

City Council Regular Meeting
Madison Heights, Michigan
May 28, 2024

A City Council Regular Meeting was held on Tuesday, May 28, 2024 at 7:30 PM at City Hall - Council Chambers, 300 W. 13 Mile Rd.

PRESENT

Mayor Roslyn Grafstein
Mayor Pro Tem Mark Bliss
Councilman Sean Fleming
Councilman William Mier
Councilor Emily Rohrbach
Councilman David Soltis
Councilor Quinn Wright

ALSO PRESENT

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

The invocation was given by Councilor Rohrbach and the Pledge of Allegiance followed.

APPROVAL OF AGENDA:

Councilor Rohrbach requested that Agenda Item No. 4, *National Gun Violence Awareness Day Proclamation*, be moved to presentations.

PRESENTATIONS:

National Gun Violence Awareness Day Proclamation

Mayor Grafstein read the proclamation and presented the proclamation to Jane Strunk from South Oakland Chapter of Moms Demand Action for Gun Sense in America. Ms. Strunk thanked Council for adopting the proclamation noting it is important to honor and remember the victims of gun violence. She stated that Moms Demand Action are available for presentations for the community as well. Please reach out to Besmartforkids.org or Momsdemandaction.org for more information and upcoming activities.

CM-24-104. Special Approval PSP 24-03 - Wash Pointe Car Wash [Modifications to Vacuums] - 28245 John R Road – POSTPONED.

City Manager Marsh reviewed the application for Special Approval PSP 24-03 from Wash Pointe Car Wash for modifications to vacuums at 28245 John R Road.

Mayor Grafstein opened the public hearing at 7:43 p.m.

The owner and applicant, Steve Gunn and the General Manager Brian Wyckle provided an overview of their proposal. They are requesting upgrades to modernize their business model and provide an upgraded service for their customers with a more efficient service. He stated that the new system will be enclosed inside the building in a centralized unit and be quieter than the existing canister units. In addition, the vacuums will be automatically shut off at 8 p.m., also reducing noise for the surrounding area. Studies show that 38 decibels are present at full capacity inside the building. The current canisters are 60 decibels for each unit and are located outside of the building. The upgrade will decrease noise pollution, improve quality of service for customers, and improve their business model to remain competitive with the current trends in the industry.

The following opposed the Special Approval:

Thomas Burry

Kevin Trabucchi (in an email)

Mayor Grafstein closed the public hearing at 8:54 p.m.

Motion to DENY Special Approval request number PSP 24-03 based upon the following findings pertaining to the special approval criteria of section 10.201(4):

1. The applicant and property owner requests a modification to a previously approved Special Approval application for Wash Pointe Car Wash, located at 28245 John R Road. The applicant owns and operates the car wash and requests to increase the number of exterior vacuum spaces from four (4) to eight (8). The property is zoned B-3, General Business.
2. The subject site is zoned B-3, General Business, which is intended to, “provide sites for more diversified business types and are often located so as to serve passer-by traffic.” The proposed modifications ARE NOT consistent with the intent of the B-3 zoning district and ARE NOT compatible with the principal uses permitted by-right in the B-3 zoning district.
3. The subject site is immediately adjacent to properties improved with, and zoned for, residential and commercial uses, and is located across the street from auto-oriented uses and commercial zoning. The proposed modifications ARE NOT compatible with adjacent land uses.
4. The proposed modifications ARE NOT consistent with the site’s “Commercial” future land use designation and ARE NOT aligned with the goals and objectives stated in the 2021 Madison Heights Master Plan.
5. The proposed modifications ARE NOT designed as to location, size, intensity, site layout, and periods of operation to eliminate any possible nuisances which might be noxious to the occupants of any nearby properties.
6. Based on the above findings, the proposed modifications DO NOT generally satisfy the Special Approval review standards and criteria listed in Section 10.201(4).

Motion made by Councilman Fleming, Seconded by Councilman Soltis

In response to Mayor Pro Tem Bliss, City Planner Lonnerstater confirmed that he could not find formal approval of more than two vacuums on the site. He added that since the location does have four vacuums, it would be prudent to work with the City Attorney to remedy the issue with the owner.

Mr. Gunn stated that it was his understanding in 2005 they were approved for four vacuums, and they have always had the four vacuums since the initial approval. He submitted pictures of other car washes that have less footprint than Wash Pointe with vacuums. He reiterated that from outside the building the noise will be less with the new system, and no customers can use the vacuums after 8 p.m. He added that they religiously take care of the business and keep it clean.

In response to Mayor Grafstein, Mr. Gunn confirmed they are not expanding the business, just putting in a quieter vacuum system. It is a more modern way that customers use the system. They want to change with the times and be competitive.

Councilman Mier stated that the current vacuums are available 24 hours, and the new ones will be shut down at 8 p.m. He stated he has concerns on how cars will navigate with the nine proposed vacuums.

Mr. Burry stated the complaints are about the customer noise and trash and the increase in traffic. More vacuums will be more noise. He expressed concerns about the noise the pumper truck makes at the location and the times it is being used.

In response to Mayor Grafstein, Mr. Gunn stated the pumper truck is once a year and takes about three hours. He stated they would try to schedule during later hours, but they must work around the contractor's schedule.

Assistant City Attorney Burns noted the business is not using the approved dumpster and is not in compliance with approved site plan; the City would like compliance with site plan.

Mayor Pro Tem Bliss stated that he would like to see if there is a digital record of the original approval. He would like to have more information on the traffic flow and possible increase in noise due to more vehicles at the property lines. He stated that he is currently opposed to approval and suggested the applicant resubmit at a later date.

Motion to POSTPONE action on Special Approval PSP 24-03, Wash Pointe Care Wash for modifications to vacuums at 28245 John R Road until supplemental information can be submitted and staff recommends it to return for consideration.

Motion by Councilor Rohrbach, Seconded by Councilman Fleming

City Planner Lonnerstater advised that if the Special Approval was denied tonight, this site in the City's new Zoning Ordinance is a legal non-conforming use and a Special Approval may not be allowed to be resubmitted. A postponement, however, would allow the Special Approval request to continue. Staff can work with the applicant to do more research on vacuums, dumpsters, and circulation.

Councilor Wright added that he would like clarification on noise impact as well.

Mayor Pro Tem Bliss suggested to the applicant that the existing canisters be shut off at 8 p.m. to show neighbors what the noise level would be.

Vote on Substitute Motion:

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

Substitute Motion carried.

CM-24-105. Special Approval PSP 24-04 - Mobility Resource Associates
[Modifications to Outdoor Storage] - 950 E. Whitcomb Ave.

City Manager Marsh reviewed the request for Special Approval PSP 24-04 from Mobility Resource Associates for modifications to outdoor storage at 950 E. Whitcomb Ave.

Mayor Grafstein opened the public hearing at 8:33 p.m

David Randazzo, CEO of Mobile Resources, was present to answer questions and provided letters of support from the neighborhood. He also noted that their vehicles are constantly moving.

Seeing no one wishing to speak, Mayor Grafstein closed the public hearing at 8:35 p.m.

Motion to APPROVE Special Approval PSP 24-04 - Mobility Resource Associates (Modifications to Outdoor Storage) - 950 E. Whitcomb Ave. with the following conditions:

1. The outdoor storage of trucks, trailers, semi-trailers, and all other display vehicle exhibits shall be limited to the areas depicted on the submitted plot plan. Minor modifications that do not significantly alter the spirit or intent of the plot plan may be approved administratively by staff; and
2. Additional landscaping shall be planted adjacent to the Whitcomb Avenue right-of way, in coordination with staff, to further screen vehicle storage on-site; and
3. All repairs shall be conducted entirely within the building; and
4. Disabled vehicles and vehicles in disrepair shall be stored within the building.

Motion made by Councilor Wright, Seconded by Mayor Pro Tem Bliss

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

Motion carried.

MEETING OPEN TO THE PUBLIC:

There were no members of the public wishing to speak.

CM-24-106. Consent Agenda.

Motion to approve the Consent Agenda as read.

Motion made by Councilor Rohrbach, Seconded by Councilman Fleming.

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

Motion carried.

CM-24-107. Civic Center Basketball Court Finishing.

Motion to approve the quote from Laser Striping and Sport Surfacing, of Plymouth, in an amount not to exceed \$19,900, for the Civic Center Basketball Court finishing.

Motion made by Councilor Rohrbach, Seconded by Councilman Fleming.

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

Motion carried.

CM-24-108. City Council Regular Meeting Minutes of May 13, 2024.

Motion to approve the Regular Meeting Minutes of May 13, 2024, as printed.

Motion made by Councilor Rohrbach, Seconded by Councilman Fleming.

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

Motion carried.

CM-24-109. Microsoft Office 365 Licenses.

Motion to approve the purchase of Microsoft P1, G1 and G3 licenses at the lowest annual rate for up to five years.

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

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

Motion carried.

COUNCIL COMMENTS

Councilman Mier stated that the Memorial Day Parade was great and that he learned a lot at the MML Elected Officials Academy that he attended last week.

Mayor Pro Tem Bliss stated that he was excited that for the 3rd time, the City has been nominated for an MML Community Excellence Award for the Civic Center Campus Project. He is hopeful that we can walk away with a win this time and noted that it is an honor to be nominated. The nomination is a testament to the hard work of staff, the innovated mindset of our residents, and the City Council having the vision to support and execute these projects in partnership with our staff. He commented that administratively we removed the Memorial Tree Program and expressed that he disagrees with that decision. He commented that he would like to see this program reinstated with an increase in fees to cover the costs of administering the program. He noted that he is open to other alternatives as well, such as the placards that are on display at the new Active Adult Center.

Councilor Wright echoed the sentiments of Councilor Rohrbach's invocation. It is Mental Health Awareness Month and please remember to be kind.

City Attorney Burns gave credit to the Police Department for deescalating possible violent situation recently and for utilizing the red flag laws that now exist in the State.

City Manager Marsh had no comments this evening.

City Clerk Rottmann had no comments this evening.

Councilor Rohrbach thanked Mr. Burns for sharing the story. and commented that red flag laws can help prevent people from getting hurt. It is the end of Asian Pacific American Heritage Month, and she recognized members of our community and beyond. In the last couple of weeks we had Friends of the Library Book Sale and the ECC had a Native Plant Sale; thank you to all that came out and supported these events. Juneteenth is coming up and she encouraged everyone to participate and celebrate with the community; June 15th is the Juneteenth event. In addition, June is Pride Month; she wished happy Pride to everyone.

Councilman Fleming thanked the Parade Committee including Andy McGillvray and Martha Kehoe; all the volunteers and the public that worked on and come out for the parade, and he thanked those who served. It is Jewish Heritage Month, and he noted that at the Detroit Historical Museum, there is a large exhibit of Jewish history in Detroit. June 8th is the Bike Rodeo; the first 200 kids get bike helmets, there will be police and fire trucks, and Harko, the police canine. Congratulations to the Class of 2024, wishing you the best on all your endeavors. It is also Mental Health Awareness Month, mental illness crosses all races, creeds and religions and we need to address mental health as a whole. Please call 988 if you need someone to talk to, it is available 24/7.

Councilman Soltis thanked the resident in attendance for his service.

Mayor Grafstein thanked the resident in attendance for his service and stated we appreciate it. She noted that the former first lady of Madison Heights, Betty Huffman, has passed away and we were saddened to hear this news. She echoed the sentiments on the Memorial Day Parade. She thanked Councilman Mier for the use of his convertible for the parade. She gave a shout out to Rickey Malek from Madison Heights District Scholls for helping our veterans and gold star mother with

the logistics. She noted that there have been various Asian festivals in the past month in honor of Asian Pacific American Heritage Month. The next City Council meeting is June 10th.

ADJOURNMENT:

Having no further business, Mayor Grafstein adjourned the meeting at 8:56 p.m.

Roslyn Grafstein, Mayor

Cheryl E. Rottmann, City Clerk