resources.

Not surprisingly, some of the countries with the least of this valuable resource are the ones making the biggest strides in "smart water," from conservation and management innovations to water technology business development. But some of our Great Lakes cousins—Cleveland, Milwaukee, and Ontario—are also realizing their freshwater riches provide a unique advantage to get ahead of the pack in technology, research, education, and business development.

But no one—repeat, *no one*—is in a better position to do that than Michigan, the Great Lakes State itself. So what are we waiting for? The Blue Economy can drive a new round of job and wealth creation in Michigan. Michigan can provide the perfect home for research into smart and sustainable technologies to help solve global water problems. Our water assets can be a powerful placemaking strategy for economic and community development.

Sure, innovation is hard. It's always simpler to keep doing things the way we've always done them. To ride the waves behind us, not make the ones ahead.

Famous surfer Bethany Hamilton, who was 13 years old when she lost her arm in a shark attack, had this to say about her sport: "I don't need easy. I just need possible." There are plenty of people working on "possible" right now. Michigan Sea Grant is part of a national network of more than 30 university-based Sea Grant programs in coastal states across the country, administered through the National Oceanic and Atmospheric Administration (NOAA). The Great Lakes Restoration Initiative (GLRI) is a groundbreaking task force of 11 federal agencies working on the lakes' most urgent environmental issues. Michigan has already leveraged state and local funds into \$163 million in GLRI funds. Off the coast of Alpena lies the nation's only freshwater National Marine Sanctuary, protecting 4,300 square miles of Great Lakes shipping history. In 2012, the state hired John Austin, director of the Michigan Economic Center at the East Lansingbased Prima Civitas Foundation, to guide our ship forward into the Blue Economy. According to Austin's white paper commissioned by the governor's office of the Great Lakes, water is already responsible for nearly a million jobs and \$60 billion in the Michigan economy.

Many of us are starting to "get" it. In this issue you'll read about water as a regional and even international placemaking strategy in the Lake St. Clair Tourism Initiative. You'll learn how Chesaning boosted its local economy through a creative river restoration and dam removal project. You'll see how beach improvements in South Haven, and waterfront redevelopment in Petoskey, are redefining these coastal communities and transforming their relationship to the lake.

It's time to quit dipping our toe in the water and jump in with both feet. We can be among those innovators out front making the waves that the whole world can ride into a prosperous and sustainable Blue future. It's time to quit looking back, and start sailing ahead.

Like Christopher Columbus said: "You can never cross the ocean unless you have the courage to lose sight of the shore."

Daniel P. Gilmartin League executive director and CEO 734-669-6302, dpg@mml.org

Saniel T. Fifmartin



BLUE STATE'S FUTURE By John Austin and Gil Pezza ECONOMIA

s the Great Lakes state, with abundant natural water assets, Michigan's identity has been shaped by water. Water trade led to early settlement. Abundant water was key to growth of our signature industries. Our beautiful waterways make Michigan a very special place to live and work. We are also beginning to see Michigan firms, entrepreneurs, and research institutions participating in the fast-growing global water technology sector, predicted to reach \$1 trillion a year by 2020, and providing the talent and innovations to solve global freshwater sustainability issues right here in Michigan.

Collectively, this fast growing "Blue Economy" is important today, and a source of strength moving forward. The numbers are already impressive.

Water-Dependent Businesses

Michigan has 660,000 jobs and \$49 billion in annual wages linked to water-dependent farming, manufacturing, mining, and energy production.

Conduit for Commerce

Shipping, freight/commercial traffic, and warehousing are responsible for over 65,000 Michigan jobs and \$3.3 billion in annual wages.

Quality of Life and Place

There are 3,000-plus miles of Great Lakes freshwater coast; 11,000 inland lakes, hundreds of rivers, and wetlands, which translate into recreation, tourism, attraction of talent, increased property values, and local economic development in adjoining areas.

Boaters spend \$3.9 billion a year. Anglers contribute \$2 billion. Coastal tourism from birding to beach visits is responsible for 57,000 jobs and \$955 million in earnings every year. Communities that reorient to their water and reclaim their natural waterways as lynchpins of economic development make themselves

attractive places to live and work.
Muskegon, Detroit, Grand Rapids,
and more have community-based
around their waterfronts, as
nity placemaking.

Marquette, Traverse City, Macomb County, Flint, initiatives organized vital parts of commu-

Great Lakes Restoration

Michigan's \$163 million in federal Great Lakes Restoration projects is leading to direct employment and long-term economic benefits in the form of increased development and raised property values calculated at anywhere from \$3 to \$1 to \$6.6 to \$1 return on investment.

Emerging Water Technology Businesses

The Michigan Economic Development Corporation estimates there are over 350 emerging water-related companies in Michigan, beginning to exploit a nearly \$1 trillion growing global market for water cleaning, conservation, restoration, monitoring, infrastructure-building, and engineering work. Rochester Hills-based Plymouth Technologies Inc., a company specializing in innovative solutions for industrial waste water treatment, has launched a spin-off company called Valkyrie Environmental Water, which works with billion-dollar companies solving large municipal mining, power, and groundwater issues. Detroit-based Parjana Distribution Inc. has developed an infiltration technology for removing standing stormwater by injecting it back into the ground. Plymouth-based Algal Scientific has developed an advanced treatment technology and resource recovery system for processing water.

Water Research and Education Centers

Michigan's universities and colleges are growing their programs in water research and ecosystem management, solving global freshwater problems right here in Michigan. The University of Michigan's new Water Center; Michigan Tech's Great Lakes Research Center; MSU's Center for Water Science; the Annis Water Resources Institute at Grand Valley State University; the Great Lakes Storm Water Management Institute at Lawrence Technological University; the Urban Watershed Environmental Research Group at Wayne State University; Bay College; Delta College; Macomb, Oakland, and Northwestern Michigan Community College waterprograms—all are attracting new students and top talent, millions in research dollars, and contributing to new business creation. Michigan universities are researching cutting-edge technologies and best management practices. For example, Wayne State University is evaluating green infrastructure performance and researching best management practices for reducing phosphorus discharges.

Continuing to leverage our state's unique capacity for innovation amid our freshwater natural resources, and sustainably fueling the 'Blue Economy' is a key engine of our state's economy.

Water as Long-Term Sustainable Development Platform

And in the long run, Michigan is one of the few places that can provide a sustainable platform for long-term population and economic growth. Sometime in the near future—particularly if the rest of the country and world begin to price water to reflect its costs, and Michigan can demonstrate

and grow sustainable water use practices—there can be a new migration to Michigan and the Great Lakes simply because people need water that can be used and re-used sustainably. This movement may have already begun. With global water shortages, Michigan and the Great Lakes can also reap economic advantages as the "Saudia Arabia" of water (*Toledo Blade*, July 2013).

Further Developing Michigan's Blue Economy

The Michigan Economic Center, in partnership with the Grand Valley State University Annis Water Resources Center, has received a grant from the C.S. Mott Foundation to support the "Growing Michigan's Blue Economy" initiative over the next year. The project will convene, network, share information and promising practices. It will also identify additional issues and obstacles to growing Michigan's Blue Economy, from the array of active community/governmental, business, higher education, and third sector practitioners in Michigan's Blue Economy.

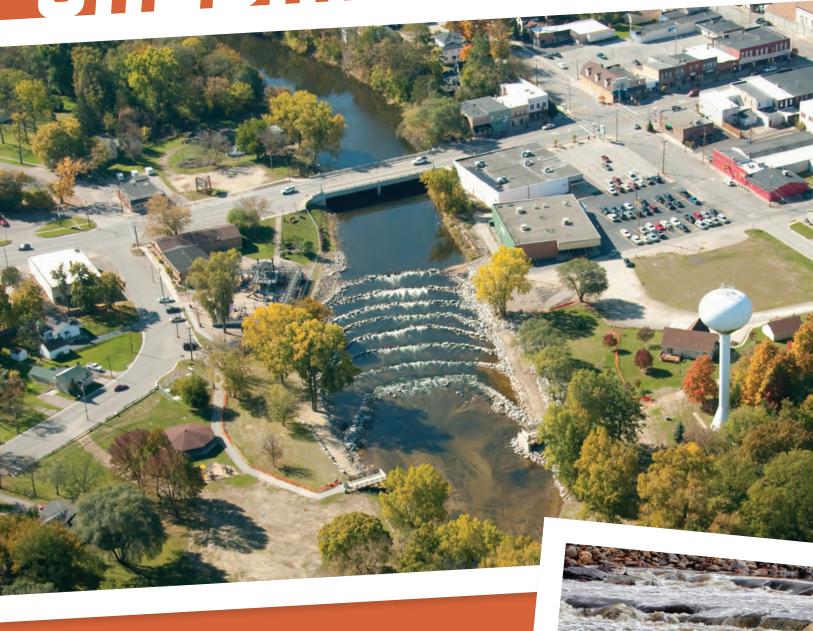
The Executive Summary of "Water, Michigan and the Growing Blue Economy" was reprinted with permission from the Michigan Economic Center. To see the full report, visit mieconomiccenter.org

John Austin is the director of the Michigan Economic Center, serves as president of the State Board of Education, and is a non-resident senior fellow with the Brookings Institution.

Gil Pezza is the director of the Water Technologies Initiative at the Michigan Economic Development Corporation.



CHESANING DAM



IF YOU REMOVE IT, THEY WILL COME



hile the village of Chesaning's population has remained near 2.500 for decades, the Shiawassee Rivera upstream of the village is teeming with new inhabitants. Following the removal of a local dam in 2009, residents have welcomed the steady return of walleye and other fish species to their natural habitat along the river. Man-made rapids, created after the dam removal to enable fish passage into 37 miles of historic habitat for spawning, have become a focal point for the community, bringing eco-tourism, recreational, and environmental benefits.

Built in 1863 to power the village's grist mill, the Chesaning Dam had deteriorated to the point where failure was imminent. Faced with increasing urgency to resolve the issue, the village hired Wade Trim to evaluate its options and investigate available funding alternatives. The evaluation looked at the costs and benefits of dam rehabilitation, as well as the feasibility of dam removal in conjunction with restoration of the river. When the village learned that funding might be available for removing the dam and improving the Shiawassee River in the process by restoring the natural river ecosystem, the community recognized the benefit of this alternative.

Community Enthusiasm

Positioning itself to pursue the funding support needed to bring this project to life, the village demonstrated their community's enthusiasm and willing-





MAN-MADE RAPIDS...HAVE BECOME A FOCAL POINT FOR THE COMMUNITY, BRINGING ECO-TOURISM, RECREATIONAL, AND ENVIRONMENTAL BENEFITS.

ness to invest in this river restoration by proactively funding the planning and design of the project. The village also created conceptual graphics and a presentation that effectively illustrated the end result to garner support. Once word got out that the community was looking to remove the dam and restore the Shiawassee River to allow fish passage, several regulatory agencies and private organizations endorsed this plan and demonstrated their financial commitment to achieving this shared goal. The village's considerable efforts garnered support from many entities including a \$900,000 grant from the Michigan Department of Environmental Quality's Clean Michigan Initiative, a \$99,400 stimulus grant through the U.S. Fish and Wildlife Service, a \$50,000 grant from the Saginaw Bay Watershed Initiative Network, a \$10,000 grant from Partners for Fish and Wildlife through the Shiawassee National Wildlife Refuge, and a \$5,000 grant from the Saginaw Community Foundation. Local pledges from residents, including rock and boulder donations, totaled \$346,000.

Designed by Ellen River Partners in collaboration with the village and Wade Trim, the 10-year effort to remove the failing dam resulted in a 300-foot-long, man-made rock ramp with boulder arch weirs, just north of the M-57 bridge, that reestablished the river's unencumbered connection with the Saginaw River and Lake Huron. Not only did this design remove the current hazards caused by the dam, it also helped to stabilize the river channel and restore a nearly 150-year-old natural habitat. Furthermore, the project met the needs and desires of the community and environmental and wildlife protection agencies by restoring fish passage, creating a natural river habitat, and eliminating the long-term liabilities associated with a failing dam.

Return of Walleye

On April 17, 2014, a Michigan Department of Natural Resources (MDNR) survey captured 87 walleye upstream of the Chesaning rock ramp in 45 minutes of sampling, their most positive result to date. "We have proof that there is a high density of walleye downstream of

Chesaning, probably in the 10,000 to 30,000 range in the spring," says Joe Leonardi, an MDNR Fisheries biologist. "Our upstream results indicate walleye are passing the rock ramp into new habitat for spawning that was not available when the dam was present."

"Fishing in the area has increased tremendously," says Village President Joseph Sedlar. "We are even



thinking about starting a walleye fishing contest in town."

While buzz about the walleye continues to travel through the region, the village is looking at additional opportunities to leverage their river investment to increase quality of life

for residents and attract visitors. "We are strengthening the connection between our downtown and the large amount of river frontage we have," continues Sedlar. "A new, four-day River Days Festival will be held this summer, and we will be starting a downtown farmers market with daily events."

Enjoying the Riverside

Making the riverfront more accessible to local users is key. The village is adding a new pedestrian bridge over the river this year to provide an alternate route to M-57 and to tie both sides of the river together. The bridge will feature a rapids overlook area with ADA accessibility. Since the dam was removed, a sandy beach has been naturally deposited by the river on its east side, making the river more approachable for people who want to wade in or fish. Canoeing and kayaking through the rapids has also become popular. The Riverfront Grille, a local restaurant and event center that opened along the river when the dam was removed, is making the most of their riverside location by enhancing outdoor dining space and holding outdoor activities such as volleyball tournaments.

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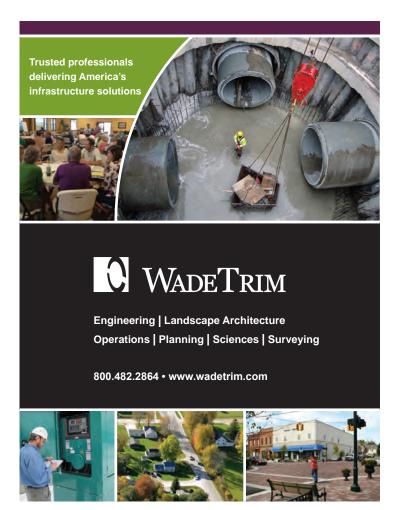
Future Trail System Expansion

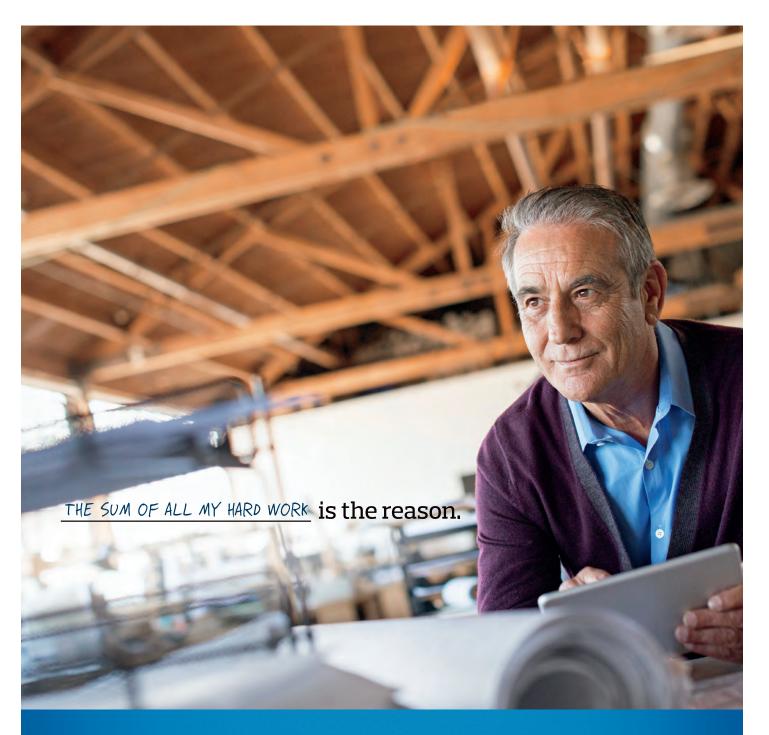
Improving regional connections to the river is also a focus. Saginaw County's Recreation Plan identifies expansion of their rail trail system to Chesaning as a major objective to improve non-motorized connectivity in the region, and capitalize on the riverfront and accessible, "hometown" feel of the community. The village has created a nature trail and planted trees along the riverbank to enhance usability and the future connection to the rail trail. River quality improvements have also been made upstream of the rapids, including tree revetments and natural plantings to help stabilize the riverbank.

The M-57 bridge over the Shiawassee River, slated for reconstruction by the Michigan Department of Transportation (MDOT) in 2016, offers clear views of the rock ramp and village parks for the 9,600 vehicles that pass through each day. The village is looking forward to working with MDOT to ensure this critical site for advertising its eight-tiered water rapids is a pedestrian-friendly and aesthetically-pleasing gateway to the community. The village's continued investment in its river's health and use will be a draw for visitors and residents for years to come.

Lisa Hitchcock is the administrator for the village of Chesaning. You may contact her at 989-845-3800.

Jason Kenyon is a project manager for Wade Trim. You may contact him at 800-841-0342.





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SOUTH South Haven pop. 4,403

Primes Waterfront for Summer Influx

By Michael Zuidema



ike a number of communities located along the shores of Lake Michigan, the city of South Haven sees a significant annual boost in its population during the summer months.

Since its 5,000 year-round residents are joined by an estimated 15,000 boaters, swimmers, and tourists looking to enjoy South Haven's seven lakefront beaches and four public marinas, city officials decided four years ago to pursue a number of municipal improvements designed to capitalize on the influx and reinvigorate the downtown area.

Improvements included the construction of a new water filtration plant, a BMX bike track, parking lots, playground equipment, and sidewalks at the North and South beaches, the installation of safety devices at both beaches, and a reconstruction of the main road that leads from downtown to the lake.

"The city of South Haven has been very aggressive with capital updates to our aging infrastructure," said City Manager Brian Dissette.

Expanded Water Filtration Plant Serves Summer Influx

It all started with the construction of the new \$20 million water filtration plant, which was built on the same site as the previous facility, only with a larger capacity. Located near the South Beach, one of the most popular waterfront locations in southwest Michigan, it provides clean drinking water to the city, the South Haven/Casco Township Water and Sewer Authority, and neighboring Covert Township.

In 2012, the Michigan Chapter of the American Public Works Association (APWA) gave it the Project of the Year Award in the "Structures \$5 to \$25 million" category. That also meant the project was forwarded to the APWA national office to compete at the national level.

"The filtration plant project was an exercise in compromise. We needed to build the plant at the South Beach in order to use the city's existing water intake and underground drinking water storage tank," Dissette said. "To ensure the filtration plant was acceptable to residents and visitors, the city council opted to incorporate the plant design and location into a larger park planning process.

"The plant was constructed using general obligation debt. The park improvements were built using MDNR (Michigan Department of Natural Resources) grant funds and city capital project funds. We were able to construct the improvements at the same time, which allowed for a timely project and opening."

Waterfront Gateway Improvements

Meanwhile, the Phoenix Street project added another \$3 million of infrastructure improvements, with help from a \$750,000 grant from the State of Michigan, and included replacing underground water, sewage, and storm drainage systems; street repaving; and new sidewalks. Other additions, such as outdoor seating, street furniture, a public wireless internet system, and rain gardens, are intended to make the downtown more pedestrian and tourist friendly.

...additions, such as outdoor seating, street furniture, a public wireless internet system, and rain gardens, are intended to make the downtown more pedestrian and tourist friendly.

The Downtown Development Authority proposed the rain gardens to capture the runoff from city hall and reduce the amount of stormwater entering the sewer system. Now the rain water will be infiltrated into the soil to recharge the groundwater. The two rain gardens will be located on the west and south sides of city hall.

The city also already has reached license agreements with a pair of downtown restaurants for outdoor dining areas that will include alcohol sales.

Dissette said the community is excited about the WiFi system, which will provide service throughout downtown, at the public marinas, along the riverfront, and at both the North and South beaches. "The WiFi system will allow users to sit on the piers and still have a connection," he said.







To prepare for its yearly summer influx of an additional 15,000 people, South Haven constructed a new water filtration plant, playground equipment, and sidewalks at the North and South Lake Michigan beaches, installed safety devices at both beaches, and reconstructed the main road that leads from downtown to the lake.

Center & bottom photos: Jamie Garvison of the South Haven/Van Buren County Convention & Visitors Bureau.

The city wrapped up the final work on Phoenix Street in May. When the area's population is set to quadruple, South Haven will be ready to accommodate the surge in people.

The project also provides a gateway to the waterfront, where all of the improvements have been met with approval. "The city is prepared to construct all-new road surfaces, all-new sidewalks, playground equipment, and just try to make the beach as fine as possible," Dissette said. "South Haven has an incredible amount of access to the water."

"In the past, the South Beach was not a barrier-free area. The improvements make the facility easily accessible to everyone. Moreover, the project greatly improved pedestrian safety for our visitors," Dissette explained further.

The BMX "Pump Track," a feature that is growing in popularity nationwide, will be more than 1,000 feet long on a 1.28-acre site located near downtown and a skate park. A pump track is a progressive bike course that uses an up and down 'pumping' motion to propel the bicycle forward instead of pedaling (pumptraxusa.com). It will serve as yet another attraction for both local residents and the visitors who regularly flock to the area.

New Beach Safety Measures

One of the other notable upgrades that received extensive media coverage, was the addition of emergency help points

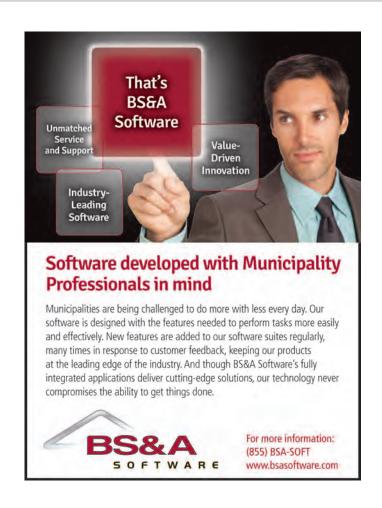
at both the North and South beaches. City officials agreed to enact a variety of beach and pier safety efforts as part of the settlement that stemmed from a federal lawsuit filed by the family of a 45-year-old Illinois man who had drowned in Lake Michigan in the summer of 2009. The resulting security project saw a pair of blue light pedestals installed with emergency speakerphones from Code Blue Corporation, a manufacturer of emergency communication solutions located in nearby Holland.

"The intent of the call boxes is to provide our beachgoers with safe and efficient contact to the city's first responders," Dissette said. "It is our expectation that having the call boxes onsite will make the process of seeking help easier for the beachgoers, as they will not have to rely on landmarks to guide first responders to their location.

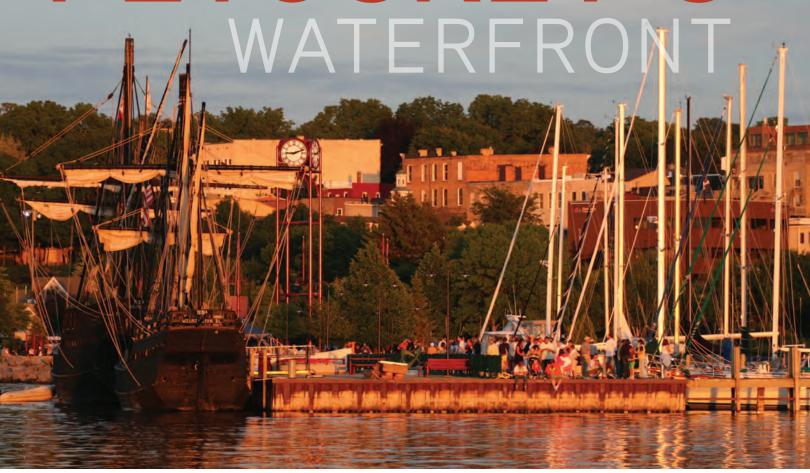
"Further, during special events in South Haven, we routinely will lose mobile phone service due to the volume of users accessing the mobile phone networks. With having the call boxes onsite, we anticipate the public will always be able to reach first responders."

Michael Zuidema is the communications manager for Code Blue Corporation. You may contact him at 616-494-8445 or mzuidema@codeblue.com.









By Tim Knutsen

n the 1870s, a Grand Rapids reporter stepped from a rail passenger car and proclaimed Petoskey the land of the "Million Dollar Sunset." Since then, recognition of the value of water resources has been a consistent theme in the city's history.

Petoskey, like most coastal cities, was settled due to proximity to natural resources and navigable water. By 1840, Native American Indians had settled the Little Traverse Bay region; Western settlement occurred shortly thereafter. The waterfront and Bear River were

initially developed to facilitate timber harvesting, and natural limestone attracted mining operations to the city. However, as early as the 1870s, rail and shipping lines brought tourists to the area, and water resources established Petoskey's future as a regional tourism center. Adjacent to the east, one of the country's first planned development, Bay View Methodist Camp, further capitalized on water resources and facilitated tourism in the area.

Water and Industry

As the area grew, industry use of water resources defined the shoreline and the lower Bear River. Paper mills, power plants, boat builders, commercial fishing, and tanneries populated the waterfront and river. However, early recreational improvements such as Mineral Well Springs drew upon water resources for tourism and recreation. The Little Traverse Wheelway, a regional trail running along the shoreline through Petoskey, was one of the earliest established bicycle trails in the country and first developed in the early 1900s.

Other industries subsequently populated the waterfront. By 1950, a die-casting manufacturer and a gasification plant existed along the city's shoreline, operating until the 1960s. Concurrently, as tourism continued to increase in Northern Michigan, the state completed U.S. 31 through Petoskey, which facilitated regional tourism, but placed a physical barrier between downtown and the waterfront. As remaining waterfront industries dwindled, the city began movement toward eventual reclamation and redevelopment of the waterfront. Implementation began with environmental remediation, repurposing of historic industrial buildings, residential development, and what would ultimately become Petoskey's Bayfront Park.

Bayfront Park

City leaders and citizens recognized the potential of the waterfront to provide enhanced access to Lake Michigan and if developed properly, to increase local tourism and economic development. In the early eighties, the city received a Michigan Coastal Zone Management Grant to prepare a master plan for development of the waterfront, and began planning for waterfront redevelopment and what is now Bayfront Park.

The master plan recommended redevelopment of Petoskey's public



waterfront industries dwindled, the city legan movement toward eventual eclamation and redevelopment of the waterfront. Implementation began with invironmental remediation, repurposing

Petoskey redeveloped its public waterfront to improve access, to provide leisure and recreational opportunities for residents and visitors, and to re-establish a pedestrian link between the waterfront and the downtown "Gaslight" shopping district.

waterfront to improve access, to provide leisure and recreational opportunities for residents and visitors, and to re-establish a pedestrian link between the waterfront and the downtown "Gaslight" shopping district. The plan proposed and organized a variety of recreational uses of the park, all related to a central promenade that would connect the Gaslight shopping district to the historic city pier via a pedestrian tunnel under U.S. 31. Other plan elements included marina expansion and enhancements, a tournament softball stadium, a rivermouth boardwalk, adaptive restoration of historic structures to house city hall and public services functions, a waterfront playground, a central green, improved links to the Little Traverse Wheelway, and passive and active open space.

Next, the city established a Waterfront TIFA district in order to capture tax revenues for implementation of the Bayfront Park master plan and other waterfront improvements. Establishment of the district provided a broad tax base that includes the city and Emmet County. Construction of the 25-acre Bayfront Park project was accomplished in five phases, beginning in 1985, and completed in 1995. The city chose a phased approach to spread cost impact, but also recognized that it had one waterfront to work with, and that phasing allowed the necessary budgets for high-quality improvements—vital for success in a region where virtually every waterfront city shares the same aspirations as Petoskey does.

Completion and Economic Benefits

Work began with shoreline protection and culminated with the pedestrian tunnel linking pedestrians to downtown Petoskey. Additionally, the train depot in the park was reborn as the Little Traverse Bay History Museum. Since completion of Bayfront Park, the city has added 44 slips to the marina, providing a 35-percent increase in marina revenues (the marina was financed with separate state funding). Additionally, the Waterfront TIFA district has applied funding for the Bates Softball Field relocation, museum roof

"Petoskey's waterfront has evolved from an industrial center to a regional tourism and recreation gateway, with its links to city and regional recreational facilities and its close relationship with downtown."

replacement, and in 2011, development of the Bear River Valley Recreation Area. This project represents a critical piece in Petoskey's Recreation Master Plan, linking local and regional nonmotorized trail systems and city recreational facilities with Bayfront Park and the waterfront. The completed project extends over one mile upstream from the waterfront, and includes a paved accessible trail connecting the residential district to downtown; picnic facilities; rustic trails; overlooks; bridges; and whitewater kayaking features.



Petoskey's waterfront has evolved from an industrial center to a regional tourism and recreation gateway, with its links to city and regional recreational facilities and its close relationship with downtown. As Petoskey continues to benefit economically, city officials continue to consider future investment, including possible improvements at Magnus Park, a city-owned shoreline campground; further development of pedestrian links to the waterfront, and future improvements in the Bear River Valley Recreation Area.

To plan for future improvements, the city continues to monitor the economic impact of its waterfront redevelopment. Certainly, capture of funds to help develop waterfront improvements



Additional plans for Petoskey's waterfront included marina expansion and enhancements, a rivermouth boardwalk (above), adaptive restoration of historic structures to house city hall and public services functions, and a waterfront playground (left).

that otherwise may never have been completed is a sign of success in itself. Bayfront Park continues to host at least two annual events per summer: the Fourth of July fireworks, and Festival on the Bay, which results in Petoskey's busiest weekend. The softball field is used throughout the year for league and tournament play, attracting additional visitors. The Bear River Valley Recreation Area also hosts two annual events—spring kayaking and a midsummer run. Perhaps most revealing, from 2000 to 2014, the areas abutting the Waterfront TIFA district increased in value by 53 percent, compared to a 20-percent increase for the city overall. Other indicators, such as subsequent residential development and increased park use, demonstrate the benefits of waterfront protection.

But the most apparent sign of the benefits of Petoskey's water resources can be seen on any warm evening in Sunset Park, where visitors and locals gather to watch the million-dollar sunsets.

Tim Knutsen is an associate landscape architect at Beckett & Raeder. You may contact him at 231-347-2523 or tknutsen@bria2.com.



BECKETT & RAEDER, INC.

Beckett & Raeder, Inc. is a Michigan corporation headquartered in Ann Arbor with additional offices in Petoskey and Traverse City. The firm has a full-time staff of 20, including landscape architects, planners, civil engineers, LEED accredited professionals, and a Certified Main Street Manager. Our services include sustainable design, land use programming and analysis, master planning, campus planning, placemaking, site planning and civil engineering, site development, municipal engineering, stormwater management, downtown revitalization and redevelopment, community planning and urban design, economic development, public/ private development services, and ecological and environmental sciences. www.bria2.com

Personal Property

2014REFORMS

By Samantha Harkins



ike football, advocacy is a contact sport. Yet there is rarely a tangible score. The League has worked extensively on personal property tax (PPT) reform for the last three years, but it's been hard to follow the game. From our perspective, it was filled with penalties and false starts; it seems somewhat anticlimactic now that there is a proposal in front of us that fully reimburses communities for their PPT loss with a more stable reimbursement mechanism.

The League's Message: Replace Don't Erase

To understand better, we should start at the opening kickoff. In February of 2011, the Michigan Senate began holding hearings on eliminating PPT. The League formed a coalition with other local government and school groups, and we were off and running. Our response was clear and consistent—if you eliminate personal property tax, you have to replace the revenue stream with something else. PPT revenue is critical to many local communities. Our message on PPT was: Replace Don't Erase.

It was more than a year before legislation actually passed the Senate in May of 2012, and when it did, it was fraught with problems. The bills would have gradually eliminated personal property tax, but they did not specify a stable reimbursement source.

The New Proposal

That legislation lingered on the House floor over the summer while the Legislature was in the district campaigning during the 2012 election year. Following the November election, the lawmakers were back and ready to conquer PPT during lame duck—the most terrifying and storied days of session where anything can happen.

A new proposal emerged just before Thanksgiving that would phase out PPT and allow local units of government to levy a special assessment to pay for essential services (police, fire, ambulance, and jails). The proposal also would have dedicated a portion of the state's use tax to reimburse PPT loss for other. non-public safety services. The special assessment was intended to reimburse 100 percent of PPT revenues related to public safety. The use tax was intended to reimburse for 80 percent of all other loss. This was tied to an August 2014 statewide ballot proposal. If the proposal failed, PPT would remain in effect.

At the time this proposal was moving through the Legislature, there was an alternative proposal that would have eliminated all new PPT on January 1, 2013 without replacement. We dubbed this the "nuclear option" as it would have been devastating for communities who rely on PPT revenue. Given the two options, the League ultimately went neutral on the first proposal with the understanding that there was time to work out problems before the August 2014 ballot proposal.

Negotiations: A Convening of Stakeholders

The Legislature and administration immediately convened a group of all stakeholders in January 2013, and that large group met at least weekly to work on the proposal. A smaller drafting group then met throughout the summer of 2013. It became apparent to the League that there were legal problems



(left) League members and staff attended a news conference with Lieutenant Governor Brian Calley and business leaders to announce the PPT 10-bill package. Dearborn Mayor Jack O'Reilly (above), a member of the Michigan Municipal League Board of Trustees, and Holland Mayor Kurt Dykstra spoke on behalf of the League. Also attending the event were Flint Mayor Dayne Walling and League CEO and Executive Director Dan Gilmartin.

with the local special assessment, and we also wanted full reimbursement of lost PPT revenues.

After months of negotiations, Lt. Governor Brian Calley approached the League Board in November of 2013 with an idea: to pass a statewide special assessment for public safety, thereby eliminating the problematic legal concerns of a local assessment. He also offered to reimburse local communities for 100 percent of PPT loss. The League Board voted to support the conceptual proposal (there was no legislative language written at that time).

On December 31, 2013, the first step of the PPT changes—the small parcel exemption—went into effect. Any commercial or industrial taxpayer, that

has less than \$80,000 true cash value of personal property in a taxing jurisdiction is exempt from PPT. The rest of the proposal needed fine-tuning.

100-Percent Replacement Revenue Locked In

After the first of the year, the League began participating in drafting groups in earnest to work through the specifics of the proposal. Through weekly meetings with all interested parties—local government, the business community, assessors, the House, Senate, and governor's administration—the language was hammered out in painstaking detail. The final bills, as presented to the governor, were the result of a lot of work by the drafting group.

The League is encouraging members to join us in supporting the Aug. 5 ballot proposal that, if approved, would complete much-needed reform to the state's personal property tax. The League drafted a proposed resolution that members can use in supporting the ballot proposal. Please visit **strongandsafecommunities.com** to get the sample Resolution and to support the campaign.

At the end of March, the governor signed Public Acts 80, 81 and 86-93 of 2014, and the revised personal property tax proposal is now solidified in statue. Under the 2014 legislation, local units of government will be reimbursed for all PPT loss. This includes tax increment finance authorities, debt, and other operating loss. The formulas are prescribed in PA 86 of 2014.

New Reimbursement Mechanism

The bills contained a twofold reimbursement mechanism. The state will levy a statewide essential services assessment (ESA) on those industrial personal property tax payers who were paying PPT as of December 31, 2012. The tax is not paid by any new taxpayers. The ESA will reimburse local units of government 100 percent for their PPT loss related to essential services. Essential services are defined as police, fire, ambulance, and jails.

In addition to the ESA, a portion of the currently collected statewide use tax known as the "local community stabilization share" will go toward PPT reimbursement. The specific amounts are enumerated in PA 80 of 2014. The amounts are specifically listed through the year 2028, and subsequently increase at 1 percent per year based on a personal property tax growth factor. The amounts in the statute were determined by the Department of Treasury as they worked with local assessors.

The Final Hurdle: August 5th Ballot Proposal

The entire package is still tied to the passage of an August 2014 ballot proposal. The League is actively involved in the Michigan Citizens for Strong and Safe Communities Coalition that is working to pass the ballot proposal. We are encouraging our members to support the proposal. For more information, visit strongandsafecommunities.com/.

Advocacy is indeed a contact sport. The PPT reform process was cumbersome, and the reimbursement mechanism is complicated and may not be perfect. But at the end of the game, our local communities are fully reimbursed for their PPT losses, and that is a huge win for our communities. At the end of 2012, full reimbursement felt like a pipe dream—yet that's what we have in statute today. Let's vote "yes" on the August 5 ballot proposal, then spike the ball in the end zone and go home.

Samantha Harkins is the director of state affairs for the League. You may contact her at 517-908-0306 or sharkins@mml.org.









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The Lake St. Clair Tourism Initiative

By Elizabeth Ann-Philips Foley

etween the Blue Water Bridge at Port Huron, and the Ambassador Bridge in Detroit, lies a Michigan treasure hidden in plain sight: a 440-square-mile freshwater lake with two rivers and more than 160 miles of shoreline spanning two countries and scores of unique and diverse communities. It is the 15th largest lake by area in the entire U.S., and part of an historic international shipping route.

Back in the late 1800s, visitors flocked to Lake St. Clair to enjoy all that it had to offer, from the world-famous mineral water bathhouses of Mount Clemens to the boat docks of historic Belle Isle. Then the expressways arrived, luring motorists away from southeast Michigan in search of recreation. In recent decades, few U.S. or Canadian tourists would have considered a circle tour of Lake St. Clair as a scenic destination. It wasn't because its scenic riches were any less. It had simply fallen off the tourism map.

In 2008, a group of local leaders decided it was time to bring the visitors back. The Lake St. Clair Tourism Initiative is a dynamic regional model for building a strong sense of pride and place that unites communities and fosters sustainable development and economic growth.

"The city of Grosse Pointe lies on Lake St. Clair and has always offered our residents many recreational opportunities such as boating, swimming, and fishing. The Lake St. Clair Tourist Initiative and the outreach it provides introduces our community, and its entertainment and retail shops located in our village, to a far greater regional audience," said Grosse Pointe Mayor Dale N. Scrace. "Its greatest impact is connecting Grosse Pointe to the many communities that are located on its shores."

It all began with two local marina operators who had realized years earlier that collaboration worked better than competition for surviving rough economic waters and protecting the natural resources on which their livelihoods depended. In 2007, Steve Remias of MacRay Harbor and Eric Foster of Belle Maer Harbor met with local officials to discuss ways to keep the boating industry afloat during the recession. It quickly became a much larger discussion about the lake's potential to boost local economies through dynamic placemaking.

Macomb County, Huron Clinton Metro Parks, Clinton River Watershed Council, and the Michigan Boating Industries Association joined private sector Belle Maer, MacRay, and Colony Marine as founding partners.

Continued on page 27

CONVENTION AND AND ORG

MARQUETTE

OCTOBER 15-17 • NORTHERN MICHIGAN UNIVERSITY





MARQUETTE MARQUETTE



Aaron Peterson/aaronpeterson.net Cover photos Aaron Peterson/aaronpeterson.net (except Ore Dock by Shutterstock)

oin hundreds of municipal officials who will gather from every corner of the state to a northern Michigan gem nestled on the sparkling shore of Lake Superior. This Upper Peninsula community boasts a thriving downtown, a major university, majestic vistas, and spectacular outdoor recreational opportunities.

The Michigan Municipal League 2014 Convention takes place at internationally acclaimed Northern Michigan University, where local leaders will learn strategic lessons in placemaking, civic engagement, entrepreneurism, urban planning and socioeconomic development that can be adapted to communities of all sizes.

Venture out into the Marquette community during the mobile workshops. Discover the work of the doers and dreamers who are redefining what it means to be a city in today's global village. Sit down face-to-face with the peers and partners who are powering a statewide vision for change.

There is no place in the world like Marquette. And there is a Marquette that many have yet to meet. Come see for yourself how Marquette has transformed itself into a modern, dynamic place for people of all ages.

Join us at Northern Michigan University, October 15-17. It's the place where the Michigan of tomorrow is being built today.

PRE-CONVENTION WORKSHOPS

WEDNESDAY, OCTOBER 15

These workshops are available for an additional fee of \$75 each.

Achieving Council Efficiency

9:00 am-Noon

The workshop consists of core topics that will help educate elected officials on the basic functions they will need to know in their roles as public leaders as well as a basic guide to fair and orderly procedure in meetings. This three-hour workshop will cover the Open Meetings Act, roles & responsibilities, parliamentary procedure, and conducting meetings.

Illegal Expenditures: What You Don't Know, Can Hurt You 9:00 am-Noon

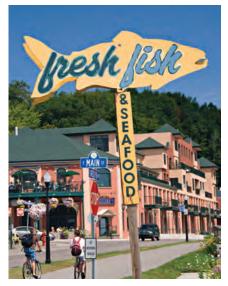
Could your municipality be making expenditures that are considered unlawful without knowing it? These days there seems to be quite a buzz around expenditures related to community festivals—What's legal? What's not? This workshop will address some common issues, including those related to festivals, which municipalities face with common expenses.

Presque Isle Park - Color Walking Tour 9:00 am-Noon

Presque Isle Park is considered the city of Marquette's recreational crown jewel, featured in periodicals such as the *Smithsonian* magazine. The park supports over 100 species of native plants and diverse landscapes including pebble beaches, rocky cliffs, bogs, and northern boreal forest. This walking tour will take the group to many of the iconic lookouts that will allow all to enjoy breathtaking viewscapes while breathing in pure Lake Superior air. Adding the color of an autumn day, the members of the group are ensured a world-class experience.

SPONSOR THE CONVENTION

Sponsoring the Annual Convention provides you with a unique opportunity to communicate with professionals from local government. When becoming our sponsor, we will do our utmost to satisfy your needs for involvement and exposure. Are you looking for networking and relationship building? Presentation opportunities? Company branding? Contact Terri Murphy at 734-669-6342 or tmurphy@mml.org for more information.



Aaron Peterson/aaronpeterson.net

AGENDA

Tuesday, October 14

Travel day to Marquette
The League is providing bus transportation for
an additional fee. See back page for more info.

Wednesday, October 15

8:30 am-5:30 pm Registration Hours

9 am-Noon Pre-Convention Workshops

9 am Board of Trustees Meeting

Noon Michigan Women in

Municipal Government

Lunch

2-3:45 pm Welcoming General Session

Parade of Flags
Community Excellence

Awards

4-5:15 pm Breakout Sessions

5:15-6:15 pm Elected Officials Academy

Board Meeting

6-8 pm Host City Reception

Thursday, October 16

7 am-5 pm Registration Hours

7:30-8:30 am Michigan Association

of Mayors Breakfast

8:30-9:45 am General Session

10-11:15 am Breakout Sessions

11:15 am-Noon Delegate Check-in

Annual Meeting

Noon-4 pm Lunch & Mobile Workshops

6:30-8:30 pm Reception & Annual

Awards Banquet

8:30 pm Foundation Fundraising

Tavern Tour

Friday, October 17

7-11 am Registration Hours

7:45-8:45 am Governance Committee

Meeting & Breakfast

9-10:15 am Breakout Sessions

9-10:15 am MBC-LEO Meeting

10:30-11:45 am Closing General Session

Community Excellence Award "Race for the Cup"

Winner Announced

11:45 am Closing Lunch

Mobile Workshops

The League wants you to see all the amazing things happening in Marquette. Included with the cost of your registration, we are offering a number of mobile workshops on Thursday, October 16.

- Marguette's Waterfront Transformation
- Mining History in the U.P.
- Trail Towns as Recreation Destinations
- Crowdfunding & Microbreweries
- Reimagining Marquette's Historic Main Street
- Bike the Iron Ore Heritage Trail

Community Excellence Award You Be the Judge!

Wednesday, October 15, 2 pm

Join us in this good-natured competition and cheer for Michigan's best. See the Community Excellence Award regional finalists unveil their winning presentations.

You are the official judges. Your votes alone will decide which community takes home the Cup. After the general session, cast your vote at the official Community Excellence Award Voting Booth.

Don't miss the Cup Presentation on Friday, October 17, and be part of the eighth annual Community Excellence Award Cup Presentation.

Host City Reception

Wednesday, October 15, 6-8 pm Ore Dock Brewing Co, 114 W Spring St

Leave the cocktail dresses and suits at home... throw on your most comfortable blue jeans and get ready to enjoy the evening "U.P. style!" Along with great food—including Upper Peninsula specialties like pasties—enjoy local entertainment and watch local history come to life at the Ore Dock Brewing Co.

Foundation Fundraising Tavern Tour Thursday, October 16, 8:30 pm Cost: \$25

Experience downtown Marquette by way of its taverns. This fundraiser will feature a chance to win prizes at each stop on the tour. Enjoy Michigan-made fare during this fun night out with your fellow League members.

This year we have chosen not to hold a silent auction at Convention. Instead, please consider making a monetary donation to the Foundation or participating in this fund-raising event.

GENERAL INFORMATION

HOW CAN I REGISTER?

Online

In order to reduce the amount of printed paper and increase member privacy, the League no longer accepts credit card payments on printable registration forms for League events.

All credit card payments are to be completed online via My League (mml.org). My League is your secure, interactive online League account. It's available to all members and nonmembers, with a quick and easy sign-up process.

Via Printable Form

Visit mml.org to download and print a faxable registration form. Complete and fax to 734-669-4223, then mail with check payable to: Michigan Municipal League PO Box 7409 Ann Arbor, MI 48107-7409.

HOUSING & TRAVEL

Host Hotel

Holiday Inn, 1951 US41 West, Marquette, MI 49855

Phone: 906-225-1351 Standard: \$115/night

Group room rate cutoff is September 30, 2014 at 5:00 pm (EST). Hotel rate is subject to applicable state and local taxes (currently 12%).

Reservation Process

Housing reservations will only be accepted for those who have registered for Convention. After registering for Convention, a confirmation email will be sent to you within 48 hours. The confirmation email will contain your registration information and your personalized housing registration code. The hotel requires that you provide your personalized code in order to make reservations during the League's Annual Convention.

Bus Transportation to Marquette

COST: \$120.00/person

In order for the League to run bus transportation to Marquette, a minimum number of attendees must register by September 5. Please get your registrations in as early as possible to ensure your seat.

Buses will leave Marquette following the closing lunch on Friday, October 17. Additional information will be provided to you about the bus schedule, departure locations, and times.

Bus	First Stop	Second Stop	Third Stop
Bus #1	Kalamazoo	Grand Rapids	Grayling
Bus #2	Livonia	Bay City	Gaylord



www.tourlakestclair.org





"The work of the tourism initiative is to bring more people to the Lake St. Clair area, and that helps all the cities around the lake. For Grosse Pointe Shores, it helps our two facilities—the Eleanor and Edsel Ford House and the Grosse Pointe Yacht Club—as well as others in the area."

-Mark Wollenweber, City Manager, Grosse Pointe Shores







LSCTI Accomplishments and Event Partnerships 2008-2013:

- Partner on Lake St. Clair Coastal and Clinton River Water Trail Master Plan
- Lake St. Clair Circle Tour signage and interactive guide
- Produced public TV show "Lake St. Clair: Nautical Heart of the Great Lakes"
- Tourlakestclair.org receives 71,200 visits per year with 162,259 page views; 14,500 unique visitors per month, and visits from all 50 states, and from 309 Michigan cities
- Sprint & Splash Festival
- Celebrate the Lake event
- Lake St. Clair Appreciation Day
- Bassmaster Elite Series Tournament



Economic Impact of Recreational Boaters in Lake St. Clair Region

(10th, 12th, & 13th Congressional Districts)

- Number of registered boaters 106,913 = 12 percent of the state total (877,398)
- Per capita ownership by household:
 - District 10: 238/1000
 - District 12: 102/1000
 - District 13: 58/1000
- Sales (direct & indirect) \$779 million
- Labor income \$253 million
- Value added \$423 million
- 6,667 Jobs
- Total impact \$1.46 Billion

(Source: Recreational Marine Research Center at Michigan State University)

"Our funding has always come from a grassroots effort to build membership through businesses and organizations that are regional stakeholders," said Executive Director Bradley Simmons.

The Initiative now includes the Macomb County Department of Planning and Economic Development and many industry leaders, nonprofit associations, and stakeholder groups. Municipal partners include the Grosse Pointe communities, St. Clair Shores, New Baltimore, and Mt. Clemens, and Chatham-Kent, and Lakeshore among those on the Canadian side. Many are actively involved through their chambers of commerce and other local organizations. Their events, businesses, attractions, and amenities are the stuff of which the Initiative is made.

It is a mutually beneficial partnership, said Remias, and the individual municipalities bring real value to the table.

"Some participate financially at various levels of membership and/or advertising. Second is their ability to facilitate collaboration through supporting our programs. Participation in the Circle the Lake signage campaign is a great example of this," said Remias. "Certainly their endorsement has gone a long way when approaching regional and state campaigns, including Pure Michigan and the Blue Economy initiative."

One example is Mount Clemens, which works with the Initiative on advertising opportunities for the city's marina, and is involved with many of its members on other Blue Economy issues.

"The city is heavily invested in partner-ships that will broaden the use of Macomb County waterways. With the Clinton River winding its way through down-town, it is a critical component of the city's economic development strategy," said Mount Clemens Community Development Director Brian Tingley. "The city maintains relationships with Macomb County, the Clinton River Watershed Council, and others, as it pertains to a shared vision for the Clinton River as a premier recreational and cultural resource."

Memberships, sponsorships, and advertising dollars help fund the Initiative's operations and website (tourlakestclair.org), as well as its signature piece, the annual "Circle the Lake Tour Map of the Top 99 Destinations and Attractions" and related signage.

But how do you craft a single marketing and communications campaign for such a large and diverse geographic area? That's where the real genius of the Initiative lies. Rather than creating a "one size fits all" branding campaign that blurs the communities together, they instead fashioned an image of Lake St. Clair as a single regional destination, subdivided into colorfully distinct "districts," each with its own unique character, history, and assets.

The Bluewater District is framed by the iconic Blue Water Bridge. It includes the Michigan shoreline towns of Algonac, Clay, Marine City, St. Clair, and Port Huron. On the Canadian side, it



includes Sarnia, Sombra, Wallaceburg, and Chatham/Essex.

Boat Town is another name for Harrison Township, a large peninsula boasting a wealth of sport fishing, boat dealerships, and marinas.

The Detroit Riverfront District

highlights the lake's "big city" attractions: professional sports, world-class entertainment, restaurants, nightclubs, and the Detroit Riverwalk.

The Islands District offers the historic charm of the delta islands and the allure of the easygoing cottage lifestyle.

The Lakeshore District lies along the southern shoreline in Ontario, where scenic communities offer everything from lakefront dining to hiking trails.

The Mount Clemens Dining and Nightlife District is billed as an entertainment paradise with a rich and colorful history.

The Nautical Mile District includes seven major marinas with over 2,700 boat slips, and exciting nautical nightlife.

The North Bay District along the northeast shore of Anchor Bay offers some of the lake's best public access points, with parks, fishing piers, beaches, and picnic areas.

The Pointes District is short for the five Grosse Pointe communities just north of Detroit, boasting some of the area's most impressive homes and upscale retail.

The Shores Life District includes St. Clair Shores and its wealth of water-front amenities.

The Chatham Gateway District takes visitors along the farmlands and forests of Ontario's Thames River.

The Windsor Casino and Entertainment District is a well-

known nightlife destination on the Canadian side of the Detroit River.

In five years, the Initiative has gained wide support and continues to grow. In 2014, membership increased by 30 percent.

"Communities all the way around the lake are now looking at ways to become participants, partners, or members," said Macomb County Land and Water Program Manager Gerry Santoro. "It's really gained steam in how we look at our fresh water assets, and some other projects in the region are gaining momentum because of our Initiative."

It's a ripple effect the LSCTI is proud to nurture, said Remias.

"Many new plans are on the table and we are excited about what the future could bring to all of the waterfront communities and for the entire state."

Elizabeth Ann-Philips Foley is a freelance writer. You may contact her at eshaw@mml.org.

Capital Projects + Infrastructure

Construction Agreements + Litigation

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CROWDFUNDING

The Cutting-Edge Future of Local Development

By Summer Minnick

ave you ever had a conversation with friends or colleagues about a cool vacant building in a great location in your downtown that would be a perfect place for a restaurant, children's book store, or boutique retail? You may even know someone (or several!) who shares the vision and would like to make that happen.

But in today's reality—a historic rehabilitation for an entrepreneur isn't something that is supported by many traditional financing methods. And it's too bad, you tell yourself, because if only that one project could get off the ground—oh how it would change the energy of that block, street, or downtown. You sigh, feeling a little hopeless, and think of a day when you can convince a bank to take a risk on the development. You go about your day and the building stays empty, sucking energy instead of emitting it.

Well, that story can now have a different ending. Something like this: You and your friends and colleagues talk to the entrepreneur who dreams of taking on that project. You go to CrowdfundingMI.com and learn the basics of this new economic

development financing tool, and realize that you can get that entrepreneur's business plan up on a platform to help make the project a reality. The entrepreneur goes up for a "raise" to get the seed money from local residents who want to invest in that business because they want it in their community (and they like the idea of making some money in the process). Then

a few months later, that entrepreneur has the seed money to leverage a traditional loan, the entrepreneur starts the redevelopment process and opens shop. A year later, that spot in the downtown is filled with energy from the new business that community residents helped make happen. The business is successful, local residents who invested earn a profit, and you've been able to help transform your community!



The League has developed partnerships with two investment crowdfunding platforms, Localstake and Fundrise. CrowdfundingMl.com will house educational materials; examples of real deals and outcomes; and direct links with these established, nationally known companies who can help facilitate crowdfunding projects in Michigan communities.

Visit crowdfundingMl.com

The New Regulations

It's all possible thanks to Michigan's new crowdfunding law, PA 264.
Passed in late December 2013, this new law allows new and existing Michigan businesses to raise capital from private, non-accredited Michigan investors. This is significant because

non-accredited investors comprise 93 percent of the population, and now they can invest up to \$10,000 per company, per year, in businesses incorporated or organized under Michigan law. Accredited investors may invest any amount (an accredited investor is someone who makes over \$200,000 per year or has \$1,000,000 in assets). With a simple \$100 application fee, a one-page Licensing and Regulatory Affairs registration, and a business plan, existing businesses with audited financials can raise up to \$2 million from non-accredited investors, and new businesses can raise up to \$1 million from non-accredited investors. There is no limit on what can be raised from accredited investors. These crowdfunding investments can be used to leverage additional capital from traditional banks or financial institutions.

These regulations outlined in the law are the most favorable any state has implemented, to date-giving Michigan communities, entrepreneurs, and local investors a huge advantage to attracting and retaining talent. Because of this, the League has developed partnerships with two investment crowdfunding platforms, Localstake and Fundrise, and created crowdfundingMl.com to house educational materials around crowdfunding; examples of real deals and outcomes; and direct links with these established, nationally known companies who can help facilitate crowdfunding projects in your communities.

PA 264 provides the appropriate framework to make this [crowdfunding] a win-win for local entrepreneurs and the people who want to invest in their local community in a meaningful way.

The "Crowd": Local Residents

The "crowd" component is a key factor in crowdfunding on many levels. By engaging local residents in local economic development investments, entrepreneurs gets to test the market before they go forward with much larger investments, and begin to build their customer base. So if your group of friends decided to go forward with plans for that children's book store and you wanted to raise investments of \$100,000, but you only obtained \$5,000 in investments, you may realize that the demand just might not be there for the business to flourish in the long run. And, from the community's standpoint, building awareness and investment in local crowdfunding developments that do go forward leads to a buzz and excitement that leads



Kevin Hitchen of Localstake explains crowdfunding to attendees of the 2014 Michigan Municipal League Capital Conference in Lansing.

to emotional connectivity within the community, which can spill over into many other efforts. And, at the same time, successful investment crowdfunding helps generate local wealth and economic activity.

Crowdfunding is the cutting-edge future of local development, and PA 264 provides the appropriate framework to make this a win-win for local entrepreneurs and the people who want to invest in their local community in a meaningful way.

Summer Minnick is the director of policy initiatives and federal affairs for the League. You may contact her at 517-908-0301 or sminnick@mml.org.

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WYOMING IMPROVES SERVICE DELIVERY AND REDUCES COSTS

n the debate of consolidation versus cooperation, the city of Wyoming found an alternative: re-engineering. Like many Michigan municipalities, Wyoming explored the ideas of consolidating with nearby cities or cooperating with them to share expenses and service delivery options. Some cooperative efforts, such as mutual aid agreements for fire and police K9 response, participating in the Grand Valley Regional Biosolids Authority, and supporting the area's Interurban Transit partnership, have proven to be efficient and effective.

However, while exploring consolidation, Wyoming City Manager Curtis Holt found the realities to be sometimes both impractical and expensive.

"While we have been a major supporter of these efforts dating back to the 1960s, I find the current push for consolidation to be short-sighted and incomplete," Holt explained. "A few years ago, it was the public drive—now failed—to consolidate Kent County and the city of Grand Rapids into a concept called 'One Kent.' This new entity would be a more visible metropolitan area for economic purposes, offering cost savings to taxpayers through the consolidation of services.

"More recently, we looked closely at potentially consolidating the police and fire departments of Grand Rapids, Wyoming, and Kentwood. With the help of several area foundations, we funded a study from the International City/County Manager Association (ICMA). We learned that while such a consolidation is possible, it would be politically difficult and more expensive for us and Kentwood.

"Consolidation and cooperation efforts are successful if—and only if—they lead to demonstrated better service levels or an acceptable level of service at a lower cost. There is, however, another path that municipalities can and should explore: re-engineering."

The Shift to Public Safety

Even though consolidation discussions screeched to a halt when the elected bodies of both Kentwood and Wyoming saw the final reports from ICMA, Holt and the Wyoming city council knew they needed to take a more strategic approach to managing the city's spending in the area of police and fire services. An earlier ICMA study pointed to areas where police and fire operations were overburdened and increasingly stressed. Wyoming's spending on personnel, equipment, and services in these two areas account for nearly 65 percent of the city's total general fund budget—the single largest expenditure. Yet the report showed a number

of weaknesses in how these services were actually being delivered, including:

- lack of trained personnel to respond to working fire scenes,
- lackluster response times for serious medical calls, and
- little focus on fire prevention.

"Clearly our fire department was in the greatest need of assistance," Holt said. "As we began looking at ways to address improvements, we explored the concept of a public safety department that would serve as an 'umbrella' over our police and fire departments, allowing us to streamline 'behind-the-scenes' operations in the two departments, improve efficiencies, and reduce costs. But it wasn't simply a matter of saving money for us. Public safety is one of our primary goals as a municipality, so we needed to improve services as part of any changes. We wanted to see if the public safety model made sense for Wyoming."

It did. After seeking input from firefighters, police officers, and their leaders, as well as area residents, businesses, and the Wyoming city council, the city decided to merge operations and create a department of public safety. The city's current chief of police, Jim Carmody, was asked to lead the newly combined department, that had 125 union and non-union team members.



"...changes to our approach to delivering police and fire services will cost the city less than one-quarter of the costs of consolidation with Grand Rapids and Kentwood..."

-Wyoming City Manager Curtis Holt

The city worked successfully with the firefighter union to revise its employment agreement, which allowed Wyoming to adopt 12-hour shifts to supplement 24-hour shifts to accommodate the addition of a peak staffing unit.

Improvements to Fire Services

In support of the consolidated operations, Wyoming took a number of steps aimed at addressing the aboveoutlined weaknesses, including:

- Cross-training public works, parks, and maintenance staff members as paid on-call firefighters. Wyoming began with a small group of city employees who volunteered, leading them through 200 hours of training. Today, this training is written into new employee job descriptions, ensuring all new hires will become certified Michigan firefighters. At the time of this writing, 17 city employees have attended 200+ hours of training to pass their certification tests. Additionally, Wyoming created an incentive system for regular paid on-call staff to respond to fire calls within the city. The result? A noticeable rise in personnel on fire scenes, leading to better, faster, and safer fire responses.
- Installing AEDs, or automatic external defibrillator devices, in all police patrol vehicles and training officers in their use. AEDs allow Wyoming to more effectively address the most serious medical calls that require the fastest response times. In most cases, the target time to have a patient undergo CPR or have an AED arrive on scene is six minutes after deployment. While the city's average response time was under that window, the goal was to further reduce those times and improve the opportunity for a more successful outcome. Training police officers already on patrol gave Wyoming the ability to greatly improve its response to these events.
- Shifting to peak-load staffing, which allows the city to have more firefighters and response units available from 7 a.m. to 10 p.m. when the department receives the highest number of medical and emergency calls. With the proper use of technology, this transition ensures Wyoming has the right people and the right apparatus in the right places at the right times. It will also ensure that firefighters have the opportunity and access to training, enhancing the city's ISO rating, and potentially reducing the amount residents have to pay for insurance.

Allowing firefighters to spend more time in the community creating relationships and providing much-needed prevention educations to schools, businesses, neighborhoods, and other organizations. Studies have shown that education and community outreach are the two biggest factors in reducing fires. This approach is similar to what Wyoming police officers began doing in 2012. That year, police officers conducted more than 30,000 business checks and began visiting every public and private school every day of the school year.

"These and other changes to our approach to delivering police and fire services will cost the city less than one-quarter of the costs of consolidation with Grand Rapids and Kentwood as outlined in the ICMA study," Holt explained. "By re-engineering our public safety services, we have been able to improve response times, increase personnel, add training, and improve prevention activities with virtually no cost impact. Re-engineering is a powerful tool that municipalities can—and should—utilize."

Erin Nemastil is the communication specialist in the office of the city manager for the city of Wyoming. You may contact her at 616-633-0642 or NemastilE@wyomingmi.gov.



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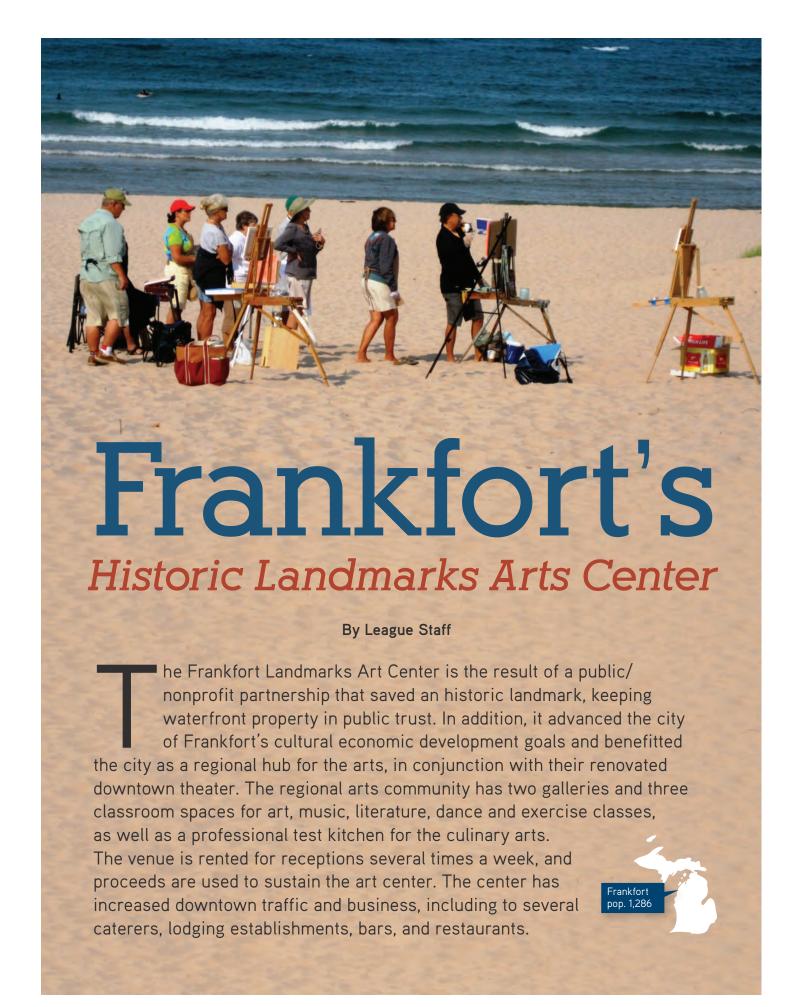
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ORGANIZATION

The Elizabeth Lane Oliver Art Center (a 501(c)3 incorporated in 1981), has been a cultural cornerstone of Benzie County since its founding in 1948. The 12-member board of directors meets monthly for executive committee meetings preceding each monthly board meeting. Staffing consists of a full-time executive director who oversees a parttime associate director and four hourly workers, who together coordinate a multitude of responsibilities, including exhibitions, marketing, sales, facility rentals and maintenance, events, class registration, and instructor coordination. Volunteers are recruited and assigned to specific tasks by a volunteer coordinator. The Center is fortunate to have 35 volunteers to greet visitors, secure galleries, lead tours, staff events, assist in hanging exhibitions, and complete general and administrative tasks.

The Coast Guard Station is now the center's permanent home. This location was made possible because the city partnered with U.S. Department of the Interior Lands to Parks Program to acquire the property, and the State Historic Preservation Office (SHPO) to repurpose it. In addition to the employees and volunteers, the center has 30 instructors, arts patrons, arts students, about 2,500 visiting residents, and about 4,750 out-of-town visitors (2,500 for the art center itself and another 2,250 during rental occasions).

IMPACT

The Arts Center has helped strengthen the community's volunteer base, build-

ing valuable social capital for future projects. Coupled with the theater as an increased cultural draw, the downtown welcomed the recent opening of a brewery and a wine bar. The project highlights the area's maritime heritage and hopes to catalyze a long-anticipated car-ferry heritage project with neighboring Elberta. As a cultural and recreation destination, increased emphasis is also placed upon the 27-mile Betsie Valley Trail, linking the Traverse Area Recreation and Transportation (TART) network to Grand Rapids via Frankfort.

ACTIONS TAKEN

■ Be Authentic: When reinventing oneself for the new economy, be true to yourself. Repurposing the Coast Guard Station preserved the city's maritime heritage and complemented the region's other attractions.

- Seek Passion: The Arts Center donors and volunteers were committed. The Center was outgrowing its previous location, demonstrating the community's support and enthusiasm for the arts. The group had the momentum, determination, and creativity necessary to take on the adaptive reuse challenges. The location's lighting, space, and views also proved motivational. Community residents were supportive of maintaining the property for the public.
- Seek Experience: Adaptive reuse of historical buildings is challenging. The Arts Center hired an architectural firm specializing in adaptive reuse of historical structures. The firm had experience with the National Parks Service and SHPO and had worked on the local Point Betsie Lighthouse and Petoskey's Crooked Tree Arts Center projects.
- Address Funding: While the property was virtually free, the adaptive reuse carried a price tag of \$3.3 million. A skillful combination of grant sources was necessary for success. Demonstrated financial support from the community helped to secure the sources, and demonstrated commitment continues to yield grant dollars eight years later. Experience with grant sources and writing is a key component of success.



■ Build Tenant Sustainability:

Fundraising must remain a priority for the organization. Further efforts toward sustainability include the proceeds from the center's rental for group functions and a future gift shop.

Animate the Space: There is frequent traffic at the center for exhibits, events, and classes. The center has more than 30 instructors, so class offerings and attendees are continually changing, creating a buzz in the community. The changing art, the interesting history, and the breathtaking views combine to make the center a successful "third place" people seek to experience again and again. Catered receptions several times a week add to the excitement and regional buzz.

■ Make the Intangible Tangible:

Data can be sexy. Keeping track of the number of events, attendees, and hours can provide tangible evidence as to how much a project like the center contributes to the community as it both utilizes other business services and attracts people who then patronize other businesses. To the extent possible, track correlations directly related to help demonstrate economic value.

LESSIONS LEARNED

Be Creative: Don't expect the attorneys to "cut the deal." The attorneys for both the arts center and the city were unable to reach consensus on a position each felt was in the best interests of their client. After many months the clients met without the attorneys, with the best interests of the community as their priority. A solution was achieved in a matter of hours and attorneys instructed to proceed accordingly.

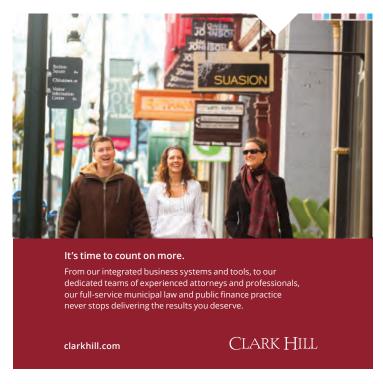
Don't Let Non-Starters Stop You: The city's first identified potential partner was a non-starter. Non-traditional partners may be the solution. The Arts Center proved to be a viable

alternative, while also providing significant opportunities for local businesses as a reception venue—including boosting business for several caterers, local florists, local B & Bs, other lodging establishments and bars/restaurants.

Increase Traffic: The Arts Center exhibits, classes, and receptions increase downtown traffic beyond the work day. Flexibility for some non-traditional arts, such as holistic exercise, complements the natural foods store and farmers market. Area businesses are supportive of the arts center and recognize the traffic generated as a tangible contribution to area businesses, creating a symbiotic relationship.

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

When it comes to advising municipalities, we're all in.





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

Ordinance permitting demolition of unsafe structure is constitutional

FACTS:

The city of Brighton demolished three unoccupied residential structures in accordance with provisions of a city ordinance. The ordinance stated that if a structure is determined unsafe as defined under certain standards and if the cost of repairs would exceed 100 percent of the true cash value of the structure before it was deemed unsafe. the repairs are presumed unreasonable and the structure is presumed to be a public nuisance that may be ordered demolished without providing the owner an option to repair it. Notice was provided to the owners of the structures of the determinations made by the city, ordering them to demolish the structures. The owners appealed. The city council concluded the structures were unsafe and ordered demolition. The owners then sued in circuit court claiming that their due process rights—procedural and substantive were violated primarily on the basis that no opportunity to repair had been provided.



QUESTION 1:

Was the unreasonable-to-repair presumption a violation of the owners' substantive due process rights?

A: Answer according to the trial court, court of appeals and supreme court:

The trial court found that the owners' substantive due process rights had been violated since no option had been given to repair the structures. The court of appeals affirmed on the basis that unreasonable-to-repair standard was arbitrary and unreasonable. The Michigan Supreme Court reversed, noting that the touchstone of substantive due process is to protect against arbitrary exercise of governmental power. Applying the applicable standard, the Supreme Court found that the unreasonable-to-repair presumption was not arbitrary and had a reasonable relationship to the city's legitimate governmental interest of protecting its citizens from unsafe and dangerous structures.

QUESTION 2:

Does the ordinance in question violate the property owners' procedural due process rights?

A: Answer according to the court of appeals and supreme court:

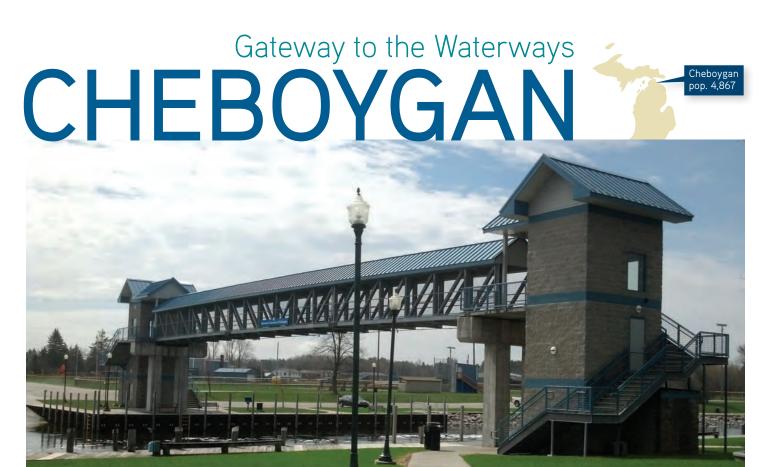
Although the trial court did not rule on the issue, the court of appeals found that the property owners' procedural due process rights had been violated since they had not been given the right to repair. The Michigan Supreme Court reversed on the basis that the property owners had been given the right to an appeal before the city council, and the right to appeal the council's decision to the circuit court.

Bonner v City of Brighton, No. 146520 (April 24, 2014)

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

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

By Caroline Weber Kennedy



lacemaking efforts occur on different scales.

Placemaking isn't necessarily one grand gesture and in fact, most often is not. This article focuses on Cheboygan because it is representative of a typical League member community. It's small, has some wonderful attributes, and is struggling to improve its economic base. Cheboygan's strategy is one of relentless pursuit, one project at a time, with occasional controversy, for an overall fabulous effect that will undoubtedly attract more economic development.

What Comes Naturally

My two favorite things about Cheboygan? First, Cheboygan is at the confluence of the Indian River and Lake Huron. It boasts a working waterfront, with deep-water port, serving the Great Lakes-St. Lawrence Seaway—a shipping system generating more than 227,000 direct, indirect, and induced jobs in the system's bordering eight states and two provinces. It is also home to the Coast Guard Cutter Mackinaw.

Second, if you've never had the pleasure of a leisurely boat trip up the famous "Inland Waterway"—a navigable series of waterways including three rivers and three lakes along 42 miles of inland boating, add this to your bucket list and do it

this summer. Recreational boaters are welcome to enter the Cheboygan locks system (just like the big dogs), to come and go from Lake Huron enjoying the Straits of Mackinac, Bois Blanc Island, Mackinac Island, and more.

A Big Series of Smaller Things

The city of Cheboygan and many partner agencies have completed the following series of projects, some more sexy and visible than others—all of significant placemaking impact.

- ▶ A Main Street reconstruction of \$4.7 million buried utilities, provided new curb, gutters, sidewalks, and storm sewer and water system upgrades to complement earlier streetscape efforts. The result was greater walkability and pedestrian appeal with a ripple effect on façade improvements and the pride of downtown business owners.
- ▶ The upgraded water system not only removed malodorous water from an affected area, but proved invaluable for economic development, as the historic Cheboygan Brewing Company (reborn in 2011) uses this water without purification. Check out the history of "the beer that made Milwaukee jealous" at cheboyganbrewingcompany.com

- Perhaps the most striking DDA improvement via the Vibrant Small Cities Initiative (\$1.2 million) is a pedestrian footbridge across the Cheboygan River, connecting Major City Park with downtown Washington Park. This was a controversial project, as can happen anywhere. As a visitor, I love it. It's a pleasant way for families to wander from a recent ball game in pursuit of ice cream and other downtown treats.
- An MEDC and matching DDA grant then provided a notable entrance and improvements to Washington Park, guiding pedestrians to the footbridge and other park amenities. Historical panels and message boards are additional features. Wayfinding and signage are also priorities as improvements occur.
- Another feather in the placemaking cap is Festival Square—a \$746,000 CDBG project through MEDC, replacing a contaminated building in the heart of downtown with much celebrated public space. A covered ice rink in winter, the Square boasts an active event schedule, including farmers market, outdoor concerts, performances, and festivals—drawing more traffic to downtown businesses.
- Additionally, Cheboygan's focus on the arts includes not only the Cheboygan Opera House, but also a partnership with the DDA and Cheboygan Area Arts Council to breathe new life into a vacant lot that hasn't sold. Ottawa Park is now a hands-on community art park (cheboygan.org/dda.php).



Festival Square replaced a contaminated building in the heart of downtown with a much celebrated public space.

► Following infrastructure improvements, place-making naturally evolves toward an event-based focus. Cheboygan's signature event in Festival Square is a free, downtown two-day music festival the last week in July, aimed at educating visitors and regional residents about the quality of life and many amenities available in Cheboygan.

Cheboygan's main message: We're open for business! With an unrivaled quality of life, "endless discovery," and an affordable place for industry, manufacturing, commercial, retail and residential—all are welcome.

Caroline Weber Kennedy diligently served the League for 17 years. It is with mixed feelings that we announce Caroline's departure to serve as the Executive Officer of the Grand Traverse Area Home Builders Association. We are sad to see her go, but excited for her new opportunity. Despite Caroline leaving, the League remains committed to serving our Northern Michigan and Upper Peninsula member communities. Good luck Caroline!



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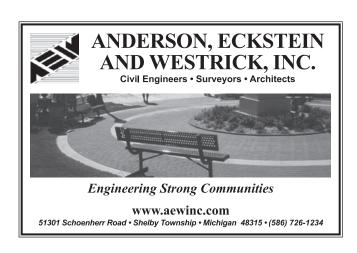
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Is There a Right to Raise Chickens?

he Michigan Commission of Agriculture and Rural Development has recognized the trend of raising chickens, roosters, and other small livestock in fully developed urban and suburban communities. On April 28, 2014, it weighed in on the ongoing dispute between urban farmers who want to raise small livestock and their neighbors and municipal governments who want limitations on livestock to protect quality of life in residential settings.

Many local zoning ordinances clearly prohibit raising farm animals in densely populated neighborhoods. The reasons for such zoning regulations are obvious. Individuals who purchase a home in an area that contains lots that are 60 feet wide and 120 feet in depth are (1) very close to other homes, (2) much more likely to smell, hear, and be annoyed by farm animals than neighbors in rural areas, (3) expecting residential areas to be free of virtually all commercial activity.



Nevertheless, "urban farmers" who want to raise chickens because they want fresh eggs for their families and the opportunity to sell the extra eggs have argued that Michigan's Right to Farm Act (RTFA) supersedes zoning ordinances that restrict farm operations provided that they follow Generally Accepted Agricultural and Management Practices (GAAMPs) that are developed by the Commission. The RTFA was intended to prevent legitimate farm operations from being treated as nuisances in the event that development occurs near it. It stands to reason that if you build a subdivision adjacent to a dairy farm that adheres to GAAMPs, the residents of that new neighborhood should not have the right to shut down the dairy farm because the smell of cow manure is offensive.

Because the advocates of urban farming have contended that livestock can be raised on small residential lots as long they adhere to GAAMPs, they found themselves in conflict with building inspection officers who were tasked with responding to complaints raised by neighbors of pungent smells, roaming animals, and loud noises. These disputes played out in court and in the media. Urban farmers claimed that the local ordinance

officers were using the heavy hand of government to violate their right to farm, while their neighbors complained that municipalities were not moving quickly enough to protect the quiet enjoyment of their homestead. Municipal attorneys have found it difficult to enforce zoning prohibitions regarding raising livestock because of the dearth of case law on the question of whether the Right to Farm Act gives a right to raise chickens to someone who owns a small residential lot in Detroit or Livonia, even though the local zoning ordinance prohibits it. Thankfully, clarity and guidance has been brought to this matter.

The Commission's vote removed right to farm protection for farm animals raised in neighborhoods with more than 13 homes within 1/8 of a mile of the animals or within 250 feet of a proposed facility. Previously, the Commission defined only three categories of sites for new and expanding livestock facilities.

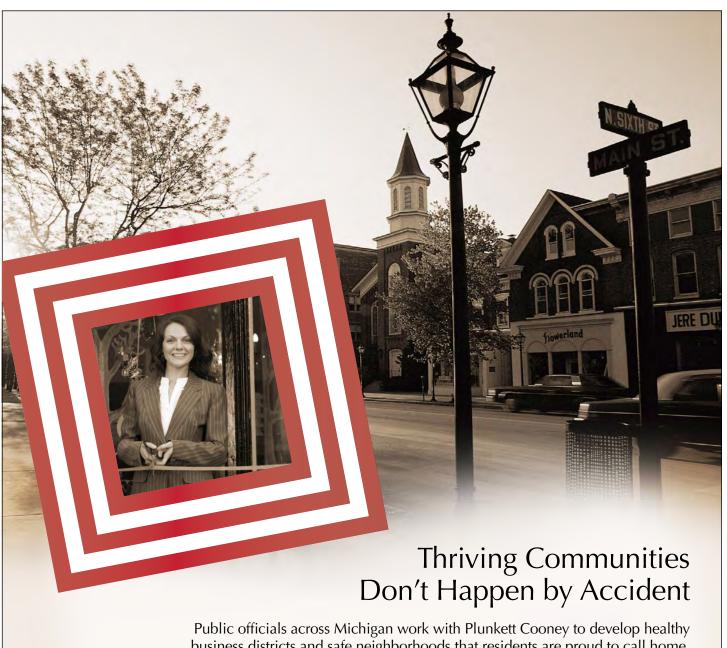
Category 1 sites are generally acceptable for locating a livestock facility in that they are located in areas with many farms with few non-farm residences. Category 2 are locations that, with "special technologies and/or management practices could be needed to make new and expanding livestock facilities acceptable." Category 3 locations are "generally not acceptable for new and expanding livestock facilities due to environmental concerns or other neighboring land uses."

On April 28th, the Commission established Category 4, which is defined as: "Sites not acceptable for New and Expanding Livestock Facilities and Livestock Production Facilities." In creating Category 4, the Commission made it clear that local zoning ordinances that ban livestock from established residential neighborhoods are enforceable.

The decision appears particularly useful to the city of Detroit where the urban farm movement is seemingly growing. Undoubtedly, community gardens that help provide fresh food to local residents is a welcome trend. However, because a law that provides a right to raise chickens, roosters, and goats in Detroit and other populated areas could hamper efforts to redevelop struggling neighborhoods, Detroit's leaders should be pleased with the Agriculture Commission's decision. It does not mean that urban farming of livestock cannot be permitted in urban areas; but rather, it simply means that local governments can draft their zoning ordinances to restrict and regulate livestock farming in densely populated areas in a way that makes sense for their community.

Thank you to Donald L. Knapp, Jr., Livonia city attorney, for providing this article.

You may contact him at 734-466-2520 or dknapp@ci.livonia.mi.us or at Fausone Bohn, LLP 248-380-0000, ext. 3213 or dknapp@fb-firm.com.



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SHIAWASSEE HERITAGE WATER TRAIL



he Shiawassee River is a shallow, slow moving stream which features an "Up North-Close By" view of nature starting from the old water works building in the village of Holly, and traveling seven river miles downstream through an unspoiled natural landscape to Strom Park in the city of Fenton. Travel another seven miles downriver and it continues to wind through Fenton's parks, Lake Ponemah, Tupper Lake, and Linden Mill Pond. The river becomes more secluded and wild past historic Linden, winding for eight miles through wetlands and woods into Argentine Township. The Shiawassee River Heritage Water Trail represents intergovernmental cooperation, recreational opportunities, and economic development.

Heritage water trails are routes on navigable waterways such as rivers, lakes, and canals designed and implemented to foster an interactive historical education experience. Water Trails are the water equivalent to hiking trails. They are created to facilitate recreation in and along rivers and water bodies, and are found in urban settings as well as remote environments. Spearheaded by Headwaters Trails, Inc., and supported by Keepers of the Shiawassee,



the vision was a developed paddling trail from Holly to the Shiawassee Flats that allows residents and tourists to enjoy the Shiawassee River and the communities along its course. We have seen increased recreational activity on the Shiawassee River over the last decade. We believe in and promote Leave No Trace Ethics and Share the Resource values as we work to protect the integrity of the river as a valuable natural and community resource.

A series of promotional signs in Holly, Fenton, Linden, and Argentine and Holly Townships; mile markers along the river to inform paddlers of their location; promotional brochures; annual cleanups; canoe and kayak races from Holly to Fenton; moonlight paddle events; and many more activities have all led to increased usage of the river system by local residents and visitors.