

City Council Regular Meeting
Madison Heights, Michigan
September 26, 2023

A City Council Regular Meeting was held on Tuesday, September 26, 2023 at 7:30 PM at City Hall - Council Chambers, 300 W. 13 Mile Rd.

PRESENT

Mayor Roslyn Grafstein
Councilwoman Toya Aaron
Mayor Pro Tem Mark Bliss
Councilman Sean Fleming
Councilor Emily Rohrbach
Councilman David Soltis
Councilor Quinn Wright

ALSO PRESENT

City Manager Melissa Marsh
Assistant City Attorney Tim Burns
City Clerk Cheryl Rottmann

The invocation was given by Councilman Fleming and the Pledge of Allegiance followed.

CM-23-242. Addition to the Agenda.

Motion to approve the addition of Citizen's Academy Certificates of Completion under Presentations.

Motion made by Councilor Rohrbach, Seconded by Councilwoman Aaron.

Voting Yea: Mayor Grafstein, Councilwoman Aaron, Mayor Pro Tem Bliss,
Councilman Fleming, Councilor Rohrbach, Councilman Soltis, Councilor Wright

Motion carried.

PRESENTATIONS:

On behalf of the City Council, Mayor Grafstein presented Certificates of Completion to the attendees of this year's Citizens Academy. She thanked them for their commitment to learning more about the operations of their local government and encouraged others to attend a future Citizen's Academy.

MEETING OPEN TO THE PUBLIC:

Richard Taylor, resident, stated that he has requested public records from other cities at the City of Madison Heights and he believes Madison Heights should be able to provide this information since we are in Oakland County.

Kathy Sapia, resident, expressed opposition to any expansion of the gas station on Dartmouth and 12 Mile Road.

David Douchene, resident, expressed concern and opposition to the operation of Iced Top Records located near his house. He stated the videos they create are obscene and upset the neighborhood. Mayor Grafstein stated the City administration will look into the matter.

Nicole Fox, resident, gave thanks to the Police and DPS departments for their assistance with their neighborhood block party. She provided an update on the activities of the HREC including the most recent native plant sale. She supports crosswalk visibility enhancements and expressed opposition to increasing the number of marihuana businesses in the City, noting that increasing access increases use rates among youth.

CM-23-243. Consent Agenda.

Motion to approve the Consent Agenda, as read.

Motion made by Councilor Rohrbach, Seconded by Councilor Wright.

Voting Yea: Mayor Grafstein, Councilwoman Aaron, Mayor Pro Tem Bliss,
Councilman Fleming, Councilor Rohrbach, Councilman Soltis, Councilor
Wright

Motion carried.

CM-23-244. Replacement of Patrol Car 106.

Motion to approve the purchase of one Dodge Durango Pursuit, from Galeana's Van Dyke Dodge, of Warren, Michigan, in the total amount of \$34,707 under the Oakland County cooperative purchasing bid.

Motion made by Councilor Rohrbach, Seconded by Councilor Wright.

Voting Yea: Mayor Grafstein, Councilwoman Aaron, Mayor Pro Tem Bliss,
Councilman Fleming, Councilor Rohrbach, Councilman Soltis, Councilor
Wright

Motion carried.

CM-23-245. Resolution for Designation of Street Administrator.

Motion to approve the resolution designating Director of Public Service Sean P. Ballantine as the Act 51 Street Administrator for the City of Madison Heights and authorize the City Clerk to sign on behalf of the City.

Motion made by Councilor Rohrbach, Seconded by Councilor Wright.

Voting Yea: Mayor Grafstein, Councilwoman Aaron, Mayor Pro Tem Bliss,
Councilman Fleming, Councilor Rohrbach, Councilman Soltis, Councilor
Wright

Motion carried.

CM-23-246. 2023-24 RCOC Winter Maintenance Contract.

Motion to approve the 2023-24 Winter Maintenance Contract with the Road Commission for Oakland County (RCOC) and authorize the Mayor and City Clerk to sign on behalf of the City.

Motion made by Councilor Rohrbach, Seconded by Councilor Wright.

Voting Yea: Mayor Grafstein, Councilwoman Aaron, Mayor Pro Tem Bliss,
Councilman Fleming, Councilor Rohrbach, Councilman Soltis, Councilor
Wright

Motion carried.

CM-23-247. City Council Regular Meeting Minutes of September 11, 2023.

Motion to approve the Regular meeting minutes of September 11, 2023, as printed.

Motion made by Councilor Rohrbach, Seconded by Councilor Wright.

Voting Yea: Mayor Grafstein, Councilwoman Aaron, Mayor Pro Tem Bliss,
Councilman Fleming, Councilor Rohrbach, Councilman Soltis, Councilor
Wright

Motion carried.

CM-23-248. Agreement for Elections Services between Oakland County, Madison Heights and Royal Oak for Early Voting.

Motion to approve the Election Services agreement between Oakland County, Madison Heights, and Royal Oak.

In response to Mayor Pro Tem Bliss' question, City Clerk Rottmann stated that to be part of the Oakland County partnership, the Early Voting Site is designated as a permanent location to provide clarity and consistency to voters so that they know where to Early Vote for every election. Mayor Pro Tem Bliss, Councilman Fleming, and Mayor Grafstein expressed their preference to have the location rotate.

Motion made by Councilor Rohrbach, Seconded by Councilor Wright.

Voting Yea: Mayor Grafstein, Councilwoman Aaron, Mayor Pro Tem Bliss,
Councilman Fleming, Councilor Rohrbach, Councilman Soltis, Councilor
Wright

Motion carried.

CM-23-249. Recycling Cart Grant Agreement with EGLE & The Recycling Partnership.

Motion to accept both grant awards of \$403,200.00 from Michigan EGLE and \$105,600 from the Recycling Partnership and allow the City Manager to sign the grant agreement

on behalf of the city; and approve the allocation of \$540,000 to the FY 2025 Budget to cover the costs of Trash Carts and Assembly and Delivery of 19,200 Carts to 9,600 Households.

Discussion followed on how the program would be included in the next year's fiscal budget; how to handle those that have already purchased recycling carts, that the program would provide a trash toter and/or trash can to participating residents, and what other types of improvements could be made with the City's matching funds if this grant agreement wasn't approved.

Motion made by Councilor Rohrbach, Seconded by Councilman Fleming.

Voting Yea: Mayor Grafstein, Councilwoman Aaron, Councilman Fleming, Councilor Rohrbach, Councilman Soltis, Councilor Wright

Voting Nay: Mayor Pro Tem Bliss

Motion carried 6-1.

CM-23-250. Dequindre Streetlighting – Budget Amendment.

Motion to approve a Budget Amendment in the amount of \$12,397 to account 202-474-987-0000 for Dequindre Streetlighting.

Motion made by Mayor Pro Tem Bliss, Seconded by Councilwoman Aaron.

Voting Yea: Mayor Grafstein, Councilwoman Aaron, Mayor Pro Tem Bliss, Councilman Fleming, Councilor Rohrbach, Councilman Soltis, Councilor Wright

Motion carried.

CM-23-251. Dequindre Streetlighting.

Motion to approve the installation of streetlighting on Dequindre Road at a cost of \$232,397 as presented and authorize the City Manager to request and execute an Agreement for Municipal Street Lighting through DTE.

Motion made by Councilwoman Aaron, Seconded by Councilor Rohrbach.

Voting Yea: Mayor Grafstein, Councilwoman Aaron, Mayor Pro Tem Bliss, Councilman Fleming, Councilor Rohrbach, Councilman Soltis, Councilor Wright

Motion carried.

CM-23-252. Ordinance 2196 Medical Marihuana Facilities Amendment, First Reading.

Motion to approve Ordinance 2196, Medical Marihuana Facilities Amendment, on First Reading and schedule a Second Reading for October 23, 2023.

Motion made by Mayor Pro Tem Bliss, Seconded by Councilman Fleming.

Roll Call Vote:

Voting Yea: Mayor Grafstein, Councilwoman Aaron, Mayor Pro Tem Bliss,
Councilman Fleming

Voting Nay: Councilor Rohrbach, Councilman Soltis, Councilor Wright

Motion carried 4-3.

CM-23-253. Ordinance 2197 Marihuana Licensing Amendment, First Reading.

Motion to approve Ordinance 2197, Marihuana Licensing Amendment, on First Reading and schedule a Second Reading for October 23, 2023.

Councilor Rohrbach stated that she strongly disagreed with this amendment. When the City Council initially agreed to the green zone map, she agreed; but at that time, this was the agreed upon final map and she is disappointed that we are not sticking to that oath.

Mayor Pro Tem Bliss stated that the reason the City Council must do this is because of a lawsuit and the changes are part of the settlement; further it allows us to bring in funding as opposed to fighting it and spending money.

Councilman Fleming stated he concurred with Mayor Pro Tem Bliss' comments. He stated that this will help with funding some of our projects. These are retail environments as well as medical, and the benefit is good for the community overall. He added that the green zone map is not changing a lot; it includes the same number of properties.

Councilman Soltis stated that he has been against marihuana businesses coming into the City from the very beginning; if we didn't have it in the first place, we wouldn't be in this mess.

Councilor Wright stated that he is voting no. This is an example of how marihuana businesses can and have become a slippery slope. Increasing the proximity makes it more accessible to children. Three businesses were the number we agreed upon as a body, and now we are going to five.

Councilwoman Aaron stated that when this was initially brought to her, she was opposed. She continued by noting that her son is part of CADCA, and she had to have a hard conversation with him. Her reason for voting yes is due to the lawsuit and how would we recoup our monies if we continued to legally fight the lawsuit, and part of the settlement offers funding opportunities to the community. While she is not totally for this, it would allow funding for other projects.

Councilor Wright stated that this is a passionate topic; however, the City Council has pushed back on less and spent more to push back on less.

Mayor Pro Tem Bliss stated that the amount of money brought into the City is significant; it is not always easy decisions Council makes, and we can spend up to 1/2 million dollars or receive a million dollars.

Roll Call Vote:

Voting Yea: Mayor Grafstein, Councilwoman Aaron, Mayor Pro Tem Bliss,
Councilman Fleming

Voting Nay: Councilor Rohrbach, Councilman Soltis, Councilor Wright

Motion carried 4-3.

COUNCIL COMMENTS:

Councilwoman Aaron stated please understand that being part of Council requires making tough decisions; part of being a leader and a parent is making hard decisions. We all need to stand by the decisions that we make.

Mayor Pro Tem Bliss commented that he is also a parent of middle schoolers who walk to school often. The intersections near Page Middle School need to be a dedicated school zone to reduce speeds and signage and it needs to be expanded. We must protect our students; especially those that have to cross 12 Mile Road. By making a dedicated school zone, it may not prevent accidents, but hopefully will reduce the severity of accidents and that is critical. It was great to see everyone at the Civic Center Grand Opening; it was jam packed and a great event. He appreciates everyone that came out and supported the project. If you haven't seen it yet, please come visit and check out our new facility.

Councilor Wright concurred with Mayor Pro Tem Bliss' comments on the Civic Center Grand Opening. He stated that he is serving on the Oakland County Racial Justice Committee and was able to host a meeting here at the Civic Center Complex and it is nice to have a world class facility. He reminded everyone that an election is coming; please register to vote - voting is your opportunity to share your input. Voting is one of the most American things you can do. He noted that he is wearing red in solidarity with the unions and stands with those that are fighting today for increased wages and better benefits. He expressed congratulations to those who graduated from the Citizens Academy, noting it is a great program and gave kudos to those who participated. He encouraged everyone to come out on October 14th to the Motorama and Smoke; it will be a fun event, please participate.

Assistant City Attorney Burns had no comments this evening.

City Manager Marsh had no comments this evening.

City Clerk Rottmann thanked the City Council for their support of the Early Voting agreement. She stated that absentee ballots will be mailed at the end of this week; if you haven't already requested a ballot, you can do so online, in-person or by calling and we can send an application to you. She noted that Early Voting is being piloted by Oakland County for this election and many of the rules are not in place yet, so be patient and she stated the early voting dates and hours.

Councilor Rohrbach thanked the HREC membership for their participation with the plant sale. She stated to make sure when you are getting ready vote, to research who you are going to vote for as well as research our charter amendment questions. Information is online to review your choices and options.

Councilman Fleming noted that last Tuesday was the Veterans Resource Fair with Oakland County, HUD, mental health counselors, housing assistance, and veteran's organizations. These are the types of events he is trying to bring to the City for the residents. He supports changes for slowing down traffic on 12 Mile Road and noted that the City doesn't have all the crossing guards

that we need; it is an important job, and he would like to see safety changes made. The traffic lighting on Dequindre is very important as well, and he is happy about these improvements. He stated that he is part of the Communication Workers of America, and a lot of our neighbors are striking – CWA, Blue Cross Blue Shield, and the UAW. All are fighting for fair wages and improvements in healthcare. If you see your neighbors struggling due to striking, please support them.

Councilman Soltis encouraged the public to get their Covid shot booster. He gave a shout out to City Manager Marsh for her work on this new building and stated that he appreciated all her efforts and her work on Citizen's Academy. She does a fantastic job, and we are lucky to have her. He stated they do disagree at times on Council, but we are still a sound Council, we respect each other, and he is proud to be part of City Council.

Mayor Grafstein informed those that aren't aware, we have had a couple of pedestrian traffic accidents; one was a fatality on Dequindre, and one involved a student. If you are interested in being a crossing guard, please reach out to the City. Remember to be a good neighbor and don't speed in residential areas. She thanked Councilman Fleming and the Crime Commission for hosting the Canine Demonstration. She gave a big shout out to Sean Ballantine for his efforts on the Grand Opening of Civic Center Complex and thanked everyone for being so welcoming to her mother who was visiting from Toronto. Hats off to Melissa Marsh for including the new Civic Center in our Strategic Plan. The buildings are more energy efficient, have a more efficient use of space, and increased the space for the Active Adult Center. If you haven't visited, please come. She stated that when she first came on the Council, she wanted to revive the Environmental Citizens Committee. While the ECC has accomplished a lot, recycling was pushed to the back burner and Assistant to the City Manager Adam Owczarzak was able to find a grant to make it happen, so thank you. Please exercise your right to vote, she noted that she has always participated in voting - use your right. Last year, there was a bike race called Crank Cross at Civic Center Park and the event is returning this Saturday. The next meeting of the City Council will be October 9, 2023.

ADJOURNMENT

Having no further business, Mayor Grafstein adjourned the meeting at 8:53 p.m.

Roslyn Grafstein, Mayor

Cheryl E. Rottmann, City Clerk