

# The Review

The official magazine of the  michigan municipal league

May/June 2024

## Michigan Communities On Board for Rail's Return

- 
- 06 Michigan's Road  
Funding Needs
- 10 Complete Streets
- 18 "Dig Once" Approach

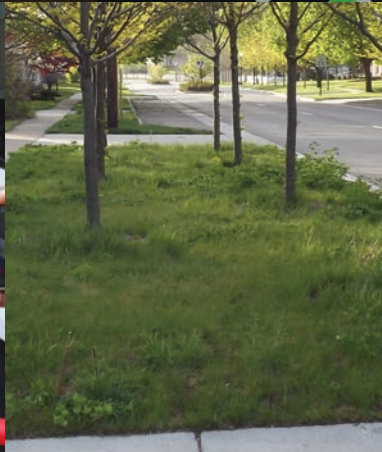
# The Review

May/June 2024

Volume 97, Number 3

The official magazine of the  
 michigan municipal league

Visit [mml.org](https://mml.org) for the electronic version  
of the magazine and past issues.



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design program manager  
with Groundwork Center  
for Resilient Communities.



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# Transportation and Transit

## Executive Director's Message

We humans love the things that get us from here to there. Until, that is, they don't. Take for example *Knight Rider's* KITT ... or *Harry Potter's* Hogwarts Express ... or Ken Kesey's (*The Electric Kool-Aid Acid Test*) psychedelic bus "Furthur."

All were pretty iconic modes of transportation in their heyday. So, what ever happened to them?

In *Knight Rider 2000*, KITT was broken down for parts and its computer brain reinstalled in the dashboard of a 1957 Chevrolet Bel Air.

The Hogwarts Express (a.k.a. Jacobite Express) still runs round trips in the Scottish Highlands but was forced to jack up its ticket prices after losing a court battle to be exempt from millions of pounds in door safety improvements.

After falling into disrepair in the late 1960s, "Furthur" was unceremoniously sunk in a swamp, then dragged back out in 2005 by some nostalgic, aging Merry Pranksters. It now resides in a warehouse on the late author's Oregon farm.

Transportation is an essential element of daily life. But, as these ill-fated transit icons attest, it must keep pace with the times or risk obsolescence.

Gone are the days when more and bigger highways were the only hallmark of progress in transportation. We've learned that transportation options are a key element to helping our communities become vibrant, 21st century places.

To make Michigan more competitive, local communities need a comprehensive transportation plan that goes beyond funding local roads and state trunk lines, to supporting urban and rural transit systems and complete, multi-use streets. As I've said in the past, we need to invest from the driveway to the highway, ensuring whether we travel by car, train, bus or bike, our transportation network meets the mobility needs of all users.

But nothing comes cheap. According to the latest study authorized by the Michigan Infrastructure & Transportation Association, Michigan's existing transportation network costs \$9 billion per year to operate and maintain and could reach upwards of up to \$16.7 billion per year with limited or deferred maintenance. Current revenue and funding allocations still leave an annual funding gap of \$3.9 billion per year to achieve the goals of the Michigan Legislature and MDOT to properly maintain our roads.

Transportation infrastructure funding continues to be a top League priority. The League is on record supporting efforts to increase revenues through increases in motor fuel and vehicle registration taxes, along with other financing

mechanisms. And we're not just focusing on bright new ideas. Our policy overall has always been to "fix it first" by repairing existing roads and bridges before spending funds on building new ones.

Of course, roads and bridges are only one piece of the puzzle. In this issue, you'll hear the latest on the proposed passenger rail line from Ann Arbor to Traverse City, with a connecting route through Kalkaska to Petoskey.

You'll learn about the latest advances in regional transit in southeast Michigan, highlighting tactical improvements in coordination, regional connections, and service expansions.

We'll also review the basics of Complete Streets—a concept that continues to be vital in planning and maintaining streets that enable safe access for everyone.

Our experts will even dig down into the challenges and complexities of historic environmental reviews required for getting transportation projects with federal dollars and/or federal permits. We'll help you understand what the process is, how to navigate it, and what happens in the uncommon event that a project hits a historical cultural resource.

Then, because no infrastructure project happens in a vacuum, we'll discuss the need to coordinate infrastructure management between those who share common rights-of-way.

We'll even talk about Great Lakes cruises and how they could impact economic development in municipalities along their routes.

Obviously, a comprehensive transportation plan doesn't come easy. It's going to take a lot of things—strategic planning, visionary leadership, community support, funding, and more—to get us all from here to there. But as the old saying goes, every journey starts with the first step.

This year many of our members started that journey at the League's annual CapCon which took place on March 12–13 in Lansing.

Here at the League, we never stop working and planning for the future for Michigan's municipalities. Let's continue the journey together.



**Dan Gilmartin**  
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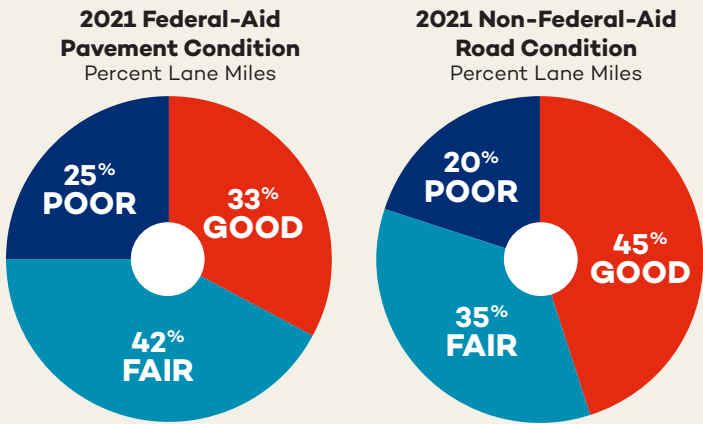
# Breaking Down Michigan’s Road Funding Needs

By Kathryn Frens and Maggie Pallone

## \$9 billion per year.

That’s the estimated cost of rebuilding and maintaining Michigan’s existing road network, according to a 2023 study by Public Sector Consultants (PSC). Frequently described as “crumbling,” Michigan’s roads—83,000 lane-miles of federal-aid highways and about 165,000 of non-federal-aid roads—are funded through a combination of federal, state, and local dollars. Federal-aid highways are roads like the Interstate Highway System (such as I-75), U.S. highways (such as US-23 and US-127), and state highways (such as M-22). Non-federal-aid roads are local streets maintained by counties, cities, or villages.

Michigan’s road budget is \$4,719,960,000 in fiscal year 2024, which includes an influx of one-time federal and state bond funding that in recent years has helped fix some of the state’s highways. But even those recent injections of funding don’t come close to raising enough money to maintain our road network in good or fair condition. Our research shows that without additional funding, Michiganders can expect to see a steep decline in both available money for road maintenance and in the condition of the roads. The following graph illustrates historic and current funding models and the impact on pavement conditions and demonstrates how additional investments could alter the decline in road conditions.



### So How Do We Fix the Damn Roads?

So, what can be done about it? PSC calculates an annual deficit in road funding of about \$3.9 billion through 2026, which comes out to about \$535 per Michigan adult per year. Although raising this kind of revenue has been politically difficult, research shows that spending money up front to maintain roads is far cheaper in the long term than allowing roads to deteriorate and then rebuilding them. The following six options, which could be used individually or in combination, could be used to raise revenue for Michigan’s roads.

### Option One

#### Motor Fuel Tax Increases

Increase the motor fuel tax. PSC estimates the motor fuel tax would need to be raised by 74 cents per gallon to fill the revenue gap of \$3.9 billion annually, for a total of \$1.01 in motor fuel taxes per gallon of fuel. While this tax could raise sufficient revenue to fund Michigan's roads in the short term, revenue from motor fuel taxes is expected to decrease in the future as vehicles become more fuel efficient and electric vehicles increase in popularity.

### Option Two

#### Change Assessment Model

Increase the motor fuel tax and assess on a per-dollar basis. Motor fuel is currently taxed on a per-gallon basis. Taxing it on a per-dollar basis would raise more revenue when fuel prices increase but would raise less revenue when fuel prices are lower. Other states have moved away from this approach due to its volatility.

### Option Three

#### Sales Tax Increase Dedicated to Roads

Increase the sales tax and dedicate the increase to transportation funding. To cover the funding gap of \$3.9 billion annually, Michigan would need to raise its sales tax by three percent, resulting in a total sales tax of nine percent. Sales tax collection and allocation is delineated in Article IX of the 1963 Michigan Constitution, and any increase or change to the allocations requires a constitutional amendment.

### Option Four

#### Local Sales Tax

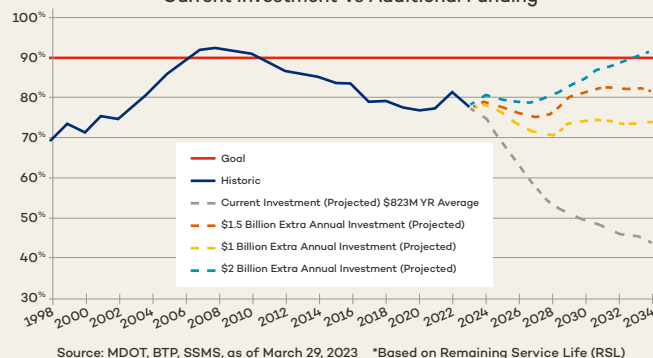
Allow local governments to charge their own sales taxes and dedicate the revenue to local roads. Thirty-eight other states allow local governments to collect sales taxes; Michigan prohibits this. A constitutional amendment would be necessary to lift the prohibition and allow local governments to collect taxes which could go to fund local roads. While this option would only fund local roads, it could be used in conjunction with other options and would give individual communities the ability to decide how much money they want to dedicate to their own roads.

### Option Five

#### Miles Traveled Fee

Asses a fee per mile traveled for vehicles (commonly known as a VMT). If a VMT was applied equally to gas, hybrid, and electric vehicles, it could replace the motor fuel tax while raising revenue independently of the transition to more efficient vehicles. PSC calculated that a VMT of five cents per mile on all vehicles would be necessary to replace the state motor fuel tax revenue of \$1.3 billion and fill the annual road funding gap of \$3.9 billion. Since 2016, 16 states and two multistate coalitions have piloted VMT on their roads in anticipation of the transition to electric vehicles and the associated decrease in fuel tax revenue.

State Trunkline Combined Freeway/NonFreeway:  
Projected Pavement Conditions  
Current Investment Vs Additional Funding




### Option Six

#### Tolling

Charge tolls on some highways and bridges. While PSC's 2023 study did not address the possibility of tolling, the engineering firm HNTB found that tolls could raise up to \$1 billion annually for road funding.

### The Fork in the Road for Funding Michigan's Highways

The need to raise additional revenue to maintain our road network is not a new problem. Decades of deferred investment has left Michigan's road network with a D rating from the American Society of Civil Engineers. Report after report highlights there is no easy or cheap solution to road funding in Michigan.

Different constituencies have different priorities for the use of tax revenue, raising money can be politically toxic, and all the options listed here have their detractors. Even VMT, an option championed by many transportation experts, comes with equity and environmental concerns. However, with the recent influx of bond dollars and federal funding set to dry up within the next year and each year of pavement age compounding maintenance costs, it is clear that Michiganders need to be willing to try something new. When it comes to funding our roads, inaction may be the costliest option of all. 

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## From the League's archives...

### Cities get first share of gas tax

In 1928, the Michigan Municipal League won its four-year fight to obtain for cities a portion of

**1928**

The League wins four-year fight to get a portion of the gas tax for cities and villages.

MICHIGAN MUNICIPAL REVIEW

MICHIGAN CITIES GET SHARE OF GASOLINE TAX

Legislative Efforts of League of Michigan Municipalities Get Tangible Results

List Showing Amounts Allotted

CITIES	Amount
Ann Arbor	2,785.99
Dearborn	482.20
Detroit	4,810.88
Flint	4,094.65
Grand Rapids	1,003.82
Lansing	3,670.68
Warren	2,193.17



1958 —

*Mackinac Bridge links the state*

In April 1956, the Mackinac Bridge was beginning to take shape. Construction of the bridge took over three years to complete. Before the bridge was built, travel between the two peninsulas was by car ferry. Until 1999, the Mackinac Bridge was the longest suspension bridge in the world, with a span of just over five miles. A three-day festival highlighted the bridge opening in June 1958. The completed bridge at left is viewed looking north toward St. Ignace.



**1958**

Mackinac Bridge construction connects two peninsulas

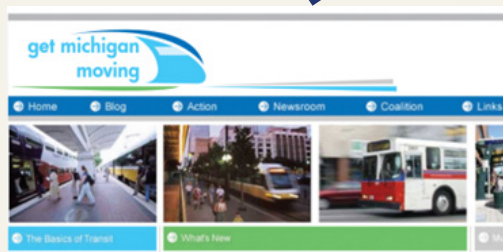


1975 —

*Dial-A-Ride hits the road in smaller communities*

**1975**

The State Highway Commission financed a series of DART demonstrations in small municipalities; the service was especially helpful to senior citizens and disabled residents.



**2009**

The League, the Detroit Regional Chamber, and Transportation Riders United created a coalition embracing public transit as a powerful economic development tool.

## FACT SHEET

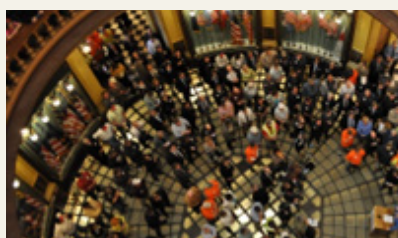
michigan municipal league

### Complete Streets

#### Introduction

Complete Streets legislation, or 2010 P1 pedestrianism—during roadway planning or appropriate within the project. This is a Transportation Secretary Ray LaHood enacts the Complete Streets legislative package

**2010** The League's Fact Sheet explaining the new Complete Streets legislation (available at [www.mml.org](http://www.mml.org)).



**2010**

Over 400 officials participated in the Transportation Day Rally seeking a permanent funding solution to fix Michigan's crumbling roads and infrastructure.



**2010**

League President Jeff Jenks (Mayor Pro Tem, City of Huntington Woods) with Governor Granholm at the Complete Streets bill signing.



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# COMPLETE STREETS:

## A Transportation Policy Transforming Communities

By Eric Dryer

East Warren Avenue once served as the thriving main street for East English Village, a century-old neighborhood on Detroit's east side. Wide sidewalks made it easy to walk to the many businesses that served the neighborhood. As the era of the car arrived, the street was widened to make room for vehicles, leaving the sidewalk with little room and no trees. Over time, foot traffic vanished.

However, the community's nearly 5,000 residents longed to be connected to each other and local businesses once again. They needed what transportation planners call Complete Streets.

Complete Streets redefines the car-centric model of transportation systems, creating safe access for users of all ages and abilities, including pedestrians, bicyclists, and transit riders. The transformation goes beyond transportation. When guided by community input and thoughtful design, Complete Streets can create a new sense of place.

### Community Input Helps the East Side Bloom

OHM Advisors was tasked with redesigning E. Warren Avenue as part of a broader neighborhood revitalization plan. Our planning team deployed a wide-ranging toolkit for community input to better understand what residents

wanted in their neighborhood main street. Postcards, yard signs, social media, and canvassing got the word out. Virtual office hours, Zoom meetings, feedback surveys, and one-on-one conversations gave us critical insights.

Residents wanted to connect the neighborhood on both sides of E. Warren with community gathering spaces. They wanted to walk to the Alger Theater, Hammer Time Hardware, and other local businesses. They wanted safe, comfortable, and vibrant places to walk and bike.

Today, the vision is being realized on E. Warren, thanks to a \$7 million streetscape investment. Floating tree islands protect cyclists from vehicle traffic while shading pedestrians. Improved lighting, benches, and planters bring safety, comfort, and beauty to the street. Just a few paces from Flamz Pizzeria and the hardware store, new flexible parking plazas provide space to meet the needs of the neighborhood depending on the day or event.

This flexibility is an essential hallmark of Complete Streets. The philosophy does not mean every street needs everything, though. Rather, transportation planning and design must respond to the most important needs of each specific street while ensuring safety for the most vulnerable roadway users. If these are done correctly, supportive land uses, economic development, and amenities will follow.



Wide sidewalks, crosswalks, and floating tree islands bring safety and comfort to pedestrians and cyclists on E. Warren.



The intersection at E. Warren and Courville establishes flexible-use spaces. The curb-less hardscape can transition from a parking lot to a community gathering spot.

## COVID-19 and Beyond: Complete Streets Evolution

The Complete Streets crusade began in 2003, reacting to the standard practice of building roads for as much motorized traffic as possible. This approach left behind nearly a third of the American population—children, seniors, and people with differing abilities—not to mention those who can't afford a car, rely on public transit, or prefer not to drive.

Within a decade, nearly 500 Complete Streets policies were implemented nationwide. Then, the COVID-19 pandemic brought the importance of multi-modal streets back into focus. With fewer drivers on the roads, a surge in pedestrian and cycling usage, and the need for more outdoor gathering spaces, the pandemic made the case for a more flexible transportation network—one that focused more on people than cars. Municipalities, seemingly overnight, repurposed parking and traffic lanes for outdoor seating and gathering spaces—many of which remain today.

But the pandemic was just one disruption to take place during the Complete Streets era. Crashes related to speeding and cell phone use are driving up traffic fatalities. The need for electric vehicle charging has emerged. Consideration for autonomous vehicles is on the horizon. Yet, the core principles of Complete Streets remain focused on designing streets that safely meet the needs of multiple roadway users, not just vehicles.

## No One-Size-Fits-All Approach

Those principles look different in every project. Detroit's Riopelle Street project shows us how transportation planning can make an active neighborhood even more lively. Riopelle is in the heart of the Eastern Market, where the bustling Saturday farmers' market, community events, and Lions tailgating bring hordes of visitors, while small businesses and nightlife have lured new residential developments.

After multiple public meetings provided valuable insight, OHM Advisors designed an innovative shared street concept that includes dedicated on-street parking, upgraded sidewalks with decorative paved walkways, ADA-compliant ramps and curb bump-outs, and a landscaped parking lot.



*Riopelle is an example of a Complete Street that enhances a neighborhood's sense of place through its blend of street uses, colorful design, and lighting.*



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*Auburn Road transformed from a long thoroughfare to a community destination, with inviting landscaping, roundabouts to control traffic flow, and well-marked pedestrian crossings.*



*Artwork and custom gateway signage create memorable moments for people traveling Auburn Road on foot or by car.*

## COMPLETE STREETS

The one-way “flex” street includes curbs flush with the street, allowing it to quickly transform into a pedestrian plaza for festivals and events. The design takes cues from Riopelle’s artistic vibe, adding decorative streetlights, overhead festoon lighting, and colorful sidewalks to further enhance a sense of place.

While the design lacks transit and cycling amenities, it remains a Complete Street because it addresses the specific needs of this neighborhood: parking, space for delivery vehicles, and patio seating.

For yet another approach, look to the City of Rochester Hills at the northern edge of the Detroit metro area. In this suburban community, Auburn Road was the definition of car-centric with two lanes of traffic, large parking areas, and no sidewalks.

The city wanted to make Auburn Road a destination and give the surrounding area an identity, in addition to improving safety for all users of the street.


OHM partnered with the city to deliver a greener, safer, and more welcoming design for the half-mile stretch. Pedestrians are encouraged to walk to local shops and restaurants, enjoying artwork, decorative landscape plantings, and new public spaces. On the street itself, drivers find a landscaped median that splits the two lanes, roundabouts at busier intersections, and on-street parking. Custom gateway signage,

unique branding elements, and a community plaza complete with splash pad further solidify Auburn Road as a destination.

## Community Revitalization

Holistic transportation planning is an integral part of community revitalization. Communities can be reborn when combined with investments in housing, parks, and mixed-use developments.

Back along E. Warren Avenue, new economic activity has followed the significant investment in public space. Coming to the street are dozens of new affordable housing units, three restaurants, two coffee shops, two commercial kitchens, and a bookstore. No more is this a street that people drive through. It is now a destination for people using all forms of transportation. The neighborhood’s vision is being realized, as E. Warren returns as the community’s central gathering place.

As the Complete Streets movement progresses toward a third decade, the policy will continue supporting safer, more connected, and more inclusive streets—streets that will be the foundation of vibrant communities, where everyone has a place. 

Eric Dryer is a principal and director of OHM Advisors’ Michigan Planning and Landscape Architecture team. He can be contacted at [eric.dryer@ohm-advisors.com](mailto:eric.dryer@ohm-advisors.com).



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Our unique, professional experiences have demonstrated this philosophy in action, from managing a city and its diverse operations, to overseeing one of the largest law enforcement agencies in the State. This experience strengthens our ability to understand the impact upon employees and residents when making decisions on labor policy.

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# Transit Can Come to the Rescue of Michigan's Population Crisis

By Ben Stupka

Regular readers of *The Review* are familiar with recent efforts to again make Michigan a leader in job growth and infrastructure, encouraging our families to stay, and inviting others to move in. With Michigan's top minds on the case, we have a roadmap to move past decades of population stagnation and once again catapult up the ranks. On that roadmap, stop one is transit.

Composed of industry and policy leaders from across the state, the Growing Michigan Together Council recently studied how to keep our population in place and bring young, talented workers here. A top-line recommendation is fostering resilient, vibrant communities—specifically “walkable, transit-rich” places, as described by Chief Growth Officer Hilary Doe at the March 2024 MML CapCon.

Transit deserves special consideration for its role as a connector of important issues and opportunities. More than just a trend to attract young people, transit is what we need to grow our economy and support the communities we have today, and even more so the population we'll have for decades to come.

The Regional Transit Authority (RTA) of Southeast Michigan exists to fill the role of connector. A shining example, D2A2 is a pilot that runs nonstop coach service between Downtown Detroit and Ann Arbor, connecting two regional economic hubs and educational centers. We've seen success: Ridership has climbed by 50 percent year-over-year, beating most post-pandemic recovery trends.

## Inverted Population Pyramid

Anyone can tell you an anecdote of their daughter, nephew, or grandchild leaving the state for greener pastures—or, in this case, more “walkable, transit-rich” places. Instead, I'll point to a stat. Compared to 40 years ago, the state's population of “young Michiganders”—up to 34 years old—is down about 20 percent, while the 65 and older population is up 87 percent.

Though much of the concern over Michigan's inverted population pyramid focuses on the dwindling trunk, the growing peak of older adults also presents a responsibility and challenge.

Transit is a rare investment that calls to both bookends of our population. While public transit is often thought of as a monolith—buses with fareboxes—service today doesn't look like it did 40 years ago, following decades of non-investment. Flexible solutions and specialized services can go door-to-door based on calls from older adults, and fareboxes now can be augmented with app-based, online booking. Communities can stitch together the services that fit best their population now and in the future.

## Economic Benefits

The right mix leads to positive effects downstream. Transit catalyzes investment and stimulates the economy, connecting workers to jobs and businesses to workers. The economic benefits are noticeable on the smallest of scales, too. Families can build wealth and save on transportation costs—recent research shows that high transportation costs offset otherwise affordable housing in Michigan. People also have more to spend in their communities, and we know that stimulates retail, restaurants, and main street businesses.

Transit connects older adults and younger adults back into their communities and to jobs, social networks, and attainable housing. For every dollar spent on transit, \$5 of economic growth follows.



RTA Executive Director Ben Stupka cuts the ribbon to officially launch Detroit Air Xpress, the new nonstop coach transit service that will connect Downtown Detroit and DTW Airport.



RTA staff surveys SE Michigan residents as part of its community engagement series to update the Regional Transit Master Plan.

“Transit connects older adults and younger adults back into their communities and to jobs, social networks, and attainable housing. For every dollar spent on transit, \$5 of economic growth follows.”

## Transit Planning

At the RTA, we like to say we plan, we fund, we coordinate, and we accelerate. Specifically, we plan transit projects and reports, coordinate with various services and municipalities, fund transformative mobility, and accelerate pilot projects. Our role helps make the value proposition of transit to business leaders and creates proofs of concepts that people can get behind.

A guidelight among other duties, we maintain a Regional Transit Master Plan (RTMP), a unified spearhead for transit priorities that points the region in one direction. Annually updated, the RTMP considers transit trends, public opinion, and transit provider feedback to establish a compass for pilots to pursue and grants to go after.

Just like communities need master plans and states need predictive population estimates, our transit systems need to be considered in the same light. Identifying the services best geared to our communities is a crucial step to getting the most out of limited transit dollars. And limited transit dollars are an issue.

## Funding

The reason for Metro Detroit’s longstanding transit shortcomings can almost entirely be tied to funding—not culture, not the auto industry, but funding. Juxtaposed to 12 comparable Midwestern peers, the region spends the second-least on transit per capita. Our current transit system is the result of decades spent funding other priorities before transit.

Recently, we’ve had a taste for what a splash of new funds can do. Awards through the American Rescue Plan, the Infrastructure Investment and Jobs Act, and the Inflation Reduction Act have accelerated the post-pandemic rebound and bolstered what agencies can provide. These parachute funds have allowed the RTA to expand our team and launch new pilot programs.

Currently, this is the RTA model: stack wins and build a sturdy foundation. With a stable organization and rider-requested pilots, we envision a transit system that people will believe in. But everyone knows: Sustainable funds are how you build a system that endures.

There’s a solution that can assist every community in Michigan, if we decide that our population trend (not to mention economic and climate conditions) demands a departure from business as usual. Local Bus Operating funds (LBO) is the tide that equally lifts the fortunes of transit providers across the state.

Transit, like many vital government services, can’t recapture all its expenses through user fees. LBO is state formula funding distributed based on population and transit services. According to state law, LBO can reimburse transit providers up to 60 percent of their operating costs in rural areas and up to 50 percent in urban areas. As a state, we usually hover closer to the 30 percent figure, which is about \$190M underfunded. During the pandemic, that figure perked up. But now we risk returning to the status quo.

To put it in terms that local officials understand, this is the revenue-sharing dilemma of transportation.

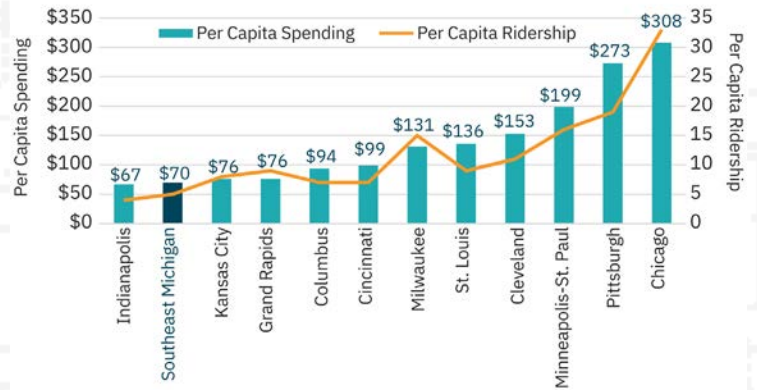
## Make Transit a Priority

A reordering of statewide priorities is necessary to brace our communities for the population shift that is underway, while making room for the population shift that we'd like to see. A more connected Michigan is the path of least resistance to check both boxes.

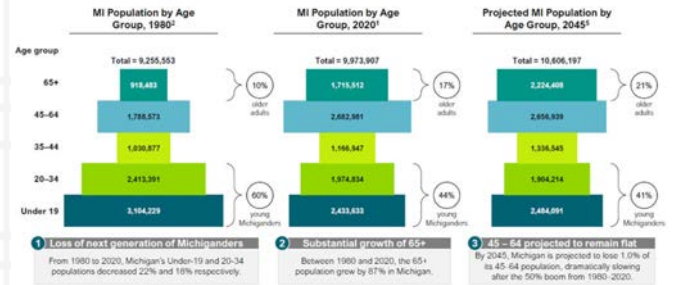
Thankfully, these ideas aren't on the fringes. Recent calls for change have earned some very active listeners in positions to cause change. A newly formed bipartisan, bicameral Transit Caucus in the state Legislature has about four dozen members—about one-third of the Legislature—and has the power to increase LBO funding and bring other transit projects to fruition. But they need support.

As agents of change, we have the power and voice to lead our communities and build connections that spur innovation, creativity, and prosperity. By investing in transit and tearing down structural barriers that have held us back, we can improve our communities today and prepare for decades to come.

Ben Stupka is the executive director of the Regional Transit Authority of Southeast Michigan. You may contact him at 313-402-1020 or [bstupka@rtamichigan.org](mailto:bstupka@rtamichigan.org).



Transit Expenditures and Ridership in Peer Regions, 2022



Michigan's population pyramid from Hilary Doe's presentation at the League's 2024 CapCon.

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# “Dig Once”

## A New Approach to Municipal Infrastructure Planning

By Eric Paul Dennis, PE

The economic and social wellbeing of a municipality is shaped by its physical infrastructure. If you want your city or village to be inviting for people to live, work, and visit, you need public infrastructure that facilitates those activities.

It is difficult for municipal planners to influence infrastructure design. Planning commissions may adopt master plans and zoning codes, but the infrastructure that runs through a city or village is typically outside of the scope of planners. Work done by your road agency or public service department may not consider the goals of the planning department in design decisions. Further limiting the ability of the municipality to influence design decisions, county and state roads that intersect your community are often designed and managed with limited coordination with the municipality.

Complicating the issue, roads run within public rights-of-way (ROWs) that host a variety of both public and private infrastructure systems. Within the ROW there may be water lines, storm sewers, sanitary sewers, natural gas lines, electric power lines, telecommunication lines, streetlights, even steam lines. These are managed by multiple public and private agencies, each with their own plans and goals.

### Inefficiency of the Current System

When one agency does work to maintain or improve their infrastructure, this is usually done without consideration of other infrastructure systems or the intent of local planners. Each agency performs each individual project to be cost-efficient for that agency, but the lack of coordination creates inefficiencies and long-term costs for all agencies as well as residents.

A typical example is when a utility owner replaces subsurface utilities such as water mains, requiring the construction crew to remove pavement and excavate underneath. Because road agencies and water departments often do not coordinate planning, the subsurface construction may occur after

a road was recently repaved. Not only does this mean that sections of the road will be repaved twice in quick succession, but the replacement patches are of lower quality and invite the formation of cracked pavement and potholes.

Furthermore, excavation is often performed with limited knowledge of the location of underground utilities. Michigan's 811 system (Miss Dig) helps with this but provides only rough estimates of where utilities lie beneath ground. Utility damage is common during construction, leading to increased construction costs and service disruptions. There were nearly 5,000 utility “hits” reported in Michigan in 2022 alone. In the case of gas lines, this also imposes a safety hazard.

“*It is difficult for municipal planners to influence infrastructure design.*”

Another outcome of this uncoordinated effort is the perpetuation of above-ground utilities that would be better relocated below ground. Specifically, this applies to electrical and telecommunication lines. This infrastructure is typically located above the ROW, fixed to utility poles where it is vulnerable to storm damage, contributing to power outages and internet failures. Additionally, above ground infrastructure is unsightly. The lines themselves contribute to visual clutter and often require street trees to be removed or trimmed in a way that is ugly and unhealthy for the tree.

## Infrastructure Coordination

Until recently, the uncoordinated approach to infrastructure planning and management was unavoidable. With today's digital technologies it is now possible to coordinate individual infrastructure systems within a coherent plan that benefits all municipal and private agencies as well as residents. However, very few communities have adopted a management framework that is able to take advantage of current technologies.

To leverage the potential for efficient collaboration, municipalities should create a role for an *infrastructure coordinator*. This position may be housed within an existing agency but should function independently. Independence is key to best manage the competing interests and conflicts between municipal stakeholders and ROW users.

At a high level, the role of the infrastructure coordinator has two basic elements:

- 1) Determine how a municipality's infrastructure should be planned, designed, and managed to best serve the community; and
- 2) Coordinate between infrastructure owners and the municipality to achieve those goals.

As always, the devil is in the details. On the first point, it is not always straightforward to determine how infrastructure should be managed to best serve a community. But some goals are obvious:

- Reduce costs of infrastructure management;
- Prevent excavation of new road pavement;
- Reduce service disruptions;
- Improve aesthetics of the streetscape; and
- Compliment municipal planning efforts.

Once goals are set, the infrastructure coordinator must then figure out how to achieve them. For example, an

infrastructure coordinator might note that both a road pavement and the watermain that runs underneath are due for replacement within the next five years. The infrastructure coordinator would then work with the road and water departments to facilitate a “dig once” project that replaces the water main and pavement at the same time.


Perhaps the infrastructure coordinator has data showing that the area is subject to floods. They could then coordinate between agencies to design a project that improves stormwater management when the road is rebuilt. They may have data showing that street parking is often vacant and coordinate between planners and infrastructure owners to have some parking space converted to green infrastructure (e.g., rain gardens).

The infrastructure coordinator may also notice that above that road runs a series of power and telecommunication lines that impose visual clutter and require unsightly tree trimming. They could then coordinate between agencies to install a utility corridor as part of the “dig once” project that would allow easy installation and access. They might then work to subsidize the subsequent undergrounding of utility lines, or condition future permitting of utility work on undergrounding those lines.

The general idea is: See a problem, fix the problem.

## Bumpy Road Ahead

Implementing coherent infrastructure coordination will not be easy. This approach represents a paradigm shift in municipal governance in the U.S. Many municipalities and states have created “infrastructure coordinator” positions, but they are typically tasked with coordinating interagency *grant applications*, rather than project management. There are some examples of infrastructure coordination that are tasked with improving investment efficiencies, such as Chicago's Project Coordination Office, but these efforts are typically very limited in scope and authority.

The idea that civil infrastructure should be managed as a coherent engineered system that best serves the municipality and its residents is both obvious and radical. Implementation will be a learning process. But every day that we don't try is one more day that we spend taxpayer dollars on wasteful projects that do not get us closer to the vision of our communities as we would like to see them. 

Eric Paul Dennis, PE, is a research associate of infrastructure policy at the Citizens Research Council of Michigan. You may reach him at 734-542-8001 or [epdennis@crcmich.org](mailto:epdennis@crcmich.org).

# Michigan Communities *on Board for Rail's Return*

By Jim Bruckbauer

Train stations often become community transportation hubs, as they can compactly accommodate a diverse ecosystem of personal transit options.



Federal and state policymakers have made significant investments in improving Michigan's passenger rail network since 2010.

- PROPOSED NORTH - SOUTH PASSENGER RAIL SERVICE
- EXISTING AMTRAK SERVICES
- TRACK UPGRADES

#### PASSENGER EXPERIENCE

In 2014, MDOT partnered with AMTRAK to offer free WiFi on Michigan's passenger trains.

#### WOLVERINE UPGRADES

In 2010, USDOT granted MDOT \$337,700,000 to buy and improve the Wolverine Line's tracks between Kalamazoo and Dearborn. MDOT spent an additional \$21,900,000 on improvements at the time, and continues to work on upgrading the entire corridor to accommodate trains traveling at speeds up to 110mph.

#### GRAND TRAVERSE CTY. UPGRADES

In 2018, MDOT spent \$2,000,000 on improving 8 miles of track in Grand Traverse County. This section of track is crucial to the North-South Rail Project.

#### A BETTER BRIDGE

In 2023, USDOT granted MDOT \$20,385,000 to replace a key bridge over the Manistee River.

#### TRACK & BRIDGE IMPROVEMENTS

In 2022, USDOT granted MDOT and GLC Railroad \$21,340,000 to upgrade 40 miles of track and bridges between Ann Arbor and Okemos.



Michigan is moving full-steam ahead on a long-term vision for boosting and expanding train lines around the state—and it's not just big cities that are part of the plans. Smaller towns in mid-size communities—which were once shaped by rail—are gearing up for future trains.

The Village of Kalkaska and cities of Cadillac and Mt. Pleasant, and many others, are beginning to work with public, private, and nonprofit partners to plan out what their communities will look like when passenger trains make their arrival back to the station. These municipalities are placing their bets on a major shift that's taken place in how our state and country are investing in transportation that helps people get around.

As the nation pushes deeper into the 21st century, there's a broad awareness that we need to add modern passenger rail to our transportation network. Part of the shift to trains is due to the downsides of a car-centric society: chiefly massively expensive road construction and repair and vast amounts of pollution. But the desire for better travel is also driving the change. Opinion surveys show people simply want to travel on trains for the convenience, comfort, and safety they offer.

Trains have received a massive funding boost lately through the Infrastructure Investment and Jobs Act, which allocated \$66 billion to upgrading existing passenger and freight rail lines and building new passenger rail lines in regions stretching from Boston to San Francisco. Michigan is benefiting from those funds in exciting ways, too, and it means important things for cities and towns all along the rails.

Most of Michigan's focus for passenger rail is on the three major corridors: Amtrak's Blue Water, Pere Marquette, and Wolverine lines. In fact, over the past decade, about \$600 million in federal and state funds have poured into improving the Wolverine corridor between Chicago and Detroit. These investments have helped increase train speeds up to 110 miles per hour and made trains more efficient and reliable, reducing the time it takes to get from city to city.

The state's goal, over time, is to increase the frequency along that route from a few trains a day to 6 to 10 trains a day, and explore additional connections along the line to Toledo, Ohio, and Windsor, Ontario.

### Connecting the Northwest Lower Peninsula to Southeast Michigan

One new project that has momentum would use an existing, state-owned freight rail line to connect northern Michigan to Michigan's Blue Water and Wolverine lines. The new route would connect southeast Michigan to the Petoskey and Traverse City areas, running through several mid-Michigan municipalities, like Owosso, Mt. Pleasant, Cadillac, and Kalkaska. After an initial feasibility study was completed in 2018, the groups that have been advancing the idea—led by the Groundwork Center for Resilient Communities—are now on to the next phase of planning out the potential passenger service.

The Northern Michigan Passenger Rail Phase II study, which is expected to wrap up in 2025, will lay out the vision and plan for what the service could look like, including train speeds, station locations, ridership potential, and governance structure. Each train-stop town will also be mapping out how passengers will comfortably and easily get to and from town, and how people will get around once they arrive.

**More than 200,000 students attend the colleges and universities along the planned route.**





Proponents of northern Michigan passenger trains say the new line could reduce congestion, curb carbon emissions, and give people all along the line fast access to larger major metro areas and the commercial and entertainment features that come along with them. It would also give tens of thousands of college and university students more ways to travel the state.

The project will have a major impact on municipalities like Cadillac, Mt. Pleasant, and Kalkaska, and those communities are ready to capitalize on future rail investments.

### Cadillac/Wexford Transit Authority

One of the project partners, the Cadillac/Wexford Transit Authority (CWTA), hopes the project, though focused on passenger rail, will also increase freight potential, and spur local and regional public transportation options.

"Freight transportation is critical to the overall viability of our rural communities," explained CWTA Executive Director Carrie Thompson. "This project would not only enhance the freight line infrastructure, but it would also bring more visitors to Cadillac and other communities along the line—a key to revitalizing downtowns and improving local economies."

Public transportation agencies, like CWTA, have a big role to play in the northern Michigan rail planning process. The study will look closely at how people will get to and from potential rail stations and their beginning or ending destinations. The 2018 study team said it would be crucial for the train operator to coordinate with public transportation agencies and other transportation services, like car rentals, car share, taxis, and shuttles.

### Kalkaska

The Village of Kalkaska, which is centrally located at the intersection of three northern Michigan shipping lanes—U.S. 131, M-72, and M-66—has a bold vision for freight and passenger rail.

Officials there, including Downtown Development Authority Director Cash Cook, are exploring plans for both a truck-to-train shipping facility south of town and a downtown passenger train hub that can serve people from all over the region.


Cook believes Kalkaska's central location makes it a prime place to serve the broader region as a rail transportation hub, which he believes will spur more economic growth in northwest lower Michigan.

He and other community officials believe a major freight shipping facility in Kalkaska will help the northern Michigan region compete in a global economy by providing a more efficient way to move freight products to national and international markets. Companies within a 100-mile radius or so of the village could truck products to the area, where they could then be moved by trains to distant destinations.

"The project will really enhance the economic development in the northwest Michigan region because it gives businesses more options for shipping products in and out of the area," says Cook. "We are excited to be a part of the process that brings together nonprofit and public partners like Groundwork, CWTA, and MDOT."

Kalkaska is also exploring a major passenger terminal that would connect future train service with other transit options like buses and motorcoach services, such as Indian Trails. Right now, there are limited options for people in communities north of Mt. Pleasant to jump on a "feeder" bus to the existing Amtrak lines. A new passenger terminal in Kalkaska could provide more ways for people to travel to Detroit and Chicago.

In the meantime, the village's downtown community space—aptly named Railroad Square—is well suited for seasonal and special event train travel. Railroad Square is adjacent to the existing tracks and is occasionally used as a boarding platform for leisure train rides hosted by the Steam Railroading Institute, a nonprofit that operates seasonal "excursion" train rides between Owosso and Petoskey. Cook added that the institute has highly praised the existing passenger loading facility, although the village's goal is to enhance the facility in preparation for scheduled services.

Kalkaska, Cadillac, and other Michigan municipalities are moving full steam ahead on efforts to connect more and more cities with passenger trains. You can learn more about the Northern Michigan Passenger Rail Phase II Planning Study at [groundworkcenter.org](https://groundworkcenter.org) 

Jim Bruckbauer is the transportation & community design program manager with Groundwork Center for Resilient Communities. You may contact him at 616-843-0419 or [Jim.bruckbauer@groundworkcenter.org](mailto:Jim.bruckbauer@groundworkcenter.org).



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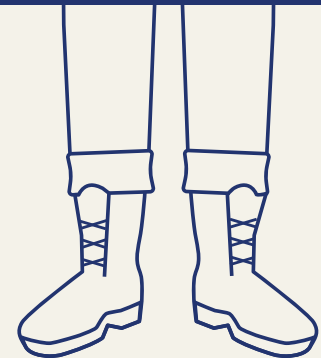
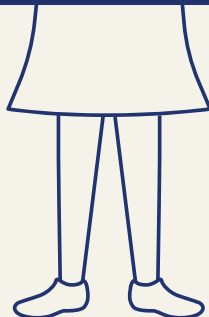
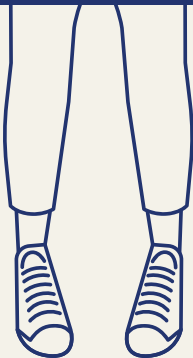
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# Thank you for attending!

# CAP CON 2024



We were pleased to see both new and familiar faces at this year's CapCon in Lansing, March 12–13, which included members, speakers, vendors, guests, and League staff. Community leaders from throughout our state, representing municipalities of all shapes and sizes, came together to learn and discuss important policies affecting local government. Our attendees had the opportunity to hear from experts in a variety of industries, including housing, community development, transportation, renewable energy, government relations, and more. League Board President Robert E. Clark, mayor of Monroe, kicked off the event with a look at the

many ways the League continues to make victories on behalf of local government. Other highlights included the League's State and Federal Affairs team discussing the opportunities and challenges facing our communities in this election year, and what their priorities are as they advocate on behalf of our members. There was time set aside for attendees to network with their colleagues, meet with state legislators at a relaxed breakfast, and speak with exhibitors at our Expo Hall, which featured a "Choose Your Own Adventure" game. [L](http://blogs.mml.org/wp/cc/)

For more details, visit our CapCon website at <http://blogs.mml.org/wp/cc/>.



# Congratulations To Our 2024 Legislator of The Year Award Recipients!



**State Representative Amos O'Neal (D-Saginaw)**

State Representatives Amos O'Neal (D-Saginaw) and Mark Tisdell (R-Rochester Hills) were honored as this year's Legislators of the Year. Both O'Neal and Tisdell have been committed to supporting legislation addressing local government issues.



**State Representative Mark Tisdell (R-Rochester Hills)**

They both championed the bills to establish a Revenue Sharing Trust Fund, which has been one of the League's top legislative priorities.



**Michigan Black Caucus of Local Elected Officials (MBC-LEO)**



**Michigan Women in Municipal Government (MWIMG)**

# 2024 Graduates



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## Elected Officials Academy Level Four Ambassador Award Recipients

Montrose Mayor Colleen Brown, Berkley Councilmember Dennis Hennen, and Ludington Councilor Kathy Winczewski join a small number of elected officials who have attained the achievement of completing the fourth and final level of the program. Including Hennen, Winczewski, and Brown, there are only sixteen total recipients in the history of the program.



Montrose Mayor  
Colleen Brown



Berkley Councilmember  
Dennis Hennen



Ludington Councilor  
Kathy Winczewski



For photos from this year's CapCon and other League events, go to [flickr.com/photos/michigancommunities](https://www.flickr.com/photos/michigancommunities). Also, check out our #2024CapCon conversation on X/Twitter, Facebook, and Instagram.

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## Elected Officials Academy Level Three Governance Award Recipients

(l to r) Hastings Mayor David Tossava, Saginaw Councilmember William Ostash, Westland Deputy Mayor James Godbout, Eastpointe Mayor Pro Tem Cardi DeMonaco Jr., Berkley Mayor Bridget Dean, Beverly Hills Councilmember Rock Abboud.

## Elected Officials Academy Level Two Leadership Award Recipients

(l to r) Sterling Heights Councilmember Barb Ziarko, Sterling Heights, Councilmember Michael Radtke Jr., Ferndale Mayor Raylon Leaks-May, Port Huron Councilmember Anita Ashford, Harper Woods Councilmember Ivery Toussant, Jr.



## Elected Officials Academy Level One Education Award Recipients

(l to r) Sterling Heights Councilmember Barb Ziarko; Garden City Mayor Pro Tem Kimberly Dold; Royal Oak Commissioner Brandon Kolo; Detroit Community Advisory Councilmember Rose Jones; Howell Mayor Robert Ellis; Petoskey Mayor Pro Tem Christina DeMoore. Graduates not pictured: Benton Harbor Commissioner Sharon Henderson; Benton Harbor Commissioner Juanita Henry; Benton Harbor Commissioner Edward Isom; Benton Harbor Mayor Marcus Muhammad; and Benton Harbor Mayor Pro Tem Duane Seats.

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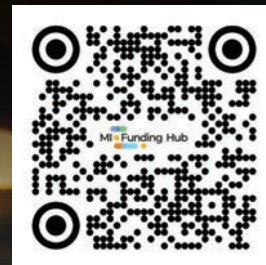
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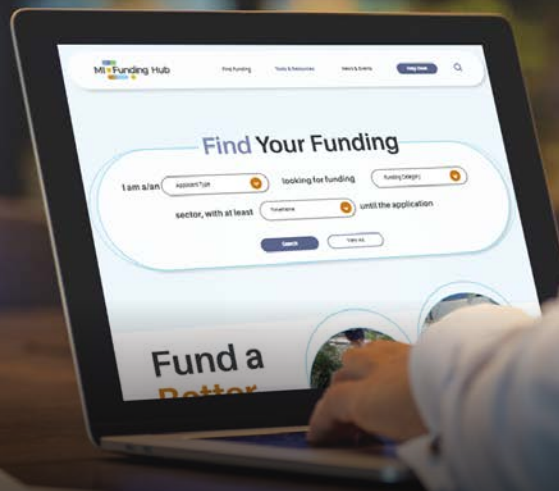


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## Future League Trainings & Events

League trainings and events provide up-to-date information on major issues and concerns relating to local government. Check out upcoming events below which can also be found on the League's event calendar.  
[mml.org/education-events/league-calendar/](http://mml.org/education-events/league-calendar/)

**Elected Officials Academy Spring Core & Advanced Summit**  
May 17–18: Mount Pleasant

**Upper Peninsula Roadshow**  
June 4–7, 2024: St. Ignace, Kingsford, Ironwood, Ishpeming, Marquette, and Manistique

**Convention 2024**  
September 11–13: Mackinac Island

**CapCon 2025**  
March 18–19: Lansing

**Convention 2025**  
September 17–19: Grand Rapids

Registration for events now happens in the League Portal!

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# Michigan Tax Foreclosure Cases

- By Bill Mathewson

**Michigan has recently seen significant state and federal cases concerning tax foreclosures and their proceeds. Some have been favorable for governmental entities. Another received national recognition by those who herald private property rights and tax limitations.**

The Michigan Court of Appeals (COA) published decision in *Jackson v. Southfield Neighborhood Revitalization Initiative* (2023 WL 6164992) applies *Rafaeli*, a Michigan Supreme Court decision which held that when a tax-foreclosed property is sold at auction, the taxpayer is entitled to the difference between the sale price and the minimum bid. (*Rafaeli, LLC v. Oakland Co*, 505 Mich 429; 952 NW2d 434 (2020) Keeping such a surplus was found to be an unlawful “taking.” However, the Court in *Rafaeli* held that there was *not a taking unless there was a surplus*. But if a city utilized a process whereby there was not a surplus, would the rule from *Rafaeli* still apply? The circumstances in *Jackson* were that the county followed procedure to foreclose on plaintiff’s property, the city purchased it from the county for the minimum bid using funds provided by the Southfield Non-Profit Housing Corp, and then conveyed the property to the Southfield Neighborhood Revitalization Initiative (SNRI).

In response to *Rafaeli*, the Legislature amended the General Property Tax Act to create a method for property owners to “claim an interest in any applicable remaining proceeds from the transfer or sale of foreclosed property . . .” Additionally, still providing cities the right of first refusal, it also revised the procedure if there were claimants for surplus funds, such that a city may purchase the foreclosed property by paying the foreclosing governmental unit (FGU) the greater of the minimum bid or the fair market value.

Plaintiffs in *Jackson* argued that where the government bypassed a foreclosure sale, sold properties for the minimum and thereby eliminated the possibility of any excess proceeds from a sale, it was still a taking.

*Jackson* quoted city council minutes re the SNRI. “The purpose of the acquisition is to rehabilitate and renovate these homes and then return them to productive use and purchase by individuals and families seeking housing opportunities within the City of Southfield. The program is designed to make available more owner-occupied housing opportunities within the City of Southfield and to revitalize and stabilize neighborhoods.”

Regarding Michigan’s Takings Clause, the COA opinion states “[*Rafaeli*] . . . differed from the present case in one important way. Specifically, in *Rafaeli* . . . the plaintiffs’ properties were not purchased for the minimum bid by another governmental entity under former MCL 211.78m(1) but were sold at a public tax foreclosure sale by the FGU, Oakland County. These public auctions resulted in surplus proceeds retained by Oakland County . . .”

The plaintiffs in *Jackson* argued that the measure of damages should be the fair market value of the properties sold when the tax-foreclosure sale produces less than that amount. The COA rejected this argument: “Our Supreme Court [in *Rafaeli* held] . . . when property is taken to satisfy an unpaid tax debt, just compensation requires the foreclosing governmental unit to return any proceeds from the tax-foreclosure sale in excess of the delinquent taxes, interest, penalties, and fees reasonably related to the foreclosure and sale of the property—no more, no less . . .”

Although the COA rejected the plaintiffs’ claim for damages based on the fair market value of the properties, it did find in their favor regarding compensation.

“... the important difference . . . is that a public tax foreclosure sale occurred in *Rafaeli* . . . but not here” . . . Thus, we hold *Rafaeli* applies to the present case and does not preclude plaintiffs’ unjust takings claims under the Michigan Constitution. Instead, in situations when there is not a public tax-foreclosure sale, *Rafaeli* requires the “surplus” to be calculated on the basis of the value of the property retained, less what is legally owed.”

Finally, the COA opinion also held that the plaintiff’s claims against the city and corporate defendants, regarding unjust enrichment and civil conspiracy, were properly dismissed by the trial court. [L](#)

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

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.



# ECONOMIC IMPACT OF CRUISE SHIPS ON THE GREAT LAKES

—By Rick Haglund

They're not the ocean-going leviathans that carry thousands of passengers on Caribbean vacations. But Great Lakes cruise ships, which accommodate between 200 and 400 travelers, are impressive vessels that feature saunas, staterooms with private wine collections, and gourmet restaurants. "I've never seen anything so luxurious in my life," Houghton City Manager Eric Waara said about a Vikings Cruise Lines ship he toured during a stop in his city.

Viking is among six cruise lines expected to sail the Great Lakes this summer, pumping millions of tourism dollars into at least six Michigan cities where cruise ships are planning to dock this summer, as well as neighboring communities that host site-seeing passengers from the ships on day trips. About 20,000 passengers have booked Great Lakes cruises this summer, roughly double that of a decade ago, according to Cruise the Great Lakes, the industry's marketing arm. That amounts to 140,000 passenger visits to Great Lakes ports. (For example, if a single passenger visits six ports, that's six passenger visits.)

Cruise the Great Lakes estimates the economic impact generated by cruises in the Great Lakes region will exceed \$200 million this year. That's down about \$35 million from a year ago, but up 60 percent from 2022, which saw an economic impact of \$125 million. The expected drop in spending from a year ago is mainly due to the sudden shutdown of American Queen Voyages in February, said Anne Tanski, tourism director of Cruise the Great Lakes.

The industry marketing group does not break out specific economic impact figures and passenger numbers for Michigan, but local officials say cruise ship passengers provide a nice boost to their tourism economy. Ships are expected to stop this year in Alpena, Detroit, Mackinac Island, Marquette, Muskegon, Sault Ste. Marie, and possibly others that are not members of the Cruise the Great Lakes marketing organization.

"Economically, I can tell you they spend money," said Linda Hoath, executive director of the Sault Area Convention and Visitors Bureau in Sault Ste. Marie. "The impact on downtown is huge." Great Lakes cruise ship passengers tend to be well-heeled retirees interested in learning about local history and seeking educational experiences, rather than hitting the beach. One popular stop is the Center for Freshwater Research and Education at Lake Superior State University. "It's a whole new type of visitor," Hoath said. Typical Great Lakes cruises cost between \$6,000 and \$12,000 per person.

Cindy Larsen, president of the Muskegon Lakeshore Chamber of Commerce, agreed. "They want to learn about Michigan," she said. "They're amazed at our fresh water, Victorian heritage, and our auto industry." Passengers also visit regional attractions, including downtown Holland, the Gerald R. Ford Presidential Library and Museum in Grand Rapids, and Silver Lake Sand Dunes using local transportation providers.

Most ports are located adjacent to downtowns, where passengers explore local shops, restaurants, breweries, museums, and other cultural attractions. "Our docks are downtown. That's a huge plus for us," Larsen said. "There's a lot of walkability." One popular attraction is Muskegon's Western Market, a series of chalet-style pop-up retail shops open on certain days of the week. Larsen said the city, which owns the chalets and rents them to retail entrepreneurs, makes sure they're open on the days cruise ships arrive.

Cruise ship passengers stopping in Detroit are likely to be greeted by a Motown cover band playing hits from the Temptations and Supremes, and representatives from Visit Detroit offering souvenirs and tips on what to see in Michigan's largest city. "It's kind of a fun atmosphere," said Mark Schrupp, executive director of the Detroit/Wayne County Port Authority. Schrupp said the port has 42 ship dockings scheduled so far this year, down from a record 62 last year.

*"Most ports are located adjacent to downtowns, where passengers explore local shops, restaurants, breweries, museums, and other cultural attractions."*



Vikings cruise ship



Houghton



Detroit



Alpena



Holland



Sault Ste. Marie



Marquette



Mackinac Island



Muskegon Western Market



The League held a press event at the grand opening of the Muskegon Western Market for a new publication: A Decade of Placemaking in Michigan.

Typically ships arrive early in the morning, he said, and passengers are bussed, mainly to the city's cultural jewels, including the Detroit Institute of Arts, the Motown Museum, and the Charles H. Wright Museum of African American History. "That's really the attraction here," Schrupp said. Each passenger spends about \$100 a day in Detroit for an overall economic impact of \$1.5 million during cruise season, according to Port Authority research.


While that's just a sliver of the estimated \$9 billion in annual tourism spending in Detroit, Schrupp said the cruise ships expose tens of thousands of passengers from around the world to the city. "When they come for a day, they get a taste of Detroit," he said. "They see it like never before. They have a really good time and may come back. It creates a lot of goodwill for the city."

But it hasn't been all smooth sailing for the Great Lakes cruise ship industry. The COVID-19 pandemic sent the ships into dry dock for the 2020 season. Although it's no longer a pandemic, the virus is still impacting the cruise ship industry. In announcing its decision to shut down in February, American Queen Voyages said demand for its cruises after COVID subsided and didn't rebound enough for it to continue business.

Waara, Houghton's city manager, said no cruise ships are scheduled to stop in his city this summer, although that could change. One problem is that Viking's two new cruise

ships are too tall to clear the city's Portage Canal Lift Bridge, which allows vessels to cut across the base of the Keweenaw Peninsula. Cruise ships no longer stop in Traverse City because of community concerns about negative environmental impacts and the lack of a deep-water port. The ships had to anchor offshore and used tenders to take passengers ashore.

But some communities are making investments to attract more cruise ship business. Houghton built a \$5 million pier with a \$4 million state grant and \$1 million in city funds. The pier, built "right in the middle of downtown," will also serve as the city's town square," Waara said. And a new \$31 million deep-water port on the St. Mary's River in Sault Ste. Marie, will provide dockage for cruise ships and 1,000-foot freighters on the river when completed this summer. It will also feature a community park and boardwalk. "It's going to be a beautiful dock," Hoath said.

The cruise ship businesses could also help the Upper Peninsula offset a decline in its wintertime tourism economy, which some say is a victim of climate change. Warm temperatures and a lack of snow closed snowmobile trails and winter festivals across the UP this year, raising fears of a new climate normal. "It's not been winter here so much," Waara said. 

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

*Updated in 2024*

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:**

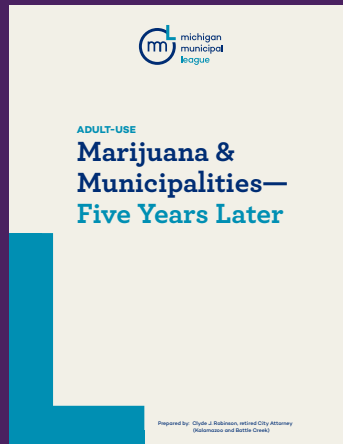
- Open Meetings Act
- Freedom of Information Act
- Sample Council Rules of Procedure
- A Glossary
- Frequently Asked Questions
- A Sample Budget Ordinance





# NEW!

Available at  
[www.mml.org](http://www.mml.org)



### This paper covers:

- amendments to the Michigan Regulation and Taxation of Marijuana Act (MRTMA);
- administrative rules promulgated by the state Cannabis Regulatory Agency,
- Michigan appellate courts' interpretations of the MRTMA; and
- the impact on municipalities.

**Q.** What events are municipalities permitted to spend money on?

**A.** **MCL 123.851 Observance of armistice day, independence day, memorial or decoration day, diamond jubilee, or centennial; appropriation; assessment, levy and collection.**

The township board of a township, the board of trustees of a village, or the common council of a city in this state, *may appropriate money for the purpose of defraying the expenses of the proper observance of armistice, independence, and memorial or decoration day or for the proper observance of a diamond jubilee or centennial.* The sums appropriated shall be assessed, levied, and collected in the same manner as other expenses of a township, village, or city are assessed, levied, and collected.

**MCL 123.852 Manner, extent, and expense of observance.**

The manner and extent of the observance authorized by section 1 shall be under the direction of the township board of the township, board of trustees of the village, or common council of the city, as the case may be, and the expense of the observance shall be paid in the same manner as other expenses of the township, village, or city are paid.

\*Armistice = Veteran's Day

Diamond Jubilee = 60 years

Decoration Day = Memorial Day

See League Fact Sheet: Municipal Expenditures at [www.mml.org](http://www.mml.org).

**Q.** Our village president's and trustees' compensation hasn't been changed since our village incorporated in 1972. What do other villages compensate their president and trustees?

**A.** The League hosts a listserv for village officials and employees. Here are examples from other villages via this listserv.

**Blissfield:** We pay our president \$4,920 annually and our trustees \$3,400 annually, regardless of meeting attendance.

**Fruitport:** We pay our trustees \$75 per meeting and \$200 per quarter. Our president is paid \$110 per meeting and \$400 per quarter. We increased compensation a couple of years ago—it hadn't increased since the '80s.

**Leonard:** The president is paid \$5,000 per year and the trustees are paid \$45 per meeting they attend.

**Marion:** Trustees are paid \$100 for each regular meeting and \$100 for each special meeting (we average one-two special meetings a year). They do not get paid for committee meetings.

The president is paid \$250 per meeting; \$500 per month as "project director;" and \$100 per meeting representing the village on the fire board.

**New Haven:** Trustees are paid \$200 per council meeting or if they're on a commission (Parks & Recreation, Planning, ZBA). No pay for committee meetings or workshops. The president is paid \$14,000 annually.

**Sand Lake:** We pay our trustees \$38 a meeting or \$30 a special meeting. Our president receives \$9,000 a year; there is no extra compensation for special meetings or committees.

To sign up for the village listserv, go to [www.mml.org](http://www.mml.org)> Resources & Research>Links>Other Resources> Sign up for a listserv. [L](#)

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).



# WE'VE GOT PROJECT FUNDING, NOW WHAT?

—Melissa Milton-Pung



## The ABCs & D of National Register Criteria

The National Register of Historic Places is the gold standard for evaluating American cultural-historic resources. Potential historic properties are evaluated based on their significance in American history, architecture, archaeology, engineering, and culture. This lens applies to districts, sites, buildings, structures, and objects with integrity in location, design, setting, materials, workmanship, feeling, and association.

**A. Association with History** That are associated with events that have made a significant contribution to the broad patterns of our history; or

**B. Big People** That are associated with the lives of persons significant to our past; or

**C. Cool Buildings** That embody the distinctive characteristics of a type, period, or method of construction that represents the work of a master, that possesses high artistic values, or that represents a significant and distinguishable entity whose components may lack individual distinction; or

**D. Data** That have yielded, or may be likely to yield, information important in history or prehistory.

There are also a few exceptions—visit [www.nps.gov](http://www.nps.gov) and look up “How to Apply the National Register Criteria for Evaluation.”

MDOT LAP Section 106 Review Process at MDOT: [www.michigan.gov/mdot](http://www.michigan.gov/mdot) and search “Local Agency Program.”

National Environmental Policy Act (NEPA) and compliance with MDOT: [www.michigan.gov/mdot](http://www.michigan.gov/mdot) and search for “NEPA.”

For non-MDOT projects requiring coordination with the SHPO: Michigan State Historic Preservation Office (SHPO): [www.miplace.org/shpo](http://www.miplace.org/shpo)

Congratulations! You've landed federal dollars to carry out long-overdue transportation or infrastructure work in your community. Your engineers are on the job and plans are rolling with the Michigan Department of Transportation (MDOT). Time to get digging!

Wait, hold up a sec. You've gotta consider whether historic stuff could be affected.

“We'll cross that bridge when we come to it,” you say.

Actually, we're at the bridge now.

Getting out front of regulatory compliance early in the planning process is your absolute best bet. It will help reduce your overall review time and avoid substantial delays. Permits and reviews will vary depending on your project, including reviews for Section 106 Historic Environmental and the National Environmental Protection Act (NEPA). Remember, you're on a schedule and early review of the project can help you avoid more complex change orders later.

## What Is the Section 106 Review Process?

This process is named after its segment of the National Historic Preservation Act of 1966. It requires the professional review of historic and archaeological resources that could be affected by projects that are federally funded, licensed, or permitted. Review may include mapping, photo documentation, records checks, research, field survey and coordination with state agencies and Tribal Nations. Potential historic properties are evaluated under the National Register of Historic Places Criteria.

## Is the Process Streamlined?

MDOT now employs staff historians and archaeologists who assist local governments by carrying out responsibilities under Section 106 when receiving and deploying funds for their projects.

Since 2021, the League has worked closely with MDOT, the Federal Highway Administration, the Michigan State Historic Preservation Office, the Advisory Council on Historic Preservation, and several dozen federally recognized Tribal Nations, as well as other interested parties. The result was a Programmatic Agreement (PA) that went into effect in 2022 and now expedites the review process for transportation projects affecting historic cultural resources.

The focus of the PA is on efficient review of historic and cultural resources for transportation projects in the proposed construction area, that could be affected by the local agency's projects. MDOT's Local Agency Program (LAP) unit administers the local allocation of federal and state aid programs (Road, Special Funding, and Bridge). This unit is responsible for developing statewide processes for implementing all required state and federal regulations regarding local agencies. The PA enables qualified MDOT staff to perform much of the work for local governments required under Section 106, including consultation with the SHPO and Tribal Nations when required.

## Can I Opt Out?

No, Section 106 is a requirement for all federal undertakings. But starting early in the project's design phase and doing it right the first time substantially ups your odds of sailing through review. This work is essential because the construction season waits for no one and lining it all up is a delicate balance. MDOT LAP recommends that you submit your documents to them according to its Project Planning Guide for Local Agencies, found on the LAP webpage at [www.michigan.gov/mdotlap](http://www.michigan.gov/mdotlap).

It is not a "clearance" process but rather a good-faith consultation process. Timing is crucial. It is important that historic properties be considered in the early stages of a project so that preservation concerns can be factored into the project during the planning stage. Early consideration also permits modifications to a project while they are still relatively easy to accomplish and reduces the potential for conflict and delay.

## What Exactly Goes on for this Kind of Review?

Section 106 Review requires a good faith effort to identify Historic Properties within the area of potential effect (APE) of a project. It includes aboveground historic resources visible on the landscape and cultural resources buried below ground. While aboveground records are usually publicly accessible, information related to archaeological resources and archaeological surveys are often held in classified archives to protect against the threat of potential looting. Just because you can't see the resources doesn't mean they don't exist. Archaeological sites contain evidence and valuable information of prior human habitation from hundreds or even thousands of years ago. After historic resources have been identified, information about the proposed work is evaluated to assess how the resources could be affected.

Common MDOT LAP undertakings include:


- Road and bridge rehabilitation, reconstruction, installation, and maintenance, including widening and roundabouts;
- Curb and gutter and guardrail improvements;
- Culverts, spillways, storm sewers, drainage basins, ditches, water retention areas;
- Water mains, sewer mains, fiber optics, cable, gas, and electric within the rights-of-way;
- Trails, sidewalks, paths, ADA curb ramps and crosswalks, bus pads;
- Railroad crossings;
- Signs, lights and signals, pavement markings; and
- Tree/vegetation removal, landscape changes, and streetscape or beautification projects.

## Don't Delay—Early Coordination is “The Way”

Many projects require nothing more than initial review and providing adequate information about the project work activities, but project volumes will increase with the massive amount of federal funding flowing through the League's new grant portal, MI Funding Hub [www.MIFundingHub.org](http://www.MIFundingHub.org). This is true not only for transportation projects but also for all projects with federal dollars or permits.

I know, I know, this article is TL;DR. Let's fix the damn roads and all that.

**So, here's the skinny: don't put off Section 106.**

**Starting early and forwarding your documents to MDOT's LAP unit will save you time and money and minimize costly delays.** 

Melissa Milton-Pung is a program manager for the League. You may contact her at 734-669-6328 or [mmiltonpung@mml.org](mailto:mmiltonpung@mml.org).

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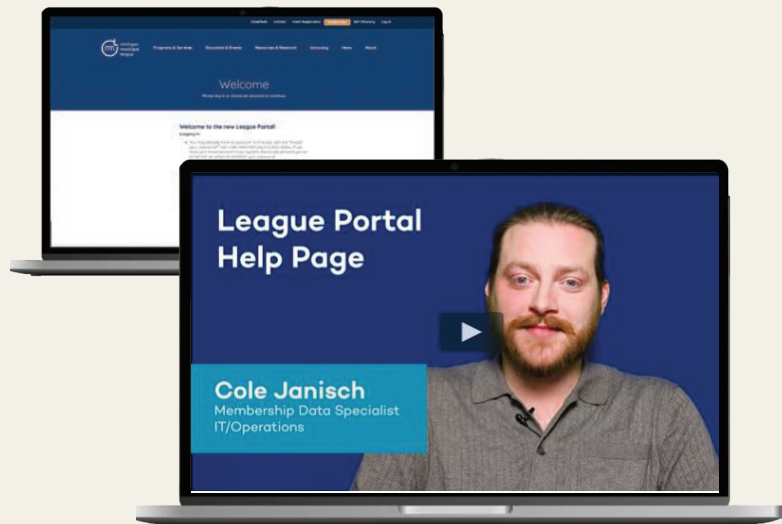




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We first demonstrated our website to members at our 1997 Convention in Muskegon and we look forward to showing off our League Portal at our 2024 Convention on Mackinac Island.

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