

# The Review

The official magazine of the  michigan municipal league

January/February 2024

## Mayor Robert E. Clark

**20** Monroe Mayor Guides the League into our 125th Year as the Board of Trustees President

**10** Open Meetings Act—10 Things to Know

**14** Elected Officials Orientation

**17** Charter Revision and Amendment





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January/February 2024

Volume 97, Number 1

The official magazine of the  
 michigan municipal league

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### On The Cover

Robert E. Clark is serving his eighth consecutive term as mayor of Monroe. Three role models influenced his life: his mother; his professor at William Penn College, Gerald Simmons; and the late, former Monroe Mayor Mark Worrell.



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Information is also available at: <https://mml.org/programs-services/marketingkit/>

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# Local Government Basics for 125 Years

## Executive Director's Message

Say you're having an issue with a barking dog in your neighborhood. Or maybe your tap water smells funny. Or nobody's picked up the garbage in weeks. What do you think your chances are for scheduling a face-to-face with the POTUS to discuss it?

More to the point: why would anyone even consider doing that, since that's probably the government official least likely to know anything about it or have any ability to fix it.

Sure, federal and state governments have a lot of say about our collective existence, but it is local government that is closest to us. It is the level of governance that has the most direct, daily impact on our lives, playing a crucial role in guiding and overseeing development, public safety, education, housing, sanitation, transportation. . .the list goes on and on.

That's why we annually dedicate the year's first issue of *The Review* to you, our local government officials. Whether you've been in office for decades or are newly elected for the first time, you hold a uniquely important place in the world around you.

You are the essential cogs in the wheel that quietly shape our daily lives in profound and powerful ways. You exert strategic influence on economic development through the zoning and land use policies that shape a community's growth. You are responsible for public safety through police and fire services. You play a critical role in public health and environmental protection.

You are the leaders entrusted to develop and implement innovative policies that can serve as a tried-and-tested model for the nation at large, from diversity initiatives to affordable housing programs.

You serve as both the agents of change and the guardians of stability. There can be no strong, resilient communities without you.

That's why continuing education is such a vital element in wise and effective leadership. Throughout the year, our education seminars include basic and advanced elected official training as well as myriad opportunities to stay current with ongoing legislative initiatives and changes. Check out our training calendar on [www.mml.org](http://www.mml.org) for a full listing of upcoming seminars, both in person and virtual.

Through our advocacy at both the state and federal levels, the League proactively represents your community's interests and needs. You can stay connected to all the latest issues facing Michigan's municipalities by attending CapCon24, March 12-13, held every year in Lansing. I can't emphasize enough the importance of you all being there. Go to our website for detailed information on the topics we'll cover this spring as most critical in today's political and economic landscape. These are the ideas and insights you'll want to bring home to your own municipality.

And at the heart of it all is our 20-member Board of Trustees, passionate local officials who help to guide and shape the League's internal workings and public policy strategies. This year, we welcome Monroe Mayor Robert E. Clark as the new president of the Michigan Municipal League's Board of Trustees. As a former police officer and longtime government official, Bob is a role model for wise and effective leadership.

Throughout the entire history of the Michigan Municipal League, serving you and your communities has been our primary—indeed, our only—mission. On May 23, 2024, we mark the League's 125th anniversary of doing just that. Each issue of *The Review* will call out the biggest milestones of our shared history, as well as news about the various ways we plan to celebrate throughout the year.

It's been a remarkable journey that's brought us all here to this particular time and place. Thank you for joining us on the road that lies ahead.

## Dan Gilmartin

League Executive Director and CEO  
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# Cooperation Solves Any Problem: 125 Years Strong

—By League Staff

*The history of the Michigan Municipal League is a story of municipal leaders who built a cooperative organization aimed at improving municipal government.*

## Mayors Unite for Home Rule

In January 1899, the mayor of Grand Rapids enlisted the mayor of Saginaw to unite other mayors behind the principle of home rule. Simultaneously, the Saginaw mayor was envisioning a new organization of cities and villages dedicated to good governance. Sensing that the conversation contained the nucleus of a successful dialogue, he agreed. Every mayor in Michigan was invited to a meeting in Lansing. On May 23, 1899, the group drafted a constitution—stating its purpose as “the general improvement of every branch of municipal administration”—adopted bylaws, and elected temporary officers. The League of Michigan Municipalities was officially formed.

## Shared Problem Solving

From the beginning, the League worked on shared problem solving and cooperative support. Major issues in the early decades included uniform accounting; local government organization; constitutional home rule for cities and villages; redistricting to secure better representation in Lansing; and the evolution of nonpartisan nominations and elections.



1908—Saginaw Mayor William Baum, first League president (pictured second from the right).

## Making it Formal

From 1899 to 1928 the League existed with no permanent secretariat and just enough funds to cover mailings and bulletins. Concerns about the organization’s effectiveness and survival prompted a committee to consider a complete reorganization of the League of Michigan Municipalities. At the 1925 League Convention in Muskegon, the committee recommended:

1. An increased sliding scale of membership dues based on population,
2. Appointment of an executive secretary,
3. Establishment of a League office in connection with the Bureau of Government at University of Michigan
4. Publication of a periodical for Michigan local officials, and
5. Establishment of a clearinghouse of information.

The committee’s recommendations were implemented: a membership drive was launched, the first executive director hired, a building secured, a magazine initiated, and a central information bureau established.



## Still A Grassroots Organization

As municipal problems became more complex, the League increased the scope and depth of its services. Shared problem solving and cooperation continue to drive operations, and cresting its 125th year, the League remains a grassroots organization. Municipal representatives develop policies through committees, and these are adopted by member municipalities annually. The League is directed by a board of 20 elected trustees who represent large and small municipalities in all parts of Michigan.

Today the League represents more than 500 full-service cities, villages, and urban townships. Members count on the League to educate, advocate, and inspire their work as public servants. **L**

# Through the years...



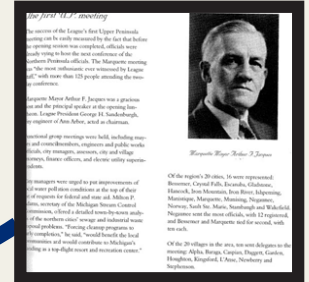
**1907**  
Annual Convention



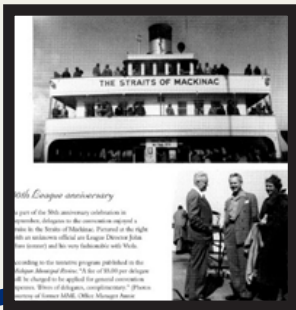
**1928**  
First Michigan Municipal Review magazine



**1935**  
League Office on University of Michigan campus



**1936**  
First UP Meet-Up



**1949**  
The League Celebrates 50 years



**1966**  
First Legislative Conference (aka CapCon)



**1974**  
League 75th Anniversary



**1998**  
Revisions to the General Law Village Act





### 2008 Policy Forums

In the late 2000s, amid shifting economic conditions, the League found a new niche area of service. Through a series of policy forums, League leadership and members engaged in dialogue about where the heart of a community resides.



### 2011 Economics of Place

The League published *The Economics of Place: The Value of Building Communities Around People*, authored by state and national leaders on urban development, talent attraction, municipal policy, and economic development.



### 2016 SaveMICity

League campaign to raise awareness about Michigan's broken municipal finance system.



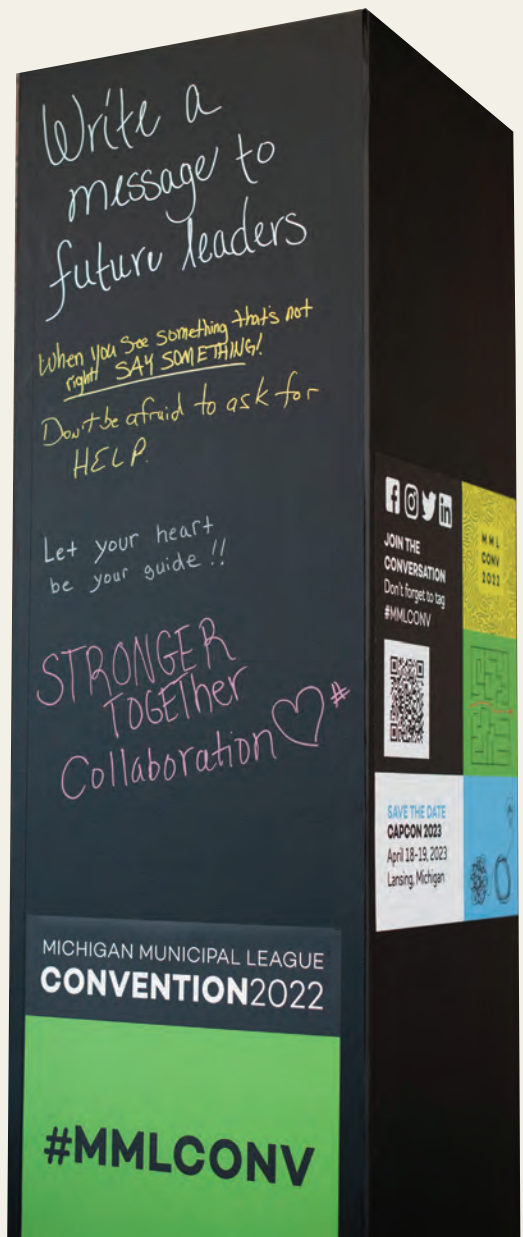
### 2020 Keep Control Local!

Members went to Lansing to support local control over gravel mining operations.

2024



125th Anniversary







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## Ten Things

Every Municipality Should Know About the

# Open Meetings Act

–By Anne Seuryck

While municipal officials in Michigan are taught that they must comply with the Open Meetings Act (OMA), the OMA's language is not always clear and its application is not always straightforward. Consequently, misperceptions exist about OMA requirements. Because of this, it is important to go back to the basics and address ten issues that every municipality should know to ensure that it does not run afoul of the OMA.





## 1. Why Have Open Meetings?

The OMA was expressly enacted by the Michigan Legislature to promote transparency. Its purpose is to provide access to governments so that the public understands decisions the public body is making and can participate in the process.

## 2. What Are Some of the General Rules of Meetings?

All meetings subject to the OMA must be open to the public, be held in a place available to the general public, and, pursuant to the Americans with Disabilities Act, provide necessary accommodations that allow disabled individuals the opportunity to participate. In addition, a municipality may not place conditions on *attendance* at a public meeting, such as requiring visitors to sign in or otherwise identify themselves by name.

## 3. Are Members of the Public Allowed to Comment at Meetings?

Everyone in attendance at a public meeting has the right to address the public body. Thus, every regular or special meeting must have at least one public comment period. While the public body cannot place conditions on the right to attend the meeting itself, the OMA does allow the public body to place reasonable limitations on individuals who desire to speak, such as imposing time limits for individual speakers and requiring that speakers provide their names and addresses. However, a municipality must not limit the total time for public comment—a public body is not permitted to cut off public comment after a set period of time.

## 4. Can Meetings be Recorded by the Public?

The right to attend a meeting of a public body includes the right to tape record, videotape, and broadcast the public proceedings, including recording the meeting on a person's phone. Even if a municipality prohibits videotaping or audiotaping, generally, in a building, videotaping, or recording must be allowed during an open meeting.

*“The best way to stay on the right side of the law is to be proactive, educate your public officials and administrative staff, and work with experienced legal counsel to plan and conduct your meetings.”*

## 5. What is a Public Body?

The OMA applies to meetings held by a “public body.” A “public body” is specifically defined under the OMA and includes boards, commissions, and other entities that exercise governmental or proprietary authority or perform a governmental or proprietary function. Most municipal officials understand that “public bodies” include village and city councils, zoning boards of appeal, and planning commissions. However, certain committees and subcommittees may also have decision-making authority that would qualify the committee as a public body. In contrast, committees with only advisory authority may not meet the definition of “public body.” Because it may be difficult to evaluate whether a particular committee is purely advisory, a public body may consider consulting with legal counsel when forming a new committee.

## 6. What is a Meeting?

Discerning what is a “meeting” for purposes of the OMA is not always easy. The OMA statute defines a “meeting” as the convening of a public body (1) at which a quorum is present, (2) for the purpose of deliberating toward or rendering a decision (3) on a public policy. Both decisions and deliberations on public policy must be made at an open meeting; therefore, the municipality should also be concerned about having improper meetings behind closed doors. For example, email correspondence among a quorum of the members of a body on a municipal issue could be considered an improper “meeting.” Because the public has no opportunity to attend and comment, that email “meeting” may run afoul of the OMA.

## 7. What Type of Meeting Notice is Required?

Public bodies must provide notice of meetings, and the rules related to notices are specific. For example, for regular meetings, the public body must post a notice at its principal office stating the dates, times, and places of its regular meetings, and contain the name of the public body, its telephone number, and its address. That regular meeting notice must be posted within ten (10) days after a public body's first regular meeting of the calendar or fiscal year. If a public body changes its regular meeting schedule, it must post a new notice stating the changes within three days after the meeting at which the change was made.

For special meetings, a public notice stating the date, time, and place of the meeting shall be posted at least 18 hours before the meeting (1) at the public body's principal office and, (2) on the municipal website (only if the public body directly or indirectly maintains an official Internet presence that includes monthly or more frequent updates of public meeting agendas or minutes). The public notice on the website must be on the homepage or on a separate webpage dedicated to public notices and accessible via a prominent and conspicuous link on the homepage. It is a common mistake to either fail to put the notice on the website or to put the notice in an improper place, such as buried in the municipal calendar.

**8. Are Closed Sessions Permitted?**

There are exceptions that allow public bodies to hold closed sessions, such as to consider material exempt from discussion or disclosure by a state or federal statute. Municipalities should keep in mind that the exemptions are very specific and may not be improperly expanded. For example, a public body may go into closed session to consider a complaint against the city manager (if the city manager requests the closed session) because it is permitted under Section 8 of the OMA, but may not go into closed session to discuss the city manager’s contract renewal because Section 8 of the OMA does not include that purpose. The purpose of the closed session must be included in the motion. Common mistakes include moving into closed session without a proper purpose or failing to state or sufficiently describe the purpose of the closed session in the notice.

**9. Are Meeting Minutes Required?**

Minutes of each meeting must be kept showing the time, date, and place of the meeting. The minutes must also state the names of all members present and absent, any decisions made, all roll call votes taken at the meeting, and the reason for any closed sessions held. Minutes for open meetings

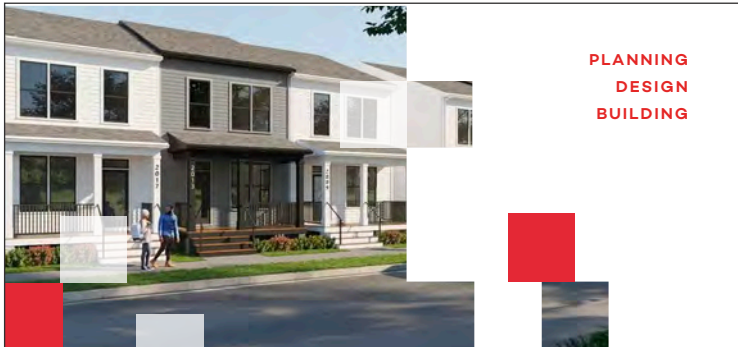
must be made available to the public. For closed sessions, a separate set of minutes must be taken by the clerk or designated secretary of the public body. The closed session minutes must be retained by the clerk and are not available to the public.

**10. What Happens if the OMA is Violated?**


A decision made by a public body may be invalidated if the public body has not complied with certain provisions of the OMA. If a public body violates the OMA, a person may also commence a civil action to compel compliance or to enjoin further non-compliance with the OMA. Public officials who are found to have intentionally violated the OMA are subject to monetary fines and misdemeanor penalties.

In many ways, this summary merely scratches the surface of what a municipality must know about complying with the OMA. The best way to stay on the right side of the law is to be proactive, educate your public officials and administrative staff, and work with experienced legal counsel to plan and conduct your meetings.

Anne Seuryck is a shareholder with Foster Swift Collins & Smith PC. You may contact her at 616-726-2240 or aseuryck@fosterswift.com.



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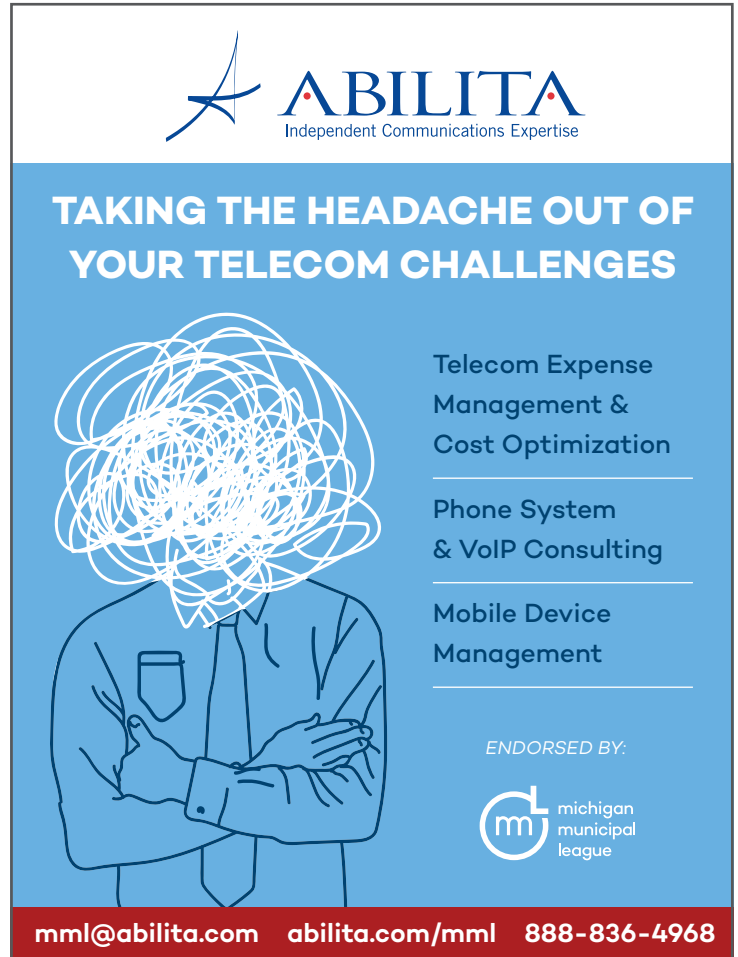



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## Upcoming Trainings and Summits

**Elected Officials Academy**  
January 25, 2024—In-Person  
Sterling Heights  
February 10, 2024—Virtual  
April 6, 2024—Virtual

**Core & Advanced Summits**  
February 23 & 24, 2024—Virtual  
May 17 & 18, 2024—In-Person  
Mount Pleasant



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# Elected Officials Orientation

—By Kim Cekola

A thorough orientation will provide newly elected officials with the tools they need to deal with what can be an overwhelming job. Most orientations are given by the manager, along with department heads. An orientation can be done in a few different ways: a specific educational session for new officials, a tour with educational components, or a compilation of documents in a handbook.

DeWitt has an impressive mandate in the city charter: after every regular city election the city administrator shall schedule an orientation session for elected officials, administrative officers, and their deputies. Further, DeWitt's elected officials are required to certify with the clerk that they have read the city charter.

There are certain things that should be covered in a council orientation, no matter what:

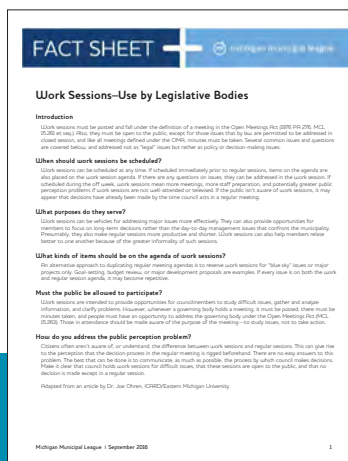
- form of government,
- charter,
- council rules,
- Open Meetings Act (OMA) and
- Freedom of Information Act (FOIA).

## Form of Government

Explain the type of government your municipality operates under, along with an overview of all forms of local government (council-manager, strong mayor, weak mayor, township, charter township) in Michigan.

## Charter

A charter is a local governing document, similar to a constitution. It will tell you how long your terms of office are, how the mayor pro tem is chosen, whether citizens can initiate ordinances and if they can vote to block the passage of an ordinance they don't like. It will also contain assessing and tax collection procedures, among other things.



## Council Rules

How are items placed on the agenda? Are councilmembers/trustees/commissioners allowed to miss meetings? Abstain from a vote? When is the public allowed to participate during the governing body's meeting and for how long? Three minutes is a common "speak time" but some municipalities have longer time limits or even none. Council rules are individual to the council. Not every city has the same rules, and they can include a range of things from decorum provisions to how boards and commissions are set up.

## Vision/Mission Statement

If your municipality has a vision or mission statement, now is the time to reinforce it. A vision statement expresses the values of a community, as in the following from the Village of Ellsworth:

A community that has opportunities for all residents, a prosperous community that is thriving personally and economically, a destination for visitors and tourists, independent, open-minded, and charming.





**Goals/Priorities/Strategic Plan**

The Village of Vicksburg’s strategic plan encompasses its vision, mission statement, and priorities.

1. To achieve “Wow!” customer service
2. Vicksburg will continue to provide first-class growth opportunities through sound governance
3. Healthy infrastructure and amenities ensure a quality of life
4. Sufficient and sustainable staffing maximize community impact
5. Better engaged residents through communication and transparency

**Organization Chart**

An organizational chart is a useful tool showing departments, reporting relationships and how employees and elected officials interrelate. The number of employees in the municipality, the department(s) and their areas of responsibilities should be discussed. As part of an orientation, many communities have a tour of their offsite departments, ranging from the fire station to the wastewater treatment plant.

**Laws Affecting Local Officials**

Some laws apply to every aspect of local government—such as the Open Meetings Act (it applies to **every** meeting you have), and the Freedom of Information Act (it applies to **every** document you have). These two Acts are particularly important to know and follow, because there are civil and criminal penalties for violating them. One needn’t be an attorney to summarize the OMA and provide supporting materials, such as a copy of the act and League publications “OMA: Definitions and Requirements,” “Calling Closed Meetings,” and “Closed-Meeting Minutes.”

**Ordinances**

Elected officials should know what the “code” is, how to locate it, and the basics of passing an ordinance. What are the voting requirements? Do ordinances need to go through first, second, and third readings? Do they require public hearings? In addition, it just makes good sense for elected officials to know the laws, rules, and policies that their constituents are expected to follow.

**Council Policies**

Certain policies that affect the council should be pointed out, such as

- travel (reimbursement for mileage, education classes, conferences, meals),
- computer/cell phone usage,
- email/texting guidelines,
- council communication with staff,
- media relations (including social media), and
- compensation (e.g., per meeting, quarterly, yearly, or none at all).

**Employee Handbook**

An employee handbook communicates your organization’s mission and culture, and provides the municipality protection from liabilities associated with public employment. The council, as employer, should know the personnel policies of the municipality.

**Ethics**

Are councilmembers/trustees/commissioners required to file a disclosure statement? What are incompatible public offices? What constitutes misconduct in office? Are councilmembers/trustees/commissioners allowed to go out for meals on someone else’s tab? Accept gifts? Hire a cousin, uncle, or niece? Basic materials on ethics should be provided. The City of Sandusky has prepared a code of conduct handbook for councilmembers that includes council conduct with citizens, city staff, with one another, with boards and commissions, and with other public agencies. The pervasive theme is one of respect through words and actions, and for elected officials to always exhibit appropriate behavior.



### **Budgeting/Capital Improvement Plan**

Of course, the council must approve the budget. The council must make decisions on salaries, on benefits, on services, on improvements, on safety, and the list can go on and on. The budget decision-making process depends on knowledgeable councilmembers/trustees/commissioners. The CIP, or capital improvement plan, should be described as a budgetary concern as well.

### **The League as a Resource**

The League publishes two primers on municipal government for our member officials. The *Handbook for Municipal Officials* is for elected officials in home rule cities and villages, whereas the *Handbook for General Law Village Officials* is for elected officials in general law villages. Both are available on the League’s website. The League has other publications that can be of help to first-time officials, like our Fact Sheets—easy-to-read summaries of municipal topics, often with sample policies or ordinances attached. We currently have 83 titles.



For sample council rules, personnel handbooks, information on budgeting, visioning/strategic planning, the OMA and FOIA, ethics, charters, and the structure of local government in Michigan, contact the League’s inquiry department at [info@mml.org](mailto:info@mml.org). In addition, the League has training programs geared towards newly elected officials—see page 13. [▶](#)

Kim Cekola is the research specialist/editor for the League. You may reach her at 734-669-6321 or [kcekola@mml.org](mailto:kcekola@mml.org).

An infographic with two panels. The left panel, titled "EQUALITY", has a purple background and shows a person in a wheelchair and a person sitting on a high stool at a table. The person on the stool is holding a book, but the person in the wheelchair cannot see it. The right panel, titled "EQUITY", has a green background and shows the same two people at the table. The person on the stool has lowered the book so both can see it. At the bottom of the infographic is a blue bar with the text "mml.org/dei | deiteam@mml.org".

**EQUALITY**

**EQUITY**

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# Home Rule Charters— Requirements, Options, and Resources

—By Kim Cekola

Charters are fascinating, but more importantly, they are local law. When councilmembers are sworn into office, they promise to uphold them; so, what are they swearing to?

## What Is a Charter?

A charter is like a constitution. It establishes the authority of the village or city and how it operates. Charters are written by an elected charter commission made up of citizens, and then voted up or down by the electorate. They are truly the product of democracy in action.

To change the charter completely is to revise; to change one or more sections or provisions is to amend. A revision is required if you want to make substantial changes or start from scratch with an entirely new guidebook; it is accomplished by an elected charter commission composed of local voters. An amendment, such as changing from an elected to an appointed clerk, can be initiated either by the council or by citizen petition. Both have state-mandated steps and require review by the governor and the attorney general (see How-To resources).

**"Helpful Hints" - Writing a New City Charter**  
**MML Break-out Session - Marquette City Charter Commission**  
**October 15, 2014**  
**Michigan Municipal League Annual Convention**  
**Marquette Michigan**

**MML Program Description "Your Charter: Refreshed"**

*Does your charter contain illegal or outdated provisions? Sometimes changes are needed to correct misleading, unreliable or unresponsive charters. Hear from members of the Marquette Charter Commission on how they successfully made changes to their charter. They had a goal of making revisions over the course of several years and ended up completing all of their changes in a year! The group held hearings, involved citizens and civic groups, and had assistance from the local newspaper. Hear what worked for them and how you can use their model to make successful revisions to your charter.*


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 Members of the Marquette Charter Commission

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**The City of Grand Ledge**

City of Grand Ledge – Charter Commission  
 Frequently Asked Questions  
 Revised: February 24, 2016

public information regarding  
**The City of Novi's proposed  
 Charter Amendments**  
 November 5, 2013



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**1 Proposed Amendment 1**

**Question: Shall the Novi Charter be amended to restate the entire Charter in gender neutral terms?**

**Yes**

**No**

The current Charter references 'he,' 'him,' and 'his' when describing duties and responsibilities of various legislative and administrative in the City. This comprehensive change, throughout the Charter, is similar to that undertaken by other communities and restates the Charter in gender-neutral language.

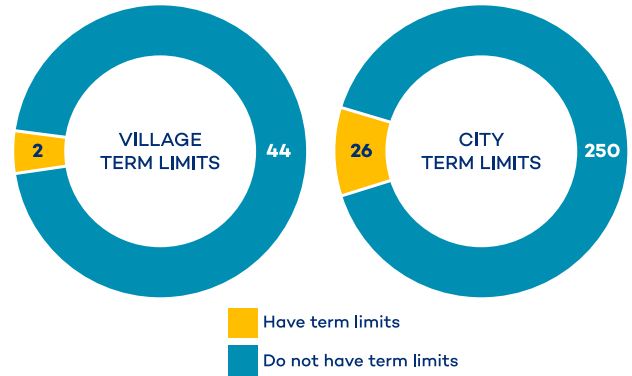
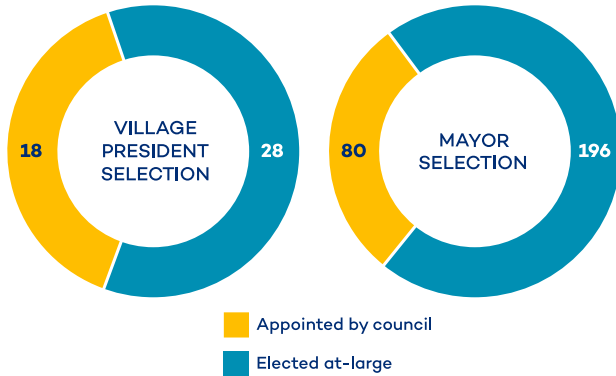
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City  
Proposed Charter  
Amendment

Shall Chapters III and XI of the City Charter be amended to reinstate Primary Elections as provided for prior to 2015.

Yes  
No



## RESOURCES

### HOW-TO PROCESS

- **Fact Sheets**
  - o Charter Revision
  - o Charter Amendment
- **Municipal Report: City Charter Revision**
- **Handbook for Charter Revision Commissioners**  
Created by the Michigan Association of Municipal Attorneys for citizens on charter revision commissions undertaking the monumental job of rewriting or creating home rule charters.

### BACKGROUND

- **The Nature and Purpose of a Home Rule Charter**
- **Municipal Report: Organization of City and Village Government in Michigan**

### DIRECT LEAGUE ASSISTANCE

(info@mml.org)

- **Charter Database**  
This one-of-a-kind database includes information from all 277 home rule city charters on key concepts such as number on council, how the mayor is selected, terms of office of council, how vacancies are filled, fiscal year, etc.
- **Customizable charter provision research**

## Charter Must-Haves

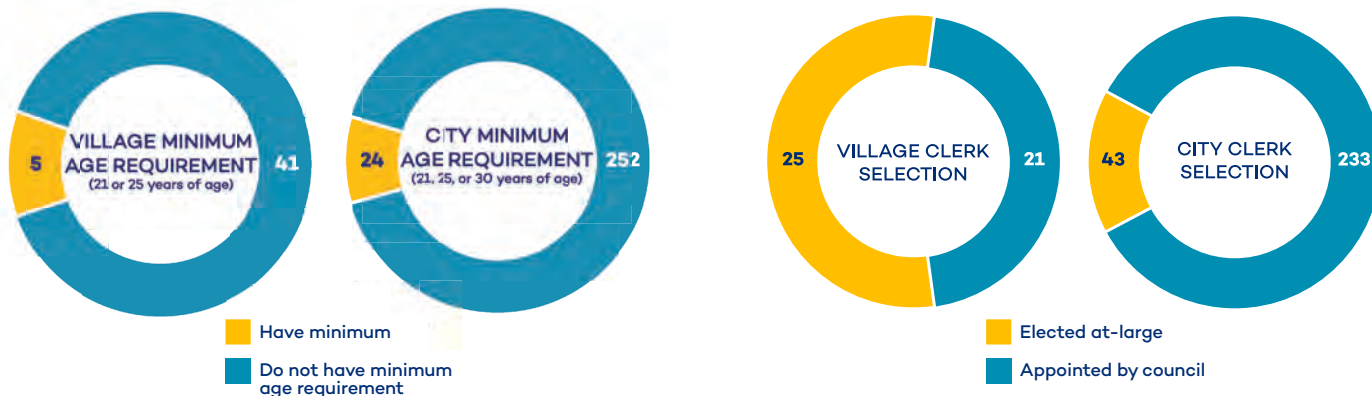
There are certain items required by state law to be included in a city or village charter—found in the Home Rule City Act or Home Rule Village Act. The General Law Village Act and Fourth Class City Act will not be discussed here because they are state statutes (that serve as charters). They are not written by citizens nor voted on at a referendum (but can be amended). Here are the basic mandatory items in a charter:

- nomination and election of officers (at-large or by ward; mayor chosen from among council, etc.);
- qualifications, duties, and compensation of officers (must be an elector, whether there is a minimum age requirement, candidate not in default, and compensation is per meeting or set by resolution or ordinance);
- time, manner, and means of elections (annual, even-year or odd-year, 2nd or 4th quadrennial, primary or no primary);
- establishment of wards (one ward or multiple wards);
- subjects of taxation;
- annual tax levy and limit (20 mill statutory limit or a lower number);
- annual appropriation;
- levy, collection, etc., of state, county and school taxes;
- public peace, health, etc.;
- adopting, continuing, amending, repealing, and publication of ordinances (one or more readings of an ordinance; initiative/referendum);
- provide for legislative sessions and records to be public and legislative journal to be in English; and
- use of a uniform system of accounts.

## Typical (Not Required) Charter Provisions

There are many topics that are commonly included in charters that are not mandatory. For instance, most charters contain provisions on franchises, special assessment, purchasing/bidding limits, council investigatory powers, and





*“... most charters contain provisions on franchises, special assessment, purchasing/bidding limits, council investigatory powers, and nepotism and conflicts of interest.”*

nepotism and conflicts of interest. Several cities prohibit councilmembers from becoming employees of the city until a year has elapsed—most do not. Some charters also contain civic leaders’ sentiments in the form of a preamble, like this:

We, the people of \_\_\_\_\_, committed to the principles of citizen participation in framing public policy, the accountability of municipal service as a public trust, and the mutual effort for the well-being of our residents in a unique environment, do ordain this Charter.

Here is a charter provision on orientation sessions that one won’t find in many charters:

After every regular city election, the city manager shall schedule an orientation session for elected officials, administrative officers, their deputies, and others at the direction of their officers. The session shall include a review of local government documents and shall be open to the public.

An optional provision found in many charters is meeting attendance. For instance, a councilmember who misses three consecutive meetings (without council approval), can be removed from office. The charter will tell you if a clerk is elected or appointed, and which administrative officers report to the manager, mayor, or council.

A charter must be flexible to govern a city or village over time, but also specific. Compensation of \$5 per meeting when the charter was adopted is woefully out-of-date. Think about setting councilmember compensation by ordinance instead. A charter that states a vacancy in office will be filled by council appointment without saying what happens if the council does not do so within the allotted timeframe in 60 [or 90, or 120] days, is unspecific enough to cause problems.

There are so many variations in home rule charters in Michigan that it is imperative to read your charter and, when operational/administrative questions arise, to consult it for guidance. It’s important to add that only your municipal attorney is empowered to interpret your charter.

If your charter contains outdated or unworkable provisions, the League has charter amendment resources and can also provide sample language. If your city or village wants to change the form of government, it will require a full charter revision—and the League has resources on that, too. [L](#)

Kim Cekola is the research specialist/editor for the League. You may reach her at 734-669-6321 or [kcekola@mml.org](mailto:kcekola@mml.org).

**63**

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pop. 20,479

# Mayor Robert E. Clark

## A Career Dedicated to Service

—By Morgan Schwanky



# Robert E. Clark

Michigan Municipal League President,  
2023–2024

## Occupation

Retired from the Michigan State Police

## Political Experience

Clark served one term as a councilmember for the City of Monroe in 2008. He was elected mayor in 2010 and, following his win in November, he started his eighth consecutive term in January 2024.

## Interesting Tidbit

Clark has a passion for genealogy and has completed 31 family history research projects, including his own family's and for many friends.

## Role Models

Clark named three role models who have been influential throughout his life: his mother; his professor at William Penn College, Gerald Simmons; and the late, former Monroe Mayor Mark Worrell.

## Hobby

Clark and his wife foster dogs and puppies from the Humane Society of Monroe County, where they both volunteer.

*Newly elected Board of Trustees President speaking at the annual League Convention at the Grand Traverse Resort in October.*



While forging his legacies at the Michigan State Police and the City of Monroe, Mayor Robert E. Clark has consistently pursued service. He is continuing this dedication with his newest position as the president of the Michigan Municipal League's Board of Trustees.

"When I was young, my mother taught me about service to the public. Public service comes first before you think of yourself. If you engage in your community, you become a wealthier person in terms of relationships and growth," Clark said.

This lesson guided him to pursue a career in law enforcement. "I knew in high school that I wanted to work in law enforcement," Clark said.

Before starting his career, Clark studied sociology and psychology with a minor in interpersonal relations at William Penn College in Iowa. Through his studies, he gained priceless lessons about being a leader in public service.

"I learned so much about how if you understand a person's background, who they are, and what they are being exposed to in life, you have a better opportunity to understand and assist them," Clark said.

He explained that having empathy is important when serving those in your community, and it can help you make your community better.





"I'm a firm believer if you have communication, you'll develop a relationship, and in time that relationship will result in trust. Communication is also listening, and that gets the best results when there's shared communication." Clark said.

Clark's dedication to serving led him to local government. Shortly after moving to Monroe, he and his wife volunteered at the River Raisin Clean-Up Day. Through the connections he made there, Clark began attending city planning commission meetings to share his ideas with the community. Eventually, he was appointed to the planning commission, and when a seat on the city council opened, he was encouraged to run by former Monroe Mayor Mark Worrell.

Clark was still working for the Michigan State Police with the rank of major and was a member of the Executive Council.

Worrell then encouraged him to run for mayor the following term. Clark decided that if he were elected, he would retire from the State Police and take on his role in local government as his full-time job—he was already prepared to deliver this level of commitment should he move into this new position of public service.

Monroe has had many accomplishments under Clark's mayorship. Some of the main successes he points to are the development of the downtown district and improvements to the city's infrastructure.

He and his wife still volunteer at the River Raisin Clean-Up Day every year, and he also serves on the River Raisin National Battlefield Foundation, the River Raisin Watershed Council, and a variety of other local, regional, and state committees and organizations, including the League.

Clark has been involved with the League's Board of Trustees since 2020, including serving as the vice president. He has also served on the MML Liability and Property Pool Board since 2012. This first-hand knowledge of the League's role in service to local government guides what he wants to accomplish as president.

"The League has a central role to play in helping bring municipalities together—to develop the same vision and results," Clark said. A key component to building this vision is storytelling. "Our role is to make sure we share these stories with each other and help each other get to that same vibrancy we're looking for," Clark said.


Clark believes all the components that make up a thriving community are important and go hand and hand with each other.

"You could have quality of life, amenities, but if you don't have the structure for people to move into the community, then it's going to be just the same. The people who live there will enjoy it and maybe some visitors. But you're not becoming a thriving community to attract and diversify your community," Clark said.

He also touched upon the need to expand diversity, equity, and inclusion efforts for our communities.

There is a lot of work to do, but Clark is ready—he sees the role of President as being an advocate for communities so that the League, in turn, can best serve its members.

"I want to listen, to hear what their needs are and how we as a league [can] provide for them. Some of that is through interaction and how we plan our events like CapCon and Convention. I think housing is an emerging priority for the next year and beyond. We saw it as we did our Upper Peninsula tour and at meetings in the Lower Peninsula. I like to use the term attainable housing. I understand what affordable housing is, but housing also has to be attainable for all income levels. I think that's what is being understood across the state." Clark said.

Clark is ready to take on this new role at the League. The experiences that have led him here have prepared him to be an effective leader and communicator who has a passion for serving others. 

Morgan Schwanky is a content developer for the League. You may contact her at 734-669-6320 or [mschwanky@mml.org](mailto:mschwanky@mml.org).



# BROADBAND FOR ALL:

## Harnessing the Collective Power of the Public Sector

—By Kyle Macyda and Stacey Mansker-Young

From city council meetings to the halls of the United Nations, there's growing demand to recognize internet access as a basic human right that enables access to education, employment, and healthcare. The COVID-19 pandemic drove home just how deep the digital divide runs. When businesses and schools shut down, fast and reliable internet access suddenly became the only way that work and learning could continue for millions of people. Yet broadband isn't a utility, and therefore financial benefit is the key incentive for unregulated internet providers to invest in infrastructure. The result? Municipalities stepped into the fray with creative solutions. Local governments connected millions by redeploying buses as mobile hotspots, laying fiber on existing train tracks, and cobbling together funding and solutions from unlikely partnerships.

Now, in COVID-19's aftermath, communities are demanding long-term solutions to the broadband dilemma. Local leaders face rising pressure from constituents to show that they're addressing the problem. Even as new federal funding ramps up, public sector entities are struggling to turn rhetoric into reality and close the digital divide in their own backyards.

It's a complex challenge with no single solution. Yet in our work with public sector clients, we've identified best practices that can drive meaningful progress. We've also seen that intradepartmental collaboration and community engagement are vital at every step of the journey.

### Define the Digital Gaps in Your Community

This first step can be daunting, but it can't be skipped: you won't get new broadband funding if decision-makers believe your municipalities already have adequate access, and you can't fix underlying barriers until you identify them. Why is it so difficult to pin down who has internet access and who doesn't? For starters, there is no single entity responsible for collecting comprehensive data on broadband availability in

the U.S. The data that is publicly available is a patchwork of unverified statistics pulled from different sources. Service providers can easily overstate their coverage area or download speeds for marketing purposes, while residents might underestimate the quality of service because their definition of "high-speed" differs from the provider's.

It's worth noting that different communities also face different challenges. Rural settings might lack broadband access because investing in low-population areas doesn't deliver a compelling ROI for internet providers. Large urban communities that have adequate infrastructure often have low-income areas where residents can't afford to access the internet or aren't aware of the available subsidies. Sovereign tribal land presents unique challenges as well; while recent federal grants provide more than \$1.3 billion in funding to tribal entities, their geographic location and distance between households can pose logistical challenges.

As the public sector steps up efforts to close the digital divide, it will need to account for these differences across state, county, city, township, and territory levels to devise solutions tailored to constituents' needs.

### Get Collaborative—and Creative—to Fund Your Infrastructure

Public sector budgets can be tight, so we suggest starting with an audit of the assets and funding you already have—and then exploring how you can tap into new partnerships to fill the gaps. Here are five ways to pursue support for your broadband infrastructure goals:

- 1. Take a fresh look at your own resources.** CFOs have visibility across departmental funds and can play a pivotal role in orchestrating intradepartmental cooperation and collaboration. For example, during the pandemic, Chicago cobbled together funding streams to wire the city by borrowing from city hall's transportation and education budgets.

*“As the public sector steps up efforts to close the digital divide, it will need to account for these differences across state, county, city, township, and territory levels to devise solutions tailored to constituents’ needs.”*

**2. Think beyond your borders.** If your community is struggling with broadband access, there’s a chance your neighbors might be, too. Villages, cities, townships, school districts, and colleges can band together to create economies of scale at the county level, rather than taking a whack-a-mole approach alone. State-level strategies are also likely to become more collaborative as federal law calls for states to produce digital equity plans that enhance internet usage and connect those who need it most.

**3. Leverage nonprofit co-ops and consortiums.** Utility co-ops already serve the needs of rural communities and have infrastructure in place to deliver electricity to homes, farms, and businesses. Building upon this infrastructure for broadband can reduce the cost and time required to deploy affordable internet options in remote communities. Higher-ed consortiums can also prove to be valuable partners. For example, the nonprofit Merit Network operates more than 4,000 miles of fiber-optic cable connecting universities, community colleges, K-12 schools, libraries, and nonprofit organizations throughout Michigan, and is now working with Michigan State University to upgrade the equipment in its fiber-optic network.

**4. Use a partner to navigate grants.** Public sector leaders know that securing grant funding is an art and science all its own. The same holds true for broadband infrastructure efforts, which can be funded through a labyrinth of sources at the city, state, county, and federal levels. The National Telecommunications and Information Administration’s (NTIA) Broadband USA website is a good starting point. The site lists current federal programs, a funding guide, and interactive maps that drill down to state-specific opportunities. For rural broadband efforts, the USDA’s website provides a targeted list of funding opportunities and consortiums.

**5. Ask ISPs to contribute to your broadband goals.**

Some areas have had success coordinating across policymakers, business leaders, and nonprofits to convince internet service providers (ISPs) to pay a portion of broadband expansion costs and/or lay new fiber to connect underserved communities. For example, Comcast participates in the federal Affordable Connectivity Program, which provides eligible households with a subsidy that covers the cost of “essential” internet service; across the country, the company has installed more than 1,250 “Lift Zones,” offering free high-speed Wi-Fi inside community centers.

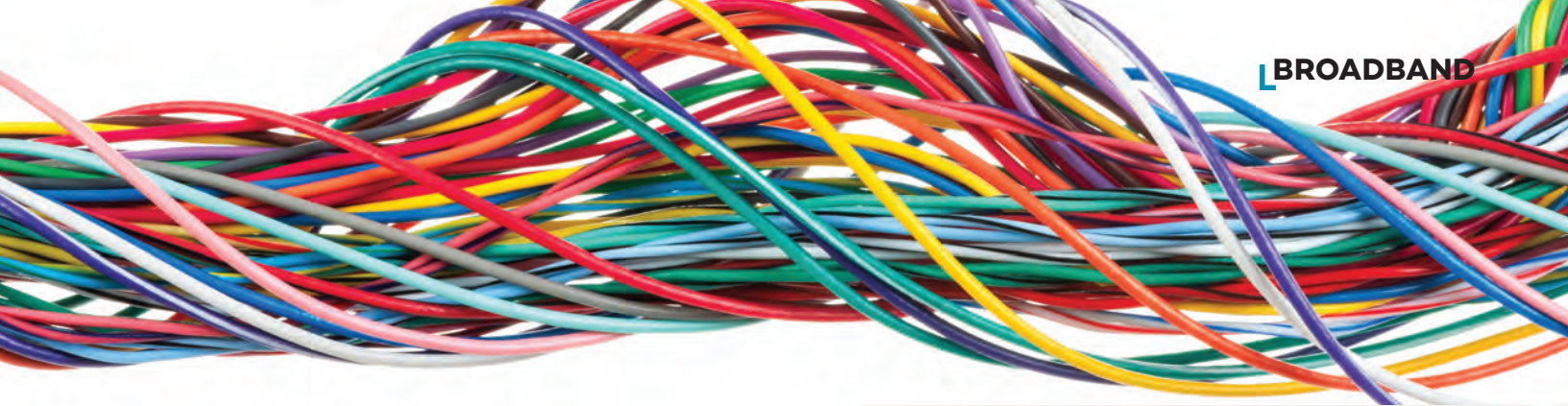
### Engage the Community on Every Step of the Journey

If your constituents aren’t already demanding more equitable broadband access, it’s probably just a matter of time. But community involvement doesn’t end with bringing the problem to your local meetings. Municipal officials and local representatives play a critical role in creating and maintaining a dialogue throughout the broadband journey.

Engaging the community is key to gaining support for your broadband expansion efforts. Consider forming task forces with constituents from different communities within a county to ensure your strategy incorporates the needs of rural, urban, and low-income residents. As you secure funding and your plan starts to take shape, road shows can be useful for level-setting expectations, explaining challenges, laying out next steps, and celebrating milestones in what can be a lengthy process.

Once you have the infrastructure in place, a push will be needed to drive subscribership and bring people online. Fortunately, ISPs will be eager to partner with you on high-speed internet adoption since they’ll have a clear financial incentive to do so.





### A More Equitable Future Awaits

Expanding broadband isn't simple, but it's worth it. Providing affordable high-speed internet access for everyone in your community lays the foundation for its future success. Broadband not only creates new connections to education and employment opportunities for underserved communities, but it also unlocks the benefits of telehealth for vital medical and mental health support. Looking further into the future, it prepares people to participate more fully in technological progress as digital government services come online to enrich and protect communities in new ways. [L](#)

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# LIFT

## Local Innovation for Tomorrow

–By Helen Davis Johnson



The time is now to support local government in an entirely new way. The complex issues of the 21st century require us to work differently, and to develop thoughtful, inclusive, long-term, and collaborative strategies. This approach requires data, partnership, flexibility, communication, and the ability to innovate. Michigan has seen tremendous change over the past few years and is facing remarkable challenges, many of which are found on the desks of municipal leaders. These include:

### ❑ **Shrinking Municipal Capacity**

The November 2022 University of Michigan Economic Outlook reports local government employment is at its lowest rate since 1957. This is causing capacity issues and increased burnout among remaining staff members.

### ❑ **Elected Official Turnover**

More than 1,500 new local government officials come into office each election cycle. These officials need more training and professional development opportunities, such as those offered to leaders in other sectors.

### ❑ **Declining Population**

The state of Michigan's Office of Foundation Liaison's study shows Michigan's population is declining. Talent attraction and retention is crucial for the cultural and economic stimulation Michigan's communities crave.

### ❑ **Lack of Funding**

Over the past four decades, \$10 billion in funding has been withheld from local governments. This has compromised their ability to create places where people want to live, work, and belong.







## Abundance Mindset

Michigan is facing a substantial opportunity: a change in mindset. In 2021, the state received \$6.5 billion in American Rescue Plan (ARP) funding and an additional \$4.4 billion was allocated directly to municipalities. This funding triggered a powerful shift in the minds of local leaders. For decades, Michigan's municipal leaders battled against scarcity of all kinds, from funding and staffing to mental bandwidth. This federal funding injected communities with new possibilities.

## Local Innovation for Tomorrow (LIFT)

The MML Foundation is seeking to raise support from philanthropy and business that will continue this sense of possibility and abundance. We are developing tools that allow local leaders to test new ideas, build cross-sector relationships, and meet community needs without having to subscribe to a "one size fits all" solution. We are calling this support LIFT, or Local Innovation for Tomorrow. LIFT will build on existing opportunities, address issues, and help Michigan communities lean into the abundance mindset. LIFT will support municipal leaders as they consider new, innovative solutions to local problems.

LIFT has three overarching goals: to drive municipal innovation, build partnerships, and share learning with our members. To assure the opportunity for knowledge transfer and local learning to go to scale, LIFT will begin by offering League members access to a new learning management system in 2024.

## Online Learning

The League is launching a new, online Learning Management System. This platform will offer a wide variety of interactive e-learning courses and webinar recordings that allow leaders to learn at their own pace and on their own schedule. A comprehensive catalog of content will include courses on fundamental topics such as building and sustaining local economies, wellbeing, state and federal funding tutorials, consensus building, manager-council relations, thriving communities, legal issues, communications, storytelling, and much more. This system is currently under development and will be inaugurated in 2024!

## Fellowship Program

Additionally, the MML Foundation is launching a Senior Fellowship Program in the first quarter of 2024, at which time we will announce the first Senior Fellow and project. The program has three key goals:

1. To identify and engage experts with big ideas, substantial experience, and strong networks that benefit and open doors for innovation in Michigan communities.
2. To facilitate the development and implementation of big ideas through partnership and collaboration.
3. To collaboratively build on these ideas, networks, and relationships to drive positive and long-term social, cultural, and economic impacts that support thriving communities.

We believe that the senior fellowship is an important chance to expand opportunities for cities and villages. The program will support local government leaders to reach beyond village and city lines, providing an opportunity to both share homegrown innovations and successes with other parts of the world and to bring fresh ideas and relationships back home. Those ideas and relationships will support work that helps communities thrive, keeps people in Michigan, attracts new residents to communities, and helps rebuild Michigan's population.

We expect the MML Foundation's Senior Fellowship Program, as it grows, to bring well-networked experts in the fields of diplomacy, placemaking, economic development, and more to explore our members' needs, the state's population crisis, and innovative solutions to community problems.

Finally, LIFT is simply following on the heels of the many innovative programs, trainings, and initiatives that the League is known for across the state and nationally. LIFT is a big, pioneering idea, and this is the right time for it. [L](#)

Helen Davis Johnson is the president of the MML Foundation. You may reach her at 734-669-6336 or [hjohnson@mml.org](mailto:hjohnson@mml.org).

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### A Look into the Agenda:

#### General sessions will include:

- A breakdown with the League's State and Federal Affairs team of the League's legislative priorities, the key aspects of Governor Whitmer's budget, and more.
- A real-time focus group of Michigan residents will share what they believe makes a thriving community.
- Political insiders will share their insights into state and national politics and policy.

#### Breakouts will provide solutions to:

- Housing
- Collective bargaining
- Health equity
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# The Governmental Tort Liability Act/Sidewalk Liability

–By Bill Mathewson

An ever-present challenge for cities and villages is potential liability for municipal operations and management of the related risks. Fortunately, the Michigan Municipal League provides assistance through its Liability and Property Pool, which provides insurance and risk management training to member municipalities, and through the MML Legal Defense Fund which supports municipalities in key cases. Also, the League's State Affairs Division works to limit changes in the law that would lead to greater municipal liability.

The Governmental Tort Liability Act (GTLA) has long been the subject of important cases and debated and revised by the Legislature. A recent sidewalk liability decision of the Court of Appeals (COA) is an example. Perhaps of most significance, does it foreshadow a change in the law?

The case is *Kenneth Mann v City of Detroit*. The plaintiff was injured when walking on a sidewalk. He tripped over a five-inch-tall remnant of a signpost in the middle of the sidewalk. The COA, in an unpublished split decision, held in favor of the city.

The city argued that (1) the danger posed by the signpost stub was open and obvious, and (2) the defect was not part of the sidewalk, and thus summary disposition should be granted in its favor.

The majority opinion began by reviewing the law, including that governmental agencies and their employees are generally immune from tort liability when they are engaged in the exercise or discharge of a governmental function. This immunity is broad, and the exceptions are narrowly construed.

At issue here was the "highway exception," which provides that a municipality 'in which a sidewalk is installed adjacent to a municipal, county, or state highway' has a duty to maintain such a sidewalk 'in reasonable repair.'

A "plaintiff must rebut the statutory presumption that the municipality maintained the sidewalk in reasonable repair." To do this, a plaintiff needs to show that a proximate cause of the injury was one or both of the following: (a) A vertical discontinuity defect of two inches or more in the sidewalk; (b) A dangerous condition in the sidewalk itself of a particular character other than solely a vertical discontinuity. Also, a municipality has the common law defense that the condition was "open and obvious."

**Common law:** Law that is derived from judicial decisions instead of from statutes.

Although other issues were addressed, here the key issue was whether the signpost stub was part of the sidewalk; if not, the highway exception would not apply. The majority reviewed *LaMeau*, a case in which the Michigan Supreme Court held that a guy wire anchored *on the edge* of a sidewalk and extending across it was not a part of the sidewalk. There, a rider of a scooter was killed by striking the wire.

"We conclude that a signpost—even one that is cut down—is a separate fixture that is attached to the sidewalk. It does not become part of the sidewalk merely by being embedded in the concrete of the sidewalk. In light of the statutory definition of sidewalk and the above caselaw [including *LaMeau*], we are constrained to rule that a signpost is not part of the sidewalk ... the Legislature has determined that no liability exists under the present circumstances."

The dissent in this case argued that the *LaMeau* case can be distinguished from the facts here, "... the object in the instant case was not merely "connected" to the sidewalk; it was *embedded in the concrete*."

In summary, the outcome here was favorable to municipal immunity in Michigan. However, neither the minority *nor* majority of this COA panel seemed satisfied with the result. Whether the Supreme Court or the Legislature reconsiders the case and statutory law remains to be seen.

*Mann v Detroit*, 2023 WL 7268282 (Mich. App. Nov. 2, 2023) 

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.

Bill Mathewson is a legal consultant to the League. You may contact him at [wmathewson@mml.org](mailto:wmathewson@mml.org).



# ROGERS CITY: Reimagining Vacant Spaces



The Michigan Municipal League (the League) and the Michigan Economic Development Corporation (MEDC) have a history of fruitful partnerships aimed at advancing the economic and social well-being of communities across the state. Through collaborative efforts, we have facilitated the development and implementation of initiatives that promote local economic growth, infrastructure enhancement, and community revitalization. Together, the League and the MEDC have helped 34 communities with over 70 projects since 2017 with community reinvestment and redevelopment. Please see our new publication: *Our Future Communities Start Here: Predevelopment Assistance for Growth & Advancement in Michigan*, available at [www.mml.org](http://www.mml.org). Here is one success story.

Rogers City is a quaint town on the coast of Lake Huron in Presque Isle County and is known for its scenic parks, lighthouses, and salmon tournaments. City Manager Joe Hefele wanted to expand the city’s offerings by creating a welcoming and diverse downtown.

The city’s downtown is filled with vacant buildings, fueling the community’s desire to turn it around to boost tourism and give people a reason to exit the highway and explore a new and interesting place. That’s no easy feat for local

developers, who are unsure about what to do with these spaces and how to proceed with innovative development in a small community. But that uncertainty didn’t stop Hefele from taking action and pushing the community to think big.

His vision to rehabilitate vacant storefronts and bring vibrant retail shops, imaginative dining, and recreational spaces to the community received buy-in from community residents and leaders, which has been essential in Rogers City’s planned transformation. Without it, projects might have been abandoned due to the challenges faced since beginning their redevelopment journey.

From high construction costs to halts in development, there were many hurdles to overcome—some of which are still in the process of finding solutions.

When asked what the biggest challenge has been thus far for this community, Hefele responded, “Sky-high construction costs . . . Construction bids come in much higher than expected and at a level that greatly threatens the feasibility of the project itself, particularly in a small community where profit margins are tight to begin with.” Hefele hopes the city’s plans to complete multiple projects at once will result in more moderately priced estimates as a bundled or grouped cost.

“Things often happen in fits and starts. Community leaders must be patient and remain positive despite the hurdles.”

—Joe Hefele, Rogers City Manager



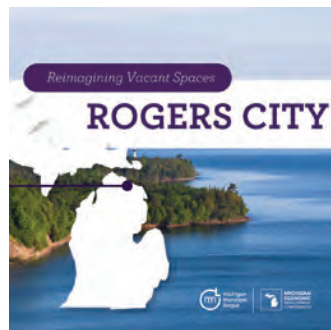


Utilizing predevelopment assistance has helped tremendously with lowering costs to offset the budget hit caused by construction. Vital concept and design outputs with affordable options have aided in projects moving forward. Rogers City was connected with an architect who provided community leaders with renderings, realistic cost estimates, and plans for additional projects beyond what's already in the works. Several sites have also been able to submit grant applications—something that would not have been possible without the program.

According to Hefele, small communities should be prepared for these types of obstacles and should expect to put in tons of work—work that will be worth it in the long run.

He goes on to say that failures will occur, they're inevitable, but there is no growth without risk. Community leaders must face these challenges head-on, dust themselves off when things don't go as planned, and take the next calculated risk if they are to grow. The future for Rogers City is just blossoming into what will be. Seven sites are under construction within the program, but Hefele has high hopes for even more. Restoring an old high school and converting it into modern residential units is another project on the horizon, with hotels, and public gathering places not far behind. [L](#)

Content by Piper + Gold, a Lansing public relations firm. You may contact them at [info@piperandgold.com](mailto:info@piperandgold.com) or 517-999-0820.



**OPPORTUNITY:** Revitalize vacant spaces to boost tourism and the local economy as a vibrant exploration destination.

**OBSTACLE:** Excessive construction costs burden the community.

**PREDEVELOPMENT ASSISTANCE:** Reducing costs and community impact by offering strategic counsel, connecting to resources, and facilitating problem solving with economical solutions.

**COMMUNITY PROGRESS:** Seven sites under construction, with more to come.

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# CRC/ALTARUM STUDY: MICHIGAN GETTING OLDER, POORER, SMALLER

—By Rick Haglund

Faced with a stagnant, aging population that threatens the state's economic future, Gov. Gretchen Whitmer has convened a broad range of citizens in her "Growing Michigan Together Council" to propose ways of reversing the trend. But a sweeping new study says the state is partially to blame for a decades-long failure to confront a broken model of financing that has starved many local governments of the financial resources necessary to help their communities boost their populations.

"Strong, vibrant cities are important elements to attract new residents, especially young people," the study by the Citizens Research Council of Michigan and Altarum, an Ann Arbor-based research institute, found. "But the ability for Michigan cities to compete is frustrated by the municipal finance model, the inability to use local-option sales taxes, urban areas that reflect years of urban sprawl, the degree residents have self-segregated themselves by income and race, and the lack of regional focus."

The CRC/Altarum study tackled the complexities behind Michigan's stalled population, which has been hovering around 10 million residents for more than 20 years, and its declining prosperity relative to neighboring states and the nation as a whole. The study produced voluminous data in five areas: population and demographics; economy, workforce, and talent; environmental infrastructure and climate change; public health; and the public sector.

Making individual communities, not just the state overall, more attractive is key to growing the state's population. "People don't move to a state, they move to a community within the state," said Michigan Municipal League Executive Director & CEO Dan Gilmartin. "We've been disinvesting in those places markedly since the 1990s." Local governments have been particularly hard hit by a decline in state revenue sharing, which is crucial in providing basic services to residents and investing in placemaking. While local governments have seen a boost in revenue sharing payments during the past several years, those payments are expected to be 35 percent below the 2001 peak next year, adjusted for inflation, according to the study. Municipalities also are prohibited from assessing sales taxes.

And, as local government officials know all too well, the Headlee tax limitation amendment and the Proposal A school finance reform put a big brake on their ability to keep up with rising costs and, combined with less revenue sharing, has forced many communities to shrink their workforces. In addition, the state's property tax system has contributed to urban sprawl by rewarding new communities with room to grow and add to their tax base, while built-out urban centers that tend to be poorer, struggle.

"Michigan's property tax system devalues revitalization and development and encourages suburban sprawl. The current property tax system rewards the wrong behaviors and does not encourage strong regional economies," the CRC/Altarum study said. That hurts the state's ability to attract young, college-educated workers who want to live in vibrant metropolitan areas with strong core cities, such as Chicago, Denver, and Minneapolis. "It's very much a zero-sum game," said CRC President Eric Luper. And sprawl is a major contributor to the state's \$5 billion a year infrastructure funding gap when the state's total population is not growing.

The CRC/Altarum study found Michigan's local finance and governance system "can often pit local governments to work against each other rather than incentivize them to work together for the good of the region and the state." It recommends a more regional approach to taxing some local government services, sure to be controversial in a strong home-rule state. "People are attached to their local community and hesitant to cede any of its power or authority," the study conceded. But "advances in communication, technology and transportation can enable a new mode of regional governance that would be more efficient than thousands of small local governments doing things alone."

Transit, which is seen by many experts as a key element in attracting young people, has been hampered in Southeast Michigan by political divisions that have prevented the region from implementing a regional tax system that most places around the country use to finance transit operations. "Michigan's focus on home rule for its local governments in many ways interferes with efforts to accomplish regional goals such as transit. More than just agreeing on a funding




*“Making individual communities, not just the state overall, more attractive is key to growing the state’s population.”*

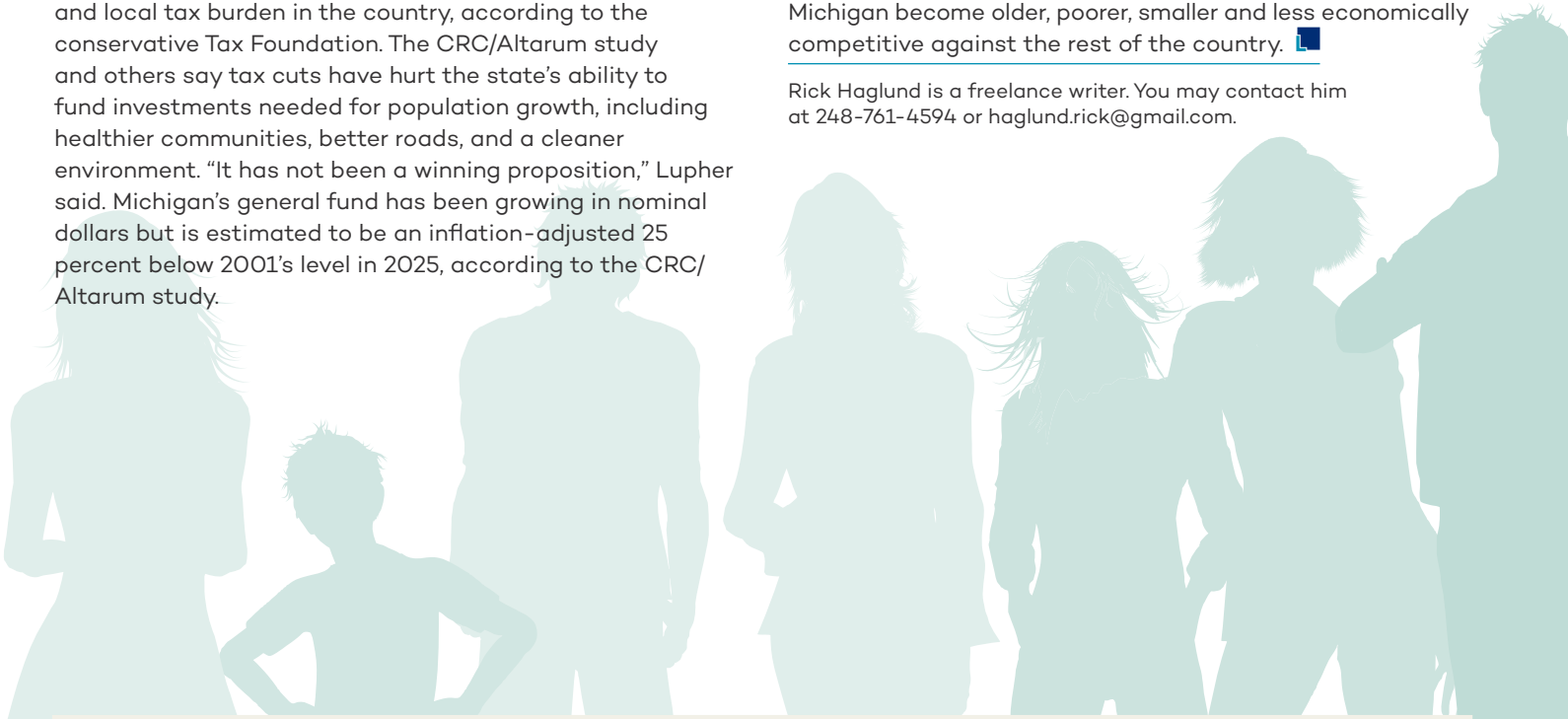
scheme, vibrant communities and successful transit can be accomplished with transit-oriented housing, walkable communities providing access to transit stops, commercial buildings close to transit stops, and other features that benefit transit users,” the study said.

Cutting taxes has been a hallmark of Michigan’s economic development strategy since at least the early 1990s. That’s resulted in the state having the fifth-lowest state and local tax burden in the country, according to the conservative Tax Foundation. The CRC/Altarum study and others say tax cuts have hurt the state’s ability to fund investments needed for population growth, including healthier communities, better roads, and a cleaner environment. “It has not been a winning proposition,” Lupher said. Michigan’s general fund has been growing in nominal dollars but is estimated to be an inflation-adjusted 25 percent below 2001’s level in 2025, according to the CRC/Altarum study.

The good news is policymakers have the ability to make new investments if they choose to do so. Michigan could boost state revenues by more than \$10 billion and not hit the constitutional cap on state tax revenues. And lawmakers could undertake a sweeping reform of the state’s municipal finance system to help cities and villages become more appealing to new residents.

Or, policymakers could continue on the same path and watch Michigan become older, poorer, smaller and less economically competitive against the rest of the country. 

Rick Haglund is a freelance writer. You may contact him at 248-761-4594 or [haglund.rick@gmail.com](mailto:haglund.rick@gmail.com).



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# Handbooks

These handbooks are essential reading material for new and veteran elected and appointed officials in cities, general law, and home-rule villages.

**Topics covered include:**

- Structure and Function of Local Government in Michigan
- Roles and Responsibilities of Municipal Officials
- How to Select and Work with Consultants
- Running Meetings
- Personnel and Human Resources Issues
- Special Assessments and User Charges
- Planning and Zoning Basics

**Numerous appendices include:**

- Open Meetings Act
- Freedom of Information Act
- Sample Council Rules of Procedure
- A Glossary
- Frequently Asked Questions
- A Sample Budget Ordinance







Q. Can you explain the difference between council rules of procedure and Robert's Rules of Order?

A. Rules of procedure are tailor-made rules local governments use to expedite municipal business. Robert's Rules of Order is a book on parliamentary procedure written for large governing bodies. Rules of procedure cover such things as preparation of agendas, the order of business at meetings, methods for processing communications, the length of discussion, and conduct in the council chambers. Rules of procedure are determined by the local governing body and cannot contradict provisions of the charter (of home rule cities and home rule villages) or the General Law Village Act (of general law villages).

Your governing document, whether a home rule charter, the General Law Village Act, or the Fourth Class City Act, should be the basis for your municipality's rules of procedure. Home rule cities and home rule villages may have charter provisions that regulate such things as special meetings or compulsory meeting attendance, for instance. General law villages do not have a home rule charter but operate under the General Law Village Act. The General Law Village Act requires the council to hold at least one meeting in each month and provides that special meetings may be called by the president or three trustees. In addition, the General Law Village Act requires that the council "shall prescribe rules of its own proceedings." The Fourth Class City Act states that the council "shall prescribe rules for council proceedings."

Some council rules of procedure adopt Robert's Rules of Order as part of their rules, or as a back-up if a situation comes up that is not contained in their council rules. Here is an example from a city charter:

Robert's Rules of Order, the most recently published edition, are hereby adopted as the parliamentary procedure for the city council. In all matters specific in these guidelines, these guidelines shall take precedence over Roberts Rules of Order. In matters of parliamentary procedure not otherwise addressed in these council guidelines, Robert's Rules of Order shall prevail.

Q. As a member of the MML, what type of issues or problems can we get help with?

A. The League helps our members with all sorts of questions about municipal operations. We cannot give legal advice. What we can do is offer sample documents such as ordinances, personnel policies, and contracts/agreements. We literally have thousands of documents in our electronic files. We also have many publications, including one page easy to read explanations of municipal topics (known as Fact Sheets), local government primers, municipal reports, an annual Wage & Salary database, and more. Email questions to [info@mml.org](mailto:info@mml.org).

## Michigan Municipal Stats

**533 Cities And Villages**

**1,240 Townships**

**1,101 General Law Townships**

**139 Charter Townships**

**280 Cities**

**266 Home Rule Charter Cities**

**4 Fourth Class Cities**

**1 Special Charter City**

**252 Villages**

**46 Home Rule Villages**

**206 General Law Villages**

Q. Is the public allowed to participate or comment at a work session of the council?

A. Yes. Although work sessions are intended to provide opportunities for councilmembers to study difficult issues, gather and analyze information, and clarify problems, whenever a governing body holds a meeting, as defined by the Open Meetings Act, it must be posted, and people must have an opportunity to address the governing body (MCL 15.263). Making those in attendance aware of the general purpose of a work session—to study issues, not to take action—often helps.

Conducting work sessions under the Open Meetings Act helps to minimize the public's concern that decisions are not made "in the sunshine." This perception can be addressed by making it clear that council holds work sessions for difficult issues. But these sessions are open to the public and no action is taken except in a regular meeting.

See our Fact Sheet: Work Sessions—Use by Legislative Bodies.

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

A. The source of the answer is your municipal charter. The General Law Village Act (which serves as the charter for general law villages) provides that the president or three councilmembers can call a special meeting. However, a home rule city or home rule village must check its own charter. If it is not in your city or home rule village charter, consult your council rules of procedure.

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

The League's Information Service provides member officials with answers to questions on a vast array of municipal topics. Call 1-800-653-2483 or email [info@mml.org](mailto:info@mml.org).

# MI FUNDING HUB: A One-Stop Shop to Help Michigan Communities Access New State and Federal Funding

—By Shanna Draheim

With billions of dollars in available funding for local units of government through programs like the American Rescue Plan Act (ARP), the Bipartisan Infrastructure Deal (BID), and the Inflation Reduction Act, there is a significant need by local leaders to easily track and access these grants as they become available. But for many communities across Michigan, especially small and medium-sized communities, navigating this process and developing projects and programs that meet their current and future needs exceeds their capacity.

## Responding to Member Needs

In 2020, the Michigan Municipal League launched a program to help communities successfully access federal recovery funds. We quickly followed this with our “MI Water Navigator” program that provides technical assistance to communities in accessing state revolving fund dollars for water infrastructure projects. These programs have provided training, direct technical assistance, and resources for several hundred communities to help plan and manage projects, get grant ready, and successfully apply for funding.

As the number and complexity of state and federal grant funds has grown over the last year, the League realized we needed to expand and extend this technical assistance for our members. Through a partnership with the Michigan Department of Labor and Economic Opportunity (LEO) for local capacity enhancement, we are scaling our work up into a comprehensive MI Funding Hub online resource center and technical assistance program.

“This new funding from LEO will allow the League to build on our already successful technical assistance programs that are helping communities leverage new federal funding for high impact local programs,” said Dan Gilmartin, CEO and executive director of the League. “This work will provide local governments with the critical information and tools they need to capitalize on this once-in-a-generation opportunity.”

We know that our members and other local governments have a vision, and in many cases are ready to implement plans, for investments in their communities that will improve well-being and quality of life for their residents, but often lack the capacity to search for and successfully apply for external funding. Our goal over the next two years is to support local leaders in understanding, seeking, and successfully deploying new grant funds for economic growth, infrastructure, and other critical community projects. Leveraging these resources is critical to making Michigan a place that attracts and retains businesses and people.

## MI Funding Hub Services

The newly expanded MI Funding Hub program provides three services for Michigan communities:

- A robust online portal that provides easy to navigate information on available and future grant funds, resources for planning and managing projects, and details on events and programming related to new funding opportunities;



The MI Funding Hub is a joint venture of The Michigan Municipal League and The Michigan Department of Labor and Economic Opportunity.







# MI Funding Hub

- A Help Desk that provides one-on-one coaching for municipalities to discuss project idea(s), talk about steps they can take to get grant ready, provide advice on how to make applications more competitive, and match/direct them to applicable grant opportunities; and
- Outreach and education on upcoming grant opportunities and strategies for accessing state and federal funding through a MI Funding Hub newsletter, webinars, League Convention and CapCon sessions, and other events.

Technical assistance and training for communities is available now, and the revamped funding and resource hub is projected to be completed in March 2024. [L](#)

To learn more about this program or get technical assistance in navigating funding opportunities, visit [MIFundingHub.org](https://MIFundingHub.org) or contact the League team at: [helpdesk@mifundinghub.org](mailto:helpdesk@mifundinghub.org).

Shanna Draheim is the director of policy research labs for the League. You may contact her at 517-908-0307 or [sdraheim@mml.org](mailto:sdraheim@mml.org).

*“Our goal over the next two years is to support local leaders in understanding, seeking, and successfully deploying new grant funds for economic growth, infrastructure, and other critical community projects.”*



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Today

## The League has reached a milestone: its 125th anniversary!

Go on a journey with us as we commemorate our taglines, “Cooperation Solves Any Problem”; “Educate, Advocate, Assist”; “Better Communities. Better Michigan”; and “We Love Where You Live.”

We look forward to celebrating together at Convention 2024 on Mackinac Island. Throughout the year, we’ll be sharing historical photos and facts, past wins for Michigan communities and their municipal leaders, big moments on

the League timeline, and what we hope to achieve in the next 125 years. Keep an eye on League channels for quasiquicentennial content, including:

- **Social media**  
Facebook @MMLeague  
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LinkedIn: Michigan Municipal League  
Hashtag: #MML125
- Each issue of *The Review* in 2024