



CITY OF MADISON HEIGHTS

CITY HALL - COUNCIL CHAMBERS, 300 W. 13 MILE RD.

CITY COUNCIL REGULAR MEETING AGENDA

OCTOBER 13, 2025 AT 6:30 PM

CALL TO ORDER

ROLL CALL

INVOCATION and PLEDGE OF ALLEGIANCE - COUNCILOR WRIGHT

APPROVAL OF THE AGENDA:

- [1.](#) Additions/Deletions

PRESENTATIONS

PUBLIC HEARINGS:

- [2.](#) City Planner - Alley Vacation Request # PEE 25-01 - 17 ft.-wide alley between 601 W. 12 Mile Rd. and 28767 Dartmouth St.

ITEMS ON AGENDA OF INTEREST TO PARTIES IN THE AUDIENCE

MEETING OPEN TO THE PUBLIC:

CONSENT AGENDA:

- [3.](#) Resolution Condemning Political Violence in the United States
- [4.](#) Resolution Recognizing Indigenous Peoples' Day
- [5.](#) City Council Regular Meeting Minutes of September 29, 2025

COMMUNICATIONS:

REPORTS:

ITEMS FOR FUTURE PUBLIC HEARINGS:

BID AWARDS/PURCHASES:

- [6.](#) Fire Chief - Scheduled Replacement Ambulance #710
- [7.](#) Director of Public Services - Pavilion C Roof Replacement
- [8.](#) Director of Public Services - Rosie's Ballfield Backstop Replacement

ORDINANCES:

- [9.](#) City Planner - Ordinance #2206 - Second Reading - Zoning Ordinance Text Amendment ZTA #25-01 - Non-Conforming Residential Driveways
- [10.](#) DPS Director - Ordinance No. 2207 - Second Reading - Requirement for Recycling and Trash Carts

UNFINISHED BUSINESS:

MINUTES:

EXECUTIVE SESSION:

ADJOURNMENT

NOTICE: Persons with disabilities needing accommodations for effective participation through electronic means in this meeting should contact the City Clerk at (248) 583-0826 or by email: clerks@madison-heights.org at least two working days in advance of the meeting. An attempt will be made to make reasonable accommodations.

DATE: **October 9, 2025**
TO: **City Council**
FROM: **Melissa R. Marsh, City Manager**
SUBJECT: **Agenda Comments Regular Council Meeting of Monday, October 13, 2025**

PUBLIC HEARING:

CITY PLANNER - ALLEY VACATION REQUEST # PEE 25-01 - 17 FT.-WIDE ALLEY BETWEEN 601 W. 12 MILE RD. AND 28767 DARTMOUTH ST.

The Community & Economic Development Department has received a request to vacate a 17-foot-wide improved alley right-of-way located between 601 W. 12 Mile Rd. and 28767 Dartmouth Rd. The alley also provides access to the property at 611 W. 12 Mile Road. All adjacent property owners have signed the petition. The applicant is requesting that the public hearing be postponed to the next City Council meeting on October 27, 2025, due to the applicant having a traffic safety study conducted at the recommendation of the city and the Oakland County Road Commission, and the results being available by this meeting date.

Staff recommends a motion to postpone the alley vacation request #PEE 25-01 for a 17-foot-wide alley between 601 W. 12 Mile Rd and 28767 Dartmouth Street to the October 27, 2025, City Council Meeting.

CONSENT AGENDA:

RESOLUTION CONDEMNING POLITICAL VIOLENCE IN THE UNITED STATES

Council is asked to adopt a resolution that condemns and opposes the following: political violence (or violence of any kind) against our nation's elected and appointed officials, religious leaders, business managers, students and their teachers, or those who exercise just and rightful authority; the demonization and dehumanization of political rivals; political leaders who use aggressive, hateful and extreme language; the weakening of our democratic institutions and norms; social media (or parts thereof) interested in spreading anger, distrust and conspiracy theories and/or promoting violent radicalization and mobilization; the lack and availability of mental health facilities for those in need of treatment; and the widespread availability of high-capacity weapons to those who should not have such weapons. And to further forward the resolution to the City's national, state, and local elected officials.

RESOLUTION RECOGNIZING INDIGENOUS PEOPLES' DAY

Council is asked to adopt a resolution recognizing Indigenous Peoples' Day in the City of Madison Heights and proclaim the second Monday of October as Indigenous Peoples' Day in the City of

Madison Heights, and to encourage all residents, schools, organizations, and institutions to honor Indigenous heritage, celebrate Indigenous cultures, and support the contemporary and sovereign rights of Indigenous peoples.

REPORTS:

FIRE CHIEF - SCHEDULED REPLACEMENT AMBULANCE #710

Consistent with the City's Capital Improvement Plan, Rescue 710 is scheduled for replacement in the adopted FY 2026 Budget. The new ambulance will replace a 2011 model with 116,475. The City will utilize its interlocal purchasing contract with the Houston-Galveston Area Council (HGAC), as it has done for the last six fire department vehicle purchases. This is a government-to-government cooperative purchasing program that streamlines the procurement process and provides volume discounts. The purchase is \$18,000 below the budget amount, and the anticipated delivery is in April 2026.

Staff recommends that the City Council approve the purchase of a Road Rescue ambulance from Emergency Vehicle Plus in the amount of \$361,681.

DIRECTOR OF PUBLIC SERVICES - PAVILION C ROOF REPLACEMENT

The FY 2026 Budget includes funding for the replacement of the roof at Pavilion "C" at Civic Center Park. A Request for Proposals (RFP) was issued on September 10, 2025. Only one bid was received by the deadline. The lowest qualified bidder is Sterling Construction and Roofing. Reference checks were positive, and they have previous experience with municipal and government work. Sterling Construction also recently completed the replacement of 2 roofs at park shelter buildings in Rosie's & Civic Center Park, with satisfactory results.

Staff recommends that Council award the bid for the Pavilion C Roof Replacement project to Sterling Construction and Roofing of Livonia, in a project amount not to exceed the budgeted amount of \$35,000.

DIRECTOR OF PUBLIC SERVICES - ROSIE'S BALLFIELD BACKSTOP REPLACEMENT

The FY 2026 Budget includes funding for the replacement of the backstops at the ballfields located in Rosie's Park. A Request for Proposals (RFP) was issued, with 4 contractors attending the mandatory site visit, and 3 of those submitted bids by the deadline. Staff tabulated bids and determined New Edge LLC. as being the lowest qualified bidder. As this bid exceeds the budgeted amount, Staff recommends that Council consider two motions:

- 1) To approve a Budget Amendment in the amount of \$7,884 to account 101-752-987-0000.
- 2) To award the bid for the Ballfield Backstop Replacement project to New Edge LLC., of Brighton, in the project amount of \$82,884.

ORDINANCES:

CITY PLANNER - ORDINANCE #2206 - SECOND READING - ZONING ORDINANCE TEXT AMENDMENT ZTA #25-01 - NON-CONFORMING RESIDENTIAL DRIVEWAYS

Section 7.03.10.C of the new Madison Heights Zoning Ordinance contains use-specific standards for residential driveways. As a majority of single-family detached houses and their associated driveways in Madison Heights were constructed prior to the adoption of the new Zoning Ordinance, there are many cases of legally non-conforming driveway conditions throughout the city. Recently, staff have had to deny many applications for the replacement of non-conforming driveways; this is due to Article 13 (Nonconformities) of the Zoning Ordinance, which requires non-conforming site elements to be brought up to code when replaced. Permit denials have, understandably, led to frustration for these property owners due to the impracticality of alternate driveway designs or the cost/time factor of going in front of the Zoning Board of Appeals (ZBA) for a variance. To avoid an abundance of cases in front of the Zoning Board of Appeals, staff recommends several zoning text amendments that would allow certain non-conforming residential driveways to be replaced in-kind. Staff proposes text amendments to the following sections of the Zoning Ordinance:

- Section 7.03.10: Use-Specific Standards for Detached One-Family Dwellings
- Section 10.02.1: Parking of Motor Vehicles in Residential Districts
- Section 13.01.6: Nonconforming Site Elements

The Planning Commission held a public hearing on September 19th, 2025, after which they recommended approval of the proposed text amendments as written.

Staff recommends that the City Council approve on second reading Ordinance No. 2206 (ZTA 25-01).

DPS DIRECTOR - ORDINANCE #2207 - SECOND READING - REQUIREMENT FOR RECYCLING AND TRASH CARTS

To improve efficiency, safety, reduce costs, and ensure compliance with regional recycling standards, the City has implemented standardized waste collection practices. As part of this initiative, all residents will now be required to use uniform, City-approved carts for trash and recycling. These carts are compatible with automated collection equipment, which helps reduce worker injury risk and enhances service efficiency.

The revised ordinance amends Ordinance 517, specifically Chapter 14, Sections 14-10, 14-11, and 14-16, to mandate the use of these standardized containers for all residential waste and recycling collection.

During the first reading on September 29, the City Council raised questions about enforcement. Enforcement provisions are already established in Chapter 14, Section 14-18, the ordinance which states:

Any person, corporation, limited liability company, partnership, association, firm, resident, or occupant who violates Sections 14-10, 14-11, and/or 14-12 shall be responsible for a civil infraction, subject to a fine of up to \$100.00. Each day a violation continues will be treated as a separate offense.

It is recommended that the City Council approve the revised Ordinance No. 2207 requiring the use of City-approved trash and recycling carts on second reading.



AGENDA ITEM SUMMARY FORM

MEETING DATE: 10/13/25

PREPARED BY: Matt Lonnerstater, AICP

AGENDA ITEM CONTENT: PEE #25-01 - Alley Vacation: 17 foot-wide alley between 601 W. 12 Mile Road and 28767 Dartmouth Street.

AGENDA ITEM SECTION: Public Hearings

BUDGETED AMOUNT: N/A

FUNDS REQUESTED: N/A

FUND: N/A

EXECUTIVE SUMMARY:

The Community & Economic Development Department has received a request to vacate a 17 ft.-wide improved alley right-of-way located between 601 W. 12 Mile Rd. and 28767 Dartmouth Rd. The alley also provides access to the property at 611 W. 12 Mile Road. All adjacent property owners have signed the petition.

RECOMMENDATION:

Planning Commission Recommendation (9/16/25 meeting):

Approve with the following conditions:

1. A public utility easement shall be dedicated and recorded over the full width of the vacated alley benefitting the City of Madison Heights and utility companies for underground facilities such as water, sanitary sewer, and natural gas lines, and overhead facilities such as power lines and communication infrastructure.
2. Prior to formal approval of the alley vacation, the applicant shall coordinate with Comcast and any other remaining utility companies with facilities in the existing alley regarding necessary easements or facility relocation. Correspondence from such companies shall be provided to the City Planner prior to final City Council action.
3. This approval is tied to the approval of Special Land Use application PSP #25-05. Should PSP #25-05 be denied by City Council, the approval of alley vacation request PEE #25-01, located at 601 W. 12 Mile Rd. and 28767 Dartmouth Rd., will be void.

After the required public hearing, City Council may, via resolution, approve or deny the requested alley vacation. Alternatively, City Council may postpone action on the item to a date certain.



MEMORANDUM

Date: October 6th, 2025
 To: City of Madison Heights City Council [October 13th, 2025 Meeting]
 From: Matt Lonnerstater, AICP – City Planner
 Subject: Alley Vacation Request # PEE 25-01 – Alley between 601 W. 12 Mile Road and 28767 Dartmouth Road

Please be advised of the following action of the Planning Commission at their September 16th, 2025 meeting:

Motion by Fox, seconded by Graettinger, to recommend that City Council approve alley vacation request PEE #25-01 to vacate a 17 ft.-wide improved public alley between the properties located at 601 W. 12 Mile Rd. and 28767 Dartmouth Rd., in accordance with Section 23-109 of the Madison Heights Code of Ordinances, with the following conditions:

1. A public utility easement shall be dedicated and recorded over the full width of the vacated alley benefitting the City of Madison Heights and utility companies for underground facilities such as water, sanitary sewer, and natural gas lines, and overhead facilities such as power lines and communication infrastructure.
2. Prior to formal approval of the alley vacation, the applicant shall coordinate with Comcast and any other remaining utility companies with facilities in the existing alley regarding necessary easements or facility relocation. Correspondence from such companies shall be provided to the City Planner prior to final City Council action.
3. This approval is tied to the approval of Special Land Use application PSP #25-05. Should PSP #25-05 be denied by City Council, the approval of alley vacation request PEE #25-01, located at 601 W. 12 Mile Rd. and 28767 Dartmouth Rd., will be void.

Voting Yea: Commissioner Bliss, Commissioner Fox, Commissioner Graettinger, Commissioner Marsh

Voting Nay: Commissioner Sylvester, Chair Champagne

Motion carries.

Introduction

The Community & Economic Development Department has received a request to vacate a 17 ft.-wide improved alley right-of-way located between 601 W. 12 Mile Rd. and 28767 Dartmouth Rd. The alley also provides access to the property at 611 W. 12 Mile Road. All adjacent property owners have signed the petition.

The aerial image below depicts the location of the alley.



Project Area and Utilities

The existing alley abuts three (3) properties:

- **601 W. 12 Mile Rd.** is improved with a gas station (zoned B-2, Community Business)
- **28767 Dartmouth Rd.** is improved with a single-family residence and detached garage (Zoned R-3, One-Family Residential)
- **611 W. 12 Mile Rd.** is vacant (zoned B-2, Community Business)

The alley first appears in historic aerial photographs in 1974, as on the following page. Based on these photographs, the alley historically only appears to service the commercial property at 611 W. 12 Mile Road (formerly Marinelli's Restaurant).

Historic Aerial Imagery (1974)

An eight-inch (8") water line and a twelve-inch (12") sanitary sewer line are located within the existing alley right-of-way. The Department of Public Services (DPS) has reviewed the vacation request and requests the dedication of an easement. Therefore, if vacated, the City should retain a public utility easement over the full width of the vacated alley.

The alley vacation request has been sent to DTE Energy, Consumers Energy, AT&T, and Comcast for their input and approval. To date, the City has received responses from Consumers Energy, AT&T and DTE who have all indicated that they have facilities located within the easement:

Consumers Energy: Consumers Energy stated that they have underground natural gas facilities located within the alley. However, they do not object to the vacation if a 12-foot-wide easement is dedicated.

AT&T: AT&T does not object as long as a full-width easement is reserved. They have indicated that they have existing facilities within the alley, with the easement also allowing for future fiber projects.

DTE: DTE responded that they have utility equipment in the public alley in the form of overhead telephone poles/wires and does not object to the alley vacation as long as a full width easement is recorded over the vacated alley.

Staff is still awaiting a revised formal response from Comcast, who had the following comments on the previous alley vacation submittal from 2023:

Comcast: Comcast responded that they have aerial facilities within the alley, likely collocated on the DTE Energy overhead poles. Therefore, relocation of comcast facilities, if necessary, would likely be contingent upon the DTE's support of the alley vacation request.

Zoning

Per Section 3.03 of the Zoning Ordinance, whenever any street, alley or other public way within the City of Madison Heights shall be vacated, such street, alley or other public way or portion thereof shall automatically be classified in the same zoning district as the property to which it attaches. If vacated, the northern 8.5 feet of the vacated alley would attach to the gas station property and be zoned B-2, Community Business, while the southern 8.5 feet would attach to the residential property and be zoned R-3, One-Family Residential.

Next Step

Based on the Department of Public Service's comments and utility responses, as well as the Planning Commission's recommendation of approval, planning staff does not object to the requested alley vacation. However, a full-width public utility easement will need to be recorded over the property for public utility installation, maintenance, and operation purposes including, but not limited to, water mains, sewers, conduits, storm drains, electric lines, poles, etc. Further, staff recommends the Planning Commission and City Council act upon Special Land Use case PSP 25-05 prior to taking final action on this alley vacation request, as the need for the alley vacation is directly tied to the applicant's desire to construct a private driveway/parking area on the residential parcel at 28767 Dartmouth. If the Special Land Use is denied, staff recommends that action on the alley vacation either be postponed or the application be withdrawn.

Per Section 23-109 of the "Streets and Sidewalk and Other Public Places" Ordinance, after the required public hearing, City Council may by resolution confirm or reject the alley vacation request. If City Council moves to approve the resolution vacating the alley, staff recommends the following conditions of approval:

- 1) A public utility easement shall be dedicated and recorded over the full width of the vacated alley benefitting the City of Madison Heights and utility companies for underground facilities such as water, sanitary sewer, and natural gas lines, and overhead facilities such as power lines and communication infrastructure.
- 2) Prior to formal approval of the alley vacation, the applicant shall coordinate with Comcast and any other remaining utility companies with facilities in the existing alley regarding necessary easements or facility relocation. Correspondence from such companies shall be provided to the City Planner prior to final City Council action.
- 3) This approval is tied to the approval of Special Land Use application PSP #25-05. Should PSP #25-05 be denied by City Council, the approval of alley vacation request PEE #25-01, located at 601 W. 12 Mile Rd. and 28767 Dartmouth Rd., will be void.

ALLEY VACATION [APPROVAL] – PEE #25-01

Motion by Councilor _____,

Supported by Councilor _____,

WHEREAS, a request has been received from Brian Najor of MAD Fuel Holdings, LLC, 601 W. 12 Mile Road, Madison Heights, MI 48071, to vacate the existing 17-foot wide alley adjacent to 601 W. 12 Mile Road (TM# 44-25-14-202-003; Assessors Plat No. 2 Lots 5 thru 11) and 28767 Dartmouth Street (TM# 44-25-14-202-004; Assessors Plat No. 2 Lot 12) and to retain the existing public utility easements therein; and

WHEREAS, City Council requested the Planning Commission to consider and make recommendations to vacate the 17-foot-wide alley; and

WHEREAS, at their September 16th, 2025 regular meeting, the Planning Commission recommended that City Council approve the vacation of the 17-foot-wide alley, with conditions; and

WHEREAS, City Council held a public hearing on October 13th, 2025 where there were _____ objections from the audience;

NOW, THEREFORE, BE IT RESOLVED, that the Madison Heights City Council determines that it is necessary for the health, welfare, comfort, and safety of the people of the City to:

Vacate the 17-foot wide alley adjacent to 601 W. 12 Mile Road (TM# 44-25-14-202-003; Assessors Plat No. 2 Lots 5 thru 11) and 28767 Dartmouth Street (TM# 44-25-14-202-004; Assessors Plat No. 2 Lot 12).

BE IT FURTHER RESOLVED, that the aforementioned public alley is hereby vacated subject to the following conditions:

1. Prior to recording the vacation, a public utility easement shall be retained and recorded over the full width of the vacated alley benefitting the City of Madison Heights and utility companies for the purposes of installing, maintaining, repairing, removing or replacing underground facilities such as but not limited to water, sanitary sewer, and natural gas lines, and overhead facilities such as but not limited to power lines and communication infrastructure; and
2. Prior to recording the vacation, retention of any additional easement requirements from Comcast and any other remaining utility companies with facilities in the existing alley; and
3. The alley vacation is conditioned upon the approval of Special Land Use application #PSP 25-05. Should PSP #25-05 be denied by City Council, the alley vacation shall become null and void.

BE IT FURTHER RESOLVED, within thirty (30) days of the aforementioned conditions of this alley vacation being fully-satisfied, the City Clerk shall forward to the State Treasurer and record with the County Register of Deeds a certified copy of said resolution.

Yeas:

Nays:



City of Madison Heights

Item 2.

City Hall Municipal Offices
300 W. Thirteen Mile Road
Madison Heights, MI 48071

Department of Public Services
801 Ajax Drive
Madison Heights, MI 48071

Fire Department
31313 Brush Street
Madison Heights, MI 48071

Police Department
280 W. Thirteen Mile Road
Madison Heights, MI 48071

www.madison-heights.org

September 11, 2025

Matt Lonnerstater, AICP
City Planner
City of Madison Heights - Community and Economic Development Department

Regarding the request to vacate the alley which runs west off Dartmouth Street between the properties commonly known as 601 West 12 Mile Road to the north and 28707 Dartmouth Street to the south, the City of Madison Heights Department of Public Services has no objection, subject to the following conditions:

A twelve (12) foot wide easement for the existing water line, and a seventeen (17) foot wide easement for the existing sanitary sewer line must be granted to provide for future access and maintenance. These are in addition to the existing three (3) foot easement recorded in the previous partial alley vacation.

Yours most sincerely,

Sean P. Ballantine
Director of Public Services
City of Madison Heights – Department of Public Services

Area Code (248)		
Active Adult Center.....	545-3464	Finance 583-0846
Assessing	858-0776	Fire Department 583-3605
City Clerk.....	583-0826	43rd District Court 583-1800
City Manager	583-0829	Housing Commission..... 583-0843
Community Development.....	583-0831	Human Resources 583-0828
Department of Public Services.....	589-2294	Library..... 588-7763
		Mayor & City Council 583-0829
		Nature Center 585-0100
		Police Department 585-2100
		Purchasing 837-2602
		Recreation..... 4
		Water & Treasurer 5



RE: City of Madison Heights - Request to Vacate Alley Right-of-Way - Alley between 601 W. 12 Mile Road and 28767 Dartmouth St.

From WESSON, ANGELA M <ad3245@att.com>
Date Wed 9/10/2025 6:52 AM
To Matt Lonnerstater <MattLonnerstater@madison-heights.org>

Hi Matt,

Sorry this took so long, I just reviewed this and AT&T does not object as long as a full-width easement is reserved.

My records show we have existing facilities, but we also need this ROW protected for our future fiber projects.

Thank you,

Angie Wesson
Right-of-Way Manager
m 248.877.9518 | ad3245@att.com

From: Matt Lonnerstater <MattLonnerstater@madison-heights.org>
Sent: Tuesday, September 9, 2025 2:56 PM
To: WESSON, ANGELA M <ad3245@att.com>
Subject: Re: City of Madison Heights - Request to Vacate Alley Right-of-Way - Alley between 601 W. 12 Mile Road and 28767 Dartmouth St.

Good afternoon, Angela:

Just circling back on this. Any updates?

Thank you!



Matt Lonnerstater, AICP
City Planner
City of Madison Heights
MattLonnerstater@Madison-Heights.org
Office: (248) 837-2649

<https://www.madison-heights.org/209/Planning-Services>

From: WESSON, ANGELA M <ad3245@att.com>
Sent: Wednesday, September 3, 2025 10:09 AM
To: Matt Lonnerstater <MattLonnerstater@madison-heights.org>
Subject: RE: City of Madison Heights - Request to Vacate Alley Right-of-Way - Alley between 601 W. 12 Mile Road and 28767 Dartmouth St.

Hi Matt,

Item 2.

Thanks for letting me know. I'll double this and let you know if there are any issues...probably by Friday.

Thanks!

Angie Wesson

Right-of-Way Manager

m 248.877.9518 | ad3245@att.com

From: Matt Lonnerstater <MattLonnerstater@madison-heights.org>

Sent: Friday, August 29, 2025 12:52 PM

To: WESSON, ANGELA M <ad3245@att.com>

Subject: Re: City of Madison Heights - Request to Vacate Alley Right-of-Way - Alley between 601 W. 12 Mile Road and 28767 Dartmouth St.

Importance: High

Good afternoon:

I am reaching back out to you regarding this alley vacation request, previously requested in 2023. The project was put on hold, but is now proceeding through City Council for action. Because two years have passed, I am reaching back out to affected utility companies.

Can you please re-affirm that ATT's position has not changed from your last reply dated July 28th, 2023? Thank you

If ATT's position has changed, could you please provide a response letter on behalf of your company/organization stating any objections or concerns relating to the request alley right-of-way vacation

Thank you,



Matt Lonnerstater, AICP
City Planner
City of Madison Heights
MattLonnerstater@Madison-Heights.org
Office: (248) 837-2649

<https://www.madison-heights.org/209/Planning-Services>

From: WESSON, ANGELA M <ad3245@att.com>

Sent: Friday, July 28, 2023 10:42 AM

To: Matt Lonnerstater <MattLonnerstater@Madison-Heights.org>

Subject: RE: City of Madison Heights - Request to Vacate Alley Right-of-Way - Alley between 601 W. 12 Mile Road and 28767 Dartmouth St.

Good morning Matt,

AT&T does not object to the alley vacation request, as long as a full-width utility easement is reserved. We currently have facilities installed in the alley and may also need that route in future.

Thank you,

Angie Wesson

Right-of-Way Manager

o 248.456.0361 m 248.877.9518 | ad3245@att.com

From: Matt Lonnerstater <MattLonnerstater@Madison-Heights.org>

Sent: Monday, June 26, 2023 1:44 PM

To: therese_imachukwu@comcast.com; Shanna.BradleyWilson@cmsenergy.com; WESSON, ANGELA M <ad3245@att.com>; Kimberly.Tassen@dteenergy.com; fbinaghi@wideopenwest.com; Mary.Peters@dteenergy.com; Brian.Kinnick@dteenergy.com

Subject: City of Madison Heights - Request to Vacate Alley Right-of-Way - Alley between 601 W. 12 Mile Road and 28767 Dartmouth St.

Importance: High

Good afternoon:

The City of Madison Heights has received a petition to vacate a public improved alley between 601 W. 12 Mile Road and 28767 Dartmouth St. Please see the map, below, and the attached survey. There are overhead utility lines in and/or adjacent to the alley.



At your earliest convenience, could you please provide a response letter on behalf of your company/organization stating any objections or concerns relating to the request alley right-of-way vacation. The Madison Heights City Council is tentatively scheduled to act upon this petition at the August 14th, 2023 meeting.

Please reach out to me if you should have any questions.

Best,



Matt Lonnerstater, AICP
 City Planner
 City of Madison Heights
MattLonnerstater@Madison-Heights.org
 Office: (248) 837-2649

<https://www.madison-heights.org/209/Planning-Services>



RE: [EXTERNAL] Re: Public Alley vacation request response - Madison Heights - Alley between 601 W. 12 Mile Road and 28767 Dartmouth Street

From Mary F Peters <mary.peters@dteenergy.com>
Date Fri 9/12/2025 7:58 AM
To Matt Lonnerstater <MattLonnerstater@Madison-Heights.org>

I have no objections. Thanks. 😊

Mary Peters
Regional Planning Supervisor
Southeast Planning & Engineering
Cell: 520-239-6321
Office: 313-235-9578
12080 Dixie | Redford MI 48239



Working with DTE should be easy:

Report a power outage online: www.dteenergy.com
Power Restoration (Primary Schools & Single Line Primary): 313-235-1300
Toll free Customer Service 24 hour hotline: 800-477-4747
Commercial Business customers Call 855-DTE-4BIZ or 855-383-4249
Report Energy Theft: 800-411-6698
Online Tools Assistance: 800-482-8720
New Electric Service Requests: 800.338.0178 (Secondary Customers)
Link to: [DTE Common Documents](#) (Load Sheet & Green Book)
Energy Efficiencies Opportunities: [Energy Savings Opportunities](#)

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From: Matt Lonnerstater <MattLonnerstater@Madison-Heights.org>
Sent: Thursday, September 11, 2025 10:42 AM
To: Mary F Peters <mary.peters@dteenergy.com>
Subject: [EXTERNAL] Re: Public Alley vacation request response - Madison Heights - Alley between 601 W. 12 Mile Road and 28767 Dartmouth Street

CAUTION: THIS MESSAGE IS FROM AN EXTERNAL SENDER. This email was sent from outside our company. Please do not click links or open attachments unless you recognize the source of this information and are expecting this email. If you suspect this message is suspicious, report it by using the "report phishing" function.

Good morning, Mary:

I have emailed and called Kimberly to no avail, unfortunately. Are you able to respond to this request? The City of Madison Heights will be requiring a full width public utility easement to be recorded over the vacated alley, which would allow for DTE access, maintenance, and improvements to existing overhead poles/wires.

Are there DTE objections to this request given that a full-width easement will be required?

Thank you,



Matt Lonnerstater, AICP
City Planner
City of Madison Heights
MattLonnerstater@Madison-Heights.org
Office: (248) 837-2649

<https://www.madison-heights.org/209/Planning-Services>

From: Matt Lonnerstater <MattLonnerstater@Madison-Heights.org>

Sent: Tuesday, September 9, 2025 2:55 PM

To: Kimberly A Tassen <kimberly.tassen@dteenergy.com>

Cc: Mary F Peters <mary.peters@dteenergy.com>

Subject: Re: Public Alley vacation request response - Madison Heights - Alley between 601 W. 12 Mile Road and 28767 Dartmouth Street

Good afternoon, Kimberly:

I am just circling back on this to make sure you received my previous email, below. Thank you.



Matt Lonnerstater, AICP
City Planner
City of Madison Heights
MattLonnerstater@Madison-Heights.org
Office: (248) 837-2649

<https://www.madison-heights.org/209/Planning-Services>

From: Matt Lonnerstater <MattLonnerstater@Madison-Heights.org>

Sent: Friday, August 29, 2025 1:07 PM

To: Kimberly A Tassen <kimberly.tassen@dteenergy.com>

Cc: Mary F Peters <mary.peters@dteenergy.com>

Subject: Re: Public Alley vacation request response - Madison Heights - Alley between 601 W. 12 Mile Road and 28767 Dartmouth Street

Good afternoon, Kimberly:

I am reaching back out to you regarding this alley vacation request, previously requested in 2023. The project was put on hold, but is now proceeding through City Council for action. Because two years have passed, I am reaching back out to affected utility companies.

Can you please confirm whether or not DTE's position has changed from your last letter dated June 29th, 2023 (attached)? If possible, could you please provide an updated response letter on behalf of DTE stating any objections or concerns relating to the request alley right-of-way vacation

Thank you,



Matt Lonnerstater, AICP
City Planner
City of Madison Heights
MattLonnerstater@Madison-Heights.org
Office: (248) 837-2649

<https://www.madison-heights.org/209/Planning-Services>

From: Kimberly A Tassen <kimberly.tassen@dteenergy.com>
Sent: Thursday, June 29, 2023 11:27 AM
To: Matt Lonnerstater <mattlonnerstater@madison-heights.org>
Cc: Mary F Peters <mary.peters@dteenergy.com>
Subject: Public Alley vacation request response

Hi Mr. Lonnerstater:

Please see attached response letter to your public alley vacation request located between 601 W. 12 Mile Road and 28767 Dartmouth Street, Madison Heights.

Thanks,

*Kimberly A. Tassen, SR/WA, R/W-NAC
Right of Way Facilitator*

DTE Electric Company

Office: 313.235.4458

Cell: 586.202.7881

Kimberly.tassen@dteenergy.com



CONFIDENTIAL OR PRIVILEGED COMMUNICATION

This communication and its attachments may contain privileged or confidential information protected by law and copyrighted materials of the DTE Energy family of companies. It is solely for the use of the intended recipient(s) named above. Any review, dissemination, distribution, forwarding, or copying of this communication or associated attachments by someone other than the intended recipient(s), or the person responsible for delivering this communication to the intended recipient, is prohibited. If you have received this communication in error, please immediately notify us by telephone at 313-235-4458, or reply to the sender via email, then permanently delete the original message and associated attachments and destroy any copies or printouts. Thank you.



RE: City of Madison Heights - Request to Vacate Alley Right-of-Way - Alley between 601 W. 12 Mile Road and 28767 Dartmouth St.

From Robert F. Marvin <Robert.Marvin@cmsenergy.com>
Date Fri 9/5/2025 11:45 AM
To Matt Lonnerstater <MattLonnerstater@Madison-Heights.org>
Cc Shanna Bradley-Wilson <Shanna.BradleyWilson@cmsenergy.com>

Hi Matt,

We checked again and our position has not changed since 2023. If you have any questions or concerns, please feel free to reach out. Thanks.

Rob

Robert F. Marvin
Senior Attorney
Legal Department

One Energy Plaza
Jackson, MI 49201
O: 517-788-7298
C: 517-914-6167

WORLD CLASS PERFORMANCE DELIVERING HOMETOWN SERVICE



Please consider the environment before printing this email



From: Matt Lonnerstater <MattLonnerstater@Madison-Heights.org>
Sent: Friday, August 29, 2025 1:04 PM
To: Robert F. Marvin <Robert.Marvin@cmsenergy.com>
Cc: Shanna Bradley-Wilson <Shanna.BradleyWilson@cmsenergy.com>
Subject: Re: City of Madison Heights - Request to Vacate Alley Right-of-Way - Alley between 601 W. 12 Mile Road and 28767 Dartmouth St.
Importance: High

You don't often get email from mattlonnerstater@madison-heights.org. [Learn why this is important](#)

##CAUTION##: This email originated from outside of CMS/CE.
Remember your security awareness training: Stop, think, and use

Good afternoon:

I am reaching back out to you regarding this alley vacation request, previously requested in 2023. The project was put on hold, but is now proceeding through City Council for action. Because two years have passed, I am reaching back out to affected utility companies.

Can you please re-affirm that Consumers Energy's position has not changed from your last reply dated July 6th, 2023, below?

If Consumers' position has changed, could you please provide a response letter on behalf of your company/organization stating any objections or concerns relating to the request alley right-of-way vacation

Thank you,



Matt Lonnerstater, AICP
City Planner
City of Madison Heights
MattLonnerstater@Madison-Heights.org
Office: (248) 837-2649

<https://www.madison-heights.org/209/Planning-Services> [madison-heights.org]

From: Robert F. Marvin <Robert.Marvin@cmsenergy.com>

Sent: Thursday, July 6, 2023 1:05 PM

To: Matt Lonnerstater <MattLonnerstater@Madison-Heights.org>

Cc: Shanna Bradley-Wilson <Shanna.BradleyWilson@cmsenergy.com>

Subject: City of Madison Heights - Request to Vacate Alley Right-of-Way - Alley between 601 W. 12 Mile Road and 28767 Dartmouth St.

Good afternoon, Matt.

We've had a chance to review this vacation request and we do have underground natural gas facilities located within the alley. However, we don't have an objection to the vacation so long as an easement is reserved for our facilities. For underground gas facilities, we typically request a non-exclusive 12 foot easement (six feet on either side of the centerline of the main). Should you have any questions or concerns, please feel free to contact me.

Thanks.

Rob

Robert F. Marvin
Senior Attorney
Legal Department
One Energy Plaza
Jackson, MI 49201

O: 517-788-7298

C: 517-914-6167

WORLD CLASS PERFORMANCE DELIVERING HOMETOWN SERVICE



Please consider the environment before printing this email



ARTICLE IV. VACATION OF STREETS, ALLEYS, ETC.¹

Sec. 23-109. Streets and alleys—Procedure upon petition of one hundred percent of adjoining property owners.

Whenever the owners of property adjoining a street or alley within the city shall file a petition with the city council asking the council to vacate said street or alley and when said petition is signed by 100 percent of the adjoining owners, the city council may refer the petition to the plan commission for study and report to the council. When said plan commission has filed its report with the council concerning the vacation of said street or alley, the council may by resolution confirm or reject the recommendation contained in such report. In the event the council deems it advisable to vacate said street or alley, it shall adopt a resolution and shall appoint a time not less than four weeks thereafter when the council will meet to hear objections thereto. Notice of such meeting shall be given by publication in such newspaper circulating within the city as the council may direct from time to time. If on the date of such hearing no objections are filed, the street or alley or any part thereof may be vacated and the resolution vacating such street, alley or any part thereof adopted.

(Code 1958, § 7-131; Ord. No. 110, § 1, 10-15-58; Ord. No. 233, § 1, 10-14-63)

Sec. 23-110. Same—Procedure upon petition by less than one hundred percent of adjoining property owners or upon council action.

When the petition to vacate is signed by less than 100 percent of the adjoining owners or when the council shall deem it advisable to vacate, discontinue or abolish any street, alley or any part thereof, the council shall by resolution so declare and by said resolution shall refer the proceedings to the plan commission for study and report. The plan commission shall order a public hearing thereon and upon a favorable report to the council advising said vacation the said council shall by resolution appoint a time not less than four weeks thereafter when it will meet and hear objections thereto. Notice of such meeting shall be given by publication in such newspaper circulating within the city as the council may direct from time to time. In the event objections to such proposed action shall be filed with the clerk in writing the said street, alley or any part thereof shall not be vacated or discontinued, except by a vote of two-thirds of the members of the council elect.

(Code 1958, § 7-132; Ord. No. 110, § 1, 10-15-58)

Sec. 23-111. Same—Easement may be reserved.

Whenever the city council shall by resolution vacate any street, alley or any part thereof, it may, in the same resolution, reserve an easement therein for public utility purposes with the right-of-way of any such street or alley so vacated.

(Code 1958, § 7-135; Ord. No. 110, § 1, 10-15-58)

¹Charter reference(s)—Specific authority to vacate streets, Ch. 2, § 2.2(d).

Sec. 23-112. Easements; procedure.

Whenever the owners of a majority of frontage of property adjoining and abutting a public easement within the city shall file a petition with the city council asking that said easement be vacated, or in the event it is deemed advisable by the council to vacate any public easement, the city council shall refer the question of the vacating of such easement to the plan commission for study, and hold a public hearing and send a report to the council. Notice of such public hearing shall be sent to all public utilities servicing the city, and to the engineering and public works departments of the city. In the event no objections to the vacation of easement are made by said public utilities, and the vacation is approved by the engineering and public works departments of the city, the plan commission may recommend its approval to the council. The council may thereafter declare by resolution that it is deemed advisable to vacate said public easement and in said resolution shall appoint a time not less than four weeks thereafter when the council will meet and hear objections thereto. Notice of such meeting shall be given by publication in such newspaper circulating within the city as the council may direct from time to time. Upon such hearing, if no objections are received, the public easement may be vacated and a resolution vacating such easement may be adopted.

(Code 1958, § 7-133; Ord. No. 162, § 1, 8-8-60)

Sec. 23-113. Recordation with register of deeds effects council resolution.

Upon the resolution of vacation of a street, alley, easement or any part thereof becoming effective the city clerk shall within 30 days, forward to the state treasurer and record with the register of deeds a certified copy of said resolution, together with his certificate giving the name or names of any plat, subdivision or addition affected by such resolution and such resolution shall have no force or effect until so recorded.

(Code 1958, § 7-130; Ord. No. 162, § 2, 8-8-60)

State law reference(s)—Similar provisions as to platted areas, MSA 26.430(256), (257).

Sec. 23-114. Recordation with city clerk; prima facie evidence.

Every resolution discontinuing or vacating any street, alley or any part thereof shall be recorded in a book of street records to be maintained by the city clerk and the records therein shall be prima facie evidence of all matters therein set forth.

(Code 1958, § 7-134; Ord. No. 110, § 1, 10-15-58)

NOTICE OF PUBLIC HEARING

Notice is hereby given that the **City Council for the City of Madison Heights** will hold a public hearing in the **City Council Chambers of the Municipal Building at 300 W. 13 Mile Road**, Madison Heights, Oakland County, Michigan 48071 on **Monday, October 14th, 2025 at 7:00 p.m.** to consider the following request:

Item 2.

(A) Case # PEE 25-01 – Alley Vacation: 601 W. 12 Mile Road, 611 W. 12 Mile Road, and 28767 Dartmouth Street

REQUEST: The petitioner, Brian Najor, requests that the City of Madison Heights vacate an existing 17-foot-wide improved alley adjacent to 601 W. 12 Mile Road, 611 W. 12 Mile Road, and 28767 Dartmouth Street (respectively TM#s 44-25-14-202-003; 44-25-14-202-030; and 44-25-14-202-004).

The application and any supporting documents can be viewed during regular business hours at the Community & Economic Development Department. In addition, the agenda item can be viewed online at www.madison-heights.org in the Agenda Center after 4:00 p.m. on Friday before the meeting.

If you are unable to attend the meeting, you can send your comments via email to: MattLonnerstater@madison-heights.org and your comment will be read into the record at the meeting. Written comments may also be mailed prior to the meeting to 300 West Thirteen Mile Road, Madison Heights, Michigan, 48071. All comments will be heard at the meeting.

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MADISON HEIGHTS COMMUNITY & ECONOMIC DEVELOPMENT DEPARTMENT (248) 583-0831



City of Madison Heights

Petition to Vacate Public Right of Way or Easement

Petitions to Vacate Public Right of Way or Easement must include the following information:

1. Petition (attached) filled out completely and signed by all applicable parties.
2. Review letters from all utility companies:

City Of Madison Heights

Water Department
Attn: Joe Vitali, Jr., Public Works Supervisor
801 Ajax
Madison Heights, MI 48071
248-589-2294

joevitalijr@madison-heights.org

DTE Energy

Attn: Kimberly A. Tassen, SR/WA, R/W-NAC
Right of Way Facilitator
The Detroit Edison Company
One Energy Plaza, 2016 WCB
Detroit, MI 48226
313-235-4458
313-235-4444 fax
tassenk@dteenergy.com

Consumer's Energy

Attn: John Hill, 3rd Party Project Coordinator
4600 Coolidge Hwy
Royal Oak, MI 48073
248-433-5618
john.hill@cmsenergy.com

AT & T

Attn: Lloyd Reynolds, OSP Engineer
54 North Mill, Box 32
Pontiac, MI 48342
248-456-0882
248-975-4075 fax
ir6232@att.com

Wide Open West

Attn: Frank Binaghi
Construction & Engineering Manager
32650 N. Avis Drive
Madison Heights, MI 48071
248-677-9008
248-677-9021 fax
fbinaghi@wideopenwest.com

Comcast

Attn: Warren Setty, Construction Coordinator
6095 Wall Street
Sterling Heights, MI 48312
586-883-7257
586-883-7406 fax
Warren_Setty@cable.comcast.com

Consumer's Energy

attn: Joseph Funke, System Engineer
4600 Coolidge Hwy
Royal Oak, MI 48073
248-858-4512
joseph.funke@cmsenergy.com

3. 15 copies of a plan (11" x 17") showing existing and proposed adjacent properties, use, structures and easements. Plan should be based on a survey.

PETITION FOR VACATING A PUBLIC STREET, ALLEY AND/OR EASEMENT

To the Honorable,
The Mayor and City Council
Madison Heights, Michigan

Date: 8/14/25

We, the undersigned petitioners, residing at the place set opposite our respective names hereto, being the abutting owners and mortgages of real estate located:

on the west Side(s) of dartmouth Street
located between Twelve Mile Road and Karam Drive
in _____ Subdivision,

and being entirely in the City of Madison Heights and being 100 percent of the property owners above said area, hereby respectfully pray and petition that you vacate the public (Street, Alley, and/or Easement) lying adjacent to Lot(s) Acreage Parcel(s):

25-14-202-003 of _____ Subdivision (if any) and that said parcel become part of the adjoining property, according to law. Provided, however, that if said (street or alley) is now used or may be used for the general public convenience and welfare for sewers, water and gas mains, electrical lines and telephone lines and because said usages are for the benefit of the general public beyond the above described area and because this vacation is primarily for the private benefit of the undersigned petitioners, the City of Madison Heights, as a condition without existence of which this vacation shall be of no effect, reserves to itself for the benefit and welfare of the general public an easement co-extensive with the vacated (street, alley) for the purposes of general public convenience and necessities such as sewers, water and gas mains, and electrical and telephone lines together with the general right of entry for maintenance purposes in regard to such public conveniences and necessities, and we the undersigned, consent to the easement aforesaid on behalf of ourselves, our heirs, administrators and assigns.

31



e-recorded

LIBER 55006 PAGE 702

0214022

OAKLAND COUNTY TREASURERS CERTIFICATE
I HEREBY CERTIFY that there are no TAX LIENS or TITLES
held by the state or any individual against the within description
and all TAXES on same are paid for five years previous to the
date of this instrument as appears by the records in the office
except as stated.
Reviewed By: RTN

Oct 16, 2020

5.00 E-FILE

Sec. 135, Act 206, 1893 as amended
ANDREW E. MEISNER, County Treasurer

Not Examined

LIBER 55006 PAGE 702
\$21.00 DEED - COMBINED
\$4.00 REMONUMENTATION
\$5.00 AUTOMATION
\$1,505.00 TRANSFER TX COMBINED
10/16/2020 06:21:11 PM RECEIPT# 168966
PAID RECORDED - Oakland County, MI
Lisa Brown, Clerk/Register of Deeds

STATE OF
MICHIGANREAL ESTATE
TRANSFER TAX

OAKLAND
10/16/2020
168966

\$192.50 CO
\$1,312.50 ST
001283049



WARRANTY DEED

File No.: MI-20-3945

Drafted by:

Peter Joelson, Title Solutions Agency, LLC, 41486 Wilcox Road Suite 2, Plymouth, MI 48170

When recorded return to:

Title Solutions Agency, LLC, 41486 Wilcox Road Suite 2 Plymouth, MI 48170

THE GRANTOR, Cheryl A. Jamieson f/k/a Cheryl Ann Coldren

Whose address is: 28767 Dartmouth Street Madison Heights, MI 48071

Conveys and Warrants to Brian Najor

Whose address is: ~~28767 Dartmouth Street Madison Heights, MI 48071~~ 600 N Old
Woodward Ste 100 Birmingham, MI 48009

Legal Description: City of Madison Heights, County of Oakland, State of Michigan, to wit:
Lot 12, ASSESSOR'S PLAT NO. 2, also vacated South 3 feet of alley lying Northerly of Lot 12 and Southerly of
Lots 5 through 11, also that part of vacated alley lying West of Lot 12, according to the plat thereof as recorded in
Liber 118 of Plats, Page 13, Oakland County Records.

Tax Parcel No.: 25-14-202-004

Commonly known as: 28767 Dartmouth Street Madison Heights, MI 48071

For the sum of ONE HUNDRED SEVENTY FIVE THOUSAND AND 00/100 Dollars (\$175,000.00)

The Grantor grants to the Grantee the right to make (ALL) divisions under section 108 of the land division act, Act
288 of the Public Act of 1967.

If the land being conveyed is unplatted, the following is deemed to be included: "This property may be located
within the vicinity of farmland or farm operation. Generally accepted agricultural and management practices which
may generate noise, dust, odors, and other associated conditions may be used and are protected by the Michigan
Right to Farm Act."

Subject to easements, reservations and restrictions of record.

Page 1 of 2

LIBER 55006 PAGE 703

Attached to and becoming part of the Warranty Deed, on this October 14, 2020, file # MI-20-3945, between Cheryl A. Jamieson FKA Cheryl Ann Coldren, grantor(s) and Brian Najor, grantee(s).

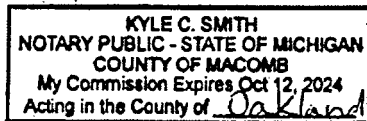
Dated: October 14, 2020

Signed and Sealed:

Cheryl A. Jamieson FKA Cheryl Ann Coldren
Cheryl A. Jamieson FKA Cheryl Ann Coldren

STATE OF Michigan } ss
COUNTY OF Oakland }

On this October 14, 2020, before me personally appeared Cheryl A. Jamieson f/k/a Cheryl Ann Coldren to me known to be the person(s) described in and who executed the foregoing instrument and acknowledged that he/she/they executed the same as his/her/their free act and deed.



[Signature]
_____, Notary Public
_____, County, Michigan
My Commission Expires: _____
Acting in: _____

OAKLAND COUNTY TREASURER'S CERTIFICATE
This is to certify that there are no delinquent property
taxes as of this date owed to our office on this property.
No representation is made as to the status of any taxes,
tax liens or titles owed to any other entities.

Item 2.

SEP 08 2020

RTN

ANDREW E. MEISNER, County Treasurer
Sec. 135, Act 205, 1893 as amended

5.00

181987
LIBER 54798 PAGE 175
\$26.00 DEED - COMBINED
\$4.00 REMUNERATION
09/10/2020 09:41:06 A.M. RECEIPT# 142231
PAID RECORDED - OAKLAND COUNTY
LISA BROWN, CLERK/REGISTER OF DEEDS

WARRANTY DEED
(Statutory Form - Entity)

Know all persons by these presents; that QSL Madison Heights RE, LLC
whose address is 555 Puritan, Birmingham, Michigan 48009

Conveys and warrants(s) to, 611 Madison Property, LLC, a Michigan limited liability company
whose address is 600 North Old Woodward Avenue, Suite 100, Birmingham, MI 48009

Land situated in the City of Madison Heights, County of Oakland, State of Michigan, described as follows:

All that part of a parcel of land in Section 14, Town 1 North, Range 11 East, described as: Beginning at a point on the North line of said Section 14, which is 1644.8 feet West of the Northeast corner of said Section 14; thence South 00 degrees 07 minutes West 425.8 feet; thence West parallel to Section line 474 feet; thence North 00 degrees 07 minutes East 425.9 feet; thence East on North Section line 474 feet to the point of beginning, which lies Southeasterly of a line described as: Beginning at the Northwest corner of Lot 11, Assessor's Plat No. 2, as recorded in Liber 118 of Plats, Page 13, Oakland County Records; thence North 90 degrees 00 minutes 00 seconds West along the North line of said Lot 11 (extended) a distance of 61.47 feet; thence South 02 degrees 42 minutes 20 seconds East a distance of 22.11 feet; thence South 54 degrees 55 minutes West a distance of 268.85 feet; thence South 25 degrees 29 minutes 00 seconds West a distance of 350 feet and a point of ending.

Commonly known as: 611 W 12 Mile Rd, Madison Heights, MI 48071
Parcel I.D. Number: 25-14-202-030 & 25-14-202-031

For the full consideration of -SEE REAL ESTATE TRANSFER TAX VALUATION AFFIDAVIT-
Subject to:

(a) Highway Easement in favor of the Board of County Road Commissioners of the County of Oakland, and terms conditions and provisions contained therein, recorded in Liber 6211, page 216, Oakland County Register of Deeds; and

(b) Permanent Easement for ingress and egress, and the terms, conditions and provisions contained therein, recorded in Liber 11022, page 588, Oakland County Register of Deeds.

04/3 89/33

OK-AB

Dated: 25 day of August, 2020

REVENUE TO BE AFFIXED
AFTER RECORDING

10:2 PM 3-SEP-2020

RECEIVED
OAKLAND COUNTY
REGISTER OF DEEDS

Page 2 of Warranty Deed between QSL Madison Heights RE, LLC, a ~~Michigan Limited Liability Company~~ (Grantor) and 611 Madison Property, LLC, a Michigan limited liability company (Grantee)

SELLER(S): QSL Madison Heights RE, LLC

By:

Milton Feldberg, Manager

State of Michigan

County of Oakland

On this 25th day of August, 2020, before me personally appeared QSL Madison Heights RE, LLC, by Milton Feldberg, Its Manager, known to me to be the person(s) described in and who executed the foregoing instrument and acknowledged that they executed same as their free act and deed.

NADA MARKOVIC JUDGE
Notary Public, State of Michigan
County of Oakland
My Commission Expires Jun. 15, 2023
Acting in the County of Oakland

Nada Markovic Judge
Notary Public
Oakland County, Michigan
Acting in Oakland County
My Commission Expires: 6-15-23

Instrument drafted without opinion by:	When recorded return to
Walter Quillico, ESQ. 28470 W. 13 Mile Rd., Suite 325 Farmington Hills, MI 48334	611 Madison Property, LLC 600 North Old Woodward, Ste. 100 Birmingham, MI 48009

TC13-89133

↓
Title Connect LLC
a title insurance agency
28470 W. 13 Mile Rd. Suite 325
Farmington Hills, MI 48334

MEMORANDUM OF LAND CONTRACT

Know all men by these presents that a certain land contract, dated, 1st day of December, 2020, has been executed between Casey Developments, L.L.C., a Michigan Limited Liability Company, as "Seller", whose address is 49649 Red Pine Drive, Macomb, MI 48044

and MAD Fuels Holdings LLC, as "Purchaser(s)", whose address is 600 North Old Woodward Avenue, Suite 100, Birmingham, MI 48009

the following described premises:

Land situated in the City of Madison Heights, County of Oakland, State of Michigan, described as follows:

Lots 5 through 11, inclusive, except the North 7 feet thereof deeded for highway purposes, Assessor's Plat No. 2, according to the plat thereof, as recorded in Liber 118 of Plats, Page 13, Oakland County Records. 25-14-202-003

CKA: 601 W. 12 mile Rd, Madison Heights, MI

48071
The purpose of this instrument is to give notice of the existence of the aforesaid land contract and the rights of the Purchaser(s) thereunder.

IN WITNESS WHEREOF, the Seller(s) and Purchaser(s) have executed this Memorandum of Land Contract on 1st day of December, 2020

SELLER(S). Casey Developments, L.L.C., a Michigan Limited Liability Company

By: *May Najem*
May Najem, Managing Member

STATE OF: MICHIGAN

COUNTY OF: *Oakland*

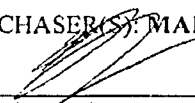
On this 1st day of December, 2020, before me personally appeared Casey Developments, L.L.C., a Michigan Limited Liability Company, by May Najem, Managing Member, known to me to be the person(s) described in and who executed the foregoing instrument and acknowledged that they executed same as their free act and deed.

Deborah M. Hamilton
Notary Public *Deborah M. Hamilton* County *Oakland*
My Commission expires on: *12-11-2024*

DEBORAH M. HAMILTON
Notary Public, State of Michigan
County of Oakland
My Commission Expires Dec. 11, 2024
Acting in the County of *Oakland*

TC13-94566

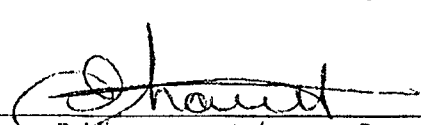
PURCHASER(S): **MAD Fuels Holdings LLC, a Michigan Limited Liability Company**

By: 

Brian Najor, Manager

STATE OF: **MICHIGAN**
COUNTY OF: **OAKLAND**

On this 1st day of **December**, 2020, before me personally appeared **MAD Fuels Holdings LLC, a Michigan Limited Liability Company**, by **Brian Najor, Manager**, known to me to be the person(s) described in and who executed the foregoing instrument and acknowledged that they executed same as their free act and deed.


Notary-Public **Oakland** County

My Commission expires on: **3-7-2021**

Shannel Konja
NOTARY PUBLIC - STATE OF MICHIGAN
COUNTY OF **Oakland**
My Commission Expires **03/07/2021**
Acting in the County of **Oakland**

Drafted by and without opinion by:	When recorded return to:
Walter Quillico, ESQ 28470 W. 13 Mile Road, Suite 325 Farmington Hills MI 48334	MAD Fuels Holdings LLC 600 North Old Woodward Avenue, Suite 100 Birmingham, MI 48009

TC13-94566

MADISON HEIGHTS CITY COUNCIL RESOLUTION
CONDEMNING POLITICAL VIOLENCE
IN THE UNITED STATES

WHEREAS, on September 10, 2025, conservative political activist Charlie Kirk, the co-founder of Turning Point USA, was assassinated while answering questions from college students attending Utah Valley State University in Orem, Utah. The assassin has been arrested and is awaiting trial; and,

WHEREAS, on June 14, 2025, Minnesota State Representative Melissa Hortman (Democrat) and her husband Mark Hortman, were shot and killed, by an assassin disguised as a police officer, in a targeted, politically motivated attack at their Minneapolis home. Just prior to the attack on the Hortman's, the assassin shot and wounded Minnesota State Senator John Hoffman (Democrat) and his wife Laura Hoffman, at their home. The assassin has been arrested and is awaiting trial; and,

WHEREAS, on April 13, 2025, Pennsylvania Governor Josh Shapiro's official residence was firebombed by a would-be assassin, who scaled a security fence, broke windows, and threw homemade Molotov cocktails into the residence at 2:00 a.m., while the Governor, his wife and their family were asleep inside. The firebombing caused significant damage to the official residence requiring millions of taxpayer dollars to repair. The would-be assassin and arsonist is awaiting trial; and,

WHEREAS, on December 4, 2024, Brian Thompson, the CEO of United Health Care, was assassinated in Midtown Manhattan, New York, as he was entering a building for a company meeting, by a masked assailant. The assassin fled the scene but was arrested five days later and is currently awaiting trial; and,

WHEREAS, on September 15, 2024, an attempted assassination occurred of Republican Presidential candidate Donald Trump at his golf course in West Palm Beach, Florida. The would-be assassin was found guilty of all charges, including the attempted assassination of a major presidential candidate, along with a range of firearm offenses; and,

WHEREAS, on July 13, 2024, an attempted assassination occurred of Republican Presidential candidate Donald Trump, during a campaign rally in Butler, Pennsylvania. One bullet grazed and bloodied candidate Trump's ear and another killed a rally attendee. The Secret Service killed the assassin; and,

WHEREAS, on October 28, 2022, Paul Pelosi, the 82-year-old husband of U.S. Representative Nancy Pelosi (D-California) was attacked during a break-in of their home and was struck in the head by a hammer, causing a skull fracture and other serious injuries, by an attacker who intended to hold Nancy Pelosi hostage. The attacker was convicted of both state and federal charges and sentenced to 30 years in federal prison; and,

WHEREAS, on July 19, 2020, Daniel Anderl, the twenty-year-old son of U.S. District Court Judge Esther Salas, was murdered, and Mark Anderl, the husband of Judge Salas, was seriously wounded, at their home by a disgruntled lawyer and self-proclaimed "anti-feminist," posing as a FedEx delivery driver. The assassin was found dead of a self-inflicted gunshot wound the next day; and,

WHEREAS, in October 2020, government authorities uncovered a domestic terror plot to kidnap and murder Michigan Governor Gretchen Whitmer (Democrat), by conspirators angered by Whitmer's covid restrictions and their anti-government beliefs. The two men accused of leading the plot were found guilty and sentenced to lengthy prison terms; two other defendants pleaded guilty; and three other defendants were acquitted; and,

WHEREAS, on October 27, 2018, a man, expressing hatred for Jewish people and opposition to assisting immigrants, attacked the Tree of Life Synagogue in Pittsburgh, Pennsylvania, killing eleven worshippers. The assassin has been convicted and sentenced to death; and,

WHEREAS, on June 14, 2017, U.S. Representative Steve Scalise (R-Louisiana) was shot and critically wounded, at a baseball field in Alexandria, Virginia, while practicing with other Republican members of Congress for the annual Congressional Baseball game. Also wounded in the attack were several U.S. Capitol Police Officers, a Congressional aide and a lobbyist. The assassin was killed in a shootout with police; and,

WHEREAS, on June 17, 2015, an assassin targeted the Mother Emanuel AME Baptist Church, a historically African American congregation in Charleston, South Carolina, murdering nine parishioners during a bible study session, including Pastor Clementa Pickney. The assassin has been convicted and is awaiting imposition of the death penalty; and,

WHEREAS, on January 8, 2011, U.S. Representative Gabrielle (Gabby) Giffords (D-Arizona) was shot in the head at point-blank range by an assassin, outside of a supermarket near Tucson, Arizona, during an event for her constituents. Six people were killed, and twelve others were wounded in the shooting. After an intensive and long rehabilitation process for a severe brain injury, Giffords resigned from Congress in 2012 to focus on her recovery. The shooter was convicted and is serving multiple life sentences in a federal prison; and,

WHEREAS, only days after this Resolution was drafted, on September 28, 2025, a gunman killed four and wounded eight worshippers, during church services at the Mormon Church, in Grand Blanc Township, Michigan, while setting fire to the church building. Although the investigation has not yet been completed, preliminary reports indicate that the gunman supported the current administration and had expressed anti-Mormon feelings. The gunman was killed by the police in a shoot-out in the church parking lot; and,

WHEREAS, the above referenced bloodshed unfortunately fits into a long history of political violence in this country, including the assassinations of Presidents Abraham Lincoln, James Garfield, William McKinley, and John F. Kennedy, the attempted assassinations of Presidents Theodore Roosevelt, Franklin Delano Roosevelt, Harry Truman, Gerald Ford, Ronald Reagan, George H.W. Bush and George W. Bush, and the assassination of Civil Rights Leader Martin Luther King, Jr. and Senator and Presidential candidate Robert F. Kennedy; and,

WHEREAS, the above referenced shootings fail to mention the appalling and numerous incidents of school shootings in this country, including but limited to the Church of the Annunciation School in Minneapolis, Minnesota (August 27, 2025), Oxford High School in Oxford Township, Michigan (November 30, 2021), Sandy Hook Elementary School in Newtown, Connecticut (December 14, 2012), Robb Elementary School in Uvalde, Texas (May 24, 2022), Marjory Stoneman Douglas High School in Parkland, Florida (February 14, 2018), Virginia Tech University in Blacksburg, Virginia (April 16, 2007), Columbine High School in Jefferson County,

Colorado (April 20, 1999), and University of Texas at Austin (August 1, 1966), among many others; and,

WHEREAS, political violence, as indicated above, is a feature of both the political left and the political right; and the recitation of violent incidents herein was not intended to cover every single incident of political or school violence in this country.

WHEREAS many of the perpetrators often have mental health issues, but their actions seem to be driven or shaped by heightened political polarization, a decline in democratic norms, the normalization of hostile rhetoric, social media spreading anger, distrust and conspiracy theories, and easy access to deadly weapons; and,

NOW, THEREFORE, BE IT RESOLVED that the Madison Heights City Council unequivocally condemns and opposes (i) political violence (or violence of any kind) against our nation's elected and appointed officials, religious leaders, business managers, students and their teachers, or those who exercise just and rightful authority; (ii) the demonization and dehumanization of political rivals; (iii) political leaders who use aggressive, hateful and extreme language; (iv) the weakening of our democratic institutions and norms; (v) social media (or parts thereof) interested in spreading anger, distrust and conspiracy theories and/or promoting violent radicalization and mobilization; (vi) the lack and availability of mental health facilities for those in need of treatment; and (vii) the widespread availability of high-capacity weapons to those who should not have such weapons.

BE IT FURTHER RESOLVED copies of this Resolution shall be forwarded to President, Donald J. Trump, U.S. Senator, Elissa Slotkin, U.S. Senator, Gary Peters, U.S. Representative, Haley Stevens, Michigan Governor, Gretchen Whitmer, Attorney General, Dana Nessel, Secretary of State, Jocelyn Benson, State Senator, Stephanie Chang, State Representative Mike McFall, State Representative, Tom Kuhn, Oakland County Chief Executive, David Coulter, and Oakland County Commissioner Ann Erickson Gault.

APPROVED BY THE MADISON HEIGHTS CITY COUNCIL ON THIS _____ DAY OF _____, 2025.

Recognizing Indigenous Peoples' Day in the City of Madison Heights

WHEREAS, the City of Madison Heights acknowledges that the land now known as the City of Madison Heights is the ancestral homeland of Indigenous peoples who have stewarded this land for generations prior to colonization, including but not limited to the Anishinaabe peoples of the Ojibwe, Odawa, and Potawatomi nations, known collectively as the Three Fires Confederacy; and

WHEREAS, Indigenous Peoples have made and continue to make invaluable contributions to the social, cultural, economic, spiritual, and environmental life of our region, our state, and our country; and

WHEREAS, the celebration of Indigenous Peoples' Day provides an opportunity to honor and reflect upon the rich histories, traditions, and wisdom of Indigenous communities, and to promote equity, inclusion, and historical accuracy in our shared civic narrative; and

WHEREAS, recognizing Indigenous Peoples' Day in place of or alongside Columbus Day acknowledges the true history of colonization, displacement, and cultural erasure that Indigenous communities have endured, and affirms our commitment to justice, healing, and reconciliation; and

WHEREAS, many cities, states, and institutions across the United States have formally adopted Indigenous Peoples' Day in recognition of the enduring presence and contributions of Native peoples.

NOW, THEREFORE, BE IT RESOLVED, that the Madison Heights City Council does hereby proclaim the second Monday of October as Indigenous Peoples' Day in the City of Madison Heights, and encourages all residents, schools, organizations, and institutions to honor Indigenous heritage, celebrate Indigenous cultures, and support the contemporary and sovereign rights of Indigenous peoples.

BE IT FURTHER RESOLVED, that the City of Madison Heights commits to promoting greater awareness of Indigenous history and culture through education, dialogue, and community engagement.



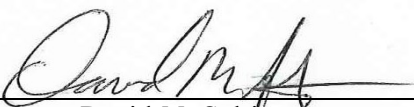
Roslyn Grafstein
Mayor



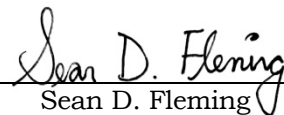
Mark Bliss
Mayor Pro Tem



William J. Mier
Councilman



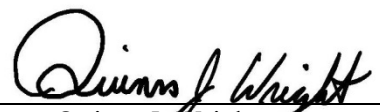
David M. Soltis
Councilor



Sean D. Fleming
Councilman



Emily J. Rohrbach
Councilor



Quinn J. Wright
Councilor

City Council Regular Meeting
Madison Heights, Michigan
September 29, 2025

A City Council Regular Meeting was held on Monday, September 29, 2025 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

OTHERS PRESENT

City Manager Melissa Marsh
City Attorney Larry Sherman
Deputy City Clerk Phommady A. Boucher

Councilman Soltis led the invocation and the Pledge of Allegiance followed.

CM-25-142. Appointment of Acting City Clerk.

Motion to appoint Deputy City Clerk Boucher as the Acting City Clerk for tonight's City Council meeting.

Motion made by Councilor Rohrbach, Seconded by Councilman Mier.

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

Motion carried.

PRESENTATIONS:

Mayor Grafstein read the 2025 Fire Prevention Proclamation into record. Fire Marshal Figueroa accepted the proclamation and noted that resources on safety are available on the city website at www.madison-heights.org.

MEETING OPEN TO THE PUBLIC:

Kathy Sapia, resident, spoke in opposition to the proposed project at 28767 Dartmouth.

Barb Stachowicz, resident, expressed concern about changes to fencing regulations.

CM-25-143. Consent Agenda.

Motion to approve the Consent Agenda, as read.

Motion made by Councilman Mier, Seconded by Councilor Wright.

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

Motion carried.

CM-25-144. 2025-26 RCOC Winter Maintenance Agreement

Motion to approve the 2025-26 Winter Maintenance Agreement with RCOC and authorize the Mayor and City Clerk to sign on behalf of the City.

Motion made by Councilman Mier, Seconded by Councilor Wright.

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

Motion carried.

CM-25-145. City Council Regular Meeting Minutes of September 8, 2025

Motion to approve the City Council Regular Meeting minutes of September 8, 2025, as printed.

Motion made by Councilman Mier, Seconded by Councilor Wright.

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

Motion carried.

CM-25-146. State and Local Cybersecurity Grant Program Agreement

Motion to approve the FY 2023 State and Local Cybersecurity Grant Program Grant agreement in the amount of \$18,488 to convert to a .gov domain and have the City Clerk sign on behalf of the city.

Motion made by Mayor Pro Tem Bliss, 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-25-147. Ordinance No. 2205 - City-Initiated Rezoning PRZN 25-01; 25-02; 25-03; 25-04; and 25-06; Second Reading

City Manager Marsh stated that the City of Madison Heights is initiating a proactive rezoning of several qualified properties to the R-MN (Residential Mixed-Neighborhood), R-MF (Residential Multi-Family), MUI-2 (Mixed-Use Innovation 2), or B-1 (Neighborhood Business) district. The purpose of these rezonings is to better align zoning with existing land use patterns, the City's Master Plan, and adjacent street networks. This process is intended to increase opportunities for building expansion and development while ensuring that all current uses remain permitted.

The following properties are included in this rezoning request:

- PRZN 25-01: 555 E. 13 Mile Road [R-1 to R-MN]
- PRZN 25-02: 1434 E. 13 Mile Road [R-2 to R-MF]
- PRZN 25-03: 30801 Dequindre Road [R-2 to MUI-2]
- PRZN 25-04: 1042 E. 12 Mile Road [R-3 to R-MN]
- PRZN 25-06: Eastern 130 ft. of 30728 John R Road [R-2 to B-1]

The Planning Commission has recommended that case PRZN 25-05, located at 500 W. Gardenia Avenue [R-3 to R-MN], be withdrawn for further analysis.

ORDINANCE NO. 2205

AN ORDINANCE TO AMEND ORDINANCE NUMBER 2198, BEING AN ORDINANCE CODIFYING AND ADOPTING A NEW ZONING ORDINANCE FOR THE CITY OF MADISON HEIGHTS, BY AMENDING THE ZONING MAP CONTAINED WITHIN APPENDIX A.

THE CITY OF MADISON HEIGHTS ORDAINS:

SECTION 1. PRZN #25-01. That the Zoning Map in connection with the Zoning Ordinance of the City of Madison Heights shall be amended so that the zoning on the following described property, to-wit:

T1N, R11E, SEC 1, ASSESSOR'S PLAT NO 1, OUTLOT A EXC N 5 FT OF W 416.02 FT, ALSO EXC ELY 1060 FT 9-29-95 FR 007

PIN 44-25-01-376-010. 555 E. 13 MILE ROAD

Shall be changed from R-1, ONE-FAMILY RESIDENTIAL, TO R-MN, RESIDENTIAL MIXED-NEIGHBORHOOD

SECTION 2. PRZN #25-02. That the Zoning Map in connection with the Zoning Ordinance of the City of Madison Heights shall be amended so that the zoning on the following described property, to-wit:

T1N, R11E, SEC 12, PART OF NE 1/4 BEG AT PT DIST N 82-47-00 W 1552.45 FT FROM NE SEC COR, TH N 82-47-00 W 175 FT, TH S 00-14-00 W 760.82 FT, TH S 88-39-00 E

173.73 FT, TH N 00-14-00 E 743.06 FT TO BEG EXC THAT PART TAKEN FOR "PLUM LANE COMDOMINIUM INC" OCCP NO 664 1.96 A 4/5/90 FR 001

PIN 44-25-12-204-038. 1434 E. 13 MILE ROAD

Shall be changed from R-2, ONE-FAMILY RESIDENTIAL, TO R-MF, RESIDENTIAL MULTI-FAMILY.

SECTION 3. PRZN #25-03. That the Zoning Map in connection with the Zoning Ordinance of the City of Madison Heights shall be amended so that the zoning on the following described property, to-wit:

T1N, R11E, SEC 12, CR43A-2, PART OF NE 1/4 BEG AT PT DIST N 82-47-00 W 333.80 FT FROM NE SEC COR, TH N 82-47-00 W 30.17 FT, TH S 01-13-00 W 621.33 FT, TH S 88-39-00 E 361.97 FT, TH N 01-13-00 E 340.00 FT, TH N 88-39-00 W 331.97 FT, TH N 01-13-00 E 278.25 FT TO BEG 3.02 A

PIN 44-25-12-226-009. 30801 DEQUINDRE ROAD

Shall be changed from R-2, ONE-FAMILY RESIDENTIAL, TO MUI-2, MIXED-USE INNOVATION 2.

SECTION 4. PRZN #25-04. That the Zoning Map in connection with the Zoning Ordinance of the City of Madison Heights shall be amended so that the zoning on the following described property, to-wit:

T1N, R11E, SEC 13 E 185 FT OF N 225 FT OF NW 1/4 EXC N 60 FT TAKEN FOR RD 0.70 A

PIN 44-25-13-130-024. 1042 E. 12 MILE ROAD

Shall be changed from R-3, ONE-FAMILY RESIDENTIAL, to R-MN, RESIDENTIAL MIXED-NEIGHBORHOOD

SECTION 5. PRZN #25-06. That the Zoning Map in connection with the Zoning Ordinance of the City of Madison Heights shall be amended so that the zoning on the EASTERN 130 FEET of following described property, to-wit:

T1N, R11E, SEC 12, NORTHEASTERN HWY SUB NO 1, LOTS 321 TO 329 INCL, ALSO 1/2 OF VAC ALLEY ADJ TO SAME, ALSO LOTS 477 TO 481 INCL, ALSO 1/2 OF VAC ALEY ADJ TO SAME

PIN 44-25-12-101-057. 30728 JOHN R ROAD

Shall be changed from R-2, ONE-FAMILY RESIDENTIAL, TO B-1, NEIGHBORHOOD BUSINESS.

SECTION 6. All ordinances or parts of ordinances in conflict with this ordinance are repealed only to the extent necessary to give this ordinance full force and effect.

SECTION 7. This ordinance shall take effect ten (10) days after its adoption and upon publication.

Motion to adopt on Second Reading, Ordinance #2205 (covering PRZN 25-01 through 25-04 and PRZN 25-06) on Second Reading.

Motion made by Mayor Pro Tem Bliss, Seconded by Councilor Rohrbach.

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

Motion carried.

CM-25-148. Ordinance No. 2206 - Zoning Ordinance Text Amendment ZTA #25-01 - Non-Conforming Residential Driveways; First Reading

City Manager Marsh stated that Section 7.03.10.C of the new Madison Heights Zoning Ordinance contains use-specific standards for residential driveways. As a majority of single-family detached houses and their associated driveways in Madison Heights were constructed prior to the adoption of the new Zoning Ordinance, there are many cases of legally non-conforming driveway conditions throughout the city. Recently, staff has had to deny many applications for the replacement of non-conforming driveways; this is due to Article 13 (Nonconformities) of the Zoning Ordinance which requires non-conforming site elements to be brought up to code when replaced. Permit denials have, understandably, led to frustration for these property owners due to the impracticality of alternate driveway designs or the cost/time factor of going in front of the Zoning Board of Appeals (ZBA) for a variance. To avoid an abundance of cases in front of the Zoning Board of Appeals, staff recommends several zoning text amendments which would allow certain non-conforming residential driveways to be replaced in-kind. Staff proposes text amendments to the following sections of the Zoning Ordinance:

- Section 7.03.10: Use-Specific Standards for Detached One-Family Dwellings
- Section 10.02.1: Parking of Motor Vehicles in Residential Districts
- Section 13.01.6: Nonconforming Site Elements

The Planning Commission held a public hearing on September 19th, 2025, after which they recommended approval of the proposed text amendments as written.

Motion to conduct the first reading for Ordinance #2206 (ZTA 25-01) and schedule the second and final reading for the October 13th City Council Meeting.

Motion made by Councilor Rohrbach, Seconded by Councilor Wright.

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

Motion carried.

CM-25-149. Ordinance No. 2207, Requirement for Recycling and Trash Carts; First Reading

City Manager Marsh reported that the City has moved to standardize waste collection practices to improve efficiency, safety, reduce cost, and increase compliance with regional recycling standards. Residents will now be required to use uniform receptacles for trash and recycling to allow for automated collection equipment, decrease worker injury risks, and increase service efficiency. The revised ordinance amends Ordinance 517 Chapter 14, Section 14-10, 14-11, and 14-16 to require the use of City-approved recycling and trash carts for all residential garbage and recycling collection.

Motion to approve Ordinance No. 2207 requiring the use of City-approved trash and recycling carts, on First Reading, and schedule the Second Reading for October 13, 2025.

Motion made by Councilor Rohrbach, Seconded by Councilor Wright.

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

Motion carried.

COUNCIL COMMENTS:

Councilman Mier reminded residents that the cart requirement begins next week. He advised residents to place carts with the handle toward the house and the mouth toward the street, leaving a 3–4 foot buffer between cans. Councilman Mier invited everyone to participate in the Downtown Touchdown on 11 Mile Road, Saturday, October 4th from 11 AM – 3 PM and the Harvest Fest at Rosie's Park, Saturday, October 11th from 12 PM – 4 PM.

Mayor Pro Tem Bliss discussed the opening of the JARS dispensary and argued that the social stigma against cannabis is hypocritical compared to the accepted use of alcohol. Alcohol is linked to preventable death and disease. He stated that science suggests taking an edible is a safer choice than binge drinking alcohol. Mayor Pro Tem Bliss encouraged residents to engage in dialogue and consult their doctors regarding substance choices.

Councilor Wright thanked the sponsors for Revin' in Heights. He informed everyone that October is Mental Health Awareness Month. Councilor Wright urged residents to check in on their mental health. He spoke about the recent tragedy in Grand Blanc and encouraged kindness.

City Attorney L. Sherman thanked the Mayor and City Manager for recognizing remarkable 100-year-old resident Raymond Lester Kell, who played golf until age 99.

City Manager Marsh reminded everyone that the next council meeting on Monday, October 13th will start at the new time of 6:30 PM.

Deputy City Clerk Boucher mentioned that absentee ballots were mailed on Friday, September 26th. Voters may request for their absentee ballots on the Secretary of State website, find information on the City of Madison Heights website, or by call the Clerk's office at (248) 583-0826.

Councilor Rohrbach invited everyone to the Harvest Festival at Rosie's Park on Saturday, October 11th from 12:00 PM to 4:00 PM, which will feature cider donuts and hayrides. She invited everyone to the Friends of the Library book sale on Saturday, October 11th and they are looking for volunteers. Councilor Rohrbach strongly encouraged residents to sign up for the Fire Department Community Connect program to share critical information for emergency responders.

Councilman Fleming expressed excitement for the upcoming Downtown Touchdown event. He believes having events in the Downtown District and the new 11 Mile Streetscape is a significant improvement and helps balance the city's event locations.

Mayor Grafstein congratulated Mayor Pro Tem Bliss on the adoption of the .gov domain, noting it took a decade to execute. She clarified that the city-initiated rezonings were proactive and designed to simplify processes for future use changes without visible changes to current properties. Mayor Grafstein stated that the mayor and three councilmember positions are on the November General Election ballot, which means there will be new members on City Council. She noted that flashing speed limit signs by schools were funded by cannabis companies as a contribution to public safety. The next Regular Council Meeting is Monday, October 13th and the new meeting time is 6:30 PM.

ADJOURNMENT

Having no further business, Mayor Grafstein adjourned the meeting at 8:23 p.m.



AGENDA ITEM SUMMARY FORM

MEETING DATE: 10/13/25

PREPARED BY: Greg Lelito, Fire Chief

AGENDA ITEM CONTENT: Ambulance #710

AGENDA ITEM SECTION: Bid Awards/Purchases

BUDGETED AMOUNT: \$380,000

FUNDS REQUESTED: \$361,681.00

FUND: 101-336-985-0000

EXECUTIVE SUMMARY:

Consistent with the City's Capital Improvement Plan, Rescue 710 is scheduled for replacement in the adopted FY 2025–26 budget. The new ambulance will replace a 2011 model with 116,475 miles and will match the City's three most recent Ford F550 Road Rescue ambulances.

RECOMMENDATION:

Staff and I recommend that the City Council approve the purchase of a Road Rescue ambulance from Emergency Vehicle Plus in the amount of \$361,681.00

INTEROFFICE



MEMORANDUM

To: Melissa Marsh, City Manager
From: Greg Lelito, Fire Chief
Re: Capital Purchase Rescue 710
Date: 9/28/2025

Consistent with the City's Capital Improvement Plan, Rescue 710 is scheduled for replacement in the adopted FY 2025–26 budget. The new ambulance will replace a 2011 model with 116,475 miles and will match the City's three most recent Ford F550 Road Rescue ambulances.

The City will utilize its interlocal purchasing contract with the Houston-Galveston Area Council (H-GAC), as it has done for the last six fire department vehicle purchases. H-GAC is a government-to-government cooperative purchasing program that streamlines the procurement process and provides volume discounts. By avoiding the need to prepare detailed bid specifications, the City reduces delays, ensures the selection of a vehicle that meets operational requirements, and maintains fiscal responsibility.

Emergency Vehicle Plus, the authorized Road Rescue dealer in Michigan, has assisted the City with four prior ambulance purchases. Attached is a quote from Emergency Vehicle Plus, obtained through the H-GAC bid process.

Staff and I recommend that the City Council approve the purchase of a Road Rescue ambulance from Emergency Vehicle Plus in the amount of \$361,681.00, which includes the trade-in of Rescue 710. This price is \$18,000 below the budgeted amount.

Delivery of the new ambulance is anticipated in April 2026.

Please do not hesitate to contact me with any questions or comments.

9/3/2025

Dear Madison Heights Fire Department,

Thank you for the opportunity to work with you on building an ambulance that will work in the service of the department. We are proposing a 2026 Road Rescue UltraMedic Type I Ford F550 4x4 diesel Ambulance, including Whelen Pioneer lights, three (3) Hi-Viz light bars, one each on the 45 degree panel of the CoolBar, one on the leading edge of the CoolBar, and switching the Styker Power Load System from the old unit to the new one. Also included is Madison Heights Fire Department paint scheme, graphics, and lettering. **Please note, all pricing for all items on this unit are in accordance with HGAC pricing as negotiated between Road Rescue and HGAC.** The pricing for the unit desired is as follows;

2026 Road Rescue UltraMedic Ford F550 4x4 Type I Ambulance.....	\$387,881.00
Ford GPC discount (requires active FIN code to apply).....	\$1,200.00
Discount.....	\$10,000.00
Trade in of Horton Medium Duty Ambulance.....	<u>\$15,000.00</u>
Total.....	\$361,681.00

Terms; 10% deposit due upon invoice of deposit, balance C.O.D. upon acceptance at delivery.

Sincerely,

Scott A. Schalow, Ambulance Sales Manager, Emergency Vehicles Plus, Holland, MI
989-280-1898



AGENDA ITEM SUMMARY FORM

MEETING DATE: 10/13/25

PREPARED BY: Sean P. Ballantine, Director of Public Services

AGENDA ITEM CONTENT: Director of Public Services - Pavilion C Roof Replacement

AGENDA ITEM SECTION: Bid Awards/Purchases

BUDGETED AMOUNT: \$35,000

FUNDS REQUESTED: \$35,000

FUND: 101-752-987-0000

EXECUTIVE SUMMARY:

The approved FY 2025-26 Budget includes funding for the replacement of the roof on Pavilion C at Civic Center Park.

RECOMMENDATION:

Staff recommends that Council award the bid for the Pavilion C Roof Replacement project to the lowest qualified bidder, Sterling Construction and Roofing, of Livonia, in a project amount not to exceed the budgeted amount of \$35,000. This provides contingency for the replacement of boards and wood as found necessary in the project, which is standard practice for most roofing work. Funding is budgeted and available.

MEMORANDUM

Item 7.

DATE: October 7, 2025

TO: Melissa R. Marsh, City Manager

FROM: Chris Woodward, Public Works Supervisor
Sean P. Ballantine, Director of Public Services

SUBJECT: Bid Award – Pavilion C: Roof Replacement

The FY 2025-26 Budget includes funding for the replacement of the roof at Pavilion “C” at Civic Center Park. A Request for Proposals (RFP) was issued on September 10, 2025. There was significant interest in the bid, with 4 firms attending the mandatory site visit.

Only one bid was received by the September 19 deadline. The lowest qualified bidder is Sterling Construction and Roofing. Reference checks were positive, and they have previous experience with municipal and government work. Sterling Construction also recently completed the replacement of 2 roofs at park shelter buildings in Rosie’s & Civic Center Park, with satisfactory results.

Staff therefore recommends that Council award the bid for the Pavilion C Roof Replacement project to Sterling Construction and Roofing, of Livonia, in a project amount not to exceed the budgeted amount of \$35,000. This provides contingency for the replacement of boards and wood as found necessary in the project, which is standard practice for most roofing work. Funding is budgeted and available.

City of Madison Heights
Department of Public Services
801 Ajax Drive
Madison Heights, Michigan 48071

V. PRICING PAGE:

City of Madison Heights RFP #MH 1081:

Pricing is to be all-inclusive, and shall include all engineering, design, materials, installation, disposal, and all necessary Labor. Pricing shall be held for one hundred twenty days (120 days)

Warranty Period – Materials 5 years Warranty Period – Labor 5 years

ALL WORK IS TO BE COMPLETED NO LATER THAN 60 DAYS AFTER COMMENCEMENT OF PROJECT (WEATHER AND MATERIAL AVAILABILITY PERMITTING)

PRICING OPTIONS (Please use this space to clearly define your proposal and pricing. Use additional sheets if necessary):

TOTAL PRICE (including all materials and labor for removal, disposal, and installation): \$ 30,234.43

Alternative 1: Removal and disposal of tongue-and-groove decking (**without replacement**)

Less: 4,350.00 (\$75/sheet)

TOTAL PRICE: (including all materials and labor for installation only): \$ 28,234.43

ADDITIONAL INFORMATION:

Voluntary Alternate:

\$ _____

COMPANY INFORMATION:

V. PRICING PAGE:

City of Madison Heights RFP #MH 1081:

Pricing is to be all-inclusive, and shall include all engineering, design, materials, installation, disposal, and all necessary Labor. Pricing shall be held for one hundred twenty days (120 days)

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Less: 4,350.00 (\$75/sheet)

TOTAL PRICE: (including all materials and labor for installation only): \$ 28,234.43

ADDITIONAL INFORMATION:

Voluntary Alternate:

\$ _____

COMPANY INFORMATION:

V. PRICING PAGE:

City of Madison Heights RFP #MH 1081:

Pricing is to be all-inclusive, and shall include all engineering, design, materials, installation, disposal, and all necessary Labor. Pricing shall be held for one hundred twenty days (120 days)

Warranty Period – Materials 5 years Warranty Period – Labor 5 years

ALL WORK IS TO BE COMPLETED NO LATER THAN 60 DAYS AFTER COMMENCEMENT OF PROJECT (WEATHER AND MATERIAL AVAILABILITY PERMITTING)

PRICING OPTIONS (Please use this space to clearly define your proposal and pricing. Use additional sheets if necessary):

TOTAL PRICE (including all materials and labor for removal, disposal, and installation): \$ 30,234.43

Alternative 1: Removal and disposal of tongue-and-groove decking (**without replacement**)

Less: 4,350.00 (\$75/sheet)

TOTAL PRICE: (including all materials and labor for installation only): \$ 28,234.43

ADDITIONAL INFORMATION:

Voluntary Alternate:

\$ _____

COMPANY INFORMATION:

Company Name STERLING CONSTRUCTION AND ROOFING

Printed Name/Title of Person Signing Bid BRIAN TUTT / BUSINESS DEVELOPMENT MANAGER

Signature Brian Tutt

Address 13331 STARK RD, LIVONIA, MI 48105

Phone: 248-802-3900

Fax: _____

Email Address: BRIANT@STERLINGCONST.COM Date: 9/19/2025

****SUBMIT ORIGINAL PROPOSAL ALONG WITH THREE COPIES IN A SEALED ENVELOPE MARKED ACCORDING TO SUBMITTAL GUIDELINES ALONG WITH QUALIFICATIONS QUESTIONNAIRE AND NON-COLLUSION AFFIDAVIT TO THE CITY OF MADISON HEIGHTS CLERK'S OFFICE BEFORE THE DEADLINE 11:00 A.M. ON SEPTEMBER 19, 2025. ALL OTHER ITEMS – CONTRACT, LABOR & MATERIALS BOND (IF NECESSARY) – WILL BE SUBMITTED AFTER APPROVAL OF THE CONTRACT.****

VI. Additional Extension Option - MITN:

The City of Madison Heights is a member of the Michigan Intergovernmental Trade Network (MITN) Purchasing Cooperative. If your company is awarded an item or a completed contract, the cooperative entities may wish to use this contract and will use a purchase order or contract for any or all of the item(s) awarded following minimum order/contract requirements set forth in the bid documents. Each entity will provide its own purchase order or contract and must be invoiced separately to the address on the purchase order/contract.

Currently, there are more than 100 agencies participating in the MITN Cooperative.

(☒) If an award is made to STERLING CONSTRUCTION AND ROOFING
(Company Name)

it is agreed that the contract will be extended to members of MITN Purchasing Cooperative under the same prices, terms, and conditions.

Brian Tutt

Signature of Company Representative

~OR~

(☐) Our company _____ is NOT interested in extending this contract.
(Company Name)

Signature of Company Representative

(For more information on the MITN cooperative, including a list of participating agencies, please go to www.MITN.info.)

VII. CITY OF MADISON HEIGHTS RFP #MH-1081
QUALIFICATION QUESTIONNAIRE

Failure to completely fill out this form or failure to supply adequate information could result in disqualification of Bidder.

Name of Bidder: STERLING CONSTRUCTION AND ROOFING

Address of Bidder: 13331 STARK RD, LIVONIA, MI 48105

Type of Business Entity: LLC
 (Example: Corporation, Partnership, etc.)

How Long Established: 8 YEARS

Names and Addresses of
 All Principals of Bidder: STERLING HUGHEY - 13331 STARK RD, LIVONIA, MI 48105

1. List all other Corporations, Partnerships, Assumed Names, and/or Businesses in which the above listed principals have an interest in any way, including but not limited to, ownership stockholder, employment, principal, officer or other business relationship.

NONE

2. List 3 current references from municipalities or public agencies familiar with the work performed by the Bidder and list the name, addresses and telephone number of a contact person.

HGTV Bargain Block | Alisa Design | v502-235-8057 | 21616 Grand River Ave Detroit MI 48219

Aarron Kraft | 734-395-4763 | Washtenaw County housing | 415 W. Michigan Avenue Ypsilanti, MI 48197

Bay City | Community Development Specialist MacDonald | amacdonald@baycitymi.org | (989) 893-3573

3. List 3 current references from private or non-public sources familiar with the work performed by the Bidder and list the name, address and telephone number of a contact person.

Anthony Bryant | 248-361-1626 | Anthony@unitedcommunitymgt.com | 11906 EAST 14 MILE, arren

Jamie Blanchard | 734-756-0560 | jamie.blanchard27@gmail.com | 44908 Trails Court Canton, MI 48187

Georgia Turner | (734) 645-0477 | georgia.turner.mi@gmail.com | 5505 Forman Drive Bloomfield Hills, MI 48301

VIII. NON-COLLUSION AFFIDAVIT**Return this completed form with your sealed bid.**

Rick McIndy

being duly sworn deposes and says:

That he/she is Director of estimating
(state official capacity in firm)

The party making the foregoing proposal or bid, that such bid is genuine and not collusion or sham; that said Bidder has not colluded, conspired, connived, or agreed, directly or indirectly, with any Bidder or person, to put in a sham bid or to refrain from bidding and has not in any manner, directly or indirectly, sought by agreement or collusion, or communication or conference, with any person, to fix the bid price of affiant or any other Bidder, or to fix any overhead, profit, or cost element of said bid price or that of any other Bidder, or to secure the advantage against the City of Madison Heights or any person interested in the proposed contract; and that all statements contained in said proposal or bid are true.


 (Signature of person submitting bid)

Subscribed and sworn this 18th **day of** September **20** **before me, a Notary Public in and for**
said County.


 Notary Public

My Commission Expires:

24-May-2032

SHARI LAMPERT
 NOTARY PUBLIC - STATE OF MICHIGAN
 COUNTY OF WAYNE
 My Commission Expires 24-May-2032
 Acting in the County of Wayne



4. List the names and address of all subcontractors the Bidder proposes to use on the project.

The undersigned verifies that the information contained herein is truthful and accurate and acknowledge that they are owners or agents of the Bidder.

[Signature]
 Bidder's or Authorized
 Representative's Signature

Director of Estimating
 Title of Signatory

Rick McKidd
 Bidder's Printed Name

Dated: 9/18/25

Subscribed and sworn to before me on
 This 18th day of September, 2025.

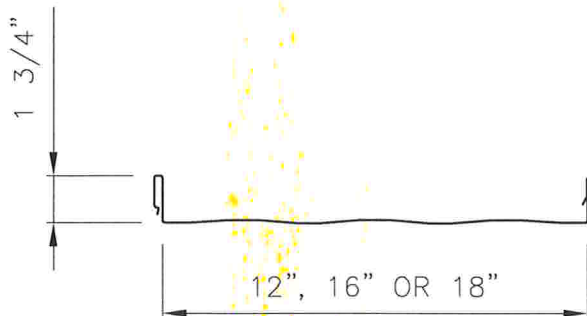
[Signature]
Shari Lampert Notary Public
Wayne County, Michigan

SHARI LAMPERT
 NOTARY PUBLIC - STATE OF MICHIGAN
 COUNTY OF WAYNE
 My Commission Expires 24-May-2032
 Acting in the County of Wayne

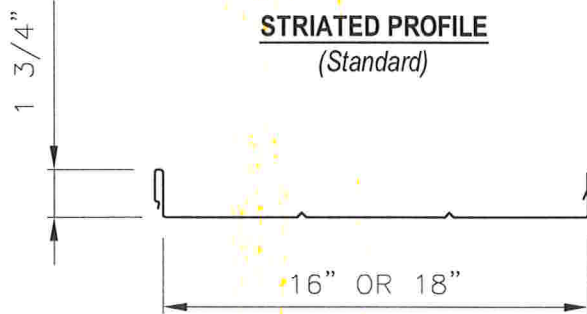


Medallion-Lok Panel

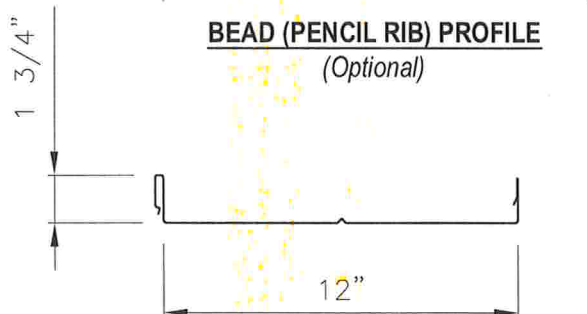
Product Data



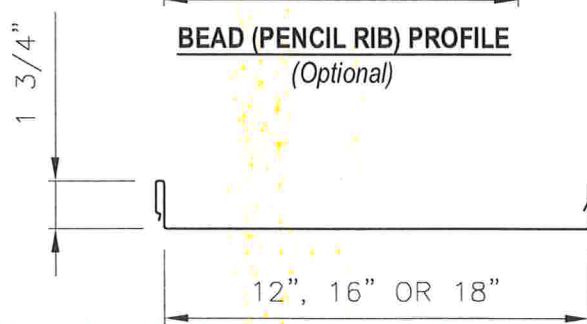
STRIATED PROFILE
(Standard)



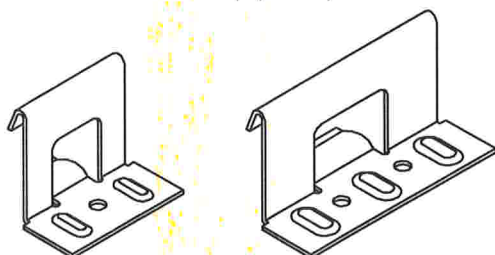
BEAD (PENCIL RIB) PROFILE
(Optional)



BEAD (PENCIL RIB) PROFILE
(Optional)



FLAT PAN PROFILE
(Optional)



STANDARD CLIP

16 GA. - ASTM A653 (50 ksi)

UL-90 CLIP

16 GA. - ASTM A653 (50 ksi)

Applications

Snap Seamed roof panel used on slopes down to 3:12.
Continuous length up to 75'. Please inquire for longer lengths.

Substrates

Plywood, Metal Deck, Rigid Insulation/Metal Deck or Open Framing.

Material

Standard - 24 GA. ASTM A792 (50 ksi steel) AZ55 - Bare
AZ50 - Painted
Optional - 22 GA. ASTM A792 (50 ksi steel) AZ55 - Bare
AZ50 - Painted
and .032 & .040 Aluminum (Sunnyvale Plant Only)

Manufacturing

Roll formed in factory or at Job Site.

Finishes

Acrylic Coated Galvalume®
Fluoropolymer (Kynar 500® PVDF resin-based)

Pan Conditions

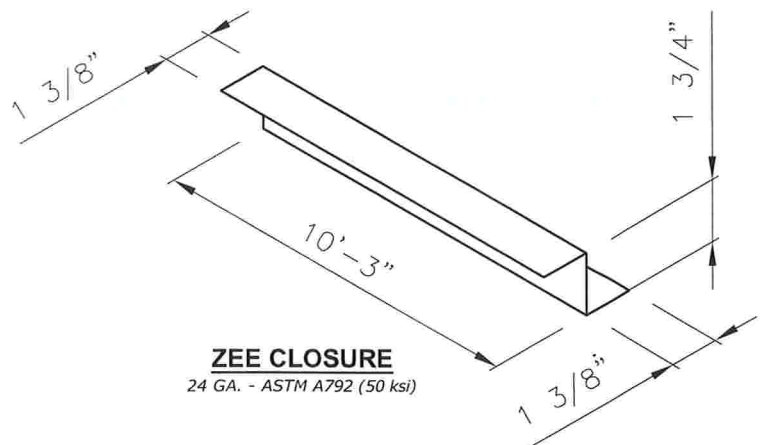
Flat Pan, Pencil Ribbed or Striated
Oil canning is inherent in all metal panels and is not cause for panel rejection. A signed pan wave acknowledgement will be required for all orders prior to production.

Testing *

Uplift: UL 580 Class 90, ASTM E1592
Air & Water Infiltration: ASTM E1680, and ASTM E1646.
Fire Resistance: UL 263 & UL 790 Class A
Impact Testing: UL 2218 Class 4
Miami Dade Approval: NOA# 13-0430.06
Florida Product Approval: FL 1747.5 & FL 1832.7
*Testing and Approvals are product specific. Please inquire for details. *

NOTE:

All data represented on this sheet may not be applicable to all widths and gauges. Please contact McElroy Metal for more information.



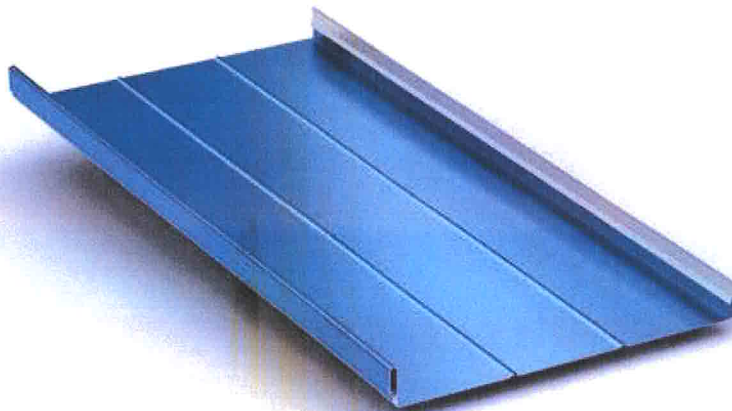
ZEE CLOSURE

24 GA. - ASTM A792 (50 ksi)

Installation is a snap

Medallion-Lok is a snap-together architectural panel with structural capabilities that features a rigid 1.75" standing seam. Medallion-Lok is McElroy Metal's most popular snap-together panel and has been utilized to add beauty and function on projects all across the country.





Standard Clip



UL 90 Clip



Seam Detail



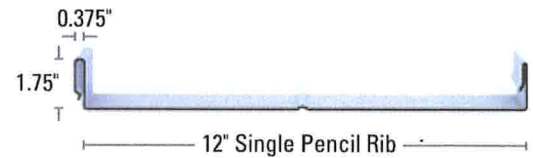
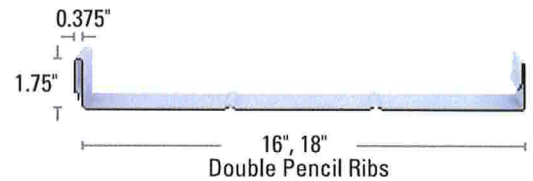
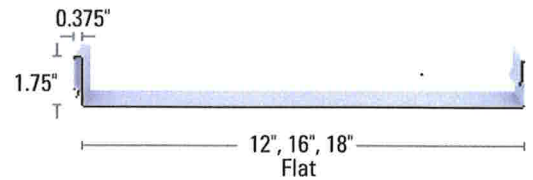
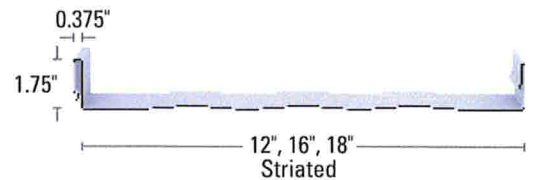
Factory Eave Notch



Eave Notch
Folded In Field



Panel Options



Note: Striated panels are recommended as they reduce the appearance of oil canning

Details

- Factory formed eave notch upon request
- Factory applied sealant
- Minimum slope: 3:12
- Can be installed over solid deck or open framing

Panel Options

- Panel width 12", 16" & 18"
- Panel configurations: striated, ribbed or flat pan (striated recommended)
- Coating: Kynar 500® (PVDF)
- Substrate:
 - Standard 24 gauge Galvalume®
 - Optional 22 gauge Galvalume
 - .032 and .040 aluminum

Testing Data

- Fire Rating: Class A
- Uplift Test: UL580 Class 90 ASTM E1592
- Air Infiltration: ASTM E1680
- Water Infiltration: ASTM E1646
- Class 4 Impact Resistance: UL 2218
- Florida State Approval: 1747.5 and 1832.7
- Fire Resistance: UL 263
- Miami Dade Approval: NOA#13-0430.06
- ICC-ES Approval: ESL-1082
- For any available Test Data, Section Properties or Load Tables, please visit our download section at www.mcelroymetal.com

Oil canning (pan wave) is a natural occurrence in metal panels and is not a cause for panel rejection.



Corporate Office
1500 Hamilton Rd., Bossier City, LA 71111
www.mcelroymetal.com | info@mcelroymetal.com

ACORD™

CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD) **02/03/2025** Item 7.

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must have ADDITIONAL INSURED provisions or be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer any rights to the certificate holder in lieu of such endorsement(s).

PRODUCER AssuredPartners Michigan, LLC 3099 Biddle Ave Wyandotte, MI 48192 734 283-1400	CONTACT NAME: Cheryl Engel	
	PHONE (A/C, No, Ext): 734 283-1400	FAX (A/C, No):
	E-MAIL ADDRESS: Cheryl.Engel@assuredpartners.com	
INSURED Sterling Construction and Roofing Inc. 13311 Stark Rd. Livonia, MI 48150	INSURER(S) AFFORDING COVERAGE	
	INSURER A: Home Owners Insurance Company	NAIC # 26638
	INSURER B: Auto Owners Insurance Company	18988
	INSURER C: PinnaclePoint Insurance Company	15137
	INSURER D:	
	INSURER E:	
INSURER F:		

COVERAGES

CERTIFICATE NUMBER:

REVISION NUMBER:

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADDL INSR	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS
A	☒ COMMERCIAL GENERAL LIABILITY ☐ CLAIMS-MADE ☒ OCCUR GEN'L AGGREGATE LIMIT APPLIES PER: ☒ POLICY ☐ PRO-JECT ☐ LOC OTHER:			0430990325	02/06/2025	02/06/2026	EACH OCCURRENCE \$1,000,000 DAMAGE TO RENTED PREMISES (Ea occurrence) \$300,000 MED EXP (Any one person) \$10,000 PERSONAL & ADV INJURY \$1,000,000 GENERAL AGGREGATE \$2,000,000 PRODUCTS - COMP/OP AGG \$2,000,000 \$
B	AUTOMOBILE LIABILITY ☒ ANY AUTO ☐ OWNED AUTOS ONLY ☒ SCHEDULED AUTOS ☒ HIRED AUTOS ONLY ☒ NON-OWNED AUTOS ONLY			5430990300	02/06/2025	02/06/2026	COMBINED SINGLE LIMIT (Ea accident) \$1,000,000 BODILY INJURY (Per person) \$ BODILY INJURY (Per accident) \$ PROPERTY DAMAGE (Per accident) \$ \$
B	☒ UMBRELLA LIAB ☒ OCCUR ☐ EXCESS LIAB ☐ CLAIMS-MADE ☐ DED ☒ RETENTION \$10000			5430990301	02/06/2025	02/06/2026	EACH OCCURRENCE \$1,000,000 AGGREGATE \$1,000,000 \$
C	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? ☐ Y ☒ N/A (Mandatory in NH) If yes, describe under DESCRIPTION OF OPERATIONS below			WCP7007861	02/06/2025	02/06/2026	☒ PER STATUTE ☐ OTH-ER E.L. EACH ACCIDENT \$1,000,000 E.L. DISEASE - EA EMPLOYEE \$1,000,000 E.L. DISEASE - POLICY LIMIT \$1,000,000

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)

Evidence of Insurance

CERTIFICATE HOLDER

CANCELLATION

Sterling Construction and Roofing Inc.
13311 Stark Rd.
Livonia, MI 48150

SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.

AUTHORIZED REPRESENTATIVE

Steve Demers

Michigan Department of Licensing and Regulatory Affairs
Bureau of Construction Codes
Residential Builders Section
P.O. Box 30254
Lansing, MI 48909

Item 7.

Michigan Department of Licensing and Regulatory Affairs
Bureau of Construction Codes
Company Builder License
Q.O. - Sean Anthony Davis

STERLING CONSTRUCTION & ROOFING INC
13311 STARK RD
LIVONIA, MI 48150

License No:
262300465

Expiration Date:
05/31/2026

STERLING CONSTRUCTION & ROOFING INC
13311 STARK RD
LIVONIA, MI 48150

GRETCHEN WHITMER
Governor

**Michigan Department of Licensing and Regulatory Affairs
Bureau of Construction Codes
Company Builder License**

STERLING CONSTRUCTION & ROOFING INC
13311 STARK RD
LIVONIA, MI 48150

**Qualifying Officer:
Sean Anthony Davis
Qualifying Officer #
2101179929**

MUST BE DISPLAYED IN A CONSPICUOUS PLACE

**License No.
262300465**

**Expiration Date:
05/31/2026**

This document is duly
issued under the laws of the
State of Michigan



AGENDA ITEM SUMMARY FORM

MEETING DATE: 10/13/25

PREPARED BY: Sean P. Ballantine, Director of Public Services

AGENDA ITEM CONTENT: Director of Public Services - Rosie's Ballfield Backstop Replacements

AGENDA ITEM SECTION: Bid Awards/Purchases

BUDGETED AMOUNT: \$75,000

FUNDS REQUESTED: \$82,884

FUND: 101-752-987-0000

EXECUTIVE SUMMARY:

The approved FY 2025-26 Budget includes funding for the replacement of the Ballfield Backstops at Rosies Park.

RECOMMENDATION:

Staff recommends that Council consider two motions:

To approve a Budget Amendment in the amount of \$7,884 to account 101-752-987-0000.

To award the bid for the Ballfield Backstop Replacement project to New Edge LLC., of Brighton, in the project amount of \$82,884.

MEMORANDUM

Item 8.

DATE: October 7, 2025

TO: Melissa R. Marsh, City Manager

FROM: Chris Woodward, Public Works Supervisor
Sean P. Ballantine, Director of Public Services

SUBJECT: Bid Award – Rosie’s Ballfield Backstop Replacements

The FY 2025-26 Budget includes funding carried forward for the replacement of the backstops at the ballfields located in Rosie’s Park. There was significant interest in the bid, with 4 contractors attending the mandatory site visit, and 3 of them submitting bids by the deadline.

Staff tabulated the bids and determined New Edge LLC. as being the lowest qualified bidder. An on-site follow-up meeting with the bidder was held on Tuesday, September 30th, 2025, to review the bid’s specifications and measurements, and ensure full understanding of the scope of work presented. Reference checks were positive, and they have previous experience with municipal and government work.

Since New Edge LLC is a small business, they have requested a 50% down payment to order materials and supplies. Given the large scope of the project (over 600 total feet of fencing), staff has no objection to this request.

As this bid exceeds the budgeted amount, Staff recommends that Council consider two motions:

To approve a Budget Amendment in the amount of \$7,884 to account 101-752-987-0000.

To award the bid for the Ballfield Backstop Replacement project to New Edge LLC., of Brighton, in the project amount of \$82,884.

City of Madison Heights
Department of Public Services
801 Ajax Drive
Madison Heights, Michigan 48071

p: (248) 589-2294 | f: (248) 589-2679 | e: DPS@Madison-Heights.org



CITY OF MADISON HEIGHTS
PURCHASING DEPARTMENT
300 WEST 13 MILE ROAD
MADISON HEIGHTS, MICHIGAN, 48071
(248) 583-0828

REQUEST FOR PROPOSAL #MH-1082

ITEM: Ballfield Backstops – Rosies Park

DEADLINE: TBD

Proposals will be accepted by the City Clerk's Office at 300 West 13 Mile Road, Madison Heights, Michigan, 48071 until, **September 19th at 11:10 a.m. (EST)**. Proposals will be opened at 11:15 am (EST).

The City of Madison Heights is a Participating Agency in the Michigan Inter-Governmental Trade Network (MITN). Interested vendors are encouraged to register with MITN at www.MITN.info to view specifications for this and all of our open bids.

Tracee Miller
HR Director/Purchasing Coordinator
City of Madison Heights
(248) 583-0828

RFP #MH-1082 – Ballfield Backstops – Rosies Park

Remove, Furnish, and Install Chain Link Fence and Dugouts at Rosies Park

General:

The City of Madison Heights (hereinafter City) is soliciting proposals from qualified contractors to replace the aged and failing baseball backstop and dugouts at (2) softball/baseball fields at Rosies Park. The general scope of work is to remove and replace approximately 150 feet of existing 15-foot-tall chain link fence, with various openings and overhang, and two approximately 10' x 30' 4" concrete slabs in the dugout areas at each ballfield. Dugouts must include a canopy/covering, specified in the pricing page. Any existing wooden backstops do not need to be replaced. All measurements are to be verified in the field by the contractor. Disposal of all materials is to be included in the proposal. The City desires a heavy-duty, long-lasting finished product. Alternate pricing (Alternate 1) for the removal and disposal of backstop and dugout areas by City Staff must be included. Areas of the outfield fence that require repair shall be included in the proposal, along with a unit cost per foot. Examples of outfield fence repairs include, but are not limited to, pole replacement/straightening, fence tie replacement, bracket tightening/replacement, fence tightening/replacement, and replacing caps.

Work shall not commence before October 13th, 2025.

Scope of Work:

The proposal shall provide for all labor, materials, tools, and equipment as required to provide the following:

(1) Equipment:

- a. (2) Approximately 150 feet of 15-foot-tall chain-link fence with all appurtenances (top rail, ties, fastening hardware, posts, etc.); measurements to be verified by contractor in the field. Heavy gauge material must be used behind home plate.
- b. Dugout canopy/covering
- c. Two approximately 10' x 30' 4" concrete slabs. The existing bench seating shall be replaced by the City.

(2) Project Oversight:

- a. Project Manager: The contractor will provide one (1) person on-site as the project manager and primary point of contact. This project manager will handle all project coordination with the City's point of contact, as well as any issues that may arise during the project. Further, the Project Manager will complete the final site visit and inspection with City personnel.

(3) Construction Process:

- a. The Contractor shall be responsible for all signage, barricades, or other devices to provide for a safe and visible construction zone while work is being performed. At no time shall an open hole or trench be left unattended.
- b. Any ruts or settlement created by construction equipment shall be filled to the surrounding grade with topsoil, with grass seed raked in to restore the turf.
- c. All spoils resulting from hole boring or other construction shall be removed from the site.
- d. The Bidder is responsible for maintaining the site during and after the work. Any damage to the City building or property shall be the Bidder's sole responsibility.
- e. The City is open to proposals to begin work on both dugouts at one time and complete both at the same time, or begin one and complete it before moving to the next site.
- f. The contractor shall be responsible for the Miss Dig 811 process.

(4) Project Completion:

- a. Work must be completed within 60 days of Notice to Proceed (weather permitting).

City Responsibilities:

- a. The City shall provide a single point of contact for any necessary project coordination.
- b. The City shall provide for coordination with Madison Heights Recreation for field scheduling.

Warranty:

The Contractor shall provide the City a copy of any warranty supplied by the fence manufacturer. Contractor shall guarantee all workmanship for a period of at least five (5) years after final acceptance.

Representatives of the City of Madison Heights shall perform inspection during and upon completion of the work. The Contractor shall correct any discrepancies noted during the final inspection.

Proposal Evaluation:

No proposal shall be accepted from any person, firm or corporation who is in arrears upon any obligation to the City or who otherwise may be deemed irresponsible or unreliable by the City.

All costs incurred in the preparation and presentation of this proposal, in any way whatsoever, shall be wholly absorbed by the prospective firm. All supporting documentation shall become the property of the City of Madison Heights unless requested otherwise at the time of submission. The confidentiality or disclosure of any information submitted is governed by the Michigan Freedom of Information Act (FOIA). The City cannot promise, warrant or guarantee confidentiality nor that the information presented will be exempt from disclosure under FOIA. The City may honor requests for confidentiality only to the extent that FOIA permits.

The City reserves the right to waive any informality in the proposals received and to accept any proposal or part thereof, which it shall deem to be most favorable to the interests of the City of Madison Heights.

Municipalities are exempt from Michigan State Sales and Federal Excise Taxes. Prices quoted should not include Federal or State taxes. The City will furnish the successful Bidder with tax exemption certificates when requested.

The City of Madison Heights intends to enter into a relationship with a bidder whose products and services come closest to meeting the City's needs. The selected bidder must be a financially stable firm committed to providing solutions for City government.

The following criteria will be used to evaluate bidder responses to this Request for Proposals (R.F.P.). Product demonstrations and meetings may be requested. The Criteria that will be used to evaluate the R.F.P. responses, but not limited to, are as follows:

1. Experience and Qualifications of Bidder
2. Bidder Proposed Design, Scope, and Equipment
3. Bidder References
4. Cost of Proposal

I. INSTRUCTIONS TO BIDDERS RFP #MH-1082:**1. PREPARATION OF PROPOSAL**

- A. Interested contractors are expected to examine specifications and all instructions. Failure to do so will be at the contractor's risk.
- B. Each contractor shall furnish all information required on proposal forms. Erasures or other changes must be initialed by the person signing the form.
- C. If there is any doubt as to the meaning of any part of the specifications or other conditions within this request for proposal, please call (248) 583-0828 for clarification.

2. SUBMISSION OF PROPOSALS

- A. One original and three (3) copies of the proposal shall be submitted in **sealed** envelopes and shall include the following information on the face of the envelope:

Contractor's Name
Address
RFP Number and Item

Failure to do so may result in a premature opening of, or failure to open, such proposal. **All bids must be hand-delivered or mailed to:**

Madison Heights City Clerk's Office
300 West 13 Mile Road
Madison Heights, Michigan, 48071

- B. Bidders are responsible for submitting proposals before stated closing time. Delays in the mail will not be considered. Any proposal received after the stated deadline will be rejected.
- C. In the event no bid is to be submitted, do not return the invitation. Please send a letter or postcard to the Purchasing Agent to advise whether future invitations are desired for the type of items or services covered by this invitation.
- D. Any bid may be withdrawn by giving written notice to the Purchasing Agent before stated closing time. After stated closing time, no bid may be withdrawn or canceled for a period of ninety (90) days after said closing time.
- E. **The Bidder shall specify a unit price for each item listed. Unit price will prevail on all items.**
- F. **TERMS**
All bids to be tax exempt, State of Michigan #B386025685.
All pricing to be FOB destination 801 Ajax Drive Madison Heights, Michigan, 48071

Please direct any questions to the Purchasing Department at
 (248) 583-0828, Monday through Friday, from 8:00 AM to 4:30 PM (EST)
 Please note that we are closed for lunch between 11:30 and 12:30

II. CONSIDERATION OF PROPOSALS RFP #MH-1082:

A. Proposals submitted on bid form are understood to be according to specified data.

In cases where an item is requested by a manufacturer's name, trade name, catalog number, or reference, it is understood that the Bidder proposes to furnish the item so identified or an item of equal quality and value.

Reference to any of the above is intended to be descriptive but not restrictive and only indicates articles that will not be satisfactory. Bids of "equal" quality and value will be considered, provided that the Bidder states in his/her proposal exactly what he/she proposes to furnish, including illustration or other descriptive matter which will clearly indicate the character of the article covered by such proposal.

B. The Purchasing Agent hereby reserves the right to approve as an equal, or reject as not being an equal, any article proposed which contains major or minor variations from specification requirements but which may comply substantially therewith.

C. The City of Madison Heights reserves the right, in its sole discretion, to reject any/or all bids, to waive any irregularities and technical defects contained therein, to award the bid in its entirety, in part or not at all and/or to determine which bid is the lowest and/or best to enter into a Contract, as it may deem to be in the best interest of the City.

D. NON-IRAN LINKED BUSINESS.

Under Michigan Public Act No. 517 of 2012, as amended, an Iran linked business as defined therein is not eligible to contract with the City of Madison Heights and shall not submit a bid. By signing the bid documents it is hereby certified and agreed on behalf of the signatory and the company submitting this proposal the following: (1) that the signatory is duly authorized to legally bind the company submitting this proposal; and (2) that the company submitting this proposal is not an "Iran linked business," as that term is defined in Section 2(e) of the Iran Economic Sanctions Act, being Michigan Public Act No. 517 of 2012; and (3) that the signatory and the company submitting this proposal will immediately comply with any further certifications or information submissions requested by the City in this regard.

E. NON-DISCRIMINATION CLAUSE

In the performance of a contract or purchase order, the contractor agrees not to discriminate against any employee or applicant for employment, with respect to their hire, tenure, terms conditions or privileges of employment, or any matter directly or indirectly related to employment, because of race, color, religion, national origin, ancestry, age, sex, height, weight, marital status, physical or mental handicap or disability. The contractor further agrees that every subcontract entered into for the performance of any contract or purchase order resulting herefrom will contain a provision requiring non-discrimination in employment, as herein specified, binding upon each subcontractor. This covenant is required pursuant to Title VI of the Civil Rights Act of 1964 42 U.S.C., as well as the Elliot Larsen Civil Rights Act, 1976 Public Act 453, as amended, MCL 37.2201, et seq, and the Michigan Handicapper's Civil Rights Act, 1976 Public Act 220, as amended, MCL 37.1101, et seq, and any breach thereof may be regarded as a material breach of the contract or purchase order.

F. The Contractor / Company acknowledges and agrees that the City, with the written approval of the Contractor / Company, may extend this Contract for new projects or additional work of a similar nature at the same unit prices as set out by Contractor / Company for this Contract, by execution of a change order. Any work to be performed under a change order of this contract is subject to all the requirements contained herein. The Contractor / Company shall provide all insurance certificates and performance bonds for the required coverage for the new work to be performed for any change order extending this contract. A change order extending this Contract, as set out herein, shall be in compliance with Section 2-249 (c)(1) of the City's purchasing ordinance.

III. INSURANCE REQUIREMENTS RFP #MH-1082:

The contractor, or any of their subcontractors, shall not commence work under this contract until they have obtained the insurance required under this paragraph, and shall keep such insurance in force during the entire life of this contract. All coverage shall be with insurance companies licensed and admitted to do business in the State of Michigan and acceptable to the City of Madison Heights. The requirements below should not be interpreted to limit the liability of the Contractor. All deductibles and Self Insured Retentions are the responsibility of the Contractor.

- Worker's Compensation Insurance including Employers' Liability Coverage, in accordance with all applicable statutes of the State of Michigan.
- Commercial General Liability Insurance on an "Occurrence Basis" with limits of liability not less than \$1,000,000 per occurrence and aggregate. Coverage shall include the following extensions: (A) Contractual Liability; (B) Products and Completed Operations; (C) Independent Contractors Coverage; (D) Broad Form General Liability Extensions or equivalent, if not already included. A per project/contract aggregate shall be endorsed onto this policy.
- Automobile Liability including Michigan No-Fault Coverages, with limits of liability not less than \$1,000,000 per occurrence, combined single limit for Bodily Injury, and Property Damage. Coverage shall include all owned vehicles, all non-owned vehicles, and all hired vehicles.
- Owners' and Contractors' Protective Liability: The Contractor shall procure and maintain during the life of this contract, a separate Owners' and Contractors' Protective Liability Policy with limits of liability not less than \$1,000,000 per occurrence and aggregate. .
- Additional Insured: Commercial General Liability and Motor Vehicle Liability, as described above, shall include an endorsement stating the following shall be Additional Insureds: The City of Madison Heights, all elected and appointed officials, all employees and volunteers, all boards, commissions, and/or authorities and board members, including employees and volunteers thereof. It is understood and agreed by naming the City of Madison Heights as additional insured, coverage afforded is considered to be primary and any other insurance the City of Madison Heights may have in effect shall be considered secondary and/or excess.
- Cancellation Notice: All policies, as described above, shall include an endorsement stating that is it understood and agreed Thirty (30) days, Ten (10) days for non-payment of premium, Advance Written Notice of Cancellation, Non-Renewal, Reduction, and/or Material Change shall be sent to: City of Madison Heights, c/o Purchasing Department, 300 West 13 Mile, Madison Heights, MI 48071.
- Proof of Insurance Coverage: The Contractor shall provide the City of Madison Heights, at the time that the contracts are returned by him/her for execution, a Certificate of Insurance as well as the required endorsements. In lieu of required endorsements, if applicable, a copy of the policy sections where coverage is provided for additional insured and cancellation notice would be acceptable. Copies or certified copies of all policies mentioned above shall be furnished, if so requested.

If any of the above coverages expire during the term of this contract, the Contractor shall deliver renewal certificates and endorsements to the City of Madison Heights as least ten (10) days prior to the expiration date.

IV. SUPPLEMENTAL SPECIFICATIONS RFP #MH-1082:

GENERAL

The Contractor shall furnish all materials, equipment, labor and supervision and shall provide all other means that may be necessary to complete all the work in conformity in all respects to the requirements as set forth in these specifications.

The Contractor shall interfere as little as possible with the convenience of the public during the progress of the work.

MANDATORY PRE-BID MEETING AND ADDENDUM INFORMATION

A mandatory pre-bid meeting with a walkthrough follow-up is proposed.

The location of the meeting is:

Rosies Park (1111 E. Farnum Ave., Madison Heights, MI 48071)

**Followed by inspection of a similar, improved backstop for reference at Huffman Park
(400 W. Cowan, Madison Heights, MI 48071)**

The date of the meeting is:

Monday, September 15th, 2025 at 1:00 PM

Any questions or concerns resulting from this meeting and walkthrough must be submitted in writing via email to chriswoodward@madison-heights.org **before 12:00 noon on September 16th, 2025**. An addendum addressing any vendor questions or concerns will be posted at www.mitn.info no later than the close of business on September 17th, 2025.

CONTRACTOR'S SUPERVISION AND ORGANIZATION

The work under this contract shall be under the direct charge and direction of the Contractor. The Contractor shall give efficient superintendence to the work, using his best skill and attention. The Contractor shall at all times keep on the site of the work, during its progress, a competent superintendent and any and all necessary foremen and assistants.

SUB CONTRACTS

The Contractor shall not sublet, assign, or transfer this contract or any portion thereof or any payment due him there under, without the written consent of the Owner. Assignment or subletting the whole or any portion of this contract shall not operate to release the Contractor or his bondsman hereunder from any of the contract obligations. If the Contractor shall cause any part of the work under this Contract to be performed by a subcontractor, the subcontractor's officers and employees in all respects are considered employees of the Contractor, and the Contractor shall not be in any manner thereby relieved from his obligations and liability; and the work and materials furnished by the subcontractor shall be subject to the same provisions as if furnished by the Contractor.

SPECIFIC HOURS OF WORK

All work shall be performed **Monday thru Friday 7:00 a.m. to 7:00 p.m.** No work shall be performed on City observed holidays.

V. PRICING PAGE:

City of Madison Heights RFP #MH 1082:

Pricing is to be all-inclusive, and shall include all engineering, design, materials, installation, disposal, and all necessary Labor. Pricing shall be held for one hundred twenty days (120 days)

Warranty Period – Materials 5 Years Warranty Period – Labor 5 Years

ALL WORK IS TO BE COMPLETED NO LATER THAN 60 DAYS AFTER COMMENCEMENT OF PROJECT (WEATHER AND MATERIAL AVAILABILITY PERMITTING)

PRICING OPTIONS (Please use this space to clearly define your proposal and pricing. Use additional sheets if necessary):

Linear Feet of Fence to be Replaced: 649ft

TOTAL PRICE (including all materials and labor for removal, disposal, and installation): \$ 82,884

Alternative 1: Removal and disposal of backstops and concrete areas by the City.

Less: \$19,470

TOTAL PRICE: (including all materials and labor for installation only): \$ 63,414

ADDITIONAL INFORMATION:

- Mechanical Pile driver used to drive posts
- Auger Machine used for backstop post setting

Installation

- Boom Lift to be used during installation for backstops \$2000
- Horizontal Enclosure for Dugouts. \$3500 Each \$14,000
- 20ft Fence \$120/ft 105ft \$12,600
- 10ft Fence \$60/ft 110ft \$6,600
- 8ft Fence \$45/ft 246ft \$11,070
- 6ft Fence \$38/ft 188ft \$7,144

Other

- Removal 10\$ /ft 587ft Removal \$5870
- 4 Concrete Slab 30x10 \$5000 / Slab (Removal & Replace) \$20000 - \$2500 for removal only x4 \$10,000
- Dumpster 6 Dumpsters \$600 / Dumpster \$3600

NO MANUFACTURER WARRANTY! I will warranty for 5 years under New Edge, llc Workmanship

COMPANY INFORMATION:Company Name New Edge, LLCPrinted Name/Title of Person Signing Bid Jacob YatoomaSignature JYAddress 5031 Bennington ct Brighton MI 48114Phone: 810-220-9872

Fax: _____

Email Address: newedgellc2022@gmail.comDate: 9/18/2025

****SUBMIT ORIGINAL PROPOSAL ALONG WITH THREE COPIES IN A SEALED ENVELOPE MARKED ACCORDING TO SUBMITTAL GUIDELINES ALONG WITH QUALIFICATIONS QUESTIONNAIRE AND NON-COLLUSION AFFIDAVIT TO THE CITY OF MADISON HEIGHTS CLERK'S OFFICE BEFORE THE DEADLINE 11:00 A.M. ON FRIDAY, SEPTEMBER 19TH, 2025. ALL OTHER ITEMS – CONTRACT, LABOR & MATERIALS BOND (IF NECESSARY) – WILL BE SUBMITTED AFTER APPROVAL OF THE CONTRACT.****

VI. Additional Extension Option - MITN:

The City of Madison Heights is a member of the Michigan Intergovernmental Trade Network (MITN) Purchasing Cooperative. If your company is awarded an item or a completed contract, the cooperative entities may wish to use this contract and will use a purchase order or contract for any or all of the item(s) awarded following minimum order/contract requirements set forth in the bid documents. Each entity will provide its own purchase order or contract and must be invoiced separately to the address on the purchase order/contract.

Currently, there are more than 100 agencies participating in the MITN Cooperative.

() If an award is made to _____
(Company Name)

it is agreed that the contract will be extended to members of MITN Purchasing Cooperative under the same prices, terms, and conditions.

Signature of Company Representative

~OR~

() Our company New Edge, LLC is NOT interested in extending this contract.
(Company Name)

Signature of Company Representative

(For more information on the MITN cooperative, including a list of participating agencies, please go to www.MITN.info.)

VII. CITY OF MADISON HEIGHTS RFP #MH-25-1082
QUALIFICATION QUESTIONNAIRE

Failure to completely fill out this form or failure to supply adequate information could result in disqualification of Bidder.

Name of Bidder: Jacob Yatooma New Edge, llc

Address of Bidder: 5031 Bennington ct Brighton mi 48114

Type of Business Entity: Limited Liability Company
 (Example: Corporation, Partnership, etc.)

How Long Established: 4 Years

Names and Addresses of N/A
 All Principals of Bidder:

1. List all other Corporations, Partnerships, Assumed Names, and/or Businesses in which the above listed principals have an interest in any way, including but not limited to, ownership stockholder, employment, principal, officer or other business relationship.

N/A

2. List 3 current references from municipalities or public agencies familiar with the work performed by the Bidder and list the name, addresses and telephone number of a contact person.

Julie Mcdonald 810-225-8019 200 N 1st St, Brighton, MI 48116

Ashley Kostka 810 231-1333 10001 Silver Lake Rd, Brighton, MI 48116

Kaila Dombrowski 248 624-0110 2009 Township Dr W, Commerce Township, MI 48390

3. List 3 current references from private or non-public sources familiar with the work performed by the Bidder and list the name, address and telephone number of a contact person.

David Feodor 734-507-0745 4200 White Oak Trail Commerce Charter Twp 48382

Ron Brown 616-890-5398 34443 Schoolcraft rd Livonia 48150

Alex Lincoln 616-902-0819 8760 Chilson Rd Brighton 48114

4. List the names and address of all subcontractors the Bidder proposes to use on the project.

Trashmasters 30660 W Eight Mile Rd Farmington Hills MI 48336

CJK Construction 40644 Five Mile Rd Plymouth 48170

The undersigned verifies that the information contained herein is truthful and accurate and acknowledge that they are owners or agents of the Bidder.

Jy

Bidder's or Authorized
Representative's Signature

Owner

Title of Signatory

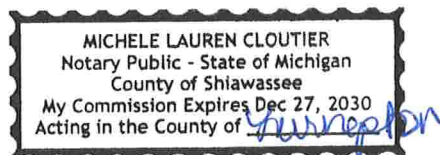
Jacob Yataoma

Bidder's Printed Name

Dated: 9/18/2025

Subscribed and sworn to before me on
This 18 day of Sept, 2025.

Michele Lauren Cloutier
Michele Lauren Cloutier Notary Public
Shiawassee County, Michigan



VIII. NON-COLLUSION AFFIDAVIT**Return this completed form with your sealed bid.**

Jacob Yafomg being duly sworn deposes and says:

That he/she is owner
(state official capacity in firm)

The party making the foregoing proposal or bid, that such bid is genuine and not collusion or sham; that said Bidder has not colluded, conspired, connived, or agreed, directly or indirectly, with any Bidder or person, to put in a sham bid or to refrain from bidding and has not in any manner, directly or indirectly, sought by agreement or collusion, or communication or conference, with any person, to fix the bid price of affiant or any other Bidder, or to fix any overhead, profit, or cost element of said bid price or that of any other Bidder, or to secure the advantage against the City of Madison Heights or any person interested in the proposed contract; and that all statements contained in said proposal or bid are true.

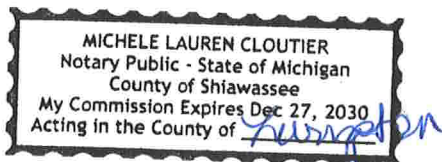
JY
(Signature of person submitting bid)

Subscribed and sworn this 18 day of Sept, 2015 before me, a Notary Public in and for said County.

Michele Lauren Cloutier
Notary Public

My Commission Expires:

12-27-2030





AGENDA ITEM SUMMARY FORM

MEETING DATE: 10/13/25

PREPARED BY: Matt Lonnerstater, AICP

AGENDA ITEM CONTENT: Ordinance 2206 - Zoning Text Amendment ZTA 25-01 - Non-Conforming Residential Driveway Text Amendments. Second Reading

AGENDA ITEM SECTION: Ordinances

BUDGETED AMOUNT: N/A

FUNDS REQUESTED: N/A

FUND: N/A

EXECUTIVE SUMMARY:

City staff proposes the attached text amendment [ZTA 25-01 - Ordinance 2206] to allow certain non-conforming residential driveways to be replaced in-kind without the need to obtain a variance from the Zoning Board of Appeals.

RECOMMENDATION:

Staff recommends that City Council approve and adopt ZTA 25-01, Ordinance # 2206, upon second and final reading.



MEMORANDUM

Date: October 7th, 2025
 To: City of Madison Heights City Council [October 13th, 2025 Meeting]
 From: Matt Lonnerstater, AICP – City Planner
 Subject: Zoning Text Amendment #25-01 [Ordinance 2206]- Non-Conforming Residential Driveways – City Council Second Reading

Introduction and Planning Commission Action

To avoid an abundance of cases in front of the Zoning Board of Appeals, staff recommends several zoning text amendments which would allow certain non-conforming residential driveways to be replaced in-kind. Staff proposes text amendments to the following sections of the Zoning Ordinance:

- Section 7.03.10: Use-Specific Standards for Detached One-Family Dwellings
- Section 10.02.1: Parking of Motor Vehicles in Residential Districts
- Section 13.01.6: Nonconforming Site Elements

The Planning Commission held a public hearing at their September 19th, 2025, after which they recommended approval of the proposed text amendments as written. City Council held the first hearing for the Ordinance at their September 29th, 2025 meeting.

Background

Section 7.03.10.C of the new Madison Heights Zoning Ordinance contains use-specific standards for residential driveways. As a majority of single-family detached houses and their associated driveways in Madison Heights were constructed prior to the adoption of the new Zoning Ordinance, there are many cases of legally non-conforming driveway conditions throughout the city. Recently, staff has had to deny many applications for the replacement of non-conforming driveways; this is due to the Article 13 (Nonconformities) of the Zoning Ordinance which requires non-conforming site elements to be brought up to code when replaced. Permit denials have, understandably, led to frustration for these property owners due to the impracticality of alternate driveway designs or the cost/time factor of going in front of the Zoning Board of Appeals (ZBA) for a variance.

Staff has generally denied non-conforming driveway replacements based on a failure to meet one (or multiple) of the following zoning standards:

- (A) Driveways shall be set back a minimum of one (1) foot from side and rear lot lines, except in cases where the driveway is accessed from a rear alley or where a driveway is shared between two or more properties.
- (B) Driveways shall not be permitted in front of the residential dwelling. Nonconformities relating to this standard often lead to one of the following additional nonconformities:
 - 1) Driveways leading to an attached garage shall be no wider than 20 feet at the front or street side lot line but may taper to a width up to, but not to exceed, eighteen (18) inches beyond the exterior edges of the garage door opening.
 - 2) Driveways leading to a detached garage shall be no wider than twelve (12) feet in width at the property line but may taper to a width up to, but not to exceed, eighteen (18) inches beyond the exterior edges of the garage door opening.

Proposed Text Amendments

Based on the discussion at the August 19th, 2025 Planning Commission meeting, staff recommends adding a provision on “Non-Conforming Residential Driveways” within the use-specific standards for One-Family Detached Dwellings, Section 7.03.10. The proposed text amendments would allow two prevalent types of non-conforming residential driveways to be replaced in-kind without the need for a variance, subject to certain conditions:

- 1) Existing driveways that do not meet the one (1) foot side-yard setback requirement.
- 2) Existing driveways, including attached service walks, that extend a limited distance in front of the residential dwelling.

The proposed text amendment to Section 7.03.10, in full, is as follows:

- (1) Non-conforming Residential Driveways: The following types of non-conforming residential driveways may be repaved or reconstructed in-kind without the need to seek a dimensional variance, but in no case shall the extent of the existing non-conformity increase:
 - (a) A driveway, or a portion of a driveway, which is non-conforming due to a failure to meet the one (1) foot side-yard setback requirement of paragraph (3), above, may be repaved or reconstructed in-kind, irrespective of non-conforming driveway width at the property line, if at least one of the following conditions are met:
 - i) The existing parcel features a lot width of 40 feet or less.
 - ii) The non-conforming portion of the driveway to be repaved or reconstructed is ten (10) feet wide or less.
 - (b) A driveway, or a portion of a driveway, which is non-conforming due it extending directly in front of a residential dwelling may be repaved or reconstructed in-kind, irrespective of non-conforming driveway width at the property line. However, in no case shall the portion of the driveway extending in front of the dwelling exceed five (5) feet in width.

The proposed text amendments are discussed in more detail, below:

Side-Yard Setback

Section 7.03.10.C.(3) requires driveways to be set back a minimum of one (1) foot from side and rear lot lines. The intent behind this standard is to allow for stormwater to infiltrate into a grass strip at the property line instead of sheet flowing directly onto adjacent properties. While this standard is important for new construction, there are many examples of existing residential driveways built right along the side property line; this is especially true in the southern portions of the city, where narrow parcel widths and minimum building setback requirements have limited driveway placement and driveway widths.



Narrow lot widths and minimum building setback requirements have historically limited driveway placement to the side property line edges.

In many cases, especially those with narrow lot widths of 40 feet or less, enforcing the one-foot minimum driveway setback for replacement driveways may lead to other non-conforming conditions, such as driveways that are too narrow (less than 9 feet wide) or driveways that need to extend to an area in front of the dwelling. Due to the pervasiveness of this non-conformity, staff recommends a text amendment.

The proposed text amendment would allow driveways on narrow lots (40 ft. wide or less), and narrow driveways themselves (10 ft. wide or less), to be replaced in-kind without having to meet the one-foot setback requirement. This provision would not apply to wider lots where adequate room may be available to shift the driveway to meet the setback requirement, nor would it apply to wider driveways which can be reasonably reduced in width to meet the setback.

Driveways in front of Residential Dwellings

Section 7.03.10.C prohibits driveways directly in front of residential dwellings. This general requirement was carried over from the previous Zoning Ordinance (with the standard adopted sometime prior to 1999), which stated, “no paved surfaces of any type whatsoever, including, but not by way of limitation, surfaces consisting of concrete, asphalt, or portland cement binder, will be permitted in front of the main building except a paved surface which constitutes a sidewalk and/or service walk for the purposes of pedestrian travel and which is not intended to be driven upon or parked upon.”

The intent behind this standard, and of the standards in the new Zoning Ordinance, is to limit vehicles from dominating the front yard of a residential property and to reduce the amount, or at least the appearance, of impervious surface in front of a home. The Zoning Ordinance envisions service walks that are completely separate from the driveway or, at minimum, connected to the driveway via a flare/taper:



Zoning Ordinance standards encourage a pedestrian service walk that is completely separate from the driveway or, at a minimum, tapered/ flared from the edge of the driveway.

Unfortunately, it appears as if this standard has historically been applied sporadically, interpreted in a variety of ways, or simply not enforced. There are a number of examples of service walks being placed directly adjacent to the entire length of the driveway from the porch to the public sidewalk; these “service walk” extensions effectively act as a full-length driveway extension directly in front of the home. In many cases, the combined width of the driveway and attached service walk also result in a total driveway width exceeding the maximums permitted by the Zoning Ordinance.

The proposed text amendment would allow non-conforming driveways and attached service walks located directly in front homes to be replaced in-kind, as long as that portion of the driveway extending directly in front of the home does not exceed five (5) feet in width. This amendment would allow the example driveway on the left to be replaced in-kind, but would require the driveway on the right to be reduced in width so that the portion in front of the house does not exceed a width of 5 feet.



The proposed text amendments would allow the driveway on the left to be replaced in-kind, but would require the driveway on the right to be modified so that the driveway only extends a maximum of 5 feet in front of the house.

Additional Text Amendments for Cross-Referencing Purposes

Because the Zoning Ordinance is over 200 pages long, it is important to cross-reference relevant Zoning Ordinance sections wherever possible. Staff recommends cross-referencing the proposed non-conforming residential driveway provisions in Section 10.02.1 (Parking of Motor Vehicles in Residential Districts) and Section 13.01.6 (Nonconforming Site Elements).

A Note on Duplexes and Multiplexes

Per Section 7.03 (Use-Specific Standards), duplexes (2-units) and multiplexes (3-4 units) are subject to the same standards as one-family detached dwellings, with certain exceptions. Therefore, the proposed text amendments would also apply to non-conforming driveways servicing existing duplex and multi-plex structures.

Standards of Review for Amendments

Section 15.07.3 of the Zoning Ordinance contains standards of review for text amendments, provided below:

Text Amendments. In considering any petition for an amendment to the text of this Ordinance, the Planning Commission and City Council shall consider the following criteria in making findings, recommendations, and a decision. The Planning Commission and City Council may also take into account other factors or considerations that are applicable to the application but are not listed below.

- (1) Consistency with the goals, policies, and objectives of the Master Plan and any sub-area or corridor plans. If conditions have changed since such plans were adopted, consistency with recent development trends in the area shall be considered.*
- (2) Consistency with the basic intent and purpose of this Zoning Ordinance.*
- (3) Consideration of changing conditions since the Zoning Ordinance was adopted or a finding that there is an error in the Zoning Ordinance that justifies the amendment.*

Next Step

Based on the Planning Commission's recommendation of approval and their pertinent findings, staff recommends that City Council approve and adopt **Ordinance # 2206 (ZTA # 25-01)** upon second reading.

Template Motion for Second Reading and Ordinance Adoption

Motion by _____, seconded by _____, that City Council hereby adopt Ordinance #2206, thereby approving zoning text amendment # ZTA 25-01. This approval is made after the required public hearing, held at the Planning Commission meeting on September 16th, 2025, based on the finding that the proposed zoning text amendment satisfactorily addresses the standards of review contained in Section 15.07 of the Zoning Ordinance, as follows:

- 1) The proposed text amendment is consistent with the Housing Objective #1 as contained within the adopted 2021 Master Plan, which is to, "encourage maintenance and reinvestment in existing neighborhoods."*
- 2) The proposed text amendment grants reasonable flexibility to Madison Heights residents without impairing the basic intent and purpose of the Zoning Ordinance*

**Ordinance 2206
City of Madison Heights
Oakland County, Michigan
Zoning Text Amendment 25-01**

AN ORDINANCE TO AMEND ORDINANCE 2198, BEING AN ORDINANCE CODIFYING AND ADOPTING A NEW ZONING ORDINANCE FOR THE CITY OF MADISON HEIGHTS, BY AMENDING APPENDIX A, SECTION 7.03.10 – “USE SPECIFIC STANDARDS” – “DETACHED ONE-FAMILY DWELLINGS”; SECTION 10.02.1 – “VEHICLE PARKING REQUIREMENTS” – “PARKING OF MOTOR VEHICLES IN RESIDENTIAL DISTRICTS”; AND SECTION 13.01.6 – “NONCONFORMING SITE ELEMENTS” TO ADD STANDARDS TO PERMIT THE IN-KIND REPLACEMENT OF CERTAIN NON-CONFORMING RESIDENTIAL DRIVEWAYS.

The City of Madison Heights ordains:

Section 1. SECTION 7.03.10 (USE SPECIFIC STANDARDS – DETACHED ONE-FAMILY DWELLINGS) is hereby amended as follows:

10. DETACHED ONE-FAMILY DWELLINGS

[...]

C. DRIVEWAYS

- (1) Minimum driveway width at the right-of-way line: 9 feet.
- (2) All driveways or approaches within the public right-of-way shall be paved with concrete and all other driveways shall be paved with asphalt or concrete.
- (3) Driveways shall be set back a minimum of one (1) foot from side and rear lot lines, except in cases where the driveway is accessed from a rear alley or where a driveway is shared between two or more properties. Driveways shall not be permitted in front of the residential dwelling, except as permitted within this Section.
- (4) Driveways leading to an Attached Garage: A driveway providing access to an attached garage shall be no wider than 20 feet at the front or street side lot line but may taper to a width up to, but not to exceed, eighteen (18) inches beyond the exterior edges of the garage door opening; the taper shall begin a minimum of five (5) feet from the property line adjacent to the street and shall be angled no greater than forty-five (45) degrees. However, in no case shall any part of the driveway be located directly in front of the residential dwelling, with the exception of living spaces above the garage.
- (5) Driveways leading to a Detached Garage: A driveway that provides access to a detached garage shall be no wider than twelve (12) feet in width at the property line but may taper to a width up to, but not to exceed, eighteen (18) inches beyond the exterior edges of the garage door opening; the taper shall begin in the side or rear

yard and shall be angled no greater than forty-five (45) degrees. In no case shall any part of the driveway be located directly in front of the residential dwelling, with the exception of accessory dwelling living spaces above/within the detached garage.

On a corner property, a driveway leading to a detached garage facing a side street shall be no wider than 20 feet at the side street property line but may taper to a width up to, but not to exceed, eighteen (18) inches beyond the exterior edges of the garage door opening; the taper shall begin a minimum of five (5) feet from the side street property line. However, in no case shall any part of the driveway be located directly in front of the residential dwelling, with the exception of accessory dwelling living spaces above/within the garage.

- (6) Driveways on Properties without a Garage: Where no garage exists, a driveway shall be no wider than twelve (12) feet in width at the property line but may taper to a maximum of twenty (20) feet in the side and rear yard. In no case shall any part of the driveway be located directly in front of the residential dwelling.
- (7) Circular Driveways: A circular driveway with two approaches on the same street, or one per street on a corner lot, is permitted on parcels containing 200 feet or more of combined lot width.
- (8) Ribbon Driveways: Ribbon driveways are permitted for residential driveways, subject to the same dimensions and paving standards for standard driveways. Individual ribbons shall only be permitted within the boundary of the lot and shall not be less than eighteen (18) inches or more than thirty (30) inches wide.
- (9) Additional Parking Pad: One (1) additional parking pad for parking and turnarounds, no greater than 18 x 20 feet, is permitted adjacent to a permitted driveway within a side or rear yard. Parking pads shall be set back a minimum of one (1) foot from side and rear property lines.

For properties fronting an arterial or collector street, as denoted within the Master Plan, one (1) parking pad, no greater than 18 x 20 feet, may be located within a required front or street side yard setback to allow for safe vehicular turnaround. Such parking pad shall be screened from the abutting street with plant materials or an alternative screening method approved by the Planning and Zoning Administrator, and shall be set back a minimum of five (5) feet from the street right-of-way line.

- (10) Non-conforming Residential Driveways: The following types of non-conforming residential driveways may be repaved or reconstructed in-kind without the need to seek a dimensional variance, but in no case shall the extent of the existing non-conformity increase:

- (a) A driveway, or a portion of a driveway, which is non-conforming due to a failure to meet the one (1) foot side-yard setback requirement of paragraph (3), above, may be repaved or reconstructed in-kind, irrespective of non-conforming

driveway width at the property line, if at least one of the following conditions are met:

- i) The existing parcel features a lot width of 40 feet or less.
- ii) The non-conforming portion of the driveway to be repaved or reconstructed is ten (10) feet wide or less.
- (b) A driveway, or a portion of a driveway, which is non-conforming due it extending directly in front of a residential dwelling may be repaved or reconstructed in-kind, irrespective of non-conforming driveway width at the property line. However, in no case shall the portion of the driveway extending in front of the dwelling exceed five (5) feet in width.

A. DETACHED ONE-FAMILY DWELLINGS IN N-P DISTRICT. Detached one-family dwellings within the N-P, Natural Preservation and Recreation District, shall only be permitted upon parcels with a minimum area of one acre, and shall require Special Land Use approval.

Section 2. SECTION 10.02.1 (VEHICLE PARKING REQUIREMENTS - PARKING OF MOTOR VEHICLES IN RESIDENTIAL DISTRICTS) is hereby amended as follows:

1. Parking of Motor Vehicles in Residential Districts.

- A. Such parking shall be limited to passenger vehicles and commercial vehicles of the light delivery type, such as a van or pick-up truck, not to exceed a three-quarter ton manufacturers rating.
- B. Not more than one commercial vehicle shall be permitted per dwelling unit. Parking of commercial vehicle, trailer or truck over three-quarter-ton manufacturer rating on private property within the R-1, R-2, R-3 and R-MN residential zoning districts, may be permitted as a special land use.
- C. The parking of any other type of commercial vehicle, limousine, taxi, or bus, except for school or religious institution owned vehicles parked on the school or religious institution's property, is prohibited in a residential zone. Parking spaces for all types of uses may be provided either in garages or parking areas conforming with the provisions of this Ordinance. Recreational Equipment, including motorized homes and travel trailers, shall be permitted in accordance with Chapter 18 of the Madison Heights Code of Ordinances.
- D. Off-street parking facilities and driveways for detached one-family dwellings, duplexes, multiplexes, and townhomes shall be designed in accordance with the use-specific standards for said uses contained within Section 7.03.

Section 3. SECTION 13.01.6 (NONCONFORMING SITE ELEMENTS) is hereby amended as follows:

6. Nonconforming Site Elements.

A. Nonconforming site elements pertaining to Article 7 (Standards Applicable to Specific Uses), Article 8 (General Provisions), Article 10 (Parking, Loading, and Access Management), and Article 11 (Landscaping) shall be brought into compliance when one (1) or more of the following situations occurs

~~A.~~ **(1)** A proposed site modification requires Major Site Plan approval, per Section 15.04; or

~~(1)~~ **(2)** Major change of use classification (per use table). (i.e., commercial to residential); or

~~(2)~~ **(3)** Other actions deemed necessary to bring the site into compliance as determined by the Planning and Zoning Administrator.

B. For non-residential or multi-family residential sites with legal nonconforming site elements, the Planning and Zoning Administrator, Technical Review Committee, or other reviewing/approving body may reduce the requirements of any numerical standard by up to 25% if it is found that full compliance with site element requirements is not feasible, or that alternative compliance would satisfy the intent and spirit of the standard.

~~B.C.~~ Certain non-conforming residential driveways may be replaced in-kind in accordance with Section 7.03.10, Use-Specific Standards for Detached One-Family Dwellings.

Section 4. Repealer

All ordinances or parts of ordinances in conflict with this ordinance are repealed only to the extent necessary to give this ordinance full force and effect.

Section 5. Severability

Should any section, subdivision, clause, or phrase of this ordinance be declared by the courts to be invalid, the validity of the ordinance as a whole, or in part, shall not be affected other than the part invalidated.

Section 6. Savings

All proceedings pending and all rights and liabilities existing, acquired or incurred at the time this ordinance takes effect are saved and may be consummated according to the law in force when they were commenced.

Section 7. Effective Date

This ordinance as ordered shall take effect ten (10) days after its adoption and upon publication.

Section 8. Enactment

A copy of this ordinance may be inspected or purchased at the City Clerk's office between the hours of 8:00 a.m. and 11:30 a.m. and between 12:30 p.m. and 4:30 p.m. on regular business days.

Roslyn Grafstein, Mayor

Cheryl Rottmann, City Clerk

CERTIFICATION:

I, Cheryl Rottmann, the duly appointed City Clerk of the City of Madison Heights, County of Oakland, State of Michigan, do hereby certify that the foregoing is a true and correct copy of an Ordinance adopted by the Madison Heights City Council at their Regular Meeting held on _____, 2025.

Cheryl Rottmann, City Clerk

ZOTXT 25-01 (Ordinance 2206)

Planning Commission Public Hearing: September 16th, 2025

City Council First Reading: September 29th, 2025

City Council Second Reading: October 13th, 2025

Adopted: October 13th, 2025

Published: TBD

Effective: TBD

NOTICE OF PUBLIC HEARING

CITY OF MADISON HEIGHTS PLANNING COMMISSION

Notice is hereby given that the Planning Commission for the City of Madison Heights will hold a public hearing on **Tuesday, September 16th, 2025 at 5:30 p.m.** in the **City Council Chambers of City Hall at 300 W. 13 Mile Road, Madison Heights, Michigan 48071** to consider the following zoning text amendments:

Zoning Text Amendment 25-01

An ordinance to amend Appendix A of Ordinance 2198, being an ordinance codifying and adopting a new Zoning Ordinance for the City of Madison Heights, by amending Sections 7.03.10 (*Use Specific Standards pertaining to Detached One-Family Dwellings*), Section 10.01 (*Intent and General Parking Requirements*), Section 10.02 (*Vehicle Parking Requirements*), and 13.01.6 (*Nonconforming Site Elements*) to provide flexibility for the repair, repaving and/or reconstruction of non-conforming residential driveways.

The application and supporting documents can be viewed during regular business hours at the Community and Economic Development Department. In addition, the agenda item can be viewed online after 4:00 p.m. on the Friday prior to the meeting at www.madison-heights.org in the Agenda Center.

If you are unable to attend the meeting, you can send your comments via email to: MattLonnerstater@madison-heights.org and your comment will be read into the record at the meeting. Written comments may also be mailed prior to the meeting to 300 West Thirteen Mile Road, Madison Heights, Michigan, 48071. All comments will be heard at the meeting.

MADISON HEIGHTS COMMUNITY & ECONOMIC DEVELOPMENT DEPARTMENT
(248) 583-0831

Madison Park News 09/03/2025



AGENDA ITEM SUMMARY FORM

MEETING DATE: 10/6/25

PREPARED BY: Sean Ballantine, Department of Public Services Director

AGENDA ITEM CONTENT: Ordinance No. 2207 - Requirement for Recycling and Trash Carts, First Reading

AGENDA ITEM SECTION: Ordinances

BUDGETED AMOUNT: n/a

FUNDS REQUESTED: n/a

FUND:

EXECUTIVE SUMMARY:

The City has moved to standardize waste collection practices to improve efficiency, safety, reduce cost, and increase compliance with regional recycling standards. Residents will now be required to use uniform receptacles for trash and recycling to allow for automated collection equipment, decrease worker injury risks, and increase service efficiency.

The revised ordinance (attached) amends Ordinance 517 Chapter 14, Section 14-10, 14-11, and 14-16 to require the use of City-approved recycling and trash carts for all residential garbage and recycling collection. During the first reading, City Council raised questions about enforcement. Enforcement provisions are already established in Chapter 14, Section V of the ordinance - violators shall be responsible for a civil infraction, subject to a fine of up to \$100.

RECOMMENDATION:

It is recommended that the City Council approve the revised ordinance requiring the use of City-approved trash and recycling carts, as presented on second reading.

To: Mayor and City Council
From: Sean Ballantine, Department of Public Services Director
Date: September 24, 2025
Subject: Ordinance No. 2207 Revised Ordinance – Requirement for Recycling and Trash Carts

To improve efficiency, safety, reduce costs, and ensure compliance with regional recycling standards, the City is implementing standardized waste collection practices. As part of this initiative, all residents will now be required to use uniform, City-approved carts for trash and recycling. These carts are compatible with automated collection equipment, which helps reduce worker injury risk and enhances service efficiency.

The revised ordinance (attached) amends Ordinance 517, specifically Chapter 14, Sections 14-10, 14-11, and 14-16, to mandate the use of these standardized containers for all residential waste and recycling collection.

During the first reading on September 29, the City Council raised questions about enforcement. Enforcement provisions are already established in Chapter 14, Section V of the ordinance.

Section 14-18 – Penalties states:

Any person, corporation, limited liability company, partnership, association, firm, resident, or occupant who violates Sections 14-10, 14-11, and/or 14-12 shall be responsible for a civil infraction, subject to a fine of up to \$100.00. Each day a violation continues will be treated as a separate offense.

All other violations of this chapter are classified as criminal misdemeanors, punishable by a fine of up to \$500.00, imprisonment for up to 90 days, or both.

Recommendation

It is recommended that the City Council approve the revised ordinance requiring the use of City-approved trash and recycling carts on second reading.

An Ordinance to amend Ordinance No. 517, being an Ordinance codifying and adopting a new Code of Ordinances for the City of Madison Heights by amending Chapter 14, Sections 14-10, 14-11, and 14-16 of the Code of Ordinances, City of Madison Heights, Michigan, to establish a requirement for trash and recycling carts for city-wide rubbish pick-up.

Section 1. Amendment.

That Chapter 14, Section 14-10, 14-11 and 14-16 of the Code of Ordinances, City of Madison Heights, Michigan, are hereby amended to read as follows:

Sec. 14-10. Authorized recyclable materials.

- (a) Residents or occupants of any house, home, dwelling, apartment building or structure of any kind or description whatsoever, intended as a place where people live in the city (collectively "premises"), shall separate authorized recyclable materials and place them in an authorized container at the curb on their normal garbage pickup day and in the manner set out in this chapter, or for multiple dwellings or apartment buildings, at approved locations on the site in authorized containers.
- (b) Due to the rapidly changing technology in the area of [refuse and](#) recycling, authorized recyclable materials and authorized containers may change from time to time based upon available markets, transportation vehicle sizes, and pickup methods. To keep the public informed of the current authorized recyclable materials and authorized containers, the city shall on a regular basis distribute in newsletter form, or to be included with other information in an appropriate newsletter, details and listings of the then current authorized recyclable materials and authorized containers. In addition, the city shall provide a leaflet containing a list and details of the current authorized recyclable materials and authorized containers, which leaflets shall be available for pickup by the public at the city clerk's office, the information desk at City Hall and the department of public services.

(Ord. No. 2139, § 1, 5-28-19)

Sec. 14-11. Deposit in required receptacles; kind; placement, use.

- (a) All yards, alleys, streets, vacant lots or other places in the city shall be kept free from garbage, bulky waste and rubbish. Garbage, bulky waste and rubbish shall be deposited in an appropriate container or placed for collection as set out in this chapter.
- (b) The residents or occupants of any premises shall [have and use approved containers compatible with the city-authorized mechanical handling equipment](#), ~~provide a covered, watertight container with handles, not exceeding a 30-gallon capacity,~~ for receipt of garbage and rubbish, but not compostable material. [All garbage and rubbish \(with the exception of bulky waste\) shall be placed in the container for collection,](#) ~~or shall have approved containers compatible with the city-authorized mechanical handling equipment.~~
- (c) For composting purposes, compostable materials will not be collected by the city from any premises unless it is placed in a container approved by the director of the department of public services or his or her designee.
- (d) All containers shall be placed in a convenient location for collection at the proper time. The city shall not collect bulky waste or containers holding garbage, bulky waste, rubbish or compostable which weigh over ~~50~~ [200](#) pounds.

- (e) No containers, rubbish, bulky waste or other materials to be disposed of shall be placed in any public street, alley or other public place, or in front or side yard, prior to 12 hours before the regular collection time, and said containers shall be removed from said places not later than 12 hours after collections are made.
- (f) Containers and bulky waste on collection day shall be placed between the curb and the sidewalk unless otherwise authorized. ~~Except for compostable materials, the use of plastic containers will be permitted, provided, that tops of the same are secured to prevent garbage, paper or debris from spilling or otherwise escaping the confines of such containers. At no time will the use of paper bags be permitted, except to hold newspapers as set out in subparagraph (f) of this section.~~
- ~~(g) Stacks of newspapers or boxes may be placed at the curb without being in a container if said newspapers or boxes are placed in paper bags.~~
- (h) Small tree limbs, two inches and less in diameter, shall be collected only if they have been cut into lengths not to exceed three feet in length and tied securely into bundles not to exceed three feet in length and tied securely into bundles not to exceed three feet in girth. In lieu of this paragraph, brush-chipping services are available as specified under subparagraph (i) of this section.
- (i) The city will provide brush-chipping services upon request of the landowner or occupant of the premises. The fee for brush chipping services has previously been established by resolution of the city council. The individual making the request for services will be billed after the services are rendered.
- (j) If payment is not received within 30 days after the services are billed, the director of the department of public services shall make a sworn statement of said account and deliver the same to the city clerk. The city clerk shall certify them forthwith to the city treasurer. The city treasurer shall then enforce payment for those services as prescribed in this chapter for the collection of special assessment.

(Ord. No. 2139, § 1, 5-28-19)

Sec. 14-12. Garbage to be drained of liquids.

No resident or occupant shall place in any garbage container any materials that have not been well drained of all liquids.

(Ord. No. 2139, § 1, 5-28-19)

Sec. 14-13. Scavenging of authorized recyclable materials prohibited.

Recyclable materials placed appropriately at the curb in accordance with this chapter shall become the exclusive property of the city or the city's authorized recycler. There shall be a presumption that the residents or occupants intended to recycle materials under this chapter if the authorized recyclable material is placed at curbside as provided in this chapter.

(Ord. No. 2139, § 1, 5-28-19)

Sec. 14-14. Unauthorized collection prohibited.

No resident or occupant shall dispose of any bulky waste, rubbish or garbage except to an authorized collector of the city.

(Ord. No. 2139, § 1, 5-28-19)

Sec. 14-15. Vehicles.

Any vehicles used for the purpose of conveying bulky waste, rubbish or garbage shall be constructed, covered and equipped so as to prevent any of the contents thereof from leaking, spilling, falling or blowing off, and any such vehicle, when not in immediate use, shall not be stored or parked in any street, alley or public place so as to become offensive or a hazard to any person.

(Ord. No. 2139, § 1, 5-28-19)

Cross reference(s)—Traffic and motor vehicle code, Ch. 26.

Sec. 14-16. Burning restrictions.

- (a) Burning of rubbish, garbage, paper, wood, leaves, branches, or any other waste material shall be prohibited within the city.
- (b) A person shall not kindle or maintain any bonfire nor shall it be maintained on any premises without having obtained a permit or other proper authorization from the fire chief or his or her ~~designated~~designee. Provided, however, that such permit shall only permit burning in accordance with the International Fire Code as heretofore adopted by the City of Madison Heights.

(Ord. No. 2139, § 1, 5-28-19)

Cross reference(s)—Air pollution prevention, Ch. 3; fire department and fire prevention and protection, Ch. 12.

SECTION 2. Repealer. All ordinances, or parts of ordinances, in conflict with this ordinance are repealed only to the extent necessary to give this ordinance full force and effect.

SECTION 3. Severability. Should any section, subdivision, clause, or phrase of this ordinance be declared by the courts to be invalid, the validity of the ordinance as a whole, or in part, shall not be affected other than the part invalidated.

SECTION 4. Savings. All proceedings pending and all rights and liabilities existing, acquired or incurred at the time this ordinance takes effect, are saved and may be consummated according to the law in force when they were commenced.

SECTION 5. Effective Date. This ordinance as ordered shall take effect ten (10) days after its adoption and upon publication.

SECTION 6. Inspection. A copy of this ordinance may be inspected or purchased at the City Clerk's office between the hours of 8:00 a.m. and 11:30 a.m. and between the hours of 12:30 p.m. and 4:30 p.m. on regular business days.