CITY OF MADISON HEIGHTS
CITY HALL - COUNCIL CHAMBERS, 300 W. 13 MILE RD.
CITY COUNCIL REGULAR MEETING AGENDA
NOVEMBER 09, 2026 AT 6:30 PM

CALL TO ORDER

ROLL CALL

INVOCATION and PLEDGE OF ALLEGIANCE - MAYOR HAINES

APPROVAL OF THE AGENDA:

1. EnterTextHere

PRESENTATIONS

2. Employee Academy Awards

PUBLIC HEARINGS:

3. CED Director - CDBG Reprogramming of PY 2024 for Public Facilities-Parks & Recreation

MEETING OPEN TO THE PUBLIC:

CONSENT AGENDA:

4. Appointment of Zoning Board of Appeals Representative to the Planning Commission
5. City Council Regular Meeting Minutes of October 26, 2026

REPORTS:

6. Board and Commission Handbook and Workplan Template Revision

ORDINANCES:

7. Police Chief - E-Bike Ordinance #2216 - First Reading

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: **November 4, 2026**

TO: **City Council**

FROM: **Melissa R. Marsh, City Manager**

SUBJECT: **Agenda Comments Regular Council Meeting of Monday, November 9, 2026**

PRESENTATIONS:

Employee Academy Participation Recognition

Council is scheduled to recognize and congratulate everyone participating in our Employee Academy. Investing time in learning more about our organization, how our departments work together, and the services we provide makes you a stronger employee and helps make our entire team better. Thank you for your commitment, enthusiasm, and continued investment in the City of Madison Heights.

PUBLIC HEARINGS:

CED Director – Reprogramming of Public Facilities – Parks and Recreation Programming

Council is scheduled to hold a public hearing regarding the reprogramming of $1,090.80 in remaining CDBG funds from the 2024 Public Facilities–Parks and Recreation allocation, originally used for improvements at Rosie's Park, to the 2024 Minor Home Repair Program. This will allow the City to put the remaining funds toward eligible home repair projects, fully utilize the allocation, and maintain compliance with HUD and Oakland County CDBG program requirements.

Following the public hearing, staff recommends that the Council approve the included resolution which authorizes the Community & Economic Development Department to prepare and submit a request to Oakland County to reprogram $1,090.80 from Public Facilities-Parks & Recreation Program Year 2024 to the Minor Home Repair Program Year 2024 account. Further, the City of Madison Heights, as the applicant, authorizes the filing of said reprogramming of funds with Oakland County.

CONSENT AGENDA

Boards and Commission Appointment – ZBA Representative to the Planning Commission

Mayor Haines is recommending the appointment of Martha Covert to serve as the Zoning Board of Appeals representative on the Planning Commission. Council is being asked to concur with the recommendation, with her term expiring February 28, 2027.

REPORTS:

Board and Commission Handbook and Work Plan Revisions

At the October 5 Council workshop, Council discussed ways to improve accountability, coordination, and expectations for City boards and commissions. Staff has incorporated those recommendations into the revised handbook and developed a standardized annual workplan template, addressing attendance requirements, event planning deadlines, communication protocols, and annual reporting to ensure board activities are aligned with City priorities and effectively coordinated with staff. Staff is recommending approval of the updated handbook and workplan template.

ORDINANCE:

Police Chief – E-Bike Ordinance No. 2216 – First Reading.

The proposed E-bike, E-moto and Moped Ordinance establishes rules for the safe operation of these vehicles on City streets, sidewalks, shared-use paths and in parks. It clarifies age, helmet, speed and equipment requirements; restricts where certain vehicle classes may operate; prohibits reckless operation; and establishes a $100 civil infraction for E-bike violations, while E-moto and moped violations remain subject to state law penalties. The goal is to improve public safety while providing clear and consistent rules for riders and pedestrians.

Staff recommends that City Council approve the ordinance on first reading and schedule the second reading for the November 23 meeting.

AGENDA ITEM SUMMARY FORM

MEETING DATE: 11/9/26

PREPARED BY: Harley Mordarski, Assistant to the City Manager

AGENDA ITEM CONTENT: Employee Academy Awards

AGENDA ITEM SECTION: Presentations

BUDGETED AMOUNT:

FUNDS REQUESTED:

FUND:

EXECUTIVE SUMMARY:

The City of Madison Heights Employee Academy provides staff with an opportunity to learn about the City's various departments and gain a broader, cross-departmental understanding of municipal operations. Each week, participants visit a different department in the City to learn about its responsibilities, services, and role in serving the community. The following employees have successfully completed the Employee Academy requirements and are being recognized for their participation: Betsy Burnell, Katie O'Shaughnessy, Madhu Rakshit, Julie Torres, Karl Bayly, Matt Arnold, and Deborah Whisnant.

RECOMMENDATION:

N/A

AGENDA ITEM SUMMARY FORM

MEETING DATE: 11/9/26

PREPARED BY: Giles Tucker - CED Director

AGENDA ITEM CONTENT: Reprogramming of Public Facilities-Parks & Recreation Program Year 2024

AGENDA ITEM SECTION: Public Hearings

BUDGETED AMOUNT:

FUNDS REQUESTED:

FUND: 276-728-818-0000

EXECUTIVE SUMMARY:

Staff is proposing that unspent funds from Public Facilities-Parks & Recreation Program Year 2024 be reprogrammed to be used for the Minor Home Repair program for qualifying projects. Doing so will help draw down unspent funds and ensures that Madison Heights' CDBG program remains in good standing.

RECOMMENDATION:

Staff recommends that the City Council approve the included resolution which authorizes the Community & Economic Development Department to prepare and submit a request to Oakland County to reprogram $1,090 from Public Facilities- Parks & Recreation Program Year 2024 to the Minor Home Repair Program Year 2024 account. Further, that the City of Madison Heights, as the applicant, authorizes the filing of said reprogramming of funds with Oakland County.

MEMORANDUM

DATE: October 26, 2026

TO: Melissa Marsh - City Manager

FROM: Giles Tucker - Community & Economic Development Director

SUBJECT: **CDBG Reprogramming Request: Parks & Rec to Minor Home Repair PY 2024**

SUMMARY/BACKGROUND:

In the City's 2024 Program Year (PY) 2024 application, $64,817 was approved for "Public Facilities Improvements". These funds were intended for purchasing pedestrian amenities along 11 Mile Rd including bike racks, benches, and trash bins. City staff purchased these amenities for a total of $13,919.92 leaving a remaining balance of $50,897.08. To remain in good standing with HUD and Oakland County's CDBG program, City Council approved the reprogramming of these funds, $17,000 of which were to be used for the purchase and installation of a Drinking fountain and benches within Rosies Park. After completion of these park project activities, $1,090.80 of these funds remain unspent. Staff recommends that these funds be moved to the Minor Home Repair funds to support eligible projects. A summary of the reprogramming of these funds is as follows:

$1,090.80	Current Balance of Public Facilities Improvements for Rosie's Park PY24
-$1,090.80	Funds reallocated to support Minor Home Repair Projects PY24
$0	End Balance of Public Facilities Improvements for Rosie's Park PY24

Changes to the CDBG allocation require Public Hearing Notice of at least 10 days. Public hearing notice for this request was posted on the City website www.madisonheightsmi.gov and physically at City Hall at 300 W. 13 Mile Rd on Monday, October 26, 2026.

STAFF RECOMMENDATION:

Staff recommends that the City Council approve the included resolution which authorizes the Community & Economic Development Department to prepare and submit a request to Oakland County to reprogram $1,090.80 from Public Facilities-Parks & Recreation Program Year 2024 to the Minor Home Repair Program Year 2024 account. Further, the City of Madison Heights, as the applicant, authorizes the filing of said reprogramming of funds with Oakland County.

RESOLUTION OF THE MADISON HEIGHTS CITY COUNCIL

City of Madison Heights, Michigan

WHEREAS, the City of Madison Heights includes Yard Services as a project within its CDBG Application for funding submitted to Oakland County each year, and

WHEREAS, the City has used Public Facilities & Improvements- Parks & Recreation Program Year 2024 funds to purchase and installation of a drinking fountain and park benches within Rosie's Park, and

WHEREAS, the City of Madison Heights is required to maintain a spending ratio of CDBG funds of 1.5 to be in good standing with Housing and Urban Development (HUD) requirements, and

WHEREAS, the City of Madison Heights has remaining unspent Public Facilities & Improvements- Parks & Recreation Program Year 2024 that contribute to a spending ratio above this requirement, and

WHEREAS, the City of Madison Heights seeks to meet this HUD standards by funding future minor home repair projects and

WHEREAS, the City of Madison Heights has duly advertised and conducted a public hearing as follows:

(Insert Public Hearing Information from portion of the 11-09-25 City Council Meeting)

NOW, THEREFORE, BE IT HEREBY RESOLVED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF MADISON HEIGHTS, MICHIGAN THAT:

The City Council of Madison Heights authorizes the Community & Economic Development Department to reprogram $1,090.80 from Public Facilities & Improvements- Parks & Recreation Program Year 2024- Public Facilities Parks to the Minor Home Repair program account.

Nays:
Absent:
Motion Carried

Certification:

I, Mary Daley, 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 resolution adopted by the Madison Heights City Council at their Regular Meeting held on November 9, 2026

_____

Mary Daley
City Clerk

PUBLIC HEARING

City of Madison Heights

Notice of Public Hearing – Community Development Block Grant: Reprogramming Public Facilities & Improvements- Parks & Recreation Program Year 2024 to Minor Home Repair

NOTICE IS HEARBY GIVEN that the City of Madison Heights will hold a public hearing on the use of Community Development Block Grant Funds. The Hearing will be held in person on **Monday, November 9th, 2026, at 6:30 pm in the City Council Chambers of the Municipal Building at 300 W 13 Mile Rd, Madison Heights, MI 48071** to hear public comments on the reprogramming of Public Facilities & Improvements-Parks & Recreation Program Year 2024 to fund Minor Home Repair projects.

Comments will also be received in writing or in person at the Community & Economic Development Department, 300 W 13 Mile Road, Madison Heights, MI 48071 until 4:30 pm, Thursday, November 5, 2026. Arrangements to reasonably accommodate special needs, including handicap accessibility or interpreter will be made upon receiving a 72-hour advance notice. All comments should be addressed to Giles Tucker, Community Development Director at gtucker@madisonheightsmi.gov or call (248) 583-0831, including requests for special needs accommodations.

Giles Tucker, Community Development Director, Community & Economic Development Department

Published at www.madisonheightsmi.gov **, 10/26/2026.**

Posted at: Noth Entrance Display Case Madison Heights City Hall 300 W 13 Mile Rd, Madison Heights, MI 48071, 10/26/2026.

AGENDA ITEM SUMMARY FORM

MEETING DATE: 11/9/26

PREPARED BY: Cheryl Rottmann, Deputy City Manager/HR Director

AGENDA ITEM CONTENT: Appointment of ZBA Representative on the Planning Commission

AGENDA ITEM SECTION: Consent Agenda

BUDGETED AMOUNT:

FUNDS REQUESTED:

FUND:

EXECUTIVE SUMMARY:

Mayor Haines is requesting Council concur with his recommendation and appoint Martha Covert to serve as the Zoning Board of Appeals Representative on the Planning Commission.

RECOMMENDATION:

If Council concurs, the appropriate motion would be to concur with the Mayor's recommendation and appoint Martha Covert as the Zoning Board of Appeals Representative on the Planning Commission with a term to expire 2/28/27.

City Council Regular Meeting
Madison Heights, Michigan
October 26, 2026

A City Council Regular Meeting was held on Monday, October 26, 2026 at 6:30 PM at City Hall - Council Chambers, 300 W. 13 Mile Rd.

ROLL CALL

PRESENT
Mayor Pro Tem William Mier
Councilwoman Toya Aaron
Councilman Sean Fleming
Councilor Laurie Geralds
Councilor Emily Rohrbach
Councilor Quinn Wright

ABSENT
Mayor Corey Haines

ALSO PRESENT
Deputy City Manager Cheryl Rottmann
City Attorney Larry Sherman
City Clerk Mary Daley

26-221. Excuse Councilmembers

Motion to excuse Mayor Haines from tonight's meeting.

Motion made by Councilwoman Aaron, Seconded by Councilor Rohrbach.
Voting Yea: Mayor Pro Tem Mier, Councilwoman Aaron, Councilman Fleming, Councilor Geralds, Councilor Rohrbach, Councilor Wright

Motion carried.

INVOCATION and PLEDGE OF ALLEGIANCE – COUNCILWOMAN AARON

The invocation was given by Councilwoman Aaron and the Pledge of Allegiance followed.

APPROVAL OF THE AGENDA:

26-222. Approval of the agenda.

Motion to amend the agenda to add Item 6 to the Consent Agenda "Tentative Agreement between the City of Madison Heights and the 43rd District Court Union Employees Association" and approve the agenda as amended.

Motion by Fleming, seconded by Councilor Wright.

Voting Yea: Mayor Pro Tem Mier, Councilwoman Aaron, Councilman Fleming, Councilor Geralds, Councilor Rohrbach, Councilor Wright

Motion carried.

MEETING OPEN TO THE PUBLIC:

Mayor Pro Tem William Mier opened the floor for general public comments. No members of the audience stepped forward to address the Council.

City Clerk Mary Daley presented one written public comment received prior to the meeting, which was distributed to the Mayor and City Council and entered into the permanent record. The written communication was submitted by Kevin Trabucci on October 16, 2026, regarding street parking congestion resulting from local business growth, ongoing vehicle alarm noise disturbances, and neighborhood littering.

CONSENT AGENDA:

26-223. Consent agenda

Motion to **a**pprove Consent Agenda as presented:

Motion made by Councilman Fleming, Seconded by Councilor Wright.
Voting Yea: Mayor Pro Tem Mier, Councilwoman Aaron, Councilman Fleming, Councilor Geralds, Councilor Rohrbach, Councilor Wright

Motion carried.

ORDINANCES:

CM 26-224. Cryptocurrency Kiosk Ordinance #2217 – Second Reading

The City Council evaluated Ordinance 2217 on second reading, following recommendations from administrative staff and the Police Chief. The ordinance prohibits installing, placing, operating, or maintaining cryptocurrency kiosks (commonly referred to as Bitcoin ATMs) within the City of Madison Heights.

Motion to approve Ordinance No. 2217, Cryptocurrency Kiosk Ordinance, on Second Reading, prohibiting the installation, placement, operation, and maintenance of cryptocurrency kiosks (Bitcoin ATMs) within the City of Madison Heights, and scheduling the Second Reading for October 26, 2026.

ORDINANCE NO. 2217
CITY OF MADISON HEIGHTS OAKLAND COUNTY, MICHIGAN
AMENDMENT TO THE CODE OF ORDINANCES

An Ordinance to amend Ordinance No. 571, being an Ordinance codifying and adopting a new Code of Ordinances for the City of Madison Heights, by amending Chapter 7, titled "Business Regulations and Licenses, by adding a new Article XVIII titled, "Cryptocurrency kiosks," and by adding new Sections 7-500 through 7-515, to protect the public health, safety, and welfare by prohibiting the installation, placement, operation and maintenance of cryptocurrency kiosks within the City of Madison Heights and to provide civil and criminal penalties and business license sanctions for violation thereof.

THE CITY OF MADISON HEIGHTS ORDAINS

SECTION 1. AMENDMENT.

That Chapter 7, titled "Business Regulations and Licenses," of the Madison Heights Code of Ordinances, shall be amended by adding a new Article XVIII, titled "Cryptocurrency kiosks," and by adding new Sections 7-500 through 7-515, to protect the public health, safety, and welfare by prohibiting the installation, placement, operation and maintenance of cryptocurrency kiosks within the City of Madison Heights, and to provide penalties and license sanctions for violation thereof and thereby amending the code of ordinances as follows:

Sec. 7-500. – Short Title.
This ordinance shall be known and may be cited as the "Cryptocurrency kiosks ordinance."

Sec. 7-501. – **Findings and Purpose**.

The purpose of this ordinance is to protect the public health, safety and welfare of persons within the jurisdiction of the city by prohibiting the installation, placement, operation and maintenance of cryptocurrency kiosks within the city, except as otherwise stated in this ordinance, and to provide methods of enforcement through civil and criminal penalties and business licensing sanctions. The Madison Heights City Council finds and determines the following:

a) Cryptocurrency kiosks, sometimes commonly referred to as Bitcoin ATMs, are electronic machines that permit members of the public to purchase, sell, exchange or otherwise transact in cryptocurrency.

b) Cryptocurrency kiosks may facilitate transactions involving substantial amounts of money and may present risks of fraud, financial exploitation, identity theft, money laundering, and other unlawful or fraudulent activity.

c) Cryptocurrency kiosks may be particularly susceptible to exploitation because transactions conducted through such kiosks may be difficult for consumers to reverse and may involve anonymous or pseudonymous digital transactions.

d) The city has an interest in protecting its residents, businesses, property owners, and visitors from criminal and fraudulent activity and in protecting the public health, safety, and welfare of the community, including those who reside, work and visit the city.

e) The City Council further finds that regulation of cryptocurrency kiosks is distinct from regulation of cryptocurrency itself. This ordinance is intended to regulate the installation, operation and maintenance of cryptocurrency kiosks within the city and is not intended to prohibit the lawful ownership, possession, purchase, sale, or use of cryptocurrency by individuals or businesses except to the extent that such activity requires or involves the operation of a cryptocurrency kiosk prohibited by this ordinance.

f) The purpose of this ordinance is to protect the public health, safety, and welfare by prohibiting the installation, placement, operation and maintenance of cryptocurrency kiosks within the city as defined below.

Sec. 7-502. – Definitions.

When used in this article, the following words and terms shall have the following meanings:

(a) *Cryptocurrency* means digital or virtual currency or digital assets that uses cryptography for security and that is designed to function as a medium of exchange, store of value, or unit of account, including, but not limited to, Bitcoin, Ethereum, Tether, BNB, XRP, and similar or equivalent digital currencies or assets.

(b) *Cryptocurrency kiosk* means an electronic terminal, machine, device, or other automated apparatus that is used to facilitate the purchase, sale, exchange, transfer, or other transaction involving cryptocurrency or digital assets by members of the public, whether or not the machine is connected to or resembles a conventional automated teller machine. This term includes, without limitation, any Bitcoin ATM, Bitcoin kiosk, Cryptocurrency ATM, digital-currency kiosk, or a substantially similar or equivalent device.

(c) *Operator* means any individual, person, corporation, limited liability company, partnership, association, financial institution, organization, cryptocurrency business or exchange, or other entity that owns, leases, manages, controls, operates, maintains, or provides services through a cryptocurrency kiosk, or anyone acting by or through or on behalf the entities named herein.

(d) *Person* means any individual, human being, corporation, limited liability company, partnership, association, financial institution, organization, cryptocurrency business or exchange, or other entity, or anyone acting by or through or on behalf the entities named herein.

Sec. 7-503. – Prohibited conduct.

a) No person shall install, place, locate, maintain, operate, or permit the operation of a cryptocurrency kiosk or kiosks anywhere within the City of Madison Heights.

b) No person who owns, leases, occupies, manages, or controls real property with the city shall knowingly permit a cryptocurrency kiosk or kiosks to be installed, placed, maintained, or operated upon such property.

c) The prohibition in this section applies regardless of whether the cryptocurrency kiosk is located:
1. Within a commercial establishment;
2. Within a gas station or convenience store;
3. Within a restaurant or other food-service establishment;
4. Within a shopping center or other retail establishment;
5. Within an office or other private business;
6. Within a lobby or common area;
7. Within a parking area or other exterior location; or
8. At any other public or private location within the city

d) No person shall reactivate, relocate, replace, expand, fix, repair, or otherwise continue the operation of a cryptocurrency kiosk or kiosks after the effective date of this ordinance, except as otherwise stated herein.

Sec. 7-504. – Existing cryptocurrency kiosks.

a) Any cryptocurrency kiosk or kiosks lawfully located with the city before the effective date of this ordinance shall cease operation and shall be removed from the city within sixty (60) days after the effective date of this ordinance.

b) During the sixty (60) day period provided for in subsection (a), an existing cryptocurrency kiosk or kiosks shall not be relocated, replaced, expanded, fixed, repaired, or reactivated at another location within the city.

c) After expiration of the sixty (60) day period, the continued operation or maintenance of any cryptocurrency kiosk or kiosks within the city shall constitute a violation of this ordinance.

Sec. 7-505. – Lawful cryptocurrency.

Nothing in this ordinance shall be construed to prohibit:

a) The lawful ownership or possession of cryptocurrency;
b) The lawful purchase, sale, transfer, or use of cryptocurrency through a computer, mobile telephone, or other personal electronic device, that does not involve the installation, placement, maintenance, or operation of a cryptocurrency kiosk within the city.
c) A person or business from accepting cryptocurrency as payment for lawful goods or services; or
d) Any other lawful activity involving cryptocurrency that does not involve the installation, placement, maintenance, or operation of a cryptocurrency kiosk or kiosks within the city.

Sec. 7-506.-State and Federal law.

This ordinance shall be interpreted and enforced to the maximum extent permitted by applicable federal and state law. Nothing in this ordinance shall be construed to prohibit conduct that the city is expressly preempted from regulating or prohibiting by federal or state law. If any provision of this ordinance is determined to be preempted, invalid, or unenforceable, the remaining provisions shall remain in full force and effect to the maximum extent permitted by law.

Sec. 7-507. Penalties.

a) For a first offense, a person who violates this ordinance shall be guilty of a civil infraction, subject to a fine of $500.00, for each cryptocurrency kiosk, together with such costs as may be authorized by law or imposed by the court.
b) For a second offense or any subsequent offense, a person who violates this ordinance shall be guilty of a misdemeanor punishable by imprisonment for not more than 90 days or a fine of not more than $500.00, or both. A second violation shall be defined as a violation that occurs within two (2) years of a first violation. A subsequent offense shall be defined as a violation that occurs within two (2) years after a second offense or any subsequent offense.
c) For a second offense or any subsequent offense, a person who violates this article and who has or possesses a business license issued by the city may be subject to revocation, nonrenewal, or denial of said business license, subject to the provisions of the city code of ordinances.\
d) Pursuant to lawful enforcement of this ordinance, the city police department may seize and retain any cryptocurrency kiosk or kiosks, which may be kept, maintained, preserved, tested or transferred to other appropriate government authorities, or otherwise disposed of or destroyed in accordance with applicable law and established evidence-handling procedures.
e) Each day that a violation continues shall constitute a separate violation.
f) Nothing in this article shall prevent the city from pursuing any other remedy authorized by law.

Sec. 7-508 to 7-515.-Reserved.

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 a court of law to be invalid, the validity of the ordinance, in 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.

Motion made by Councilor Rohrbach, seconded by Councilwoman Aaron.
Motion made by Councilwoman Aaron, Seconded by Councilor Rohrbach.
Voting Yea: Mayor Pro Tem Mier, Councilwoman Aaron, Councilman Fleming, Councilor Geralds, Councilor Rohrbach, Councilor Wright

Motion carried.

COUNCIL COMMENTS:

Councilor Emily Rohrbach: Urged all community members to exercise their right to vote in the upcoming election.

Councilor Quinn Wright: Reminded residents to participate in the upcoming election and reminded everyone to "be kind."

Councilor Laurie Geralds: Invited residents to the Recreation Department's annual Great Pumpkin Roll Down event on Monday at 6:00 PM, urged voter participation, and expressed gratitude to City staff for their ongoing work during a busy operational season.

Councilwoman Toya Aaron: Urged residents to vote and shared a personal update celebrating her son casting his first absentee ballot.

Councilman Sean Fleming: Had no comments for the evening.

City Attorney Larry Sherman: Provided details regarding Consent Item 1 (Co-Responder Interlocal Agreement), explaining the two-year operational history among four participating communities—Ferndale, Royal Oak, Hazel Park, and Madison Heights. Clarified that the program assists individuals entering the legal system who have mental health needs by connecting them with critical care resources. Noted that Oakland County provided a $60,000 grant and explained a contract adjustment shifting cost allocations from an equal 25% split to a utilization-based model, under which Madison Heights represents approximately 26% of usage. Concluded with Halloween wishes, referencing his family tradition celebrating his son’s 38th birthday on Halloween.

Deputy City Manager: Had no comments for the evening.

City Clerk Mary Daley: Delivered key operational details regarding the November 3, 2026 Election regarding Early Voting hours, special Clerk office hours, information about absentee ballots, and strongly advised voters with absentee ballots to utilize one of the City's three secure dropboxes rather

than returning them by mail due to time constraints. She emphasized the public's patience and kindness toward election workers serving at the polls.

Mayor Pro Tem William Mier : Announced the official grand opening of Red Oaks Park on Friday at 3:00 PM. Reminded drivers to exercise caution regarding trick-or-treaters on Halloween, urged residents to set clocks back one hour on Saturday night for Daylight Saving Time, encouraged voting on or before November 3rd, and announced that the next regular City Council meeting is scheduled for November 9, 2026.

ADJOURNMENT

Having no further business, Mayor Pro Tem Mier adjourned the meeting at 6:44 p.m.

William Mier, Mayor Pro Tem	Mary Daley, City Clerk

AGENDA ITEM SUMMARY FORM

MEETING DATE: 11/9/26

PREPARED BY: Melissa Marsh, City Manager

AGENDA ITEM CONTENT: Board and Commission Handbook and Workplan Template Update

AGENDA ITEM SECTION: Reports

BUDGETED AMOUNT: $0

FUNDS REQUESTED: $

FUND:

EXECUTIVE SUMMARY:

At the October 5, 2026, City Council Special Workshop, Council discussed the City's boards and commissions, including opportunities to improve accountability, strengthen coordination, and establish clearer expectations for volunteer members and City staff. Following that discussion, staff has incorporated several revisions into the Boards and Commissions Handbook and developed a standardized Annual Board and Commission Workplan Template. These updates reflect the direction provided by City Council and are intended to improve consistency, accountability, and coordination while ensuring that board and commission activities are aligned with City priorities and can be effectively supported by City staff.

RECOMMENDATION:

Staff recommends that City Council approve the revised Boards and Commissions Handbook and standardized Annual Board and Commission Workplan Template.

TO: **Mayor and City Council**

FROM: **Melissa R. Marsh, City Manager**

DATE: **November 2, 2026**

SUBJECT: **Revised Boards and Commissions Handbook and Annual Workplan Template**

At the October 5, 2026, City Council Special Workshop, Council discussed the City's boards and commissions, including opportunities to improve accountability, strengthen coordination, and establish clearer expectations for volunteer members and City staff.

Following that discussion, staff has incorporated several revisions into the Boards and Commissions Handbook and developed a standardized Annual Board and Commission Workplan Template. These updates reflect the direction provided by City Council and are intended to improve consistency, accountability, and coordination while ensuring that board and commission activities are aligned with City priorities and can be effectively supported by City staff.

The primary revisions include the following:

1. Attendance and Member Accountability

The revised handbook establishes a consistent attendance standard allowing removal of any board or commission member who accumulates three (3) absences within a rolling twelve-month period, regardless of whether the absences are excused or unexcused, subject to any different process required by applicable law, ordinance, charter, or other controlling authority.

This provision is intended to promote consistent participation, maintain meeting quorums, and ensure that appointed members are actively engaged in their responsibilities.

2. Annual Workplans and Priorities

The new standardized Annual Board and Commission Workplan Template provides a consistent format for boards and commissions to identify their mission, legal responsibilities, alignment with City priorities, annual objectives, anticipated resources, and measures of success.

The workplan also requires an annual calendar identifying anticipated events and major public programs, including proposed dates and locations. This will provide City Council and staff with better visibility into planned activities and allow for improved coordination among boards, commissions, and City departments.

Council approval of a workplan does not constitute authorization for expenditures, facility use, permits, contracts, staffing commitments, or event execution. All activities remain subject to applicable City approval processes.

3. Event Planning and Submission Deadlines

The revised handbook establishes a minimum requirement that all event details and required documentation be submitted and finalized at least two (2) months before the scheduled event date. The Madison Heights Event Guide will serve as the City's reference for event planning procedures, submission requirements, and applicable deadlines.

Required information may include event applications, site plans, permits, staffing arrangements, facility reservations, vendor information, budgets, insurance documentation, and other operational details necessary for review and coordination. The two-month requirement is intended to provide adequate time for departmental coordination, permitting, staffing, facility reservations, and other operational considerations. Earlier deadlines may be established by the Staff Liaison based on the size, scope, or complexity of an event.

Inclusion of an event in an approved annual workplan, or a vote by a Board or Commission to pursue an event, does not constitute authorization to proceed. The City Manager is authorized to cancel an event or determine that it may not proceed when required information, applications, permits, approvals, or supporting documentation are not submitted and finalized by established deadlines.

4. Communication and Coordination

The handbook clarifies the respective roles and responsibilities of City Council, board and commission members, Staff Liaisons, and Council Liaisons.

Consistent with Council's October 5 discussion, operational questions and concerns regarding board and commissions from Councilmembers should be directed either to the Council Representative or through the City Manager or Mayor rather than directly to individual board members or City staff. This approach is intended to provide consistent communication and ensure that operational matters are appropriately coordinated.

5. Ongoing Review and Accountability

The revised handbook reinforces the expectation that boards and commissions remain focused on their established legal responsibilities and approved workplans. Annual reporting will provide an opportunity to evaluate accomplishments, outstanding priorities, resource utilization, challenges, and recommendations for the upcoming year.

Council also expressed support for allowing inactive advisory bodies to sunset naturally as member terms expire. The handbook reinforces the importance of evaluating board and commission activity, effectiveness, and continued relevance to the City's needs and priorities.

The existing independent board and commission structures will remain in place. The revisions are focused on establishing consistent administrative expectations and operational guardrails rather than restructuring the City's advisory bodies.

Recommended Action

Staff is providing the revised Boards and Commissions Handbook and standardized Annual Board and Commission Workplan Template for City Council review and approval.

Upon approval, the City Manager will meet with staff liaisons, staff will distribute the updated handbook to current board and commission members, obtain updated member acknowledgments, and implement the standardized workplan process.

These changes are intended to strengthen the City's boards and commissions, support the important contributions of community volunteers, and ensure that board activities are planned responsibly, aligned with City priorities, and coordinated effectively with City staff.

City of Madison Heights
Boards and Commissions Handbook
Revised October 2026

Member Acknowledgment

The Boards and Commissions Handbook is a reference guide for advisory and regulatory bodies. It provides an overview of basic laws and procedures during a member's term and to clarify the role and responsibilities of Board and Commission members in relation to the City Council, City staff, and the public.

I, _____, confirm that:

- I was provided with a copy of the Board and Commissions Handbook.
- I have read the Handbook, including any updates in effect as of the date of signing.
- I agree to follow the guidelines and requirements in this Handbook and all applicable State of Michigan law, the Madison Heights Code of Ordinances, resolutions, bylaws and other applicable City policies.
- I understand that this Handbook is intended to provide guidance on processes and procedures and to identify the primary rules and expectations for service on a City Board or Commission.
- No legal advice is intended through this Handbook.
- I am responsible for reviewing this Handbook during my term and following current protocols and requirements.
- I may consult the Staff Liaison or City Clerk when I have questions or concerns about these guidelines or my service.

If a conflict exists between this Handbook and applicable law, the City Charter, City Code of Ordinances, resolutions, or other controlling authority, the controlling authority governs.

_____ _____

Signature Date

I serve on the following Boards and/or Commissions _____

This acknowledgement is due to the City Clerk's Department within 60-days of appointment.

1. Introduction

Welcome, and thank you for taking an interest in your local government and helping Madison Heights work toward a strong, connected community. Appointment to a city Board or Commission requires no prior experience in public service. This handbook is designed to help members understand their role, the City's Council-Manager form of government, and the expectations for productive public service.

The City of Madison Heights appoints more than 135 people to 24 Boards and Commissions. These bodies provide community knowledge, technical expertise, research, recommendations, and public input that help inform City policy, activities, decisions and operations.

Madison Heights operates under a Council-Manager form of government. City Council establishes policy and City-wide priorities. The City Manager is the chief executive responsible for implementing Council policy and managing daily City operations. Most Boards and Commissions are advisory bodies. Some bodies have specific decision-making authority established by ordinance, charter, or State law.

Boards and Commissions are an important part of City government, but they are not separate governing bodies. Their work must remain within their legal charge, approved workplan, and authority granted by Council or other controlling law.

2. Roles and Authority

City Council

- Sets City policy and Citywide priorities.
- Approves annual Board and Commission workplans.
- Approves matters requiring Council action.
- Receives recommendations and annual reports.
- Establishes expectations for City-wide coordination.

Boards and Commissions

- Work from Council-approved priorities and the Board or Commission's legal/ordinance charge.
- Research issues and develop informed recommendations.
- Implement work specifically assigned and approved through the appropriate City process.
- Use subcommittees for defined, time-limited assignments.
- Measure results and report accomplishments, challenges, and recommendations.

Staff Liaison

- Handles administrative requirements such as scheduling meetings dates, times, locations, prepares minutes of meetings and agenda
- Coordinates City support
- Advice on event and program feasibility, budget, timing, staffing and city processes.

3. General Duties and Responsibilities of Appointees

Members are expected to attend meetings regularly, arrive prepared, and participate in the work of the body.

Attendance Standard

A member who misses three (3) meetings during any rolling twelve-month period, whether the absences are excused or unexcused, shall be removed from the Board or Commission, subject to any different process required by applicable law, ordinance, charter, or other controlling authority. A vacancy may then be filled through the City's appointment process.

Members should notify the Chair and Staff Liaison as soon as possible when they cannot attend. An absence may be recorded as excused or unexcused for meeting records, but the three-meeting removal standard applies to both unless controlling law provides otherwise.

- Members should understand attendance expectations before appointment.
- Unexpected absences can cause a meeting to lack quorum and prevent the body from conducting business.
- Boards that repeatedly fail to achieve quorum or conduct limited substantive business may be subject to review by Council and the City Administration to evaluate their continued necessity, effectiveness, and relevance to the City's current needs and priorities.
- Inactive Boards may be paused, converted to a focused task force, or phased out when their purpose or workload no longer justified continued operation.

Responsibilities

- Treat fellow members, the public, and City staff with respect and civility.
- Come prepared by reviewing agendas, minutes, reports, and supporting materials.
- Participate constructively and focus on issues rather than personal differences.
- Follow applicable parliamentary procedures, Open Meetings Act requirements, and Board bylaws.
- Remain within the Board or Commission's legal charge and approved workplan.
- Do not present a personal opinion as the official position of the Board or Commission unless the Board has authorized that position by vote.
- Communicate with the Staff Liaison regarding questions, absences, operational needs, and City processes.

Chair, Vice-Chair, Alternates, Staff and Council Liaisons

The Chair facilities productive meetings and does not have greater decision-making authority than other members. The Chair should:

- Preside at meetings and maintain orderly proceedings.
- Ensure motions are properly made, seconded, discussed and voted upon.
- Keep discussion focused on the agenda and allow appropriate public comment.

- Work with the Staff Liaison to keep Board activities aligned with approved priorities.
- Confirm that event and project work does not begin until required approvals are in place.

Alternate Members

Alternate members should attend meetings when possible to remain informed. When formally serving in place of an absent voting member, an alternate had the rights and responsibilities of the member they are replacing. When not filling a vacancy, an alternate may participate as permitted by the governing documents but may not vote or make motions.

Staff Liaison

The City Manager assigns a Staff Liaison to each Board or Commission. The Staff Liaison supports meeting administration, agendas, notices, records, City processes, operational coordination, and communication with City departments. The Staff Liaison is not the Board's project manager and does not replace the Board's responsibility to deliberate and make recommendations.

City Council Liaison

The Council liaison connects the board or commission to Council policy, priorities, discussions, and actions. The liaison should provide context and information without directing the Board's deliberations or substituting Council-member preference for the Board's independent discussion.

4. Subcommittees

Subcommittees are a tool for focused work, not a second governing body. They should be used judiciously and for defined assignments, typically with a clear start and end date.

A subcommittee may:

- Gather information.
- Develop options and recommendations.
- Plan details within an approved assignment, project, or event.
- Return recommendations to the full Board and Commission.

A subcommittee may not:

- Expand the Board's legal charge.
- Commit City resources beyond approved authority.
- Make commitments on behalf of the City.
- Approve an unapproved event or projects.
- Replace full-Board accountability.

Before creating a subcommittee, the Board should confirm its membership, assignment, scope, reporting expectation, and anticipated end date with the Staff Liaison.

5. Communication with City Council

- Boards and Commissions serve in an advisory capacity to City Council unless otherwise authorized by ordinance, charter, or State law.
- Recommendations to Council should be approved by a majority vote of the Board or Commission at a properly noticed public meeting before being forwarded.
- Formal recommendations, annual workplans, annual reports, and requests for Council consideration shall be transmitted through the Staff Liaison and City Manager. The City Manager determines appropriate timing and placement on a Council agenda.
- Individual members, including the Chair, shall not present personal opinions as the official position of the Board or Commission unless the Board or Commission has formally authorized that position.
- New projects, studies, policy reviews, events, or initiatives outside the approved workplan must be submitted through the Staff Liaison and City Manager for review before substantial City resources are committed.

6. Annual Workplan and Performance Expectations

Each active Board or Commission, unless designated as advisory only or required by the City Manager, shall prepare an annual workplan for Council approval. The workplan is the Board's operating plan for the year and is not blanket authorization to implement every idea discussed by the Board.

Boards that need to submit a Workplan and Performance Expectations are as follows: Art's Board, Crime Commission, Environmental Citizens Commission, Human Relations and Equity Commission.

The annual workplan shall be sufficiently specific for Council and City staff to understand what the Board intends to accomplish, why it matters, who will lead it, what resources may be required, where and when the work will occur, and how success will be measured.

Every workplan priority should answer:

- WHAT will be done?
- WHY is it a City priority?
- WHO will lead and who must be involved?
- WHERE will it occur?
- WHEN will activity occur?
- HOW is it anticipated will it be planned, coordinated, funded, and measured?

Required annual workplan components

- Board/Commission mission and legal charge.
- Connection to Council priorities, the Master Plan, a departmental priority, or another approved City direction.
- Specific projects, actions, deliverables, and anticipated outcomes.
- An annual calendar/list of planned events, including proposed dates, locations, purpose, anticipated attendance, budget/funding, and City resources.
- Resources required, including staff time, facilities, equipment, funding, vendors, or volunteers.
- Measures of success and reporting method.
- Items from the prior year that remain unfinished and the reason they remain unfinished.

Council approval of a workplan does not authorize expenditures, facility use, permits, contracts, road closures, staffing commitments, or event execution unless those approvals are separately obtained through the applicable City process.

7. Events and Special Programs

Events organized or sponsored by a Board or Commission must be coordinated through the Staff Liaison and adhere to the deadlines as outlined in the Boards and Commission Event Guide. Boards should strengthen City programming rather than compete with or duplicate existing City events.

Before proposing a new event, the Board should ask:

- Is there already a similar City event?
- Can the idea be incorporated into or used to enhance an existing event?
- Does another City department already have the audience, infrastructure, expertise, or calendar position?
- Would combining efforts produce a better event and better use of staff and volunteer time?

Event approval and deadlines

An event is not approved merely because it appears on an annual workplan or because the Board or a subcommittee votes to pursue it. Required operational approvals, permits, facility reservations, budgets, vendor arrangements, safety requirements, insurance, staffing, site plans, accessibility needs, and other details must be completed through the City's event process.

The Staff liaison will establish the required submission deadlines for each event based on its size and complexity. If required event details, applications, permits, approvals, or supporting information are not submitted and completed by the applicable deadlines. The City Manager is authorized to cancel the event or determine that it may not proceed if deadlines are not met.

8. Event Summary Report

A completed Event Summary Report is required after each Board or Commission sponsored event or significant project. The report should document attendance/participation, actual costs and funding, accomplishments, problems or compliance issues, lessons learned, and follow-up requested. The template is provided as Attachment B.

9. Annual Board/Commission Report to Council

Each active Board or Commission required to submit a workplan, shall submit an annual report to City Council. The report is intended to show what the Board accomplished, what it did not accomplish, what outcomes resulted, and what it recommends for the coming year.

The annual report shall include:

- Workplan priorities and completion status.
- Recommendations made to Council or City staff.
- Projects and events delivered.
- Participation and measurable outcomes.
- Actual use of resources where applicable.
- Unfinished work and reasons for non-completion.
- Challenges, compliance issues, or operational concerns.
- Priorities requested for the upcoming year.

The annual report shall be transmitted through the Staff Liaison and City Manager to City Council. The year-end report may be presented together with the proposed workplan for the upcoming year.

City of Madison Heights
Annual Board and Commission Workplan

For Council Approval • Calendar Year: _____

Important – This workplan identifies the specific work the Board or Commission proposes to complete during the coming year. Council approval of the workplan does not itself authorize expenditures, facility use, permits, contract, staffing commitments, or event execution.

Board/Commission Name: _____

Chair: _____

Staff Liaison: _____

Council Liaison: _____

Date Submitted: _____

Council Approval Date: _____

1. Mission and Legal Charge
Briefly state the Board/Commission's purpose and cite the ordinance, resolution, statute, or other governing document that establishes its authority.

_____

_____

2. Alignment with City Priorities
Identify the Council priority, Master Plan goal, departmental priority, or other approved City direction supporting this workplan.

_____

3. Annual Priorities

Priority 1
What will be done?

_____

How does it met our priorities?

_____

Where will it occur?

_____

When will it occur?

_____

Board or Committee Resources needed (funding, vendors, volunteers)

_____

City Resources needed (staff, facilities, equipment):

_____

Measure of success / desired outcome:

_____

Subcommittee needed? If yes, scope and proposed members:

_____

4. Annual Event Calendar

List every event or major public program the Board/Commission anticipates sponsoring, co-sponsoring, or substantially supporting. Event inclusion does not constitute operational approval. Each event remains subject to the City event process and deadlines. This list will be used to coordinate across departments and boars.

Event	Proposed Date	Location

5. Approval and Accountability

Board/Commission action: Motion _____ Vote: _____ Date: _____

Chair Signature: _____ Date: _____

Staff Liaison Review: _____ Date: _____

City Manager Review: _____ Date: _____

City Council Action: Approved / Approved with Changes / Returned for Revision Date: _____

Council Notes / Conditions: _____

AGENDA ITEM SUMMARY FORM

MEETING DATE: 11/09/2026

PREPARED BY: Brent LeMerise, Police Chief

AGENDA ITEM CONTENT: E-Bike Ordinance #2216 – First Reading

AGENDA ITEM SECTION: Ordinances

BUDGETED AMOUNT: N/A

FUNDS REQUESTED: N/A

FUND:

EXECUTIVE SUMMARY:

The increasing use of E-bikes, E-motos, and mopeds has created public safety concerns involving collisions, injuries, and unsafe operation around pedestrians, motorists, and other pathway users. These concerns are compounded by rapid technological advancements that have outpaced state vehicle classifications, creating a regulatory gap for high-powered electric dirt bikes that exceed e-bike limits but may not meet the requirements for registration as mopeds or other motor vehicles. The proposed ordinance establishes clear operating requirements, age restrictions, speed limits, and rules governing the use of streets, sidewalks, parks, and shared-use pathways, while remaining consistent with Michigan law.

The ordinance is needed to address unsafe riding behaviors, reduce conflicts between motorized and non-motorized users, and provide clear guidelines for the public and law enforcement. It establishes enforceable operating standards and penalties to help protect public safety.

RECOMMENDATION:

Police Chief Brent LeMerise recommends approval of the first reading and scheduling the second and final reading at the City Council meeting scheduled for November 23, 2026.

ORDINANCE NO. 2216

CITY OF MADISON HEIGHTS
OAKLAND COUNTY, MICHIGAN

AMENDMENT TO THE CODE OF ORDINANCES

An Ordinance to amend Ordinance No. 571, being an Ordinance codifying and adopting a new Code of Ordinances for the City of Madison Heights, by amending Chapter 26, Article II, Sections 26-22 through 26-32, and by adding Sections 26-33 through 26-42 to regulate the riding of E-bikes, E-motos and mopeds within the City of Madison Heights and to provide penalties and sanctions for violations thereof.

THE CITY OF MADISON HEIGHTS ORDAINS
SECTION 1. AMENDMENT.

That Chapter 26, titled "Traffic and Motor Vehicle Code," Article II, titled "Registration of Bicycles," Sections 26-22 through 26-32, titled "Reserved," of the Code of Ordinances, City of Madison Heights, Michigan, and by adding additional Sections 26-33 through 26-42, is hereby amended in its entirety, to read as follows:

Sec. 26-22. – Short Title.

This ordinance shall be known and may be cited as the "E-bike, E-moto and Moped ordinance."

Sec. 26-23. – **Findings and Purpose**.

The Madison Heights City Council takes note of the increasing number accidents caused by operators of E-bikes, E-motos and mopeds resulting in injuries and death to operators, passengers, and pedestrians. As such, the purpose of this ordinance is to protect the public health, safety and welfare of persons, within the jurisdiction of the city, by regulating the use and operation of E-bikes, E-motos, and mopeds on public streets, sidewalks, and shared-use pathways, by establishing reasonable and uniform rules governing the operation of E-bikes, E-motos and mopeds within the city while preserving the rights and privileges afforded to operators E-bikes, E-motos and mopeds under applicable state law. This ordinance shall be construed consistently with the Michigan Vehicle Code, including but not limited to MCL 254.32b, 257.1, 257.660a, 257.660c and 257.662 et seq., as amended, and the Uniform Traffic Code, including but not limited to MCL 257.951 et seq., as amended.

Sec. 26-24 – Definitions.

When used in this article, the following words and phrases shall have the meanings set forth below. The terms that are not defined herein shall have the meanings given to them by applicable provisions of the Michigan Vehicle Code and Uniform Traffic Code:

(a) *Bikeway* means a bicycle lane, bicycle path, shared-use path, or other facility designed for bicycle use.

(b) *City-owned path* means a bikeway, bicycle path, shared-use path, or other pathway owned, operated, or maintained by the City.

(c) *E-bike,* also known as an electric bicycle*,* means a bicycle equipped with fully operable pedals, a seat or saddle for the rider, and an electric motor of less than 750 watts that meets the requirements of state law. There are three classes of E-bikes:

1. *Class 1 E-bike* means an electric bicycle equipped with a motor that provides assistance only when the operator is pedaling and that ceases to provide assistance when the E-bike reaches 20 miles per hour.

2. *Class 2 E-bike* means an electric bicycle equipped with a motor that propels the electric bicycle to a speed of no more than 20 miles per hour, whether the rider is pedaling or not, and that disengages or ceases to function when the brakes are applied.

3. *Class 3 E-bike* means an electric bicycle equipped with a motor that provides assistance only when the rider is pedaling and that ceases to provide assistance when the bicycle reaches 28 miles per hour.

(d) *E-moto,* also known as an electric motorcycle, means a two or three-wheeled motor vehicle propelled primarily by an electric motor and designed or equipped for operation on public streets, highways, off-road areas, or other motor-vehicle facilities, but which does not meet the definition of an electric bicycle or moped as those terms are defined by applicable Michigan law. The term E-moto includes but is not limited to electric motorcycles and other electrically powered two or three-wheeled motor vehicles that are required under Michigan law to be operated as motorcycles or other motor vehicles. The term E-moto does not include an E-bike or moped as defined by MCL 254.32b.

(e) *Moped* means a vehicle that meets the definition of "moped" under MCL 257.32b, as amended.

(f) *Operator* means a person who is in actual physical control of an E-bike, E-moto or moped.

(g) *Shared-use path* means a path or trail intended for use by pedestrians, bicyclists, and other permitted non-motorized or low-speed users.

(h) *Sidewalk* means that portion of a street or highway intended for the use of pedestrians.

(i) *State law* means the law in the State of Michigan.

Sec. 26-25. – E-bike requirements:

All E-bikes must have a seat or saddle, fully operational pedals, and an electric motor no greater than 750 watts of power (1-horsepower). All E-bike operators shall comply with the requirements stated in the following table and all other sections of this ordinance.

E-bike	Class 1	Class 2	Class 3
Minimum Age to Operate	None	None	14 years of age
Operator required to wear helmet	No	No	Yes (if ages 14 to 18)
Operator must pedal for motor to engage	Yes	No	Yes
Maximum speed for motor assist	20 MPH	20 MPH	28 MPH

Sec. 26-26.-E-moto requirements:

All E-moto operators shall follow the motorcycle rules of the road as established by state law and all E-moto operators shall comply with the requirements stated in the following table and all other sections of this ordinance.

E-moto	
Minimum Age to Operate	E-motos: 16 years of age +
Operator required to wear helmet	Yes: Under the age of 21 years
Registration and insurance	Yes
Motorcycle endorsement	Yes
Allowed on sidewalks, bike paths and shared-use paths	No
Electric Motor	Yes (any size)

Sec. 26-27.-Moped requirements:

(a) All mopeds operated within the city shall comply with all applicable requirements of the Michigan Vehicle Code, including requirements concerning licensing, registration, equipment, operation, and insurance.

(b) A person shall not operate a moped upon a sidewalk within the City.

(c) A person operating a moped within the city shall possess the license or other authorization required by Michigan law. Nothing in this ordinance shall be construed to require a motorcycle endorsement for the operation of a moped when such endorsement is not required by Michigan law.

(d) A moped shall not be operated upon any City-owned bikeway or shared-use path unless expressly authorized by the city by ordinance, resolution, posted designation, or other lawful means.

(e) Mopeds shall be operated upon public streets and highways in accordance with the Michigan Vehicle Code and all applicable city traffic regulations.

(f) Nothing in this section shall be construed to change or alter the classification of any vehicle as a moped, motorcycle, motor vehicle, or other vehicle under Michigan law.

Sec. 26-28.-Applicability of state law.

Except as otherwise expressly provided by this ordinance, the operation of an E-bike, E-moto or moped within the city shall be subject to all applicable provisions of state law governing the particular vehicle at issue. The classification of a vehicle under this ordinance shall not alter or supersede its classification under Michigan law. If Michigan law establishes a different classification for a vehicle addressed by this ordinance, the Michigan classification shall control. Nothing in this ordinance shall be construed to authorize the operation of E-bikes, E-motos or mopeds in a manner prohibited by state law. When a provision of this ordinance conflicts with a mandatory provision of state law, the state law shall control to the extent of the conflict and nothing in this ordinance shall be construed to create a new classification of motor vehicle under the Michigan Vehicle Code.

Sec. 26-29. – Operation upon streets and highways.

(a) An E-bike may be operated upon any street or highway within the city where bicycles are permitted, subject to all applicable state and local traffic laws. The operator of an E-bike shall obey all traffic-control devices, signs, and signals applicable to bicycles and shall exercise due care and caution to avoid collisions with pedestrians, motor vehicles, bicycles, and other persons or property.

(b) A vehicle described as an E-moto may be operated on a public street or highway only if its actual classification, equipment, title/registration, and operator credentials permit roadway operation under Michigan law. The operator of an E-moto shall obey all traffic-control devices, signs, and signals applicable to motorcycles and shall exercise due care and caution to avoid collisions with pedestrians, motor vehicles, bicycles, and other persons or property.

(c) A moped may only be operated on streets and highways where mopeds can be operated under state law. The operator of a moped shall obey all traffic-control devices, signs, and signals applicable to mopeds and shall exercise due care and caution to avoid collisions with pedestrians, motor vehicles, bicycles, and other persons or property.

Sec. 26-30. – Operation upon sidewalks

(a) Class 1 and 2 E-bikes may be operated upon sidewalks within the city, except as otherwise provided below.

(b) Class 1 and 2 E-bikes shall not be operated upon a sidewalk within the following areas:

1. Any sidewalk adjacent to or within a city-owned municipal building or facility where the city has posted a sign prohibiting bicycle or E-bike operation;

2. Any sidewalk within a designated pedestrian plaza or other area specifically posted by the city as closed to E-bike operation; and

3. Any other sidewalk or pedestrian area specifically designated by the City Council by resolution and posted with appropriate signage.

(c) An operator of an E-bike upon a sidewalk shall:

1. Yield the right-of-way to every pedestrian;
2. Give an audible signal before overtaking and passing a pedestrian;
3. Operate at a speed that is reasonable and prudent under the circumstances;
4. Reduce speed when approaching intersections, driveways, building entrances, bus stops, pedestrian crossings, and areas of concentrated pedestrian activity; and
5. Operate in a manner that does not endanger or unreasonably interfere with pedestrians.

(d) Nothwithstanding any other provision of this ordinance, a Class 1, 2 or 3 E-bike shall not be operated upon a sidewalk, with pedestrians present, at a speed exceeding 15 miles per hour.

(e) All Class 3 E-bikes, all E-motos and all mopeds are prohibited from operating on sidewalks.

(e) The City Manager, upon recommendation of the Chief of Police or the Department head of the Department of Public Services, may recommend additional sidewalk restrictions to City Council where pedestrian volume, physical characteristics, traffic conditions, or other safety considerations warrant such restrictions.

Sec. 26-31. – Operation upon bikeways and shared-use paths.

(a) Class 1 E-bikes may be operated upon bikeways and shared-use paths within the City where bicycles are permitted.

(b) Class 2 E-bikes may be operated upon a city-owned bikeway or shared-use path unless the City has posted signage prohibiting Class 2 E-bikes therefrom.

(c) Class 3 E-bikes may not be operated upon city-owned bikeways or shared-use paths, unless such operation is expressly permitted by the city through posted signage or other lawful designation.

(d) On any shared-use path, an E-bike operator shall yield to pedestrians and shall exercise reasonable caution when passing other users.

(e) No person shall operate an E-bike on a shared-use path at a speed greater than 20 miles per hour, regardless of the maximum assisted speed of the E-bike.

(f) Where a lower speed limit is posted for a particular bikeway, shared-use path, park, or other public facility, the posted speed limit shall control.

(g). All E-motos and all mopeds are prohibited from operating upon bikeways and shared-use paths.

Sec. 26-32. - Operation in city parks.

(a) Class 1 and 2 E-bikes may be operated in city parks only upon streets, designated bicycle paths, bikeways, or shared-use paths where bicycles are otherwise permitted. Unless specifically authorized by the city, an E-bike shall not be operated upon:

1. Athletic fields;
2. Playgrounds;
3. Pedestrian-only paths;
4. Natural areas or landscaped areas;
5. Sidewalks immediately adjacent to playgrounds or other areas designated primarily for young children; or
6. Any other area posted by the city as closed to bicycles or electric bicycles.

(b) All Class 3 E-bikes, all E-motos and all mopeds are prohibited from operating in city parks, except where motorcycles may travel on public streets and highways and where motorcycles may park in accordance with state law.

(c) The Department of Parks and Recreation may recommend to the City Manager additional restrictions for a particular park, or park facilities, based upon safety, pedestrian use, environmental conditions, or other legitimate operational considerations.

Sec. 26-33.-Maximum speed.

(a) An E-bike shall not be operated upon a city sidewalk at a speed greater than 15 miles per hour or operated at a lower speed reasonably necessary for pedestrian safety.
(b) An E-bike shall not be operated upon a city-owned bikeways or shared-use paths at a speed greater than 20 miles per hour.
(c) Nothing in this section authorizes an E-bike to exceed the maximum speed at which its motor is permitted to provide assistance under Michigan law.
(d) An operator of an E-bike, E-moto or moped shall reduce speed as reasonably necessary to account for pedestrians, traffic, weather, visibility, surface conditions, congestion, and other circumstances affecting safe operation.
(e) Nothing in this section shall be construed to authorize an E-moto or moped to exceed a speed otherwise prohibited by state law.

Sec. 26-34.-Passengers.

(a) No person operating an E-bike shall carry more than one person unless the E-bike is specifically designed and equipped by the manufacturer to carry additional passengers.

(b) No person shall ride upon an E-bike in a position that interferes with the operator's ability to maintain control of the E-bike. A child passenger shall be provided with a seat, helmet, or other equipment specifically designed for the safe transportation of a child.

(c) Operators of E-motos and mopeds shall comply with all applicable state-law requirements concerning passengers, seating, footrests, helmets and other passenger safety requirements.

Sec. 26-35.-Equipment and modifications.

(a) Every E-bike operated within the city shall comply with all equipment requirements imposed by state law. No person shall modify an E-bike in a manner that:

1. Causes the E-bike to exceed the maximum speed permitted for its designated class;
2. Causes the E-bike to cease satisfying the statutory definition of an E-bike;
3. Removes or disables a required safety device; or
4. Otherwise violates applicable state or federal law.

(b) No person shall modify an E-moto or moped in a manner that causes the vehicle to be operated in violation of Michigan law.

(c) The fact that a vehicle resembles an E-bike, E-moto, or moped shall not determine its legal classification. The vehicle's actual characteristics and applicable Michigan law shall control.

Sec. 26-36.-Light and visibility.

(a) An E-bike operated during hours when lighting is required by state law shall be equipped and operated in compliance with state law.

(b) An E-moto and moped shall comply with all applicable state-law lighting and visibility requirements.

(c) The city encourages, but does not require, except as otherwise provided by state law, the use of reflective clothing, reflective material, and additional lighting when operating an E-bike during periods of darkness or reduced visibility.

Sec. 26-37.-Reckless or hazardous operation.

No person shall operate an E-bike, E-moto or moped:

1. At a speed or in a manner that endangers another person;
2. In a manner that intentionally or unnecessarily causes a collision or near collision;
3. In any manner that creates an unreasonable risk to people or property;
4. While carrying an object that prevents the operator from maintaining proper control;
5. While towing another person or vehicle except by equipment specifically designed and intended for such purpose and operated in a safe manner;
6. While performing stunts, wheelies, jumps, or other maneuvers upon a public street, sidewalk, bikeway, or shared-use path; or
7. In any other manner prohibited by state law or city ordinance.

Sec. 26-38.-Parking and storage.

(a) An E-bike may be parked in any location where a bicycle may lawfully be parked; provided, however, no person or operator shall park, abandon, or leave an E-bike in a manner that:

1. Obstructs a sidewalk or accessible pedestrian route;
2. Blocks a curb ramp, driveway, fire hydrant, entrance, exit, or emergency access route;
3. Interferes with the operation of a transit stop;
4. Creates a hazard to pedestrians or other users of a public way; or
5. Violates any otherwise applicable parking restriction.

(b) Nothing in this section shall prohibit a person from securing an E-bike to a bicycle rack or other facility designated by the city for bicycle parking.

(c) E-motos and mopeds shall be parked only in locations where the particular vehicle at issue may lawfully be parked under state law and city ordinance.

Sec. 26-39.-Use of modified e-bikes or e-motos.

An E-bike that has been modified so that it no longer qualifies as an electric bicycle under the

Michigan Vehicle Code shall not be operated upon a sidewalk, bikeway, shared-use path, or other location in the city where the resulting vehicle is not legally permitted to operate. The fact that a device resembles an E-bike shall not determine its legal classification.

Sec. 26-40.-Parental responsibility.

A parent or legal guardian having custody or control of a minor shall not knowingly permit the minor to operate an E-bike, E-moto or moped in violation of this article; provided, however, nothing in this section shall be construed to impose liability upon a parent or legal guardian where such liability is prohibited by state law.

Sec. 26-41.-Signs and designations.

The City Manager, or the City Manager's designee, may install signs and pavement markings reasonably necessary to inform the public of restrictions established pursuant to this ordinance.

Sec.26-42.-Penalties

(a) A person who violates this ordinance pertaining to E-bikes shall be guilty of a civil infraction subject to a fine of $100.00 for each offense, together with such costs and assessments as may be authorized by law or imposed by the court.

(b) A person who violates this ordinance pertaining to E-motos or mopeds shall be guilty of a misdemeanor or civil infraction as described under state law and punishable by the penalties described under state law, together with such fines, costs and assessments as may be authorized by law or imposed by the court.

(c) Each separate violation of this ordinance shall constitute a separate offense.

(d) Nothing in this ordinance shall limit the authority of a police officer to enforce the Michigan Vehicle Code, the Uniform Traffic Code, or any other applicable law.

(e) Nothing in this ordinance shall serve to limit people with disabilities using motorized mobility devices to move through public spaces in accordance with the Americans with Disabilities Act, pursuant to 42 USC § 2132 and 28 CFR § 35.137 et. seq, as amended, and the Michigan Persons with Disabilities Civil Rights Act, pursuant to MCL 376.1101 et. seq, as amended.

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, in 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.