



**CITY OF MADISON HEIGHTS**

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

**CITY COUNCIL REGULAR MEETING AGENDA**

**NOVEMBER 27, 2023 AT 7:30 PM**

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**CALL TO ORDER**

**ROLL CALL**

**INVOCATION and PLEDGE OF ALLEGIANCE - MAYOR GRAFSTEIN**

**APPOINTMENT OF ACTING CITY CLERK**

**APPROVAL OF THE AGENDA:**

- [1.](#) Additions/Deletions

**PRESENTATIONS**

- [2.](#) City Auditors (Plante Moran) - Financial Audit Presentation

**PUBLIC HEARINGS:**

- [3.](#) Public Hearing and Resolution Reprogramming Community Development Block Grant Funds
- [4.](#) Public Hearing and Resolution Authorizing Community Development Block Grant Program Year 2024 Application

**ITEMS ON AGENDA OF INTEREST TO PARTIES IN THE AUDIENCE**

**MEETING OPEN TO THE PUBLIC:**

**CONSENT AGENDA:**

- [5.](#) Director of Public Services - Removal of former Active Adult Center Streetlighting
- [6.](#) City Council Special Meeting Minutes of November 8, 2023
- [7.](#) City Council Regular Meeting Minutes of November 16, 2023 (Rescheduled from 11-13-23)

**COMMUNICATIONS:**

**REPORTS:**

**ITEMS FOR FUTURE PUBLIC HEARINGS:**

**BID AWARDS/PURCHASES:**

**ORDINANCES:**

**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](mailto: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 21, 2023

TO: City Council

FROM: Melissa R. Marsh, City Manager

SUBJECT: Agenda Comments - Regular Council Meeting of Monday, November 27, 2023

The following are my comments on items appearing on the agenda of the Regular Council Meeting on Monday, November 27, 2023.

## **PRESENTATIONS:**

### **PLANTE MORAN FY2023 ANNUAL FINANCIAL REPORT**

Plante Moran is scheduled to make a presentation regarding the audit of the annual financial statements for the fiscal year ending June 30, 2023. After the City Council has an opportunity to review the presentation and have questions addressed, staff and I recommend the auditor's report be received and filed.

## **PUBLIC HEARINGS:**

### **PUBLIC HEARING AND RESOLUTION REPROGRAMMING CDGB FUNDS**

The City of Madison Heights is a subrecipient of the Community Development Block Grant. This means that our application for funding is a part of a combined application of several other Oakland County communities that is submitted to Housing and Urban Development (HUD) on our behalf. One of the factors that is taken into consideration when HUD evaluates Oakland County's application is its "timeliness ratio." This ratio is the total of program funds carried over from past years divided by the annual grant amount received. To be in good standing with HUD, Oakland County must maintain a timeliness ratio of 1.5 or less, and therefore so must its subrecipients. Due to previous staffing issues in Code Enforcement, the amount of money in this project area was unutilized and resulted in the city's timeliness ratio going above 1.5 to 2.55. The first time HUD deems the project untimely, the applicant has 12 months to bring the timeliness ratio back down to 1.5. If they fail to do so, HUD may lower the line of credit given to the applicant to bring this ratio back down to 1.5. For this reason, Oakland County is requiring Madison Heights to develop a plan to increase its spending rate by the end of April 2024 to avoid impacting future funding levels. Staff proposes the following course of action to bring down this spending ratio from 2.55 to 1.5:

1. Reprogram \$50,169.91 from Code Enforcement in PY20 to Minor Home Repair PY20.
2. Increase the number of recipients/projects by \$51,169.91 in Minor Home Repair funds and spend these funds by April 2024.

Minor home repair projects will be identified from the participants and applicants in the city's current minor home repair program and from Madison Heights residents that have been approved through Oakland County's Home Improvement Program. Code Enforcement funding will remain at current levels and not be affected by this reprogramming to the Minor Home Repair program.

Staff recommends the following two actions:

1. Pursuant to federal guidelines, hold a public hearing to obtain public input on reprogramming of CDGB funds; and
2. To approve a resolution authorizing the Community & Economic Development Department to prepare and submit a request to Oakland County to reprogram \$50,169.91 from Code Enforcement Program Year 2020 to the Minor Home Repair account.

**PUBLIC HEARING AND RESOLUTION AUTHORIZING COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM YEAR 2024 APPLICATION**

Each year the city submits its Program Year (PY) application to Oakland County for inclusion in their Annual Action Plan to the U.S Department of Housing and Urban Development. The deadline for submitting our PY 2024 application to Oakland County is December 1<sup>st</sup>, 2023. Based on the estimated \$137,359 staff expects to receive, staff recommends funding the following projects:

1. Public Service- (Senior Lawn Cutting Service)	\$20,603.00
2. Code Enforcement	\$50,000.00
3. Sidewalks- (11 Mile Pedestrian Amenities)	<u>\$66,756.00</u>
Anticipated Allocation Total	\$137,359.00

The Senior Lawn Cutting Service provides funds to be used to help income qualifying seniors and those with disability by providing a lawn cutting service to them at no charge. This program is advertised at the Active Adult Center and serves around 50-60 seniors each year. In recent years “Public Service” projects have been limited to 30% of the total allocation request made by each community. This year Oakland County has reduced this to 15%. Oakland County has not given staff any indication whether this reduction is temporary. While this change has reduced the amount of funds we can request this program year, we have funding for this program that has carried over from previous program years that can sustain the program at its current levels. Staff will adjust this program as new information is made available.

The second area of funding is for Code Enforcement. The CDBG program allows the city to pay for a second code enforcement officer to cover low/mod income areas of the city and historically the city has utilized CDGB funds for this purpose. Turnover in the code enforcement position slowed the spending rate of this project area and creating a carryover of funds for this purpose. The carryover of funds from previous program years allows the city to request new project funding for the 11 Mile Pedestrian Amenities project.

The Madison Heights DDA is in the process of developing an 11 Mile Streetscape plan for the section of the 11 Mile Road from Stephenson Highway to Lorenz, with a particular focus on the area between Groveland and Lorenz. While a design has not been finalized, proposed improvements of the streetscape plan will likely include pedestrian amenities such as benches, bike racks, street trees, trash bins. While the DDA has some funds available, the implementation of a streetscape plan will mostly rely on grant funding and be focused on improvements to the roadway and costs related to changes to existing parking. Using CDBG funds in this area will immediately help the neighborhoods in the surrounding areas and enhance the improvements made by the DDA.

Staff recommends the following two actions:

1. Pursuant to federal guidelines, hold a public hearing to obtain public input on CDGB PY 2024 Application; and

2. To approve the resolution authorizing the CDBG PY 2024 Application be submitted to Oakland County for inclusion in Oakland County's Annual Action Plan to the U.S. Department of Housing and Urban Development, and authorize the Mayor to execute all documents, agreements or contracts which result from this application to Oakland County.



## AGENDA ITEM SUMMARY FORM

**MEETING DATE:** 11/27/2023

**PREPARED BY:** Linda A. Kunath

**AGENDA ITEM CONTENT:** City Auditors (Plante Moran) - Financial Audit Presentation

**AGENDA ITEM SECTION:** Presentations

**BUDGETED AMOUNT:**

**FUNDS REQUESTED:**

**FUND:**

**EXECUTIVE SUMMARY:**

Plante Moran will be making a presentation regarding the annual financial statements for the Fiscal Year Ending June 30, 2023.

**RECOMMENDATION:**

After the City Council has an opportunity to review the presentation and have questions addressed, staff and I recommend that the annual report be received and filed.

plante moran | Audit. Tax. Consulting.  
Wealth Management.

# City of Madison Heights Audit Presentation to the City Council

For Year Ended June 30, 2023

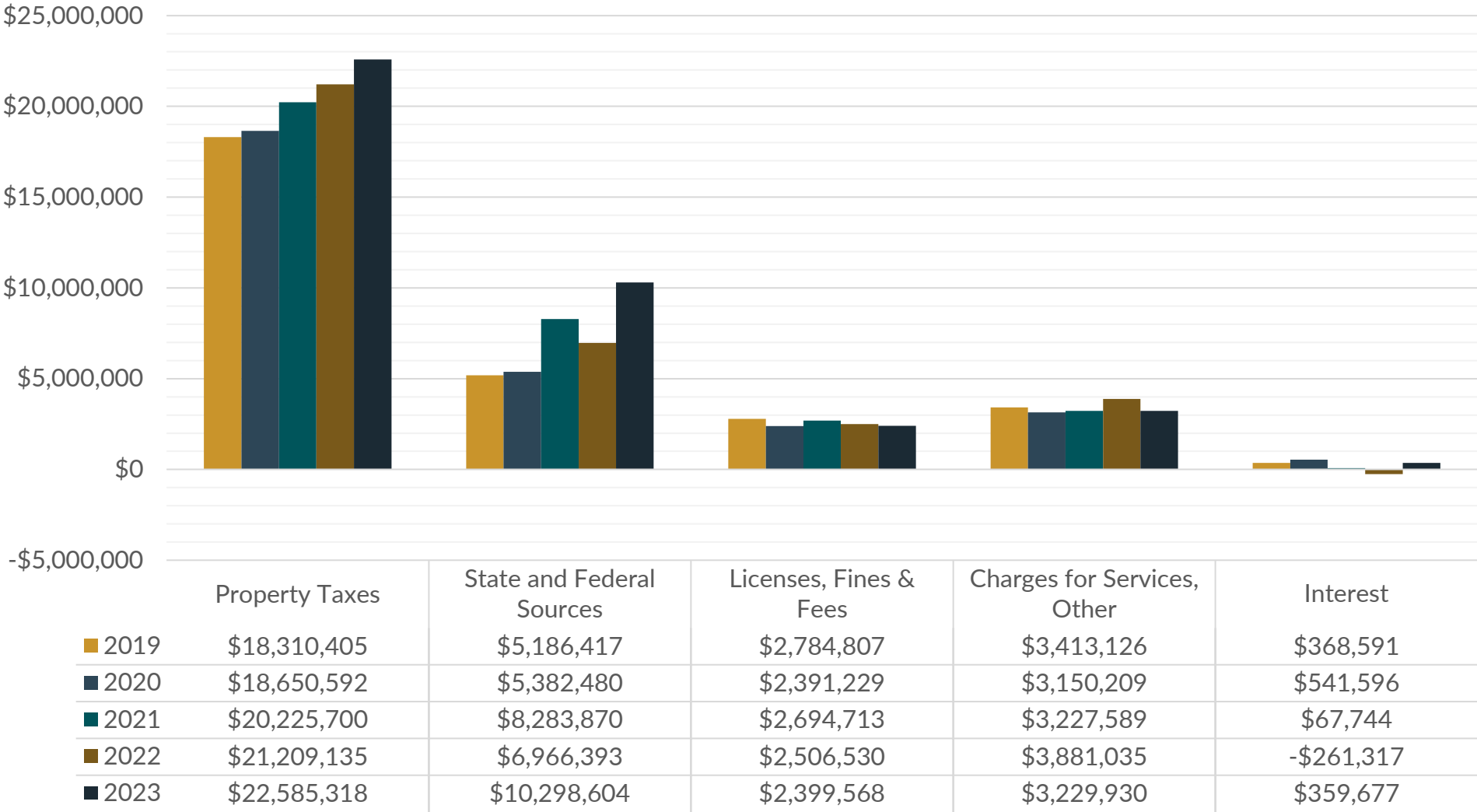
Presented by:  
Martin Olejnik, CPA  
Keith Szymanski, CPA





# City of Madison Heights General Fund Revenue Years Ended June 30

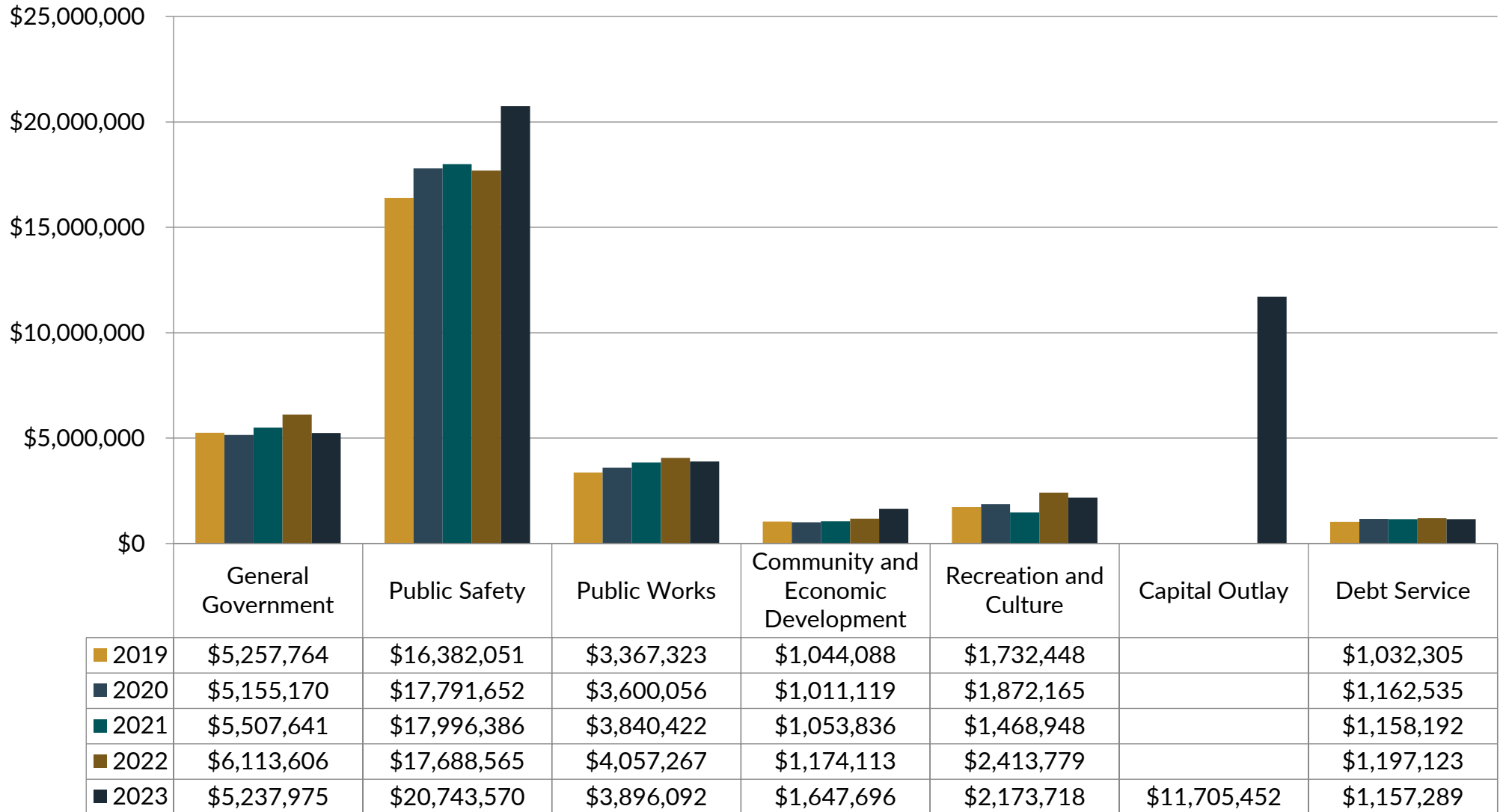
Item 2.





# City of Madison Heights General Fund Expenditures Years Ended June 30

Item 2.

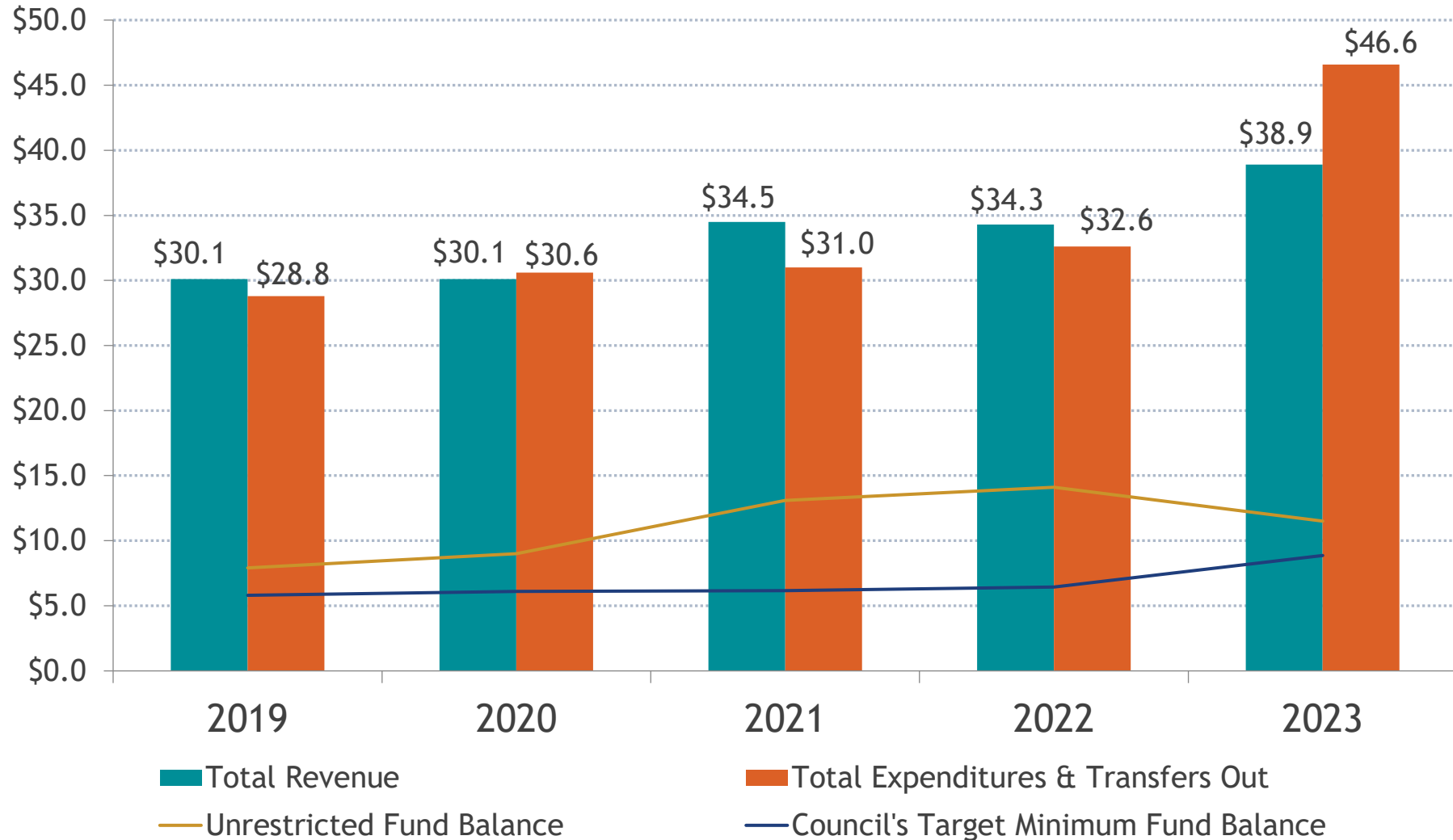






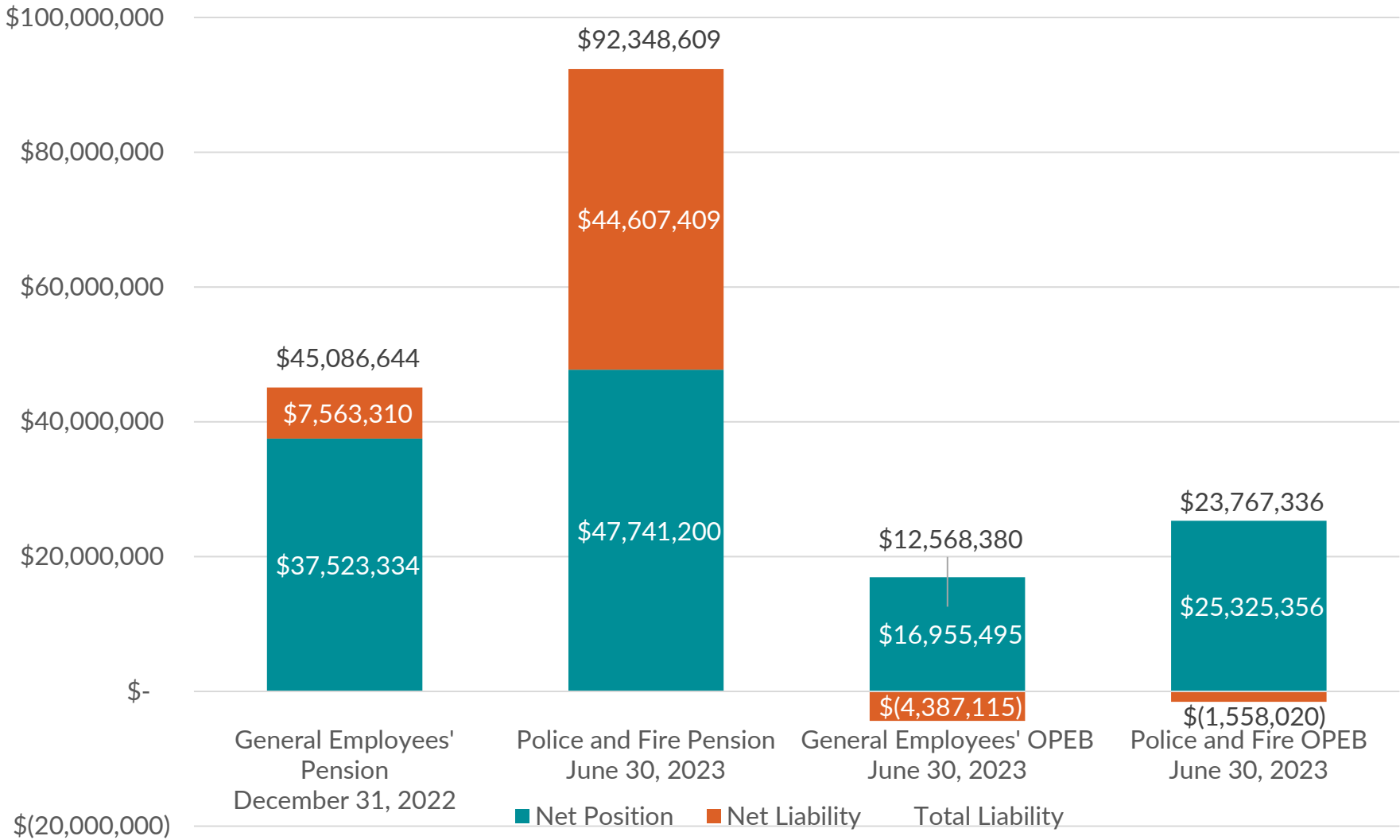
# General Fund—Fund Balance Compared to Total Revenues and Expenditures (in millions) Years Ended June 30

Item 2.





# Pension/OPEB Funding Progress

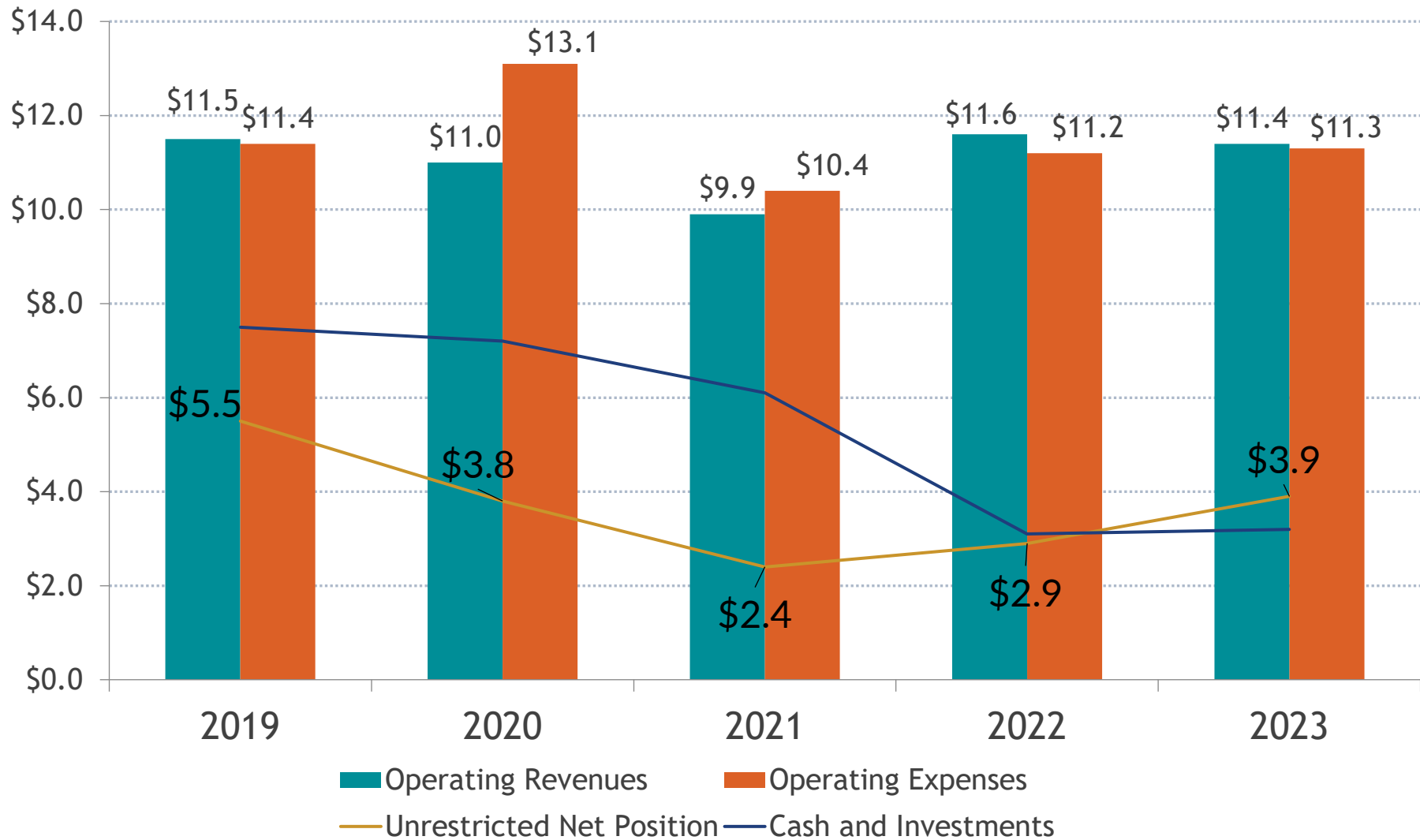




# Water & Sewer Operating Results (in millions)

## Fiscal Years Ended June 30

Item 2.





**Thank you for the opportunity  
to serve as auditors for the City  
of Madison Heights**



## AGENDA ITEM SUMMARY FORM

**MEETING DATE:** 11/27/23

**PREPARED BY:** Giles Tucker - CED

**AGENDA ITEM CONTENT:** CDGB Reprogramming of PY 2020 Funds

**AGENDA ITEM SECTION:** Public Hearings

**BUDGETED AMOUNT:**

**FUNDS REQUESTED:**

**FUND:** 101-728-706-0000

**EXECUTIVE SUMMARY:**

Pursuant to federal guideline, a public hearing to obtain public input on reprogramming of CDGB funds is scheduled for this meeting. After the public hearing, staff is proposing that unspent funds from Code Enforcement Program Year 2020 be reprogrammed to be used for the Minor Home Repair program for qualifying projects. Please see the attached memo for more details of this request.

**RECOMMENDATION:**

Staff recommends that the City Council approve the resolution authorizing the Community & Economic Development Department to prepare and submit a request to Oakland County to reprogram \$50,000 from Code Enforcement Program Year 2020 to the Minor Home Repair account. Further, that the City of Madison Heights, as the applicant, authorizes the filing of said reprogramming of funds with Oakland County.

## PUBLIC HEARING

### City of Madison Heights

#### Notice of Public Hearing – Community Development Block Grant: Reprogramming Code Enforcement Funds

NOTICE IS HEARBY GIVEN that the City of Madison Heights will hold a hearing on the use of Community Development Block Grant Funds. The Hearing will be held in person on **Monday, November 27<sup>th</sup>, 2023, at 7:30 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 Code Enforcement funds to Minor Home Repair.

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, Monday, November 27, 2023. 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 [gilestucker@madison-heights.org](mailto:gilestucker@madison-heights.org) or call (248) 583-0831, including requests for special needs accommodations.

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

Published at [www.madison-heights.org](http://www.madison-heights.org) , 11/15/2023.

Posted at: Noth Entrance Display Case Madison Heights City Hall 300 W 13 Mile Rd, Madison Heights, MI 48071, 11/15/2023.

**MEMORANDUM**

**DATE:** November 20, 2023

**TO:** Melissa Marsh - City Manager

**FROM:** Giles Tucker - Community & Economic Development Director

**SUBJECT:** **CDBG REPROGRAM REQUEST: CODE ENFORCEMENT TO MINOR HOME REPAIR**

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**SUMMARY/BACKGROUND:**

The City of Madison Heights is a subrecipient of the Community Development Block Grant. This means that our application for funding is a part of a combined application of several other Oakland County communities that is submitted to Housing and Urban Development (HUD) on our behalf. One of the factors that is taken into consideration when HUD evaluates Oakland County's application is its "timeliness ratio." This ratio is the total of program funds carried over from past years divided by the annual grant amount received. To be in good standing with HUD, Oakland County must maintain a timeliness ratio of 1.5 or less, and therefore so must its subrecipients.

Due to previous staffing issues in Code Enforcement, the amount of money in this project area was unutilized and resulted in the city's timeliness ratio going above 1.5 to 2.55. The first time HUD deems the project untimely, the applicant has 12 months to bring the timeliness ratio back down to 1.5. If they fail to do so, HUD may lower the line of credit given to the applicant to bring this ratio back down to 1.5. For this reason, Oakland County is requiring Madison Heights to develop a plan to increase its spending rate by the end of April 2024 to avoid impacting future funding levels.

Staff proposes the following course of action to bring down this spending ratio from 2.55 to 1.5:

1. Reprogram \$50,000 from Code Enforcement in PY20 to Minor Home Repair PY20.
2. Increase the number of recipients/projects by \$50,000 in Minor Home Repair funds and spend these funds by April 2024.

Minor home repair projects will be identified from the participants and applicants in the city's current minor home repair program and from Madison Heights residents that have been approved through Oakland County's Home Improvement Program. Code Enforcement funding will remain at current levels and not be affected by the reprogramming of the Minor Home Repair program.

**STAFF RECOMMENDATION:**

Staff recommends that the City Council authorize the Community & Economic Development Department to prepare and submit a request to Oakland County to reprogram \$50,000 from Code Enforcement Program Year 2020 to the Minor Home Repair account. A draft certified resolution has been included along with this memo for consideration.



## RESOLUTION OF THE MADISON HEIGHTS CITY COUNCIL

City of Madison Heights, Michigan

**WHEREAS**, the City of Madison Heights has a remaining 50,169.91 allocated to Code Enforcement activity for Program Year 2020, and

**WHEREAS**, the City of Madison Heights has a Minor Home Repair program utilizing CDBG funds,

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

**(Insert Public Hearing Information from portion of the 11-27-23 City Council Meeting)**

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

1. The City Council of Madison Heights authorizes the Community & Economic Development Department to reprogram \$50,000 from Code Enforcement Program Year 2020 and to prepare and submit the request to Oakland County for transfer of said funds into the Minor Home Repair Account.
2. The City of Madison Heights, as the applicant authorizes the filing of said reprogramming of funds with Oakland County.

Yeas:

Nays:

Absent:

Motion Carried

Certification:

I, Cheryl E 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 resolution adopted by the Madison Heights City Council at their Regular Meeting held on November 27, 2023

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Cheryl E. Rottmann  
City Clerk



## AGENDA ITEM SUMMARY FORM

**MEETING DATE:** 11/27/23

**PREPARED BY:** Giles Tucker - CED

**AGENDA ITEM CONTENT:** CDBG Program Year 2024 Application

**AGENDA ITEM SECTION:** Public Hearings

**BUDGETED AMOUNT:**

**FUNDS REQUESTED:**

**FUND:**

**EXECUTIVE SUMMARY:**

Pursuant to federal guidelines, a public hearing for the purpose of receiving public input regarding eligible activities to be included in the PY 2024 CDBG application is scheduled. Following the public hearing, Council is requested to approve the application proposed. Please see the attached staff memo for more detailed information about the PY 2024 CDBG application.

**RECOMMENDATION:**

Staff recommends that the funding of the PY 2024 application should be as follows:

- |  |             |
|--|-------------|
| 1. Senior Service (Lawn Cutting Service) | \$20,603.00 |
| 2. Code Enforcement                      | \$50,000.00 |
| 3. Sidewalks                             | \$66,756.00 |

Anticipated Allocation Total \$137,359.00

Staff further recommends that City Council authorize the PY 2024 CDBG application to be submitted to Oakland County for inclusion in Oakland County's Annual Action Plan to the U.S. Department of Housing and Urban Development, and hereby authorize the Mayor to execute all documents, agreements or contracts which result from this application to Oakland County. A proposed resolution is included along with this memo.

## PUBLIC HEARING

### City of Madison Heights

#### Notice of Public Hearing – Community Development Block Grant: Program Year 2024 Application

NOTICE IS HEARBY GIVEN that the City of Madison Heights will hold a hearing on the use of Community Development Block Grant Funds. The Hearing will be held in person on **Monday, November 27<sup>th</sup>, 2023, at 7:30 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 CDBG Program Year 2024 application.

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, Monday, November 27, 2023. 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 [gilestucker@madison-heights.org](mailto:gilestucker@madison-heights.org) or call (248) 583-0831, including requests for special needs accommodations.

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

Published at [www.madison-heights.org](http://www.madison-heights.org) , 11/15/2023.

Posted at: Noth Entrance Display Case Madison Heights City Hall 300 W 13 Mile Rd, Madison Heights, MI 48071, 11/15/2023.

## MEMORANDUM

**DATE:** November 17, 2023

**TO:** Melissa Marsh - City Manager

**FROM:** Giles Tucker - Community & Economic Development Director

**SUBJECT:** CDBG Recommendations for PY 2024 Application

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### SUMMARY:

Each year the city submits its Program Year (PY) application to Oakland County for inclusion in their Annual Action Plan to the U.S Department of Housing and Urban Development. The deadline for submitting our Program Year 2024 application to Oakland County is December 1<sup>st</sup>, 2023. Based on the estimated \$137,359 staff expects to receive, staff recommends funding the following projects:

- |  |             |
|--|-------------|
| 1. Public Service- (Senior Lawn Cutting Service) | \$20,603.00 |
| 2. Code Enforcement                              | \$50,000.00 |
| 3. Sidewalks- (11 Mile Pedestrian Amenities)     | \$66,756.00 |

**Anticipated Allocation Total                      \$137,359.00**

The Senior Lawn Cutting Service provides funds to be used to help income qualifying seniors and those with disability by providing a lawn cutting service to them at no charge. This program is advertised at the Active Adult Center and serves around 50-60 seniors each year. In recent years “Public Service” projects have been limited to 30% of the total allocation request made by each community. This year Oakland County has reduced this to 15%. Oakland County has not given staff any indication whether this reduction is temporary. While this change has reduced the amount of funds we can request this program year, we have funding for this program that has carried over from previous program years that can sustain the program at its current levels. Staff will adjust this program as new information is made available.

The second area of funding is for Code Enforcement. The CDBG program allows the city to pay for a second code enforcement officer to cover low/mod income areas of the city and historically the city has utilized CDGB funds for this purpose Turnover in the code enforcement position slowed the spending rate of this project area and creating a carryover of funds for this purpose. The carryover of funds from previous program years allows the city to request new project funding for the 11 Mile Pedestrian Amenities project.

The Madison Heights DDA is in the process of developing an 11 Mile Streetscape plan for the section of the 11 Mile Road from Stephenson Highway to Lorenz, with a particular focus on the area between Groveland and Lorenz. While a design has not been finalized, proposed improvements of the streetscape plan will likely include pedestrian amenities such as benches, bike racks, street trees, trash bins. While the DDA has some funds available, the implementation of a streetscape plan will mostly rely on grant funding and be focused on improvements to the roadway and costs related to changes to existing parking. Using CDBG funds in this area will immediately help the neighborhoods in the surrounding areas and enhance the improvements made by the DDA.

**STAFF RECOMMENDATION:**

Staff recommends that the funding of the PY 2024 application should be as follows:

- |   |             |
|---|-------------|
| 1. Senior Service- (Lawn Cutting Service) | \$20,603.00 |
| 2. Code Enforcement                       | \$50,000.00 |
| 3. Sidewalks                              | \$66,756.00 |

**Anticipated Allocation Total                      \$137,359.00**

Staff further recommends that City Council authorize the PY 2024 CDBG application to be submitted to Oakland County for inclusion in Oakland County's Annual Action Plan to the U.S. Department of Housing and Urban Development, and hereby authorize the Mayor to execute all documents, agreements or contracts which result from this application to Oakland County. A proposed resolution is included along with this memo.

## RESOLUTION OF THE MADISON HEIGHTS CITY COUNCIL

City of Madison Heights, Michigan

**WHEREAS**, Oakland County is preparing an Annual Action Plan to meet application requirements for the Community Development Block Grant (CDBG) program, and other Community Planning and Development (CPD) programs, and

**WHEREAS**, Oakland County has requested CDBG-eligible projects from participating communities for inclusion in the Action Plan, 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 11-27-23 City Council Meeting)**

**WHEREAS**, the city staff has recommended that City Council apply for PY 2024 CDBG funds for the following projects:

<u>Project Name</u>	<u>Amount</u>
Public Services (Lawn Services)	\$ 20,603.00
Sidewalks	\$ 66,756.00
Code Enforcement	<u>\$ 50,000.00</u>
	<b>\$ 137,359.00</b>

**THEREFORE, BE IT RESOLVED**, that the City of Madison Heights City Council hereby authorizes the PY 2024 CDBG application to be submitted to Oakland County for inclusion in Oakland County's Annual Action Plan to the U.S. Department of Housing and Urban Development, and hereby authorizes the Mayor to execute all documents, agreement or contracts which result from this application to Oakland County.

Yeas:

Nays:

Absent:

Motion Carried

Certification:

I, Cheryl E 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 resolution adopted by the Madison Heights City Council at their Regular Meeting held on November, 27, 2023

\_\_\_\_\_  
Cheryl E. Rottmann  
City Clerk



## AGENDA ITEM SUMMARY FORM

**MEETING DATE:** 4/24/23

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

**AGENDA ITEM CONTENT:** Director of Public Services - Removal of former AAC Streetlighting

**AGENDA ITEM SECTION:** Consent Agenda

**BUDGETED AMOUNT:**

**FUNDS REQUESTED:** \$18,599.31

**FUND:** 101-446-920-0000

**EXECUTIVE SUMMARY:**

Through the due diligence process of selling the former Active Adult Center property, Staff found that it is the responsibility of the City to pay for the removal of the existing streetlighting in order to remove it from our billing. As with our other municipal buildings and facilities, the streetlighting in the parking lots and on the property is owned and operated by DTE.

**RECOMMENDATION:**

Staff requests that Council approve the agreement with DTE for removal of existing streetlighting as presented in the amount of \$18,599.31, and authorize the City Manager to sign on behalf of the City.



**MEMORANDUM**

Item 5.

**DATE:** November 16, 2023  
**TO:** Melissa R. Marsh, City Manager  
**FROM:** Sean P. Ballantine, Director of Public Services  
**SUBJECT:** Contract Approval – Removal of former AAC Streetlighting

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The due diligence period and process of selling the former Active Adult Center property has included the typical transfer-of-ownership tasks that would be expected with the sale of any property, such as final water billing, discontinuance of gas and electric, and so on. As with our other municipal buildings and facilities, the streetlighting in the parking lots and on the property is owned and operated by DTE. Upon reaching out to DTE to remove these lights from our billing based on the sale of the property, we found that it is the City's responsibility to pay for the removal of the lighting. This is the only way to remove them from billing unless the new purchaser was interested in a transfer of ownership, which they were not amenable to.

Staff was provided with a Master Agreement for the removal of the ten lights on the property, and requests that Council approve this agreement with DTE for removal of existing streetlighting as presented in the amount of \$18,599.31, and authorize the City Manager to sign on behalf of the City. Funding is available in the Streetlighting line item, and DTE is the sole-source vendor in this case as they own and operate the streetlighting system in Madison Heights.

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

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



October 12, 2023

## Removal of Equipment Billing Agreement

City of Madison Heights hereby agrees to pay DTE Energy Electric Company ("DTE") the sum of **\$18,599.31** for the removal of existing underground streetlights, post, foundations, cable and related equipment, on Work Order **69558627**.

In return for the above, DTE agrees to remove 10 underground streetlights (OB172, OB173, OF610, OF611, OF612, OL158, OL159, OL160, OL161, OL162), post, and foundations and any related equipment.

This work is being done at the request of the City of Madison Heights. When direct construction costs exceed those estimated due to unforeseen difficulties, City of Madison Heights will be responsible for said costs and will be invoiced for the difference.

Notwithstanding anything herein to the contrary, the installation, ownership and maintenance of electric services and the rates, fees and charges to be made shall be subject to and in accordance with the orders, rules and regulations adopted and approved by the Michigan Public Service Commission.

Please sign and return **BOTH** copies of this agreement along with full payment. You will be mailed back one (1) original of this agreement after document is counter-signed by DTE.

Accepted (Customer)

Accepted (DTE)

By \_\_\_\_\_

By \_\_\_\_\_

Name \_\_\_\_\_

Name \_\_\_\_\_

Date \_\_\_\_\_

Date \_\_\_\_\_



October 12, 2023

## Removal of Equipment Billing Agreement

City of Madison Heights hereby agrees to pay DTE Energy Electric Company ("DTE") the sum of **\$18,599.31** for the removal of existing underground streetlights, post, foundations, cable and related equipment, on Work Order **69558627**.

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This work is being done at the request of the City of Madison Heights. When direct construction costs exceed those estimated due to unforeseen difficulties, City of Madison Heights will be responsible for said costs and will be invoiced for the difference.

Notwithstanding anything herein to the contrary, the installation, ownership and maintenance of electric services and the rates, fees and charges to be made shall be subject to and in accordance with the orders, rules and regulations adopted and approved by the Michigan Public Service Commission.

Please sign and return **BOTH** copies of this agreement along with full payment. You will be mailed back one (1) original of this agreement after document is counter-signed by DTE.

Accepted (Customer)

Accepted (DTE)

By \_\_\_\_\_

By \_\_\_\_\_

Name \_\_\_\_\_

Name \_\_\_\_\_

Date \_\_\_\_\_

Date \_\_\_\_\_

City Council Special Meeting  
Madison Heights, Michigan  
November 08, 2023

A City Council Special Meeting was held on Wednesday, November 08, 2023 at 6:00 PM at City Hall Executive Conference Room - 300 W. 13 Mile Road

**PRESENT**

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

**ALSO PRESENT**

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

**MEETING OPEN TO THE PUBLIC**

There were no members of the public wishing to speak.

**CLOSED SESSION:**

**CM-23-273. County Circuit Court Cases pursuant to Section 8(E) of the Open Meetings Act, MCL 15.268(E): Case No. 22-197465-Cz, Artic Fox, LLC V. City Of Madison Heights and Case No. 2023-201613-Cz, 305 N Euclid V. City Of Madison Heights; and Discussion Of Attorney-Client Privileged Communication with Legal Counsel Under Section 8(E) Of The Open Meetings Act, MCL 15.268(E).**

Motion to enter Closed Session to discuss Oakland County Circuit Court Cases pursuant to Section 8(e) of the Open Meetings Act, MCL 15.268(e): Case No. 22-197465-CZ, *Artic Fox, LLC v. City of Madison Heights* and Case No. 2023- 201613-CZ, *305 N Euclid v. City of Madison Heights*; and discussion of attorney-client privileged communication with legal counsel under Section 8(e) of the Open Meetings Act, MCL 15.268(e).

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

Roll Call Vote:

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

Motion carried.

Mayor Grafstein adjourned to Closed Session at 6:04 p.m.

Mayor Grafstein reconvened the Special Council Meeting at 8:00 p.m.

All members of Council were present.

**CSM-23-274. Oakland County Circuit Court Cases pursuant to Section 8(e) of the Open Meetings Act, MCL 15.268(e): Case No. 22-197465-CZ, Artic Fox, LLC v. City of Madison Heights and Case No. 2023- 201613-CZ, 305 N Euclid v. City of Madison Heights - POSTPONED.**

Motion to postpone consideration of Oakland County Circuit Court Cases pursuant to Section 8(e) of the Open Meetings Act, MCL 15.268(e): Case No. 22-197465-CZ, *Artic Fox, LLC v. City of Madison Heights* and Case No. 2023- 201613-CZ, *305 N Euclid v. City of Madison Heights*, to the next regular City Council meeting.

Motion made by Councilwoman Aaron, Seconded by Councilor Rohrbach.

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

Motion carried.

**CSM-23-275. Attorney Client Communication in the matter of Sky Extraction, LLC.**

Motion to accept the recommendation of Special Legal Counsel in the matter of Sky Extraction, LLC.

Motion made by Councilwoman Aaron, Seconded by Councilor Rohrbach.

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

Motion carried.

**CSM-23-276. Appointment of Councilman Soltis as Council Representative to the Zoning Board of Appeals.**

Motion to appoint Councilman Soltis as Council Representative to the Zoning Board of Appeals, with a term to expire November 17, 2023.

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

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

Motion carried.

**CSM-23-277. Ordinance No. 2196, Medical Marihuana Facilities Amendment, and Ordinance No. 2197, Marihuana Licensing Amendment - Second Readings -POSTPONED.**

Motion to postpone consideration of Ordinance No. 219, Medical Marihuana, and Ordinance No. 2197, Marihuana Licensing Amendment on Second Reading, to the next regular City Council meeting.

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

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

Motion carried.

**ADJOURNMENT:**

Having no further business, Mayor Grafstein adjourned the meeting at 8:06 p.m.

City Council Regular Meeting [Postponed from 11/13/23]  
 Madison Heights, Michigan  
 November 16, 2023

A City Council Regular Meeting was held on Thursday, November 16, 2023 at 7:30 PM at City Hall - Council Chambers, 300 W. 13 Mile Rd.

#### PRESENT

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

#### OTHERS PRESENT

City Manager Melissa Marsh  
 Assistant City Attorney Jeffrey Sherman  
 Deputy City Manager/City Clerk Cheryl Rottmann

Councilor Wright gave the invocation and the Pledge of Allegiance followed.

Mayor Grafstein asked for a moment of silence in honor of County Commissioner Gary McGillivray.

#### **ADJOURNMENT OF THE THIRTY-FOURTH COUNCIL**

Prior to adjourning the Thirty-fourth City Council, Mayor Grafstein asked Councilwoman Aaron if she would like to make any comments.

Councilwoman Aaron thanked her fellow Councilmembers for the opportunity to serve, stating it has been a pleasure making decisions and helping to move the City forward. She commented that this will not be the last you will see of her because there is much more to do. She congratulated the winners of the election, noting the campaigns were well run and well received.

Mayor Grafstein adjourned the Thirty-Fourth Council at 7:33 p.m.

#### **OATH OF OFFICE TO THE THIRTY-FIFTH COUNCIL**

Judge Keith Hunt administered the Oath of Office to newly elected members of the Thirty-fifth City Council: Councilman Fleming, Councilman Meir, Councilor Rohrbach, Councilor Wright and Mayor Grafstein.



**ROLL CALL****PRESENT**

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

**OTHERS PRESENT**

City Manager Melissa Marsh  
 Assistant City Attorney Jeffrey Sherman  
 City Clerk Cheryl Rottmann

**ELECTION OF MAYOR PRO TEM:****CM-23-278. Election of Mayor Pro Tem.**

Motion to appoint Mark Bliss as Mayor Pro Tem.

Motion made by Councilman Fleming, Seconded by Councilman Soltis.

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

Voting Nay: Councilor Rohrbach, Councilor Wright

Motion carried 5-2.

**MEETING OPEN TO THE PUBLIC:**

Reese Sarah, attorney for 305 N. Euclid (Dispo), spoke in favor of the Council entering into a litigation settlement with them.

The following spoke in opposition of entering into a litigation settlement with 305 N. Euclid and Artic Fox, LLC:

David Lighter, President, Liberty Cannabis and Holistic Industries  
 Aric Klar, CEO, Quality Roots  
 Craig Aronoff, attorney for Quality Roots

City Clerk Rottmann read emails from the following residents into the record opposed to the expansion of marihuana facilities in the City from:

Lorraine Schag  
 Kathleen Young  
 Alleyna Mathers

**CM-23-279. Consent Agenda.**

To approve the Consent Agenda as read.

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-23-280. City Council Special Meeting Minutes of October 23, 2023.**

Motion to approve the Special City Council meeting minutes of October 23, 2023, as printed.

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-23-281. City Council Regular Meeting Minutes of October 23, 2023.**

Motion to approve the Regular City Council meeting minutes of October 23, 2023, as printed.

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-23-282. Oakland County - Red Oaks Park Action Plan.**

Chris Ward, Director, Oakland County Parks and Recreation, presented to Council the Red Oaks Nature Preserve and Ambassador Park Action Plan. Mr. Ward stated that they are excited to continue working together with the City to expand recreational activities and opportunities in the City.

Donna Folland, Supervisor, Oakland County Planning and Resource Development, presented the overall vision for the Nature Center and Ambassador Park. She stated that Oakland County will continue the Nature Center operations and the stewardship of nature resources, as well as continue programming and operation of the site. The plan calls for providing restrooms and an outdoor learning center. The Ambassador Park plan is to be universally accessible with intergenerational activities. Features include looping trails, play pockets, a pavilion, and restrooms. She stated that the next steps are to bring the Action Plan back to

the Parks Commission for final approval and transfer operation from the Soccer Complex to Ambassador Park. Construction is slated to begin in 2025.

Councilman Soltis complimented the Nature Center staff on their knowledge and helpfulness.

Motion to approve the Red Oaks Ambassador Action Plan.

Motion made by Councilor Rohrbach, Seconded by Councilman Soltis.

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

Motion carried.

**CM-23-283.      Litigation - Case No. 22-197465-CZ, Artic Fox, LLC v. City of  
Madison Heights and Case No. 2023- 201613-CZ, 305 N Euclid v. City  
of Madison Heights.**

Motion to concur with the City's Special Counsel, City Attorney, and City Manager and approve settlement in the litigation of Case No. 22-197465-CZ, Artic Fox, LLC v. City of Madison Heights and Case No. 2023- 201613-CZ, 305 N Euclid v. City of Madison Heights.

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

Councilor Rohrbach stated that she is not going to support this motion. While settling in this instance would bring under \$1 million to the City, this does not suit the best interests of our residents or our corporate citizens, and it is not doing what we said we were going to do in the first place. We told the people we would be having two, possibility 3 facilities. Now we are being sued and settling in this manner will open the flood gates to more marihuana facilities. She clarified that she is not opposed to marihuana facilities in general, but she supports the limit. She finds it shameful to change what the Council told the residents, and it would be wrong to change it now. We should not move forward. She stated that we all want to see our blighted buildings fixed, but not this way. Settling this would open the door to being bullied for further developers and she stated that she is vehemently opposed.

Mayor Pro Tem Bliss stated the Council has turned down two other settlement offers on the recommendation of our legal counsel. In these two cases before us, the recommendation is to approve the settlement based on the opinion of our counsel and management. He stated that it is easy to say no, but that will not address the blight issues. The Council has approved car washes despite having too many in the city. He stated that Council generally defers to our legal counsel expertise and must also consider the financial impact. Over 5 years, the financial impact is close to \$2 million dollars. If we go into a recession, we are going to regret not approving this. He stated that he will be voting yes. He added that it is important to note what these buildings look like today and what they will be in the future should this get approved.

Councilman Meir stated that he is the newcomer in this discussion, but he has had a crash course and is up to speed on the matter. He stated that he is a numbers person and that is what he looks at; however, he is also trying to use common sense and look at quality of life. He

stated that he has read through agreements and spent time with the City Manager and legal counsel, and he understands the financial implications. He stated that he couldn't help feeling a little bullied when reading through the settlement wording. While he sees the financial good, he wonders how it will affect quality of life and why we need so many marihuana places in such a small city.

Councilor Wright stated that as we begin our new session of Council, one of the things he consistently heard while in the community, was no to more marihuana facilities; not all felt this way, but that was the majority opinion. He stated that the financial impact is not as big as being presented. At the end of the day, it goes to what the residents want, and they do not want it, and we can't ignore that. We need to represent the residents. Our residents have been clear.

Councilman Soltis stated that he was against any marihuana facilities from the very beginning because of our kids. What kind of example are we setting for them. To him, this is a disaster in the making.

In response to Mayor Pro Tem Bliss' question, City Manager Marsh stated that the budget allocates about \$500,000 for parks projects.

In response to Mayor Grafstein's question, City Manager Marsh stated that if the settlement was approved, the business would generate approximately \$250,000 in recurring revenues for the city.

In response to Councilor Rohrbach's question, City Manager Marsh stated in the past year the city has obtained approximately \$1 million in grant funding and has another \$2 million in grant funding pending.

Councilor Rohrbach stated that the city does a fantastic job securing grants and she hopes this will continue. She stated that marihuana revenues are not the only revenue stream for special projects. She also understands that we don't want to use our litigation budget, but the city does fund this for the purpose of fighting lawsuits.

In response to Councilman Fleming's question, City Manager Marsh stated that the city does not spend much money to apply for grants. She stated that the city does have matching obligations for a lot of grants; however, most recent grants have not required matching funds.

Mayor Pro Tem Bliss noted that while we do have a fund for litigation, when we utilize the fund, we do have to replenish it.

Mayor Grafstein stated that if the city has an opportunity to obtain financial help, that should be considered and looked at. If our attorney and City Manager say that this is something we should consider, we should take that into consideration as well.

Councilman Meir stated that he is all for removing vacant buildings and for economic development. It is an eyesore on 12 Mile Road, and he is surprised the city can't do anything to help clean it up. He asked if we are filling buildings only to create newer vacant buildings by driving others out of business. He stated that he is very pro youth and has been involved in schools and with youth for 30+ years. He stated that the majority of those addicted to higher level drugs started with marihuana. I know they have a lot of security procedures in place and do an excellent job, but he must look at other considerations as well.

Roll Call Vote:

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

Voting Nay: Councilman Mier, Councilor Rohrbach, Councilman Soltis, Councilor Wright

Motion fails 3-4.

**CM-23-284. Ordinance No. 2196, Medical Marihuana Facilities Amendment, Second Reading and Ordinance No. 2197, Marihuana Licensing Amendment, Second Reading – POSTPONED.**

Motion to postpone Ordinance No. 2196, Medical Marihuana Facilities Amendment on Second Reading and Ordinance No. 2197, Marihuana Licensing Amendment on Second Reading until they are reintroduced by staff.

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 APPOINTMENTS:**

**CM-23-285. Active Adult Center Advisory Board Appointments.**

Motion to appoint Quinn Wright as the Council Representative and Sean Fleming as the Council Alternate to the Active Adult Center Advisory Board with terms to expire November 10, 2025.

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.

**CM-23-286. Arts Board Appointments.**

Motion to appoint Mark Bliss as Council Representative and Bill Mier as Council Alternate to the Arts Board with terms to expire November 10, 2025.

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

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

Motion carried.

**CM-23-287. City-School Liaison Committee Appointments.**

Motion to appoint Bill Mier as Council Representative and Quinn Wright as Council Alternate to the City-School Liaison Committee with terms to expire November 10, 2025.

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-23-288. Crime Commission Appointments.**

Motion to appoint Sean Fleming as Council Representative and Quinn Wright as Council Alternate to the Crime Commission with terms to expire November 10, 2025.

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

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

Motion carried.

**CM-23-289. Election Commission Appointment.**

Motion to appoint Sean Fleming as Council Representative to the Election Commission with a term to expire November 10, 2025.

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-23-290. Environmental Citizens Committee Appointment – Council Representative.**

Motion to appoint Emily Rohrbach as Council Representative to the Environmental Citizens Committee with a term to expire November 10, 2025.

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-23-291. Environmental Citizens Committee Appointment- Council Alternate.**

Motion to appoint Quinn Wright as Council Alternate to the Environmental Citizens Committee with a term to expire November 10, 2025.

Motion made by Councilman Fleming, Seconded by Councilman Mier.

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

Motion carried.

**CM-23-292. Historical Commission Appointments.**

Motion to appoint Mark Bliss as Council Representative and Sean Fleming as Council Alternate to the Historical Commission with terms to expire November 10, 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.

**CM-23-293. Human Relations and Equity Commission Appointments.**

Motion to appoint Quinn Wright as Council Representative and Emily Rohrbach as Council Alternate to the Human Relations and Equity Commission with terms to expire November 10, 2025.

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-23-294. Information Technology Advisory Committee Council Appointments.**

Motion to appoint Mark Bliss as Council Representative and Bill Mier as Council Alternate to the Information Technology Advisory Committee with terms expiring November 10, 2025.

Motion made by Councilor Rohrbach, Seconded by Councilman Fleming.

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

Motion carried.

**CM-23-295. Library Advisory Board Council Appointments.**

Motion to appoint David Soltis as Council Representative and Bill Mier as Council Alternate to the Library Advisory Board with terms expiring November 10, 2025.

Motion made by Councilman Fleming, 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-23-296. Madison Heights Community Coalition Council Appointment.**

Motion to appoint Quinn Wright as Council Representative to the Madison Heights Community Coalition with a term to expire November 10, 2025.

Motion made by Councilor Rohrbach, Seconded by Councilman Soltis.

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

Motion carried.

**CM-23-297. Parks and Recreation Advisory Board Council Appointments.**

Motion to appoint Emily Rohrbach as Council Representative and Bill Mier as Council Alternate to the Parks and Recreation Advisory Board with terms expiring November 10, 2025.

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-23-298. Planning Commission – Mayor's Council Appointment.**

Motion to confirm the Mayor's appointment of Mark Bliss as Council Representative to the Planning Commission with a term expiring November 10, 2025.

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.



**CM-23-299. Southeastern Michigan Council of Governments (SEMCOG) Council Appointments.**

Motion to appoint Sean Fleming as Council Representative and Quinn Wright as Council Alternate to the Southeastern Michigan Council of Governments (SEMCOG) with terms expiring November 10, 2025.

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.

**CM-23-300. Youth Assistance – Council Appointment.**

Motion to appoint Bill Mier as Council Representative to Youth Assistance with a term expiring November 10, 2025.

Motion made by Councilman Fleming, 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-23-301. Zoning Board of Appeals – Council Appointment.**

Motion to appoint Sean Fleming as Council Representative to the Zoning Board of Appeals with a term expiring November 10, 2025.

Motion made by Councilman Mier, Seconded by Councilman Soltis.

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

Motion carried.

**COUNCIL COMMENTS:**

Councilman Meir expressed thanks to Councilwoman Aaron for her service. He said that it is exciting to be on this side of the table and it has been a busy couple of weeks getting up to speed. He noted that it was a very difficult decision to make this evening regarding the legal settlements. In the past couple of weeks, he has attended the Lamphere School Board and he stated that he is going to try to attend a Madison District Board meeting as well. This Monday was World Kindness Day. He is going to attempt to fill in for Gary McGillivray at Little League opening day on May 11th as emcee. He stated that he is sad that Margene Scott had to miss the swearing-in this evening due to her knee surgery. He commented that he ran for this office because of Gary McGillivray,

and sad that he is not here to see it. He continued, Commissioner McGillivray he was just Gary to him. He was his neighbor and friend and noted that he was wearing Gary's lucky tie this evening in his honor. He only hopes that he can do half as good as Gary for the city and do him proud. He sent his condolences to his entire McGillivray family and stated that Gary is going to be missed.

Mayor Pro Tem Bliss thanked Toya Aaron for her service and for hitting the ground running as a member of Council, stating that she should be proud of the work she did. Congratulations to the winners, everyone ran a great campaign. Congrats to his daughter and the John Page Middle School Band, all the musicians did a phenomenal job, and they will be playing at the Tree Lighting Ceremony as well. He stated it was a sad week with the funeral for Gary McGillivray; the entire city is grieving along with the family. He stated that he personally doesn't have a memory of the city that doesn't include Gary. Gary was an incredible mentor and led by example. Gary McGillivray was a volunteer and neighbor first before a politician. Nobody can fill his shoes and we are so thankful for him and all that he has done. Remember all the good work that he did that led to the city being what it is; he was a giant. He stated that the Council's opinions are on the record, and we now must move on, noting that he is thankful in this democratic process. The Arts Board Gala is tomorrow night. There will be live music and there still are some tickets available online and there will be a limited number of tickets at the door. He stated that he is excited to see everyone at the event.

Councilor Wright expressed heartfelt condolences to the McGillivray family. To see his memories and family at the funeral was very touching. He congratulated Bill Mier for joining the Council, noting that he looks forward to their conversations. He thanked Toya Aaron for her service. Happy Thanksgiving to all.

City Attorney Sherman congratulated Councilwoman Aaron on her well-run campaign and wished her the best. Congratulations to Bill Mier and welcome to the Council. He stated that Gary and Diane McGillivray loved Madison Heights and Madison Heights loved them. He noted that It was a beautiful thing to have the park named after Gary while he was still with us. Former Deputy City Manager Pete Conners gave an incredible eulogy listing all Gary's accomplishments. Gary was very instrumental in the development of the city and had remarkable accomplishments. The city owes a great debt of gratitude for the McGilvery family for everything they have done. Gary's legacy will remain in our hearts and minds for all the good things he has done for the city.

City Manager Marsh congratulated all that won their elections, looking stated that she is looking forward to working with you. She invited all to attend the Tree Lighting on November 27th. At the Tree Lighting, the City will be presenting Volunteer Awards and at the Council meeting that evening, Consumers Energy will be presenting a check for \$250,000 for an amphitheater at Civic Center Park and she encouraged attendance.

City Clerk Rottmann had no comments this evening.

Councilor Rohrbach had no comments this evening.

Councilman Fleming stated on December 2nd, Lamphere is having a craft show. Congrats to the Bishop Foley Soccer team for going to the State Championships.

Councilman Soltis had no comments this evening.

Mayor Grafstein welcomed Bill Mier to the Council and congratulated the winners of the election and expressed thanks to Toya Aaron. She asked Toya Aaron to please stay active; we need your input. She stated that Gary McGillivray's funeral was difficult, and while he will be missed, he

lives on in everything he did for the city. She stated that she appreciates Councilman Mier's tribute to Gary. She congratulated the Women's Club for hosting the Veteran's Day ceremony. She spoke of the veteran's tree at the Library and noted that the ceremony was a nice way to honor our veterans. She commented that State Representative McFall had Mental Health Town Hall, and she encourages everyone to remove the stigma of mental health. She also thanked Representative McFall for inviting her to the anniversary dinner at the Holocaust Museum stating the event was interesting and moving. She noted that she was able to reconnect with a Holocaust survivor who was formerly a resident of Madison Heights and state "never again" is now. She encourages everyone to get educated on the events happening in the Middle East and learn what is happening. Please pray for everyone in the Middle East and for the release of the hostages. November 27th is the next Council meeting and she invited all to attend the Tree Lighting Ceremony that evening.

**ADJOURNMENT:**

Having no further business, Mayor Grafstein adjourned the meeting at 9:19 p.m.