

the review

March / April 2021

the official magazine of the  michigan municipal league

LOCAL TO LANSING

Eight Municipal Leaders Bring Their Experience
to Michigan's House of Representatives



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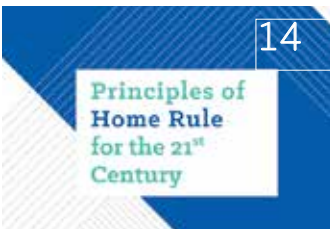
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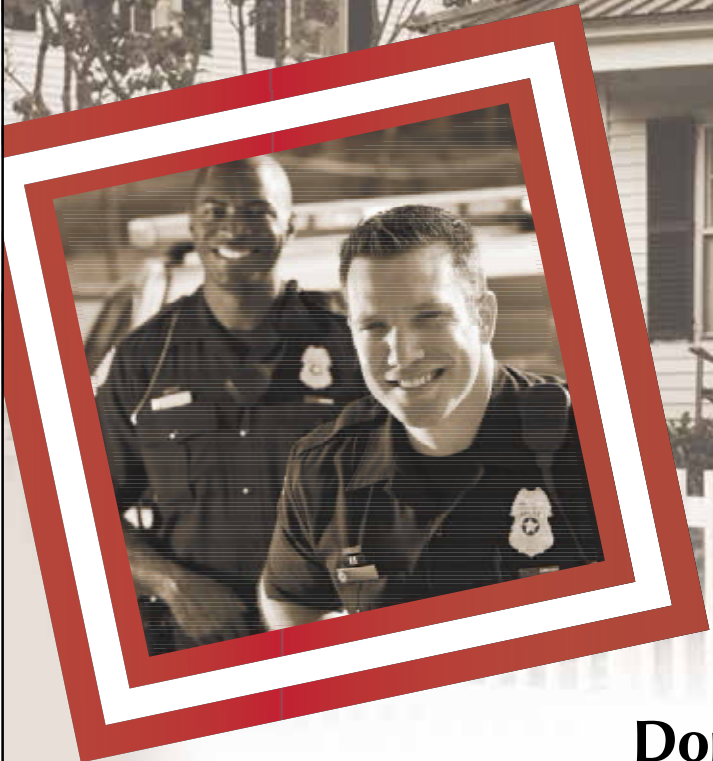
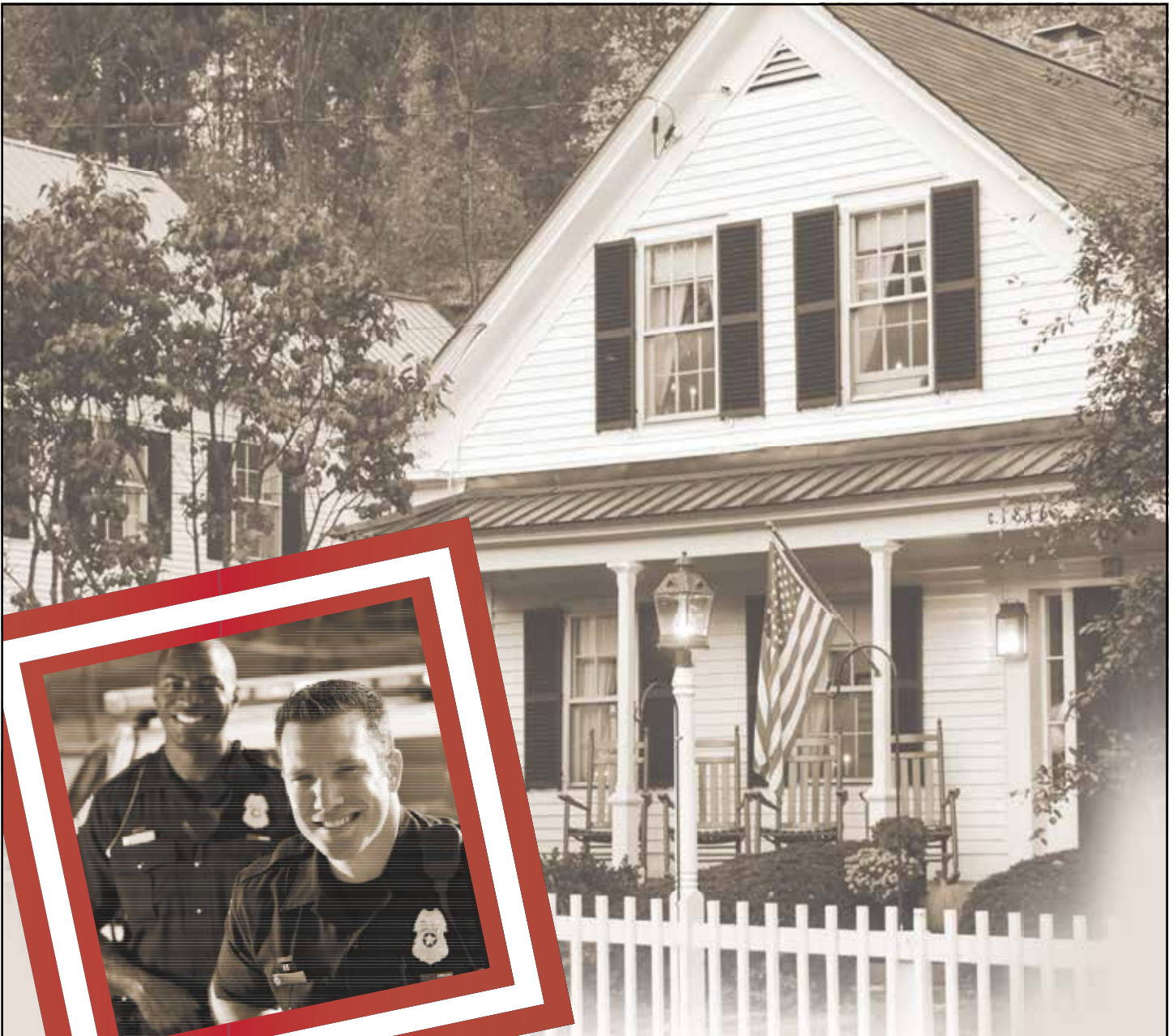
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the review

The official magazine of the Michigan Municipal League

Volume 94, Number 2

We love where you live.

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

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Advocacy Is at the Heart of the League's Mission

It is hard to believe that a year ago we were beginning to hunker down for a life unlike anything we have ever known. We were faced, personally and professionally, with unprecedented decisions, with no real roadmap. Even though we were being told that it could be months or even a year before any sense of normality could return, it was difficult to wrap our heads around what that all meant. But here we are one year later—still wearing masks and social distancing—continually reimagining new ways to work and govern. I have been very impressed with how our members have forged ahead with determination and resilience to keep their communities open. While facing a myriad of challenges, they continue providing services and protecting the health of their communities. Although many will have received vaccinations by now, widespread distribution could remain elusive for months to come. And so, we march on, cautiously hopeful, navigating these unprecedented times as best we can.

Although we emphasize our advocacy work throughout the year, March is the month we bring a much more focused lens to federal, state, and local issues. This legislative issue of the *Review* covers a wide range of topics and illustrates their impact on our communities. March is also the month we traditionally hold our annual Capital Conference (CapCon). This year's CapCon is a little different because it will be held virtually, allowing us to gather safely while maintaining the rich fellowship and reflection on the big issues you've come to expect. CapCon will take place March 16-17, so if you haven't signed up, please be sure to do so at cc.mml.org. Although the ability to network in-person is an important component of our conferences, I can assure you that it will be worth your while to join us for the extensive programs that we have planned for you.

As we focus on legislative planning, it is important to remember that good public policies are the foundation of everything we do to create the places we call home. Good public policy allows communities to build on the strength of their own unique assets and to create economically viable communities for the long haul.

We have a record number of former local government officials now serving in the Legislature. This is great news and important to highlight. We are all better served by those who have first-hand, on-the-ground knowledge and experience of local government. Understanding the intricacies of how local governments operate, and serving as the frontline to residents, can be a significant advantage in giving communities a strong voice at the state level to influence policies that make our communities stronger. The League encourages and supports those who wish to serve at the state level. If you are thinking of running or are already well on the way, please reach out to us. We will be glad to assist you in any way we can.

Every year we look forward to recognizing our award recipients at our annual Awards Gala at CapCon. Although we couldn't celebrate in a more public way this past year, we did highlight them through videos and podcasts. We would like to further recognize them here. As public servants, their outstanding professionalism, passion, and commitment continue to lead us on a strong path forward. A huge thank you and congratulations to all the winners!

On a final note, I want to thank State & Federal Affairs Director Chris Hackbarth and his exceptional team, who work tirelessly year-round to advocate on behalf of our member communities. You can reach out to them anytime via text, email, or phone. If you are not doing so already, I want to encourage you to follow the advocacy team's *Inside 208* blog, which provides up-to-date summaries of current legislative activity. Member engagement is crucial if we are going to be successful in shaping a greater Michigan.



Daniel P. Gilmartin
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Deepening Our Commitment to Place

An Agenda for Community Wealth Building

By Melissa Milton-Pung

The Michigan Municipal League and the communities we represent have spent more than a decade investing in placemaking strategies throughout the state, showing that “we love where you live” by lifting up what residents themselves love.

We have fought to give local leaders the flexibility and resources they need to serve their communities by advocating for municipal finance reforms and the preservation of local empowerment.

We have convened our members and partners to dive into the challenges posed by accelerating changes in our communities, whether those are economic, demographic, technological, or environmental, and to discuss how we can better equip local communities to tackle solutions to new needs and opportunities.

All these efforts have emphasized the need for resilient local systems—for communities that can learn, innovate, adapt, and prosper even in the face of adversity. They have also revealed that traditional models of economic development, focused narrowly on growth rather than on broadly enjoyed prosperity, have fallen short: large segments

of our population have been left out, while shocks like the housing finance crash of 2008 have reverberated across sectors and shown traditionally measured growth to be fragile. In reflecting on the uneven economic landscape of post-Recession recovery, the League has spent the past year pulling together threads from our past work into the concept of building community wealth. This model balances economic prosperity, sense of place, natural assets, and cultural substance. It also considers the importance of the safety,

health, and well-being of our residents, as well as the ongoing process of learning over time. This model takes into account the human experience in our Michigan communities. This work must be local for many reasons—most importantly because every community has a different context.

Our planned rollout of this new framing was interrupted by another shock—the COVID-19 pandemic. Watching our members respond to this crisis has reinforced the need for new approaches and provided inspiration. Witnessing local leaders step up to serve in creative ways gives us confidence that we can collectively emerge from this crisis on a path to attain meaningful and equitable opportunity for our communities. That path is community wealth building.

“Community Wealth Building is about developing assets in such a way that the wealth stays local... helping families and communities control their own economic destiny.”

– Marjorie Kelly, *Democracy Collaborative “What is Community Wealth Building and Why is it so Important?”* 2014



The League’s Pillars of Community Wealth Building

We define community wealth building as strategies that build community and individual assets, creating resilient and adaptable systems to address social and economic needs. The League will work with our partners to provide thought leadership, training, advocacy, resources, and best practices to build community wealth through:



Lifelong Learning—the journey of education and training is recognized as spanning from young childhood through K-12 education and post-secondary pathways to ongoing opportunities for adult learners.



Public Health—quality of life disparities are recognized and addressed while services are focused on increasing health impacts and fostering the human experience in public life.



Arts & Culture—cultural identities, traditions and creative outputs are respected, celebrated and recognized as critical assets that build social fabric in a community.



Financial Security—municipalities, community institutions, families and individuals are fiscally healthy; economic systems ensure a community can be economically resilient and allow for the continued proliferation of prosperity.



Sustainability—natural resources are managed to ensure long-term sustainability of and harmony between the built and natural environment and leverage their worth as public assets.



Infrastructure—the fundamental facilities and systems serving a county, city, or other area, including the services and facilities necessary for its economy to function.

“We have traded [community] stability for growth for so long we now find ourselves without either.”

– Chuck Marohn, *Strong Towns* “Trading Stability for Growth” 2020

In addition to these components, we see trust and belonging as a social and emotional fabric that ties the community members and these components together in an interdependent framework:



Trust in neighbors, community leaders, local governments and the other partners and services in place to help our communities thrive is essential to achieving community wealth.



Belonging to the community is what strengthens the tie between community members and the place. Without people, a place is just a physical object. Connecting people who support each other and themselves in a localized way brings a place to life and increases access to community resources and social networks.

“Community Wealth is being raised bottom up, and is fundamentally committed to upgrading skills, growing entrepreneurs, increasing incomes and building assets.”

– Ross Baird, Bruce Katz, Jihae Lee, and Daniel Palmer,
“Towards a New System of Community Wealth” 2019

What Is Community Wealth Building?

The League has developed our definition of community wealth building from our decades of work on policies and programs that promote people, authentic places, and sustainable economies, and from partners working around the country on related efforts. We know that community wealth building strategies are:

Incremental

Community wealth relies on continuous investments in people and place to achieve its aims and avoids reliance on “silver bullet” projects. The sum of individual investments of money, time, and energy create cumulative progress far greater than any single endeavor.

Constructive

Community wealth is measured in homes and hospitals; in storefronts and schools; in workshops and factories; in streets and services; in health and well-being. Investments catalyze a durable legacy that are enjoyed in the present and can be built upon by future community members.

Complex

Community wealth measures require the investment of social and community capital in addition to financial resources, and recognizes the critical interaction of these as central to improving the human experience


in the community. Community wealth building increases the local economic multiplier effect by reinvesting and maximizing dollars within a community, improving economic conditions, and producing other public benefits.

Equitable

Community wealth strategies recognize and repair historical inequities. Inclusion, in all facets, is a core tenet, while exclusion (of individuals or groups) is identified as a violation of human rights and an inhibitor of growth. Community wealth empowers individuals, embraces their participation, and celebrates their unique cultural contributions.

Participatory

Community wealth is created by building and securing assets in communities, ensuring that ownership of those assets is more broadly and equitably distributed among community members. Individual investments are made with an interest in long-term health, economic opportunity, and resiliency.

Community Wealth Building will be the focus of the League’s activities for months and years to come. 

Melissa Milton-Pung is a policy research labs program manager for the League. You may contact her at 734.669.6328 or mmiltonpung@mml.org.

“Experts from around the world— in academic, business, and public sectors alike—agree that investing in communities is a critical element to long-term economic development in the 21st century.”

– Colleen Layton (ed.), Tawny Pruitt (ed.), and Kim Cekola (ed.),
Michigan Municipal League, “Economics of Place” 2011



THAT'S A WRAP

100TH LEGISLATIVE SESSION FINALIZED

By Chris Hackbarth

With the expiration of 14 days on the governor's desk, the last bills presented from 2020's lame duck legislative action brought the 100th Legislative Session to an official close. All told, nearly 300 bills were introduced following the November 2020 election. A total of 402 bills became new Public Acts (PAs) in 2020—and 158 were finalized during lame duck, mainly in December. In addition to the volume of new laws, the governor leaned heavily on her veto pen during the final days of the legislative session. At the end of the session, 36 bills were either directly vetoed or expired without signature, resulting in a pocket veto. The legislative action of 2020 stands in stark contrast to 2019, where only 178 new PAs were signed, and no bills were vetoed.

The following summaries represent the main issues League staff were engaged with during lame duck and those we expect to see returning in the 2021-22 term.

Signed by the Governor

COVID Extension to Boards of Review: HB 5824 and 5825 (PAs 251 & 297 of 2020)—Codifies the governor's now nullified Executive Order that extended the March 2020 Boards of Review and allowed certain additional appeals and valuation changes during the July 2020 Boards of Review.

Poverty Exemption: SB 1234 (PA 253 of 2020)—Amends the current residential property tax poverty exemption to assist with various COVID-related impacts that low-income residents face as they attempt to apply for the exemption.

Upon determination of the local unit of government, existing poverty exemption applications may remain in effect for up to three years to counteract personal and public facility limitations due to COVID-19. A similar, three-year extension is also authorized for local units that choose to offer the extension for eligible residents on fixed income from public assistance. The League and the City of Detroit testified in support of these bills. Treasury negotiated a number of amendments as a condition of their support prior to passage, including requiring each local unit's poverty exemption policy and guidelines be posted on its website and bringing uniformity to the allowance of any partial exemptions, less than 100 percent unless authorized by the State Tax Commission.

Personal Property Tax COVID Location Freeze: SB 1203 (PA 352 of 2020)—Amends the General Property Tax Act to freeze the location of all personal property being used by remote workers as assessable only at the business's ordinary location for the 2021 tax year.

Tax Foreclosure Proceeds: SB 676 & 1137 (PAs 255 & 256 of 2020)—These bills were passed in response to the recent Michigan Supreme Court Rafaeli decision that found that all "excess" proceeds from a tax foreclosure sale must be paid to the former owner of the property. This decision could have a long-term harmful impact on County Delinquent Tax Revolving Funds that will lead to chargebacks being assessed to local taxing jurisdictions. Communities that also leverage their right of first refusal to acquire these foreclosed properties for the minimum bid may also face a more expensive path to acquiring these parcels as the court decision also puts the ability to acquire parcels for the minimum bid at risk. Following months of work group discussions and negotiations, the League secured amendments to retain a process for local units to continue acquiring some parcels for the minimum bid and language providing for an annual local fiscal impact analysis from Treasury to help evaluate and make recommendations to address any increase in chargebacks to local units.

OMA Virtual Meetings: SB 1246 (PA 254 of 2020)—Senate Bill 1246 Amends the Open Meetings Act to allow local governing bodies to continue meeting virtually due to the pandemic through March 31, 2021. The prior allowance expired at the end of 2020, making this extension a high priority for the League. This new legislation also adds technical changes requested by the League to allow a local state of emergency or state of disaster to be declared pursuant to a local ordinance (in addition to those declared under law or charter) and adds a local chief administrative officer (in addition to a local official or local governing body) as a person who may declare the local state of emergency. In addition, the bill sets requirements a public body shall follow if a meeting is held in person before April 1, 2021, including adherence to social distancing and mitigation measures recommended by the Centers for Disease Control and Prevention (CDC) to prevent the spread of COVID-19 and adopting heightened standards of facility cleaning.

Historic Preservation Tax Credit: SB 54 (PA 343 of 2020) The League fought for years to restore Michigan's Historic Preservation Tax Credit program repealed under former Governor Snyder. The new program will provide a 25-percent credit on rehabilitation expenses against state income tax. For homeowners in historic districts, this credit helps offset the costs of repairing older homes while retaining their historic attributes. SB 54 caps the total number of credits per year at \$5 million in order to have minimal initial impact on the state budget. The necessary \$5 million for funding of the first year of the credit was already appropriated in the current state fiscal year in anticipation of this bill's passage.

COVID Critical Infrastructure Worker: SB 1258 (PA 339 of 2020)—Public Act 238 of 2020, adopted earlier in 2020, established certain employee protections related to exposure to COVID-19, e.g. requiring employees to quarantine for 14 days following certain instances of exposure. Specific classes of employees/businesses (health care employees and first



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responders) are exempt from that 14-day quarantine. Officials from the cities of Oak Park and St. Clair Shores joined the League in advocating for language in SB 1258 that would extend the specific employee/business exemption from the quarantine requirement to include critical infrastructure employees in the energy industry and other critical municipal service categories like water and wastewater operations. During final negotiations, the bill was amended to allow the Department of Health & Human Services (DHHS) Director to designate certain categories of employees for critical infrastructure deemed necessary to preserve public health or public safety. The bill also provides additional flexibility for returning to work with negative test results and time periods for isolation and/or quarantine as determined appropriate by the CDC, as opposed to designating a specific number of days in statute. The League and other local units submitted a letter to the DHHS Director requesting the immediate designation of critical municipal operations pursuant to the language in the new law.

Movable Bridge Public-Private Partnerships: SB 1215–1218 (PAs 353–356 of 2020)—The League and Bay City officials testified in support of this package of bills that will help Bay City address the replacement of two city-owned movable bridges. Due to the unique nature of these bridges, and the extraordinarily high cost of replacement, this package provides statutory authority for Bay City to enter into a public-private partnership to replace both bridges.

Water Shut-Offs: SB 241 (PA 252 of 2020)—In early July, Governor Whitmer issued an Executive Order placing a moratorium on water shut-offs until December 31, 2020. Following the nullification of the governor's E.O.s, the administration and Legislature negotiated the bill's language to codify the intent of that E.O. into statute. This bill reinstates the moratorium on water shut-offs to March 31, 2021.

Supplemental Budget Appropriation/CARES Hazard Pay Grant Extension: SB 748 (PA 257 of 2020)—Separate from the political grappling between the Legislature and governor over state spending for COVID relief and unemployment benefits, language was included at the League's request to extend the time period for local units to have issued first responder hazard pay premiums under the state's Coronavirus Relief Fund grant program and be eligible for a reimbursement. The original language required payroll be issued by October 31, 2020; this change allowed communities to issue their payroll by December 29, 2020 and still be eligible for reimbursement.

Brownfield Redevelopment Authority Administrative Change: HB 4159 (PA 259 of 2020)—Provides technical changes and oversight to brownfield redevelopment authorities. Additional

amendments were adopted to section 13b to increase the number of active projects an authority may have at one time and also allow for a corresponding increase in expenditures for administrative and operating costs relative to the number of projects. This change is also consistent with the recently updated MEDC strategic plan and their revised Community Revitalization Program guidelines.

Small Cell Road Commission Fix: SB 1256 (PA360 of 2020)—SB 1256 was introduced and moved late in lame duck without a committee hearing, receiving bi-partisan support in both chambers. It added county road commissions to the definition of authority and clarifies the original intent of the legislation. As a result, all entities within the right of way would operate on a level playing field. The League did not support this legislation but did request additional clarification that the rate be paid exclusively to cities, villages, and townships. A bill addressing this clarification will be introduced early in 2021, and we anticipate it being taken up shortly after committees begin to meet.

Vetoed by The Governor

Solar Projects Tax Exemptions: SB 1105 & 1106—These bills were vetoed by the governor as premature, given the State Tax Commission's ongoing ad hoc review committee and related analysis and recommendations were not considered in the development of the vetoed language. The League opposed these bills and submitted a veto request. The two bills would have exempted all utility-grade solar projects from the industrial personal property tax and replaced that lost property tax revenue with a Payment In Lieu of Tax (PILT) reimbursement of \$4,000 per megawatt, an arbitrary value amounting to pennies on the dollar for many local units. Local units would have also been required to approve every tax exemption application if the project matched the definition of a "qualified renewable energy facility," regardless of local land use or economic development plans or support. As stated in our veto request, we support additional investment in alternative energy systems, but any PILT proposal must be developed in conjunction with local government and provide a balance between promoting solar development and maintaining services residents rely on.

Meijer Warehouse Equipment PPT Cut: SB 1153—This bill, along with two others (SB 1149–1150) proposed exempting consumer goods handling warehouse equipment from personal property, sales, and use tax. The bills died on the governor's desk. The League opposed all three bills and submitted a veto request. These bills would have provided Meijer and other large commercial retailers with full sales, use, and personal property tax exemptions for all large-scale consumer goods handling

warehouse distribution equipment. The League and all other local government and school groups, and the Department of Treasury, testified in opposition to these bills and a separate three bill package that did not end up moving (SBs 1178, 1179, 1180) that would have provided similar sales, use, and personal property tax exemptions for so-called "micro-fulfillment" systems installed by retailers to facilitate filling online customer orders. The governor expressed concern publicly with SBs 1149, 1150, and 1153, questioning the unknown impact that these cuts would have on state and local revenues.

Summer Property Tax Deferral/Penalty & Interest Relief:

SB 943—Originally introduced as part of the summer tax deferral proposal that was vetoed, a substitute was quickly adopted and passed targeting a select number of industries hit hardest by the pandemic. This alternative approach would have allowed for the retroactive deferral of any delinquent summer tax bills and waiver of related penalties and interest from four specific industry segments, until February 15, 2021. The bill also provided for state reimbursement to local units for any forgiven penalties and interest owed on any of these deferred amounts. Treasury opposed the bill based on concern over administering the program. This bill was pocket vetoed.

Rental Inspections: SB 692—The League was neutral on this bill as it would have only impacted certain change of ownership situations and only for a limited time period. This bill was pocket vetoed.

BILLS OPPOSED BY THE LEAGUE THAT DIED WITHOUT ACTION:

Zoning Preemption For Aggregate Mining: SB 431—

The League strongly opposed this effort to preempt local units of government from virtually any zoning or other currently authorized regulation of gravel and aggregate mining. This bill is expected to be reintroduced in 2021 and the League will continue to engage its members and work with our allies to block its passage.

Preempting Regulation Of Automated Delivery Devices: SB 892; Zoning Preemption For Certain Large Foster Care Facilities: HB 4095; and Short-Term Rental Zoning Preemption: HB 4046

LEGISLATION THE LEAGUE WILL CONTINUE TO PURSUE IN 2021:

Headlee/Proposal A Reform: HB 6454—This bill was introduced to address the negative interactions between Headlee and Proposal A before any property value reductions from the current pandemic recession could impact local budgets. We are working with the bill sponsor to reintroduce this in the new term.

Public Notice Reform: HB 6440—This was the main bill in a more than 100-bill package that proposed reforming the current, obsolete public notice requirements throughout state law. This is a reintroduction of a similar package the League supported in the 2015-16 session.


Speed Limits: HB 4733—This bill would have further clarified local government's ability to adjust speed limit below the 85th percentile speed when demonstrating a situation with hazards to public safety through an engineering and safety study.

Stormwater Authority Creation: HB 4691 and Basement Back-Up Liability Protection: HB 4692; Dark Store Property Assessing Reform: SB 26 & 39; and Veteran's Property Tax Exemption: HB 4176

The 101st Legislature was officially seated and commenced action on January 13. Since the House is re-forming under a new Republican Speaker (Jason Wentworth, R-Farwell), a new committee structure will be established, and new committee membership will be announced. At this point, only the incoming leadership team and the House Appropriations committee chairmanship (Thomas Albert, R-Lowell) have been revealed. Neither the House nor Senate leadership have revealed their policy agendas for the coming year.

Following the ceremonial first day of session on the 13th, the state's annual Consensus Revenue Estimating Conference was held on January 15. The conference establishes the baseline the governor's budget team utilizes to craft the executive budget recommendation.

The League will continue to prioritize restoration of cuts and additional protections for statutory revenue sharing, funding for municipal infrastructure at risk from high water levels and shoreline erosion, and opportunities to improve funding for roads and underground infrastructure in the new term.

For a complete review of the 2020 lame duck session, please read *That's a Wrap—100th Legislative Session Finalized* on our *Inside 208* blog at blogs.mml.org/wp/inside208/. 

Chris Hackbarth is the League's director of state & federal affairs. You may contact him at 517.908.0304 or chackbarth@mml.org.

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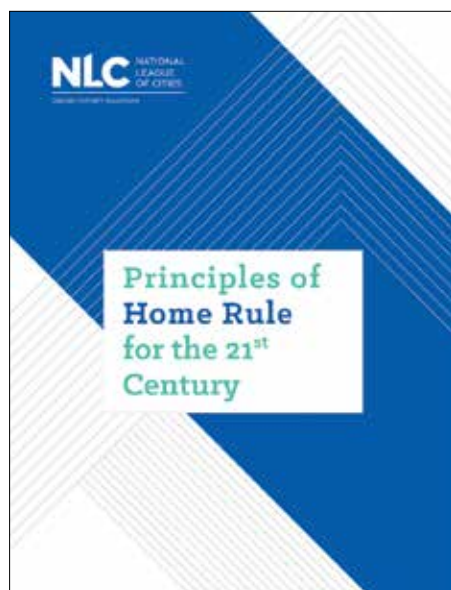
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LOCAL GOVERNMENT PREEMPTION

“It is time for municipalities throughout Michigan and the entire nation to reassert the value of homegrown, local leadership and restore the balance of power and partnership between local, state, and federal governments.”



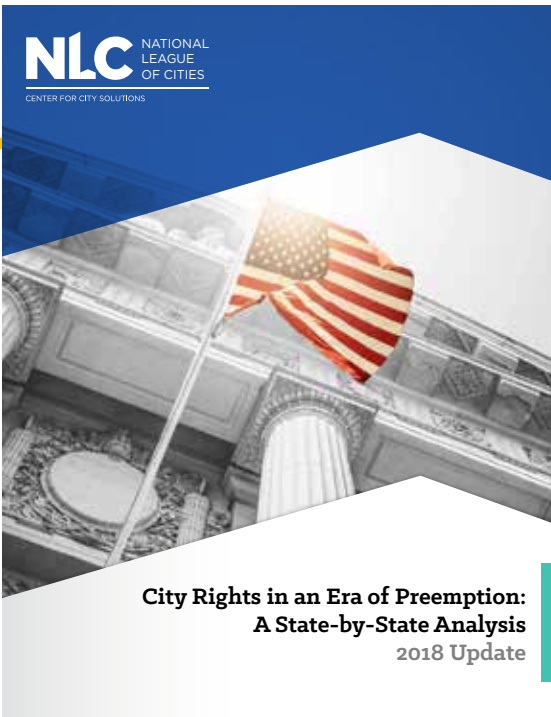
By Angelina Panettieri & Spencer Wagner

Michigan municipalities have had a tough fight against preemption in recent years. In the past legislative session alone, communities have fought back against legislation in the Michigan House and Senate that would override local decisions in favor of industries as diverse as short-term rentals and gravel mining. In more and more cases, these big industry interests are going straight to legislators to impose a one-size-fits-all solution—or preemption—on local governments, limiting their ability to protect residents and respond to their concerns.

On its face, preemption is a neutral tool, but when it is misused and abused by states and the federal government, it undermines local governance. In particular, “floor” preemption can be used to set minimum standards that cities, townships, and villages are able to build on. Industries, however, have favored “ceiling” preemption that institutes the one-size-fits-all and places a ceiling on what localities are able to do, frequently giving the state the last say.

A Growing National Problem

This is not just a challenge for communities in Michigan. The misuse and abuse of preemption is on the rise in statehouses throughout the U.S., as well as in the halls of Congress and federal agencies in Washington. Research by the National League of Cities has found an increase in these hostile overrides of local decision-making. As of July 2020, roughly half the states in the country prohibited local funding or operation of broadband networks. Michigan, along with 22 other states, limits or forbids local paid leave laws. The overwhelming majority of states impose limitations on local taxing and expenditure authority. Combined, these limits have hobbled the ability of communities to respond to and recover from the fallout of the COVID-19 pandemic, as they find themselves without financial tools to manage slashed budgets or the authority to provide needy residents with broadband access, affordable housing options, or workplace protections.



Preemption is an effective tool for powerful interests to quickly achieve a favorable outcome. By sharing model legislation around multiple state houses, or successfully advocating for a federal preemption law on a given matter, big companies and industry groups can avoid so-called “patchworks” of local regulations that require engagement with individual communities or compliance with local rules. However, the evidence connecting preemption to better economic outcomes does not bear out, and the National League of Cities has pushed back against federal policies limiting local authority over matters like small cell wireless infrastructure construction and drone operation.

Protecting Communities from Preemption


Fortunately, our research has also identified some successful strategies communities can use to protect themselves and their residents. Communication and education are key for local leaders and are effective tools regardless of community size or budget. National polling has found that roughly two-thirds of Americans are not aware of state preemption or its consequences, but after learning more, they believe these state preemptions are the result of special interest lobbying and limit local democracy. Local leaders have a role to play in educating residents about the local impacts of preemption proposals and the interests pushing for them.

The words leaders use to communicate about these issues are incredibly important. Because most residents are not familiar with the term “preemption,” communities will find advocacy and education more effective if they discuss issues in terms of “local democracy,” “local decision making,” or “state interference.” Community leaders should also de-center themselves: residents and lawmakers respond better to

reminders that local decisions are made by the people who live in those communities. Communities should also be careful not to villainize state lawmakers or make it into a partisan issue when talking about specific preemption concerns.

Communities are stronger when they engage actively in advocacy with coalition partners, whether those are other communities that are part of the Michigan Municipal League or the National League of Cities, or issue-specific groups devoted to matters like environmental issues or health and safety. Building solidarity with many other impacted groups can help elevate a preemptive bill or proposal from a niche issue that passes through committee without comment into a high-profile matter of concern that gets serious public scrutiny. When coalitions form and tackle these instances of state interference jointly, they help avoid a “whack-a-mole” approach of separated groups that may be focused on particular policy areas but are missing the larger abuse of preemption. These coalition partnerships can also help fund education, research, and even litigation to challenge abusive laws.

As a last resort, municipalities can turn to litigation to challenge certain instances of state interference. It is important, however, that municipalities understand the limitations of such challenges. Some states equip their localities with greater home rule protections, a key legal doctrine that empowers and safeguards local decision-making. Most of these home rule provisions have not been updated to reflect the new challenges of local governance in the 21st century, and some states do not have home rule at all. In 2020, the National League of Cities and the Local Solutions Support Center published Principles of Home Rule for the 21st Century to provide states with updated statutory language to enact home rule protections.

It is time for municipalities throughout Michigan and the entire nation to reassert the value of homegrown, local leadership and restore the balance of power and partnership between local, state, and federal governments. The National League of Cities has produced a wide range of resources and tools to educate local leaders about preemption and the threat it poses to local democracy, how to support local priorities even in a preemptive environment, and how to effectively fight back against heavy-handed state lawmaking. To learn more, visit nlc.org/preemption. 

Angelina Panettieri is the legislative director, technology and communications, for the National League of Cities. You may contact her at 202.626.3196 or panettieri@nlc.org.

Spencer Wagner is a local democracy associate for the National League of Cities. You may reach him at 877.827.2385 or info@nlc.org.



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DETROIT ANN ARBOR TROY LANSING KALAMAZOO GRAND RAPIDS CHICAGO

The League's State & Federal Affairs team, l to r: John LaMacchia II, assistant director; Herasanna Richards, legislative associate; Chris Hackbarth, director; Jennifer Rigterink, legislative associate; and Betsy DeRose, capital office coordinator.



SHAPING POLICY

LET YOUR VOICE BE HEARD ON A LEAGUE LEGISLATIVE COMMITTEE

By Betsy DeRose

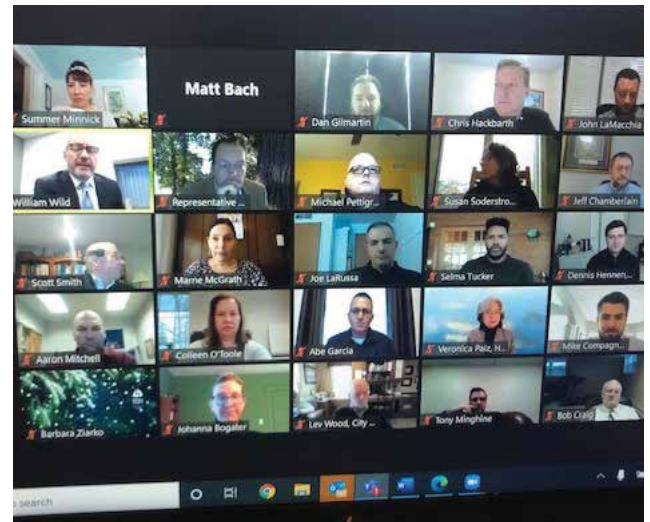
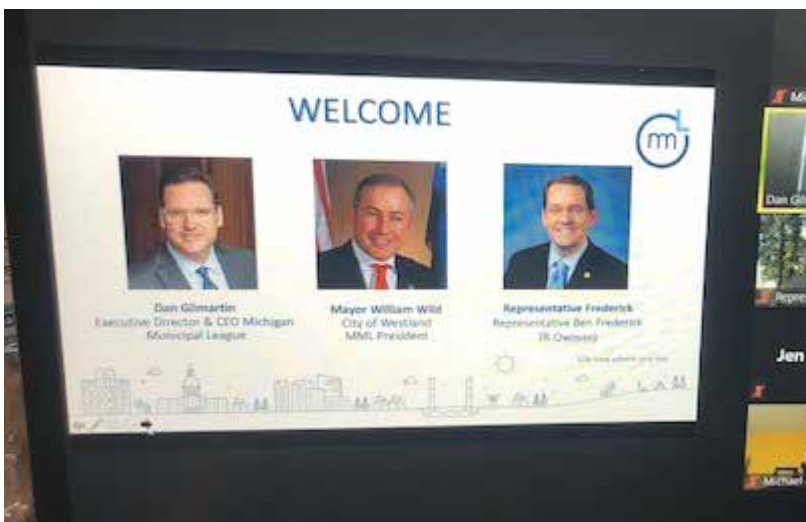
How would you like to offer your opinions and expertise on issues of great importance to communities across the state? The Michigan Municipal League offers just such an opportunity through our Legislative Policy Committees.

As the 101st Michigan Legislature begins its work, the League's State & Federal Affairs team is continuing to advocate for local governments throughout the state. A large part of that advocacy is assisted by input from committee members on a wide range of topics. Rock Abboud, councilmember in the Village of Beverly Hills, believes that committee participation is a valuable element of being an effective advocate.

"Being a part of the MML Legislative Policy Committees is an excellent way to engage with League staff and increase my understanding of how to best advocate for my community," said Abboud. "Working closely with other committee members, we are able to help shape policy in a positive manner for communities across Michigan."

“It is so important that our members get involved with the committee process. We can't do our jobs effectively without having our members fully engaged and working with their legislators to help improve our local communities.”

—CHRIS HACKBARTH, DIRECTOR OF STATE & FEDERAL AFFAIRS FOR THE LEAGUE



During the Kick-off Orientation, new committee members hear from legislators about the importance of local government and how to effectively advocate for their communities in Lansing.

Committee Participation

There are five policy committees, each one focusing on a different municipal topic:

- **Energy & Environment**—committee considers a variety of issues, including municipal electric utilities, emerging environmental contaminants, and natural resources issues.
Chair: Eric Zuzga, director of special projects, City of Marshall;
- **Economic Development & Land Use**—committee considers issues related to economic development in local communities as well as land use related topics, including economic development tools, blight, and zoning.
Chair: Tim Wolff, manager, Village of Lake Isabella;
- **Municipal Services**—committee handles a wide range of issues, including public safety, elections, building/construction codes, sunshine laws (Freedom of Information Act and Open Meetings Act), and other local licenses and permits.
Chair: Adam Smith, administrator, City of Grand Ledge;
- **Municipal Finance**—committee considers various revenue and taxation issues, including personal property tax, EVIP and revenue sharing, retirement issues, and tax exemptions.
Chair: Rebecca Fleury, manager, City of Battle Creek; and
- **Transportation, Infrastructure & Technology**—committee considers various legislative items affecting transportation funding, multi-modal transportation initiatives, municipal utility systems, and ports.
Chair: Gary Mekjian, manager, City of Farmington Hills.

The committees run for a two-year term concurrent with the House of Representatives’ session. Each committee convenes three to four times a year, typically at the League’s Lansing office, and reviews current legislation that is moving through the Michigan Legislature. After reviewing and discussing

the bills, committee members take a position to support, oppose, or remain neutral. Committee positions are then taken to the League Board of Trustees for approval. The positions then become the official position of the League.

“It is so important that our members get involved with the committee process,” said Chris Hackbarth, director of state and federal affairs for the League. “We can’t do our jobs effectively without having our members fully engaged and working with their legislators to help improve our local communities.”

Every two years, typically in November, all League members receive an email that includes an interest form. Applicants are asked to rank their interest level for each committee and return it to the League. Once the interest forms are received, the League president makes appointments to each committee.

Kick-Off Orientation

Once committee members are notified of their appointment, they are invited to attend a kick-off orientation to meet with League staff and legislators in Lansing. This year, due to the COVID-19 pandemic, the orientation was held virtually for everyone’s safety. The League’s state & federal affairs and membership engagement teams led the orientation. Committee members were welcomed by League Executive Director and CEO Dan Gilmartin, League President William Wild, and State Representative Ben Frederick (R-Owosso). Then League staff discussed the committee process and how committee members can be effective advocates for the League and their own communities.

In addition to hearing from League staff, there was a legislative panel moderated by Kyle Melinn of MIRS News Service. Panel members included Senator Jeremy Moss (D-Southfield), 2020 Legislator of the Year, Representative Joe



2021 Legislative Committees Kick-off Orientation.


“Working closely with other committee members, we are able to help shape policy in a positive manner for communities across Michigan.”

—ROCK ABBODD, BEVERLY HILLS COUNCILMEMBER

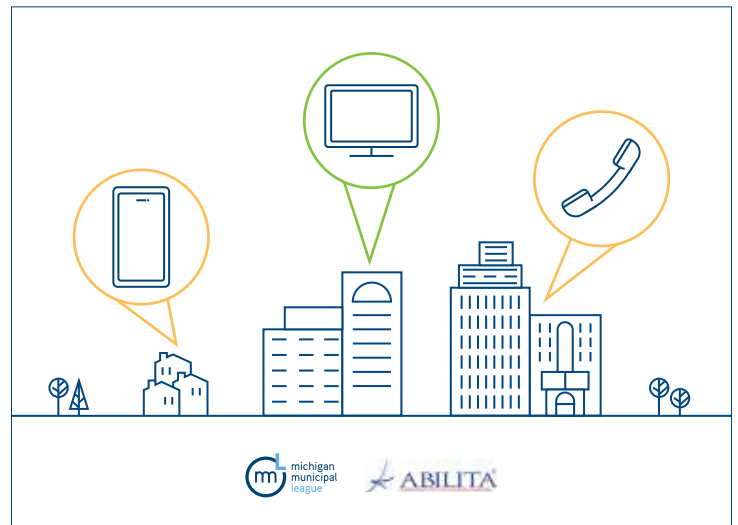
Tate (D-Detroit), and Representative Bill Huizenga (R-Zeeland). Legislators discussed the importance of local government and gave attendees some insight on the most effective way to advocate for their communities in Lansing.

“The kick-off orientation was a great educational experience and allowed me to network with fellow committee members and legislators,” said Sharlan Douglas, Royal Oak City Commissioner. “The opportunity to hear directly from League staff and legislators on how to best advocate for my community was extremely helpful.”

In addition to the experience of helping guide the League’s advocacy efforts, committee members who are enrolled in the Elected Officials Academy can earn advocacy credits for their service.

League staff is looking forward to a very productive term with each of our new committees. 

Betsy DeRose is the League’s capital office coordinator. You may contact her at 517.485.1314 or bderose@mml.org.



Unfortunately, the COVID-19 pandemic has forced many changes in the workplace: working from home, Zoom meetings, social distancing when returning. All of this while you still need to provide communication to your staff and residents. During this time, Abilita—MML’s endorsed communications technology consulting partner—may be able to help. They can advise on your remote options for voice, chat, and video collaboration with co-workers. In addition, they will find ways to reduce your telecom spending while freeing up staff time.

If you need help with short or long term transitions, reach out to Abilita to see how they can help you.

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Learning to Live with **SHIFTING** Great Lakes **SHORELINES**

By Richard K. Norton

The Great Lakes offer some 4,900 linear miles of lake shoreline in the U.S. Michigan enjoys the lion's share, covering more than 3,000 of those U.S. shoreline miles. In Michigan, 183 townships and 68 cities and villages touch Great Lakes waters (including Lake St. Clair), and more than 90 percent of them have less than 10,000 residents. In other words, Michigan has a lot of Great Lakes shoreline, and a lot of local governments, most quite small, manage the use and development of the shorelands along them. Because the Great Lakes are currently high, there is some confusion and controversy over what to do. Responding today so as to be efficient, effective, and fair in managing coastal shorelands over the long term requires understanding some key attributes of the lakes, along with the consequences of trying to manage them, and then thinking carefully through a number of options with those long-term consequences in mind.

Great Lakes Shores Are Like Ocean Shores, But Different

Expansive and deep, the Great Lakes are large enough to behave like oceans in important ways, especially in terms of the physical dynamics along their shores, and their shores are highly valued especially in terms of the desires they engender to reside and recreate close to the water's edge. Coastal shorelines also provide important ecological services and support vital industrial and tourism economies. The challenges that Great Lakes coastal communities face today are much like those that ocean coastal communities face. Unlike oceans, however, the Great Lakes are



High water caused demolition of \$2 million retail buildings on Grand Haven waterfront in 2020 due to airborne mold spores.



Riprap (large stones interlocked together to act as a barrier against erosion) in St. Joseph.



High water encroachment in Grand Haven.

unique in a way that makes managing their shorelands especially challenging. While the Great Lakes are large, they are not large enough to experience twice-daily tidal water level fluctuations. Even so, their water levels do fluctuate dramatically over time, but those fluctuations are drawn out in slow motion over the course of seasons, years, and decades. Several key implications follow. First, we know that water levels are high now, that they will drop again in the future, and that they will eventually come back up, in a perpetual, roughly regular cycle. Unfortunately, we don't know how long they will stay high, how soon they will drop, how low they will fall, and when they will come back up again.

Second, those uncertainties notwithstanding, there is a background shoreline recession rate—or gradual movement of shoreline landward because of erosion—of about one foot per year on average along most of Michigan's Great Lakes shorelines. Unfortunately, that recession occurs in a two-steps-landward-one-step-lakeward dance given the way lake levels fluctuate—making its long-term progression hard to recognize and sometimes acknowledge, especially when the lakes are low.

Third, because of the power of the lakes and their coastal dynamics, the long-term recession of shorelines is overwhelming and remorseless. There is very little we can do to engineer either lake level fluctuations or shoreline dynamics to stop long-term shoreline recession—at least not without incurring substantial ongoing costs and doing substantial environmental and economic harm. That includes armoring shorelines with riprap, revetments, seawalls, and other hardened structures in an effort to protect coastal shorelands. The best scientific evidence available today tells us that the placement of armoring structures on a Great Lakes shore—as a general rule—will result in the long-term loss of the natural beach lakeward of those structures and accelerated erosion of the beaches adjacent to them; that they will ultimately fail unless maintained; and that once they fail they will continue to degrade the shore for a long time.

In short, armoring a Great Lakes shore to protect shoreland properties only slows shoreline recession—at great and ongoing fiscal, economic, and environmental cost. It doesn't stop recession unless regularly maintained. Conversely, not armoring a shore where recession is naturally occurring means that it is really a question of when—not if—near-shore lands and structures will naturally transition from upland to lake bottomland. Therein lies the rub.

Private Rights and Public Interests


In Michigan, Great Lakes shoreland property owners generally own to the water's edge, and they have a right to reasonably use and protect their properties just like any other property owner. Because they own on a Great Lakes shore, however, their ownership interests are subject to several unique conditions given the public trust doctrine—a state legal doctrine that has applied along Michigan's Great Lakes shores since Michigan became a state. First, shoreland property owners own a 'moveable freehold,' such that the boundary separating privately owned shoreland from state-owned lake bottomland naturally shifts lakeward and landward as lake levels rise and fall and as shorelines naturally erode. Second, residents and visitors—not just property owners—enjoy the right to stroll along Great Lakes beaches lakeward of the natural, ordinary high-water mark (OHWM), which is generally the vegetation line, even on privately owned beaches. Third, the state has an obligation to protect public trust resources on Great Lakes shores generally lakeward of an elevation based OHWM standard, while respecting the property rights of shoreland owners.

It is clear under Michigan law that shoreland property owners have the right to reasonably use and protect their properties, but it is not clear (i.e., has not yet been litigated) how far they can go to protect their properties through the installation of shoreline armoring, especially when doing so will result in the loss of public trust resources and generate harm to neighboring beaches. It is also the case that, despite the importance of the state's role in protecting Great Lakes coastal resources, the reach of those protections is quite limited. Coastal communities thus have a very important role to play in planning for and managing the use of their coastal shoreland properties through zoning and other regulations, and through the provision of public infrastructure, to promote and protect public trust interests and the larger public health, safety, and welfare. They also must do so in a way that respects private property rights.

What to Do?

Unfortunately, there are no easy answers. Broadly speaking, coastal shoreland managers have essentially three options: (1) resist (i.e., armor, nourish beaches with sand); (2) accommodate (i.e., elevate homes above floodplains and coastal wave run-up areas); or (3) relocate (i.e., move built structures landward out of harm's way, or remove them altogether). Each requires some combination of regulatory and infrastructure decision-making by local government and each serves a particular goal (i.e., generally either protecting built structures or conserving natural beaches). But each also implicates real and painful costs. The burdens of undertaking any one of them can be placed to some extent on shoreland property owners, but those burdens also often fall to some extent on the larger community, particularly if the community takes on the costs of nourishing beaches, maintaining armor, or buying out shoreland property owners—or if it accepts the loss of natural beaches and other public trust resources for the sake of safeguarding private shoreland properties from the effects of natural coastal processes.

The state of Michigan's Great Lakes Coastal Management Program (MCMP) has been working to provide an array of data sources, planning methods, and other guidance materials that Michigan's coastal localities can use to work through their options and make the best decisions possible. Resources currently available can be found on websites maintained by the MCMP and by research groups at the University of Michigan (Resilient Great Lakes Coast) and Michigan Technological University (Shoreland Viewer).

Whatever coastal communities decide to do, it will be vital for local officials, residents, and recreating visitors to recognize that Great Lakes coastal shorelines are naturally, slowly, and remorselessly moving landward over time, and to fully account for and accept the full array of private and public benefits, costs, and trade-offs that will surely come in the future from the decisions made today. 

Richard K. Norton is a professor in the Urban and Regional Planning Program at the University of Michigan. You may contact him at 734.936.0197 or rknorton@umich.edu.

The League has compiled the resources on its Diversity, Equity, and Inclusion page in support of our members as we move together toward a better understanding of racial injustice in our communities, and our role in correcting it.



mml.org/dei

New Legislative Team

Local government leaders join the lineup

By League Staff

Through the years, the seats of the Michigan House and Senate have been filled with legislators from a wide variety of backgrounds. Doctors, lawyers, business owners, and more have brought their expertise and passion to their legislative role in Lansing.

Michigan Municipal League is particularly pleased when municipal leaders join the roster of state legislators. Their experience puts them in a unique position to advocate for municipalities across the state. They understand the issues that cities, villages, and urban townships face every day.

Chris Hackbarth, director of state & federal affairs for the League, on the importance of having municipal officials in Lansing, "Working with legislators who come from local government is so important to our advocacy efforts. These legislators come to Lansing with an existing understanding of the importance of local control and the challenges of balancing municipal budgets. They become instant allies in our efforts to support and promote local government."





In previous legislative sessions, the League has been fortunate to work hand-in-hand with former municipal officials on issues important to our members.

Further, Hackbarth says, "Working closely with legislators who are former municipal officials from both sides of the aisle, the League has been able to secure increases in statutory revenue sharing through a state budget chaired by two former mayors. We have received active support from these legislators defending against attacks on local control. They have moved legislation that provides additional local involvement and oversight of economic development incentives, and introduced key pieces of legislation on municipal finance reform, and important infrastructure funding tools, among numerous other examples."

Perhaps most importantly, they're familiar with municipalities' financial challenges and the negative impact

that it has on residents and the livability of their community. They've seen the sharp declines in revenue sharing and property taxes over the past decade, the main sources of revenue for Michigan communities. The pandemic has exacerbated some of these challenges, prompting the League to develop a COVID-19 Community Stabilization Plan. The goal of this plan is to work with legislators on three fronts: extend changes to the Open Meetings Act, prevent local income tax losses, and address property tax losses caused by the interaction of Proposal A and the Headlee Amendment.

This year, eight new legislators with municipal experience have joined the Michigan House of Representatives. They represent one of the largest classes of freshman legislators who have served their communities in a variety of capacities. We are looking forward to working with them to improve conditions in Michigan's cities, villages, and urban townships.

Kelly Breen

Current position: Representative (D-38th District)
Former position: Novi Councilmember
Legislative interests: Municipal finance, community stabilization, and funding education properly
Committees: Insurance; Judiciary



David Martin

Current position: Representative (R-48th District)
Former position: Davison Councilmember
Legislative interests: Protecting working-class values, advocating for men and women in uniform, and promoting skilled trades and workforce development
Committees: Workforce, Trades and Talent Committee (Republican Vice Chair); Energy; Commerce and Tourism; Military, Veterans and Homeland Security



Amos O'Neal

Current position: Representative (D-95th District)
Former position: Saginaw Councilmember
Legislative interests: Education, public health care access, skilled trades, seniors, and infrastructure
Committees: Joint Capital Outlay (Democratic Vice Chair) General Government; School Aid & Department of Education; Appropriations; Workforce, Trades & Talent



Samantha Steckloff

Current position: Representative (D-37th District)
Former position: Farmington Hills Councilmember
Legislative interests: Women's reproductive rights, LGBTQ issues, public education, infrastructure, environment and sustainability efforts
Committees: Appropriations Subcommittee on Transportation (Democratic Vice Chair); Joint Capital Outlay; Licensing and Regulatory Affairs; Insurance and Financial Services Appropriations Subcommittees



Richard Steenland

Current position: Representative (D-22nd District)
Former position: Roseville Clerk and Councilmember
Legislative interests: Economic growth that creates good paying jobs, investing in public education from preschool to higher education, and keeping our communities safe by restoring revenue sharing, funding police and fire, and fixing our roads and water infrastructure
Committees: Insurance; Military, Veterans, and Homeland Security; Regulatory Reform



Mark Tisdell

Current position: Representative (R-45th District)
Former position: Rochester Hills Councilmember
Legislative interests: Tax transparency (making citizens aware of where their tax dollars are being spent), government transparency (open records, FOIA, etc.), public health (specifically preventative health care)
Committees: Tax Policy (Republican Vice Chair); Health Policy; Insurance; Families, Children and Seniors



Regina Weiss

Current position: Representative (D-27th District)

Former position: Oak Park Councilmember

Legislative interests: Education and increasing funding for local units of government

Committees: School Aid & Department of Education (Democratic Vice Chair); Environment, Great Lakes & Energy; Licensing & Regulatory Affairs/Insurance & Financial Services; Appropriations



Stephanie Young


Current position: Representative (D-8th District)

Former position: Manager within the Detroit Mayor's Department of Neighborhoods

Legislative interests: Improved educational outcomes, current text books with Black history integrated throughout; increased funding for disadvantaged school districts, jobs and training—increasing the skilled trades labor force and green jobs talent base, criminal justice reform—retraining public safety officers, decriminalizing mental illness, ending human trafficking

Committees: Financial Services; Oversight



These League members stepped up and are taking their local government experience to the Capital. We are looking forward to working with them to improve conditions in Michigan's cities, villages, and urban townships. 

Please send legislative questions to League Director of State & Federal Affairs Chris Hackbarth. He can be reached at 517.908.0304 or chackbarth@mml.org.



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2020 MICHIGAN MUNICIPAL LEAGUE

Award Winners

Each year at our Capital Conference Awards Gala, the Michigan Municipal League honors our award recipients. Due to COVID-19, the 2020 Capital Conference was canceled. We celebrated our winners in a new way, through videos and podcasts, and we'd like to further recognize them here. Congratulations to all our award winners!

Videos bit.ly/mmlyoutube **Podcasts** mmleague.podbean.com



Elected to the Michigan House of Representatives in 2014

- Minority Vice Chair of Government Committee

Elected to the Michigan Senate in 2019

- Co-Chair of the Legislative Municipal Caucus
- Member of Local Government Committee
- Member of Economic Development Committee



Elected to Michigan House of Representatives in March 2016

- Chairman of Committee on Natural Resources and Outdoor Recreation
- Member of Judiciary, Local Government and Municipal Finance, and Transportation and Infrastructure Committees



Retired Utica Mayor

- First female and longest serving mayor in Utica's history
- Known as the "architect of Utica's rebirth," she helped build a section of the Iron Belle Trail and Jimmy John's Field
- Taught in public junior and senior high schools for more than two decades
- Business owner with her late husband, Jerry, Utica's long-time assistant fire chief



2020
Gala
Michigan Municipal League

MICHAEL A. GUIDO LEADERSHIP &
PUBLIC SERVICE AWARD RECIPIENT
BOBBY J. HOPEWELL



Former Kalamazoo Mayor

- Elected to the Kalamazoo City Commission in 2003
- Elected mayor of Kalamazoo in 2007
- Longest serving mayor in the history of Kalamazoo
- Co-Founder of the Kalamazoo Foundation for Excellence



2020
Gala
Michigan Municipal League

JIM SINCLAIR EXCEPTIONAL
SERVICE AWARD RECIPIENT
MAYOR DEB DOYLE



Former Durand Mayor

- Elected Michigan Municipal League President in 2007
- Awarded the League's Honorary Life Membership in 2012
- First graduate of Level 4 of the League's Elected Official's Academy program
- Established the Tim Doyle Scholarship in loving memory of her husband and fellow councilmember, Tim Doyle



2020
Gala
Michigan Municipal League

COMMUNITY BUILDER
AWARD RECIPIENT
DR. SHERYL L.
MITCHELL THERIOT



Lathrup Village City Administrator

- Active supporter of the League's 16/50 Project
- President of the Women Officials Network Foundation
- The City of Albion honors her annually by presenting the Dr. Sheryl L. Mitchell Servant Leadership Award
- Received her Doctorate in Business Administration from Lawrence Technological University



2020
Gala
Michigan Municipal League

ELECTED OFFICIALS ACADEMY
LEVEL 4: AMBASSADOR AWARD
MONICA GALLOWAY



Flint City Councilmember

- Served on Flint City Council since 2013
- First African American and female city councilmember for Flint's 7th Ward
- Served as Flint City Council President



Election Superstars

Michigan Clerks Play a Valuable Role in Safeguarding Our Democracy

By Kim Cekola

Due to the pandemic, I requested a mail-in ballot this year. A week or so before the November 3, 2020 election, I filled out my ballot and went on my city's website to find the nearest drop box. Maybe I shouldn't have read that article about people possibly bringing guns and "voluntarily" standing guard by drop boxes, because I was nervous. But mine was deserted in the middle of a parking lot, so I dropped in my ballot.

I had every confidence that it would make it to the clerk and ballot counters. Why? Because I believe that the volunteers who staff my polling place, who I have seen regularly for over 15 years, would throw themselves in front of a moving train before they would let anything interfere with the proper administration of an election.

“The trained team of staff and election inspectors, with up-to-date technology, were on the job and up to the task to ensure that one of our greatest democratic institutions—public voting—was accomplished both efficiently and effectively.”

– K.P. Mahoney, Montague City Clerk

Of the eight states that administer elections at the local level, Michigan is the largest in terms of its population and geography. Michigan's elections are administered by 1,604 county and local election officials (83 county/280 city/1,241 township clerks), making it the most decentralized system in the nation, as detailed in the Election Officials' Manual, Bureau of Elections, Michigan Secretary of State's Office (SOS). According to the SOS, the constitutional amendment passed by Michigan voters in November 2018 no longer requires voters to be absent to cast an "absent voter" ballot. Michigan uses paper ballots, which is the most secure way to conduct elections, as they can be audited and recounted.

Training Election Workers

Election workers are required to take a 2-hour election inspector training class and, if they will be operating the electronic pollbook on election day, an additional 2-2.5-hour training class. In addition, the chair and co-chair attend another 1-hour training at the city/township hall.

“The time and energy that is put into preparing and running an election is not a one-day event,” said Sarah Bydalek, Walker City Clerk. “Each election takes 2-3 months of preparation with all the statutory requirements that must be completed by a specific time prior to each election.”

Sault Ste. Marie City Clerk Robin Troyer agrees that the public is generally unaware of the amount of preparation involved in administering an election. “The biggest challenge with the 2020 election cycle was the number of election process changes and the lack of communication regarding these changes. For example, the mass absentee voting application mailing by the state without communication to the local clerks caused a significant increase in absent voters, which required us to quickly change processes on our end to adjust to the increased demand in the midst of an election while navigating a pandemic.”

Montague City Clerk K.P. Mahoney convened a team of volunteers to process and mail AV applications to voters, rather than having them sent by the SOS. She heavily marketed the mail-in and early voting, to minimize exposure to COVID-19.

“The lion’s share of votes were cast prior to election day in our small jurisdiction,” said Mahoney. “We had an actual Absentee Voter Counting Board (AVCB) with its own tabulator that we purchased through the federal CARES Act grant to the SOS. It by far was the safer(est) and most efficient way to conduct our election.”

Counting Every Vote

Bydalek explained that there are many steps to receiving in an absentee ballot and having that ballot count on election day. The ballot envelope must be scanned into the Qualified Voter File (QVF) as “received in,” once the signature has been verified, date and time stamped, then sorted by precinct before being given to an opening team consisting of both Republicans and Democrats. The ballot is then scanned, followed by a stop at the adjudication team before being fully processed. After 8 p.m. on election night, once all ballots have been scanned and the ballot count matches the clerk’s report, the AVCB can then close and seal their precinct results to be submitted to the county.

“Election night results will never be a quick and simple process because voters are able to hand in absentee ballots until 8 p.m.,” said Bydalek. “Walker received around 25-30 absentee ballots in the fifteen minutes prior to 8:01 p.m.”

Troyer and her team also worked long hours. “On November 3, our AVCB worked from 7 a.m. until 1 a.m. to process 3,343 AV ballots,” she said. “The bottleneck is the tabulator itself—feeding each ballot is a very slow process.”

Challenges at Polling Place

On election day, Delta Charter Township had to call law enforcement to two precincts—one due to voter intimidation complaints, and one due to illegal campaign clothing, according to Clerk Mary R. Clark. “This election season was a wild ride,” said Clark. “We started right after Labor Day for November. We had plexiglass installed between workstations and between our counter and our voters. We registered 84 voters on election day and had to deal with a few rude, demanding people; but for the most part, people were patient and understanding.”

K. P. Mahoney, Montague’s city clerk, takes great pride in her election team. “The trained team of staff and election inspectors, with up-to-date technology, were on the job and up to the task to ensure that one of our greatest democratic institutions—public voting—was accomplished both efficiently and effectively,” she said.



Sarah Bydalek, Walker City Clerk; Mary R. Clark, Delta Charter Township Clerk; K.P. Mahoney, Montague City Clerk; Robin Troyer, Sault Ste. Marie Assistant Manager/City Clerk



City of Montague AV ballot box.




Walker City Clerk's Office, l to r, Liz Greer, Deb Goudy; Jessica Marion, Deputy City Clerk, Sarah Bydalek, Walker City Clerk; Jill Cook



Montague City Clerk K.P. Mahoney

“The people have spoken. It was a safe, fair, and secure election—it was the kind of election our founding fathers envisioned when they built this country.”

– Governor Gretchen Whitmer

To anyone who might be skeptical of elections, Clark has this to say, “If people doubt elections, work one or more and you will learn to appreciate all the work that elections entail. Take advantage of the Public Test Day when election tabulators are publicly tested and sealed. Be an engaged, educated voter.” 

Kim Cekola is a research specialist/editor for the Michigan Municipal League. You may contact her at 734.669.6321 or kcekola@mml.org.

A Job Well Done

To share its appreciation, the Montague City Council unanimously passed a resolution recognizing the superb work by its staff and election inspectors that ensured the security and validity of our election. Likewise, the Muskegon County Commission unanimously passed a proclamation to salute all election workers for a job well done.

Governor Whitmer also expressed her thanks in a press release, “This was a truly historic election. During the worst public health crisis we have seen in our lifetime... A record-breaking 5.5 million Michiganders cast their ballots for President, U.S. Senate, Congress, and state and local races... The people have spoken. It was a safe, fair, and secure election—it was the kind of election our founding fathers envisioned when they built this country.”

Contributors

Sarah Bydalek, Walker City Clerk; Michigan Professional Municipal Clerk (MiPMC), Master Municipal Clerk (MMC); clerk for 13 years; past president, Michigan Association of Municipal Clerks (MAMC)

Mary R. Clark, Delta Charter Township Clerk; MiPMC, clerk for nine years; 1st vice president, MAMC; president, Capitol Area Municipal Clerks Association; co-chair, Michigan Council of Election Officials

K.P. Mahoney, Montague City Clerk, Ph.D. (ABD), MPA; clerk for one year; member, MAMC

Robin Troyer, Sault Sainte Marie Assistant City Manager/ Clerk, MiPMC, MMC; clerk for 13 years; member MAMC



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DEI Sample Member Policies



On the Michigan Municipal League Diversity, Equity & Inclusion site, we have assembled a variety of sample member policies that address discrimination, police misconduct, or racial inequity—please share your own policies as examples for others to draw on. They range from community-wide communications, like the example shown on this page, to community benefits ordinances and racism as a public health crisis.



To learn more, visit mml.org/dei.



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Photo Credit: Bridge Builders microgrant recipient, Rebuilding the Underground Railroad Garden in Ypsilanti, MI.

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Denial of Franchise to Conduct Business in Municipality's Right of Way Not Subject to Standard of Reasonableness

FACTS:

In 1988, the Village of L'Anse (Village) issued a nonexclusive franchise to the Upper Peninsula Power Company (UPPCO), a utility company providing electric power to customers in the Upper Peninsula. The expiration date for the franchise was July 26, 2018. Under the franchise, service was restricted to those "who were unable to obtain electric service from the municipally owned utility."

In 1994, the Village annexed an industrial park located in the Township of L'Anse (Township). Prior to the annexation, UPPCO was providing electric power to customers in the Village under the 1988 franchise and, separately, to customers in the industrial park.

In 2016, the Village inquired whether UPPCO would permit it to provide electric service to customers in the industrial park (now annexed to the Village). UPPCO responded that it did not intend to give up its industrial park customers. In 2017, the Village notified UPPCO that it did not intend to renew the franchise in 2018 since it was "in a position to provide service to all customers located in the Village through its own electric distribution system." Throughout this period of time, the Village actively pursued customers in the industrial park to sign up for electrical service with the Village.

In May 2018, UPPCO submitted a franchise renewal to the Village. In response, the Village struck the provision which would have allowed UPPCO to provide service to any customer in the Village. The franchise expired on July 26, 2018.

UPPCO sued, alleging in part that the Village could not deny a franchise to UPPCO and that the Village's decision not to renew was "unreasonable." The trial court rejected both arguments, indicating 1) that a franchise is a contract which expires on its own terms with no continuing duty to enter into a new contract and 2) that the Village's decision was not reviewable on the basis of whether it was reasonable or not.

QUESTION:

Is a municipality's decision not to renew a franchise under Const 1963, art 7, § 29 subject to judicial review for whether it was reasonable?

ANSWER:

The Michigan Court of Appeals answered: No.

The Court, noting that the proper interpretation of a constitutional provision requires identification of the original meaning intended by the Legislature, applied the rule of common understanding, i.e., what was the most obvious common understanding of the provision at the time of ratification?

The parties agreed that the second clause of § 29 (highlighted above) which is commonly referred to as the "franchise power" is the operative provision to be applied to the facts of the case. The first clause is commonly referred to as the "consent clause" and the third, the "control clause."

UPPCO argued that the Village's decision not to renew UPPCO's franchise should be reviewable for "reasonableness," in the same manner that the Michigan Supreme Court has imposed the standard of "reasonableness" on the first or "consent clause." The Court of Appeals disagreed, stating that "[a] utility's use of a portion of local government's public rights of way [first clause of § 29] is functionally different from the utility conducting business within the locale [second clause of § 29]." The Court further stated: "The question here is whether such decisions are subject to review for reasonableness, and we have concluded they are not."

The Court also cited an early Michigan Supreme Court decision with respect to whether the actions of the Village should be judged on a reasonableness standard. "The contractual relations between these parties ended upon the expiration of the franchises, and all rights in the defendant company to occupy the city streets, and maintain and operate a street railway thereon, then terminated, and defendant thereafter became a trespasser."

Upper Peninsula Power Company v Village of L'Anse,
No. 349833 (Nov. 12, 2020)

Andrew J. Mulder and Vincent L. Duckworth (Cunningham Dalman PC) prepared and submitted the amicus brief on behalf of the Michigan Municipal League Legal Defense Fund.

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.

Local Government Survey Shows Challenging Economic Outlook

By Rick Haglund

A recent University of Michigan survey of local government officials shows that most cities, villages, townships, and counties navigated the roiling fiscal waters created by the COVID-19 pandemic fairly well. But they fear a threatening storm could sink them if last year's economic recession deepens and they don't get adequate financial support this year for services from the federal government.

The annual survey by U-M's Center for Local, State and Urban Policy (CLOSUP) found 64 percent of local government leaders reported low levels of fiscal stress last spring. But while stress levels were relatively low, just 15 percent of local officials said they were better able to meet fiscal needs than they were in 2019. Another 34 percent said they were less able to meet expenses in 2020 than in 2021. CLOSUP's findings were based on responses from 1,342 local officials, including 216 cities, 163 villages and 904 townships. The survey, taken between March 31 and June 1, was released in mid-December. That's later than usual because CLOSUP was involved in preparing a variety of reports last year, including administration of the presidential election, the COVID pandemic, and the Census.

Large and Travel-Related Communities Hit Hard

One troubling indicator from the survey was that declining fiscal health last year was a bigger problem in larger communities, where most of the state's residents live. In 2019, 31 percent of communities with more than 30,000 residents reported fiscal health was improving, the highest percentage among all jurisdictions. But last year, 38 percent of large communities said fiscal health was declining, also the highest among all jurisdictions. "The biggest communities were getting slammed more than the smallest communities," said Tom Ivacko, CLOSUP's executive director. "That's not surprising. There is much more fiscal volatility in bigger cities."

Many communities received money from the \$2 trillion CARES Act to help offset COVID-related expenses they incurred last year, including first-responder hazard pay, public health and public safety payrolls, and other pandemic-related expenses. And state tax revenues, part of which are returned to local governments in revenue-sharing payments, held up better than expected. Still, 30 percent of local communities reported receiving less money in overall state aid last year than in 2019.

Usually Michigan, with its manufacturing-based economy, is among the hardest hit states in a recession as spending on big ticket items like homes, cars, and major appliances plummets. But in the COVID-driven recession, states dependent on services such as travel and entertainment saw the biggest declines. Many people who could continue working from home kept up spending on cars, real estate, and home remodeling. And, paradoxically, high unemployment among front-line workers in restaurants, retail stores, and other businesses shut during the pandemic resulted in record state income tax withholding revenue from unemployment benefits.

Long-Term Economic Impacts

But the CLOSUP survey, which has been conducted annually since 2009, the last year of the Great Recession, reveals a longer-term concern about local government finances. The percentage of communities saying they were better able to meet fiscal need than in the previous year peaked in 2015 at 38 percent. And the 34 percent of communities reporting they were less able to meet expenses in 2020 than in the previous year, was the highest percentage reported since the early days of the Great Recession.

“What we have learned is that our system of municipal finance is fundamentally broken,” Ivacko said. “The gradual recovery in local government financial health plateaued in 2015, while Michigan’s economy continued to grow for many more years. What we should have seen was that local government’s recovery was continuing, but we took a step back in 2016. And there was a sharp decline in 2020.

CLOSUP


Center for Local, State, and Urban Policy

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“We missed our opportunity to fix Michigan’s (municipal finance system) when we would have been financially able to do it,” he said. “I feel like we’ve missed that opportunity for a long time.” Ivacko and other experts cite the long-term real decline in revenue sharing, revenue limitations by the Headlee Amendment and the Proposal A school finance law, and legal restrictions on the ability of local governments to diversify their funding base. Ivacko said Michigan is “one of the most restrictive states” in that regard.

Local governments are likely to be financially pinched over the next several years, according to state economic forecasts. While state tax revenues have been coming in higher than anticipated, the state’s general fund is still expected to finish the current fiscal year 4.9% lower than a year ago, according to a January consensus revenue estimate. “The outlook remains very difficult” for this year, U-M economist Gabe Ehrlich said. General fund revenue is expected to rise 5.1% in fiscal 2022 to \$10.2 billion, but that’s still nearly \$1 billion less than the state collected in fiscal 2019.

State and local aid was left out of the \$900 billion economic stimulus package Congress passed in December. But at the time of this writing, President Joe Biden had proposed a \$1.9 trillion economic rescue plan that included \$350 billion for state and local governments. “It’s a challenging time to forecast what is going to happen,” Ivacko said. “A lot depends on what happens at the federal level. The absolute key question is whether there will be more financial aid.”

The full CLOSUP report can be found at <http://closup.umich.edu/>. 

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



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Michigan communities have a 22-person planning department.

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R. Brent Savidant, planning director, City of Troy



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Advancing Community Health with a Regional Approach

By Liz Foley

TRAVERSE CITY
pop. 14,674



Groundwork's Christina Barkel packs locally grown asparagus at a Traverse City food pantry.

For more than 25 years, a Traverse City-based nonprofit has worked hard to forge a roadmap to the future for northwest Michigan. Even if you've never heard of them, the Groundwork Center for Resilient Communities is the region's main flag bearer and foot soldier for sustainable solutions to improve community health in nearly every vital arena.

"Right now, our work focuses mostly on food, transportation, town growth, and energy because these are key components in building a more resilient community," said Deputy Director Jim Bruckbauer. "Our focus areas impact everyone."

It all began back in the mid-1990s when the former Michigan Land Use Institute joined with local partners in the Grand Vision, a massive public planning process among six counties in the Grand Traverse region: Antrim, Benzie, Grand Traverse, Leelanau, Kalkaska, and Wexford. The unique collaboration advocated for a regional growth strategy that addressed everything from wind power in Benzie to the pros and cons of a new village center for Acme Township.

In 2015, the Institute became the Groundwork Center for Resilient Communities under the founding principle that environmental protection and economic growth need not be mutually exclusive goals. Since then, Groundwork has helped put local food in our schools and markets, pushed for better public and non-motorized transportation, promoted clean energy initiatives, and advocated for protections of our Great Lakes waters—the single greatest resource we have.

Gathering All Voices

"We have learned that, in order to move forward big ideas within these areas, it's crucial to have a broad range of partners," said Bruckbauer. "Our projects are successful where there's participation and involvement from everyday citizens, advocates, decision-makers, business leaders and the groups in-between."

Among those partners is Networks Northwest, a 10-county regional planning agency that helps businesses address workforce needs, plan for growth, and reach new markets. Groundwork also gathered environmentally conscious business owners into the Great Lakes Business Network, a unified voice for environmental stewardship in state policy.

"Groundwork in many ways has been Traverse City's conscience for the past 25 years," said Traverse City Planning Director Russ Soyring. "Unashamed and a bit provocative, Groundwork continues to remind us of what is important."

"To protect the environment and rural lands, we need thriving cities. To protect our farms, we need to buy their fresh local food. To be resilient, we need to invest in clean, renewable energy sources. When we invest in streets, we need designs that will encourage all forms of transportation."

Multi-Faceted Approach

Groundwork's holistic hands-on activism has many names. A2TC is working to re-establish passenger rail service between Ann Arbor and Traverse City. The pandemic derailed a 2020

plan to test-run “excursion” trains. Still, major progress has been made in track repair to upgrade the entire route from freight to passenger rail service. Bruckbauer remains optimistic.

“The pandemic is a great opportunity to rethink how we travel, and we know people are looking for space, which trains can provide,” he said. “The state is repairing tracks in the Traverse City area and we’re hoping that we’ll be able to start testing the idea in the next couple of years.”

TC Mobility Lab seeks to reduce vehicle traffic in the city with alternatives like commuter shuttles and share programs for bicycles and e-scooters.

“Currently, they are working with city staff on an ordinance to support alternative transportation options,” said City Manager Martin Colburn. City planners are now in talks with e-scooter rental service Bird for a possible pilot project in spring 2021.

It’s only one of Groundwork’s many roles with the city, said Colburn. “One of the most valued is they have a seat on the city’s Green Team,” he said. “They provide valued input regarding green energy, local food sources, and related opportunities for partnerships.”

Food and farming programs include 10 Cents a Meal, providing matching grants to local school districts to increase the amount of Michigan-grown produce on kids’ lunch trays. Farm to School educates students on the value of local foods to health, environment, and economy. The Farms, Food & Health Conference brings together food and health care professionals. A new local food relief fund launched in 2020 connects the region’s farmers with food pantries and other emergency relief providers.

The Michigan Climate Action Network brings together more than 50 organizations and thousands of citizens to promote clean energy initiatives such as SolaRISE, an online platform to help nonprofits fundraise for clean energy systems. So far, SolaRISE has helped two elementary schools purchase solar arrays. With Groundwork’s support, Traverse City also became the first city in Michigan to commit to 100 percent clean energy for its electrical supply by 2040.

Groundwork also joined a vast statewide coalition of organizations and citizens in Shut Down Line 5, fighting to keep oil out of the Great Lakes.

If northwest Michigan’s future looks bright, Groundwork is helping to light the way. Every community can launch similar regional alliances, said Bruckbauer. All it takes is common cause.

“I would suggest finding an issue that unites neighbors, businesses, and public officials—like improving transportation and mobility—and then build a coalition around the idea with clear outcomes and goals.” 

Liz Foley is a freelance writer. You may contact her at 810.287.8549 or lizfoley2@gmail.com.



Groundwork and partners lead a bike tour through downtown Traverse City.



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The Return of the Historic Tax Credit

It's back, baby! Let's take this renewed Michigan Historic Tax Credit out for a ride!

By Melissa Milton-Pung

On December 30, 2020, Governor Whitmer signed Senate Bill 54, reinstating the Michigan Historic Preservation Tax Credit with Public Act 343 of 2020.

Good policy, in most instances, takes a long time to craft. Done well, it puts into place the tools necessary to make wonderful things happen. This is the case with the Michigan Historic Rehabilitation Tax Credit, known as the HTC.

I've always loved historic buildings but loving something without a way to pay for it doesn't do anyone a damn bit of good. Historic Tax Credits get things done, especially when money is hard to come by.

Okay, so I'm a bit biased. Years ago, I wrote my Master's thesis on this topic, studying how financial incentives operate in many states across the U.S. and in different market conditions. I later joined the Michigan Historic Preservation Network's (MHPN) Public Policy Committee in advocating to enhance Michigan's HTC. We worked closely with the Michigan State Historic Preservation Office to understand how the credit worked here, successfully argued to stack it with the Federal HTC, and won out on syndication to get projects that precious working capital up front.

During the gut punch of the Great Recession, the Michigan HTC enabled dozens of projects like the Book Cadillac Hotel in Detroit, the City of Mt. Pleasant Offices in the former Borden Creamery building, and even the rehabilitation of the Miller Mutual Building for the Christman Company (which also houses the League's own Lansing office), to occur amid the dead zone of financial collapse.


The League's Lansing Office, in the LEED Triple-Platinum Award-winning Christman Building at 208 N. Capitol.





City of Mt. Pleasant Offices in the Historic Borden Creamery Building at 320 W. Broadway.

In using the Michigan HTC, building owners and project developers go from being unable to get the right loans and investments to pay for a building rehab to suddenly bridging the gap in project financing and actually being able to make projects happen in Michigan communities. Using the Michigan HTC, for every \$1 spent on rehab, \$9.58 goes to direct economic impact in the local economy. It means that projects can hire Michigan architects, attorneys, designers, skilled trades, laborers, and engineers to turn around vacant or underutilized buildings and prepare them to be occupied by Michigan households and businesses. It means that those Michigan professionals who live in our communities have work, and that they will in turn spend some of those dollars here in our local economies. And our Michigan communities? They get improved historic resources which will remain as durable assets that can be flexed to meet market demands, serving as a source of local pride and increased tax revenue.

MHPN has advocated tirelessly for the return of the Michigan HTC, and the League has vocally supported its return to use. We're now seeing this program reconstituted—more to come. Let's hope that this recession is neither Great nor long. We need to see this amazing economic development tool in action, funding a revival of Michigan's historic city and village centers, rural areas, and neighborhoods. 

Melissa Milton-Pung is a policy research labs program manager for the League. You may contact her at 734.669.6328 or mmiltonpung@mml.org

Michigan Municipal League's Community Excellence Awards, 2010—Region 4 Winner

City of Mt. Pleasant, Borden Creamery Restoration

The Creamery restoration was a monumental undertaking of 40 years of trying and 17 attempts to pull it off. Using a photograph taken around 1910 as a guide, rehabilitation began brick-by-brick. The entire process was overseen by the Michigan State Historic Preservation Office and the local Historic District Commission. The project created a rallying point in the community and increased civic pride during tough times. Although the exterior is straight from a history book, the interior of the building was rehabilitated into a state-of-the-art office space. City Hall was moved to the new building, with commission chambers located in the factory's former boiler room.



Photos courtesy of the City of Mt. Pleasant.

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ANSWER: D

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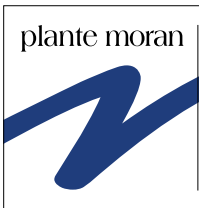


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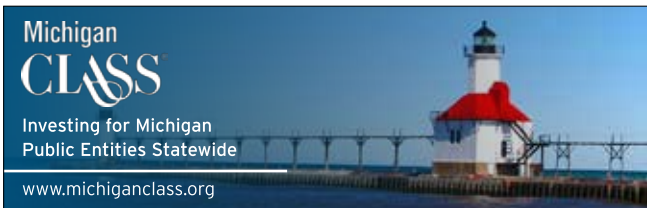
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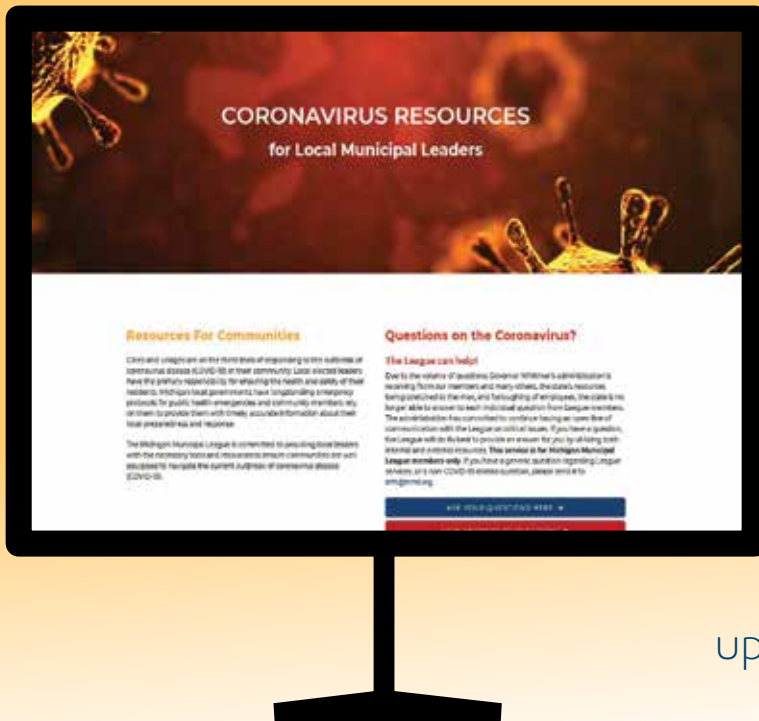


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Virtual Meetings?

Q. Will our commission be allowed to continue with virtual meetings once the special rules dealing with the COVID-19 emergency have expired?

A. PA 254 of 2020 amended the Open Meetings Act to allow communities to continue meeting virtually through March 31, 2021. In addition, the Act sets requirements for an in-person meeting held before April 1, 2021, including adherence to social distancing and mitigation measures recommended by the Centers for Disease Control and Prevention for purposes of preventing the spread of COVID-19 and adopting heightened standards of facility cleaning.

This Act also provides for a future virtual meeting by a public body if a state of emergency or state of disaster is declared by a local official, governing body, or chief administrative officer pursuant to a state law or local charter or ordinance.

Technology Problems in Virtual Meeting?

Q. If I was not present during a virtual council meeting due to technology difficulties, does my vote count as a “yes” vote or a “no” vote?

A. The vote will be counted the same as if you were not in the room for the vote during an in-person meeting. Under Robert’s Rules of Order, the vote would not count as either a “yes” or “no” vote, but rather the minutes will show you were absent for that vote.

Employment Posters?

Q. We just had a call from an organization saying the personnel posters in our offices are all out of date and need to be replaced. According to them, it will cost nearly \$300. Does the League provide these posters?

A. The League does not provide employment posters. However, both the State of Michigan and the U.S. Department of Labor provide posters in various languages. MIOSHA provides the information for the State of Michigan at https://www.michigan.gov/leo/0,5863,7-336-94422_11407_30453---,00.html. Answers to questions regarding federal requirements can be found on the Federal Department of Labor website at <https://www.dol.gov/general/topics/posters>, as well as links to printable posters.

Filling Council Vacancy?

Q. We have a vacancy on village council. How do we go about filling this vacancy? Do we need to advertise the position?

A. Charters in home rule cities and home rule villages will provide for filling the vacancy in an elective office. However, often these charters, as well as the General Law Village Act, provide only that a vacancy will be filled by appointment, but do not outline a process. The Fourth Class City Act has an unusual provision—it allows for the council to appoint a replacement within 20 days of the vacancy or call a special election—whichever it deems to be in the best interest of the city.

Often, council rules or policies outline a specific procedure, including whether or not the position needs to be advertised. Nothing in state law requires the position to be advertised.


Selling Municipal Real Estate?

Q. Is there a resource that outlines the process for a municipality to sell real estate it owns? Does it have to go out to bid or can it be listed through a real estate agency?

A. This is a discussion you need to have with your municipal attorney. A number of municipalities have requirements in their charter or ordinances outlining the process for the sale of public property—either real property or equipment—requiring the property be advertised and bids solicited before the property is sold. Some cities require a vote of the people before selling real estate, and the General Law Village Act requires a vote of the people before selling any property designated as park land. There is nothing in state law requiring either advertisement or bid solicitation before the sale of property owned by a local government.

Employment Interview Questions?

Q. Is there a place we can find a list of questions we can—and cannot—ask during the interview process to hire an employee?

A. Asking questions about protected classifications under federal law should be avoided. These include race, color, national origin, religion or creed, gender (including pregnancy, sexual orientation, and gender identity), physical or mental disability, veteran status, genetic information, and citizenship status. Questions for the candidates should center on their past experience and their interest in the position. Involving the municipal attorney in the hiring process is also a good idea and may avoid potential problems. 

The League’s Information Service provides member officials with answers to questions on a vast array of municipal topics. Call 800.653.2483 or email info@mml.org.

Michigan Association of Mayors

Membership Offers Great Benefits

By Pauline Repp



Port Huron Mayor Pauline Repp, president of the Michigan Association of Mayors

As we embark upon the New Year and reflect on the year 2020, I believe it is time to re-group and assess those things that have value in our life—both professionally and personally. While I can't pretend to know what is best in everyone's personal life, other than to take the necessary precautions to stay healthy and COVID-free, I can encourage your membership and participation in the Michigan Association of Mayors (MAM).

Normally at the first of the year, MAM sends out a notice to the mayors/presidents/supervisors of Michigan cities, villages, and townships to either renew their membership in MAM or to consider joining or rejoining MAM so that their community can reap the benefits of belonging to an association that encourages the involvement and education of their chief elected official. Due to COVID-19 and its limitations, the notice this year was sent by email, and you should have already received it.

Membership gives you the opportunity to network with others in similar positions and circumstances, which I consider one of the premier benefits. Beyond the recognition (membership certificate, lapel pin, decal, etc.), MAM membership offers the following:

- Legislative Breakfast—Held during Michigan Municipal League's (MML) CapCon, providing an opportunity to talk to your legislative representatives.
- MAM Summer Workshop—This year it will be held in Sault Ste. Marie, Aug. 11-13 (assuming conditions allow).
- Participation in MAM Listserv—An online forum that encourages communication between colleagues. Some of the topics addressed in 2020 were affordable housing, declarations of racism as a public health crisis, virtual meetings, and political protests.



To view the presentations from the 2020 virtual MAM Summer Workshop, visit <http://michiganmayors.org/events.html>

- Community Exchange Day—While this has not been a community priority over the past few years, I still believe that this is a great opportunity to share successes (and even failures) with similar communities. It is an opportunity to learn and share. Many times, there are programs and projects occurring in other communities that can be implemented in your own community. By gleaning information from others, you don't have to "recreate the wheel."

2020 MAM Activities


Even though we were unable to meet in person during 2020, the Summer Workshop was held virtually, and we had good participation. As an example of the types and quality of presenters, we had Daniel Leonard, EDFP, senior community development CAT/RST team specialist, Michigan Economic Development Corporation (MEDC), who gave a presentation entitled "What Developers Want." Another speaker was Dave Lorenz, vice president, Travel Michigan, MEDC, who gave a presentation entitled "Marketing Your Community." Both were well received and there was much interaction with the virtual audience. Other topics brought up were homelessness, recreational marijuana, political protests and, of course, the Coronavirus.

Representing the City of Port Huron as its mayor and as president of MAM, I was part of a group of Michigan mayors who participated in the League's Community Stabilization Plan press conference held in November 2020. The plan was a necessary three-pronged approach to address the dire situation communities across the state face because of the COVID-19 pandemic. It addressed three areas of concern: 1) Amending the Open Meetings Act to extend the deadline allowing for virtual meetings of public meetings (this has been

accomplished); 2) Resolving the Local Income Tax Issue, allowing those cities that collect income taxes to tax unemployment income and to tax the income of non-residents working from home who otherwise would be working in person within the jurisdiction; and 3) Remove Conflicts between Headlee and Proposal A by allowing millage rates to adjust both up and down depending on the relationship of property value growth or decline to general inflation. As evidenced, addressing these kinds of legislative changes is a priority for MAM members and advocacy efforts are ongoing.

Join Your Fellow Mayors

MAM represents not only different sized jurisdictions but different types of governmental bodies. Whether you are a city, village, or township, you can count on membership being a worthwhile investment with reasonable annual dues. As a person who has been involved with city government for over 37 years, I cannot stress enough the importance of involvement and participation with representative associations such as the MML and MAM and taking advantage of the educational opportunities that they provide.

For further information and for the form to continue your membership or to sign up for the first time, visit the MAM website at michiganmayors.org. I encourage you to reap the benefits of belonging to an association that gives you the opportunity to network and keep up to date on issues. Please send MAM inquiries to kcekola@mml.org or submit your comments at michiganmayors.org/contact.html. 

Pauline Repp is mayor of the City of Port Huron and president of the Michigan Association of Mayors. You may reach her at 810.300.9887 or reppp@porthuron.org.



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