



CITY OF MADISON HEIGHTS
CITY HALL - COUNCIL CHAMBERS, 300 W. 13 MILE RD.
CITY COUNCIL REGULAR MEETING AGENDA
OCTOBER 27, 2025 AT 6:30 PM

CALL TO ORDER

ROLL CALL

INVOCATION and PLEDGE OF ALLEGIANCE - MAYOR GRAFSTEIN

APPROVAL OF THE AGENDA:

- [1.](#) Additions/Deletions

PRESENTATIONS

2. Citizen's Academy Certificates of Completion

PUBLIC HEARINGS:

- [3.](#) City Planner - Alley Vacation Request # PEE 25-01 - 17 ft.-wide alley between 601 W. 12 Mile Rd. and 28767 Dartmouth St. [Postponed from 10/13 Meeting]

ITEMS ON AGENDA OF INTEREST TO PARTIES IN THE AUDIENCE

MEETING OPEN TO THE PUBLIC:

CONSENT AGENDA:

- [4.](#) Environmental Citizens Committee - Recommended Removal of Member
- [5.](#) Director of Public Services - Emergency Purchase - Fire Station 2 Plumbing Repairs
- [6.](#) Director of Public Services - Civic Center Park Bandshell Landscaping
- [7.](#) City Council Regular Meeting Minutes of October 13, 2025

COMMUNICATIONS:

REPORTS:

- [8.](#) Human Resources Director - Resolution To Opt Out of PA 152

ITEMS FOR FUTURE PUBLIC HEARINGS:

BID AWARDS/PURCHASES:

ORDINANCES:

- [9.](#) City Clerk - Ordinance 2208 - Precinct Boundary and Polling Location Changes, First Reading

UNFINISHED BUSINESS:

EXECUTIVE SESSION:

ADJOURNMENT

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

DATE: October 23, 2025
TO: City Council
FROM: Melissa R. Marsh, City Manager
SUBJECT: Agenda Comments Regular Council Meeting of Monday, October 27, 2025

PRESENTATIONS:

CITIZEN'S ACADEMY CERTIFICATES OF COMPLETION

City Council is set to present Certificates of Completion to the participants of the 2025 Citizen's Academy. These participants spent time learning the operations of the city as well as how the city functions overall. During the program, participants met weekly with staff from all departments. A key focus of their learning was understanding how Madison Heights is committed to improving our citizen's quality of life.

PUBLIC HEARING:

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

The Community & Economic Development Department has received a request to vacate a 17-foot-wide improved alley right-of-way located between 601 W. 12 Mile Rd. and 28767 Dartmouth Rd. The alley also provides access to the property at 611 W. 12 Mile Road. At the Council meeting of October 13th, City Council postponed action on this item pending the results of an ongoing traffic study. Staff currently recommends further postponement of this item until the November 10th Council meeting. This recommendation ensures that the Council processes all details necessary for an informed decision. The additional time is critical as it will allow staff to complete the following actions: fully review the traffic analysis, meet with RCOC, and prepare a complete recommendation for your consideration.

Staff recommends a motion to postpone the alley vacation request #PEE 25-01 for a 17-foot-wide alley between 601 W. 12 Mile Rd and 28767 Dartmouth Street to the November 10, 2025, City Council Meeting.

CONSENT AGENDA:

ENVIRONMENTAL CITIZENS COMMITTEE - RECOMMENDED REMOVAL OF MEMBER

At the regular meeting of October 9, 2025, the Environmental Citizens Committee (ECC) unanimously voted to recommend removal of member Kristen Lagos for lack of attendance.

Staff recommends that Council concur with the recommendation of the ECC to remove Kristin Lagos, and appoint alternate member Cathy Ellison to the newly vacated seat, with a term to expire February 28, 2028.

DIRECTOR OF PUBLIC SERVICES - EMERGENCY PURCHASE - FIRE STATION 2 PLUMBING REPAIRS

Fire Station 2 has had recurring incidents of sewer backups occurring at the far south end of the building. Multiple service calls and evaluations, including from the original contractor, have identified the underlying issue as a section of original cast iron piping that was not replaced during the renovation. These backups are unpredictable, pose serious health and safety concerns, significantly disrupt fire station operations, and require extensive and costly cleanup each time they occur. Due to the urgency and impact on essential services, immediate action was required and could not wait for standard council approval. In accordance with City Code 2-255 and Charter Section 12.1, the situation has been classified as an emergency. Therefore, the proposal from Levine and Sons, in the amount of \$29,400, has been approved and work will proceed without delay.

Per the City Charter, Council is asked to receive and file this purchase with the Purchasing Coordinator as a permanent and public record.

DIRECTOR OF PUBLIC SERVICES - CIVIC CENTER PARK BANDSHELL LANDSCAPING

Since its installation, the Civic Center Park bandshell has been a well utilized and popular addition to the park. At the time, in order to control construction costs, very minimal landscaping was included as part of the project and was limited to grade corrections and general site restoration. Staff has identified a need to not only aesthetically improve the area, but improve its overall functionality, providing screening on both sides of the bandshell to mitigate walkthrough and better focus sound, as well as improving and maintaining the highly trafficked turf through overseeding and installation of an irrigation system. Funding is available from savings in playground mulching and special project funding.

Staff recommends that City Council approve the proposal for the Civic Center Bandshell landscaping project from Frank Rewold and Sons, through the Oakland County cooperative purchasing agreement, in the amount of \$19,111, and to authorize the Director of Public Services to sign on behalf of the City.

REPORTS:

HUMAN RESOURCES DIRECTOR - RESOLUTION TO OPT OUT OF PA 152

Public Act 152, as amended, limits the amount that public employers pay toward employee medical benefit plans, beginning January 1, 2026. City Council is required to make an election for its choice of compliance for the subsequent calendar year.

Given that all of the City's Collective Bargaining Agreements approved by City Council provide for 10% employee premium sharing, Council is requested adopt the Resolution to Opt-out of PA 152 as allowable under that statute.

ORDINANCES:

CITY CLERK - ORDINANCE 2208 - PRECINCT BOUNDARY AND POLLING LOCATION CHANGES, FIRST READING

Ordinance 2208 adjusts the city's election precinct boundary descriptions, polling locations and precinct numbers. This action is critical for us to comply with state law, accommodate new voting practices, and realize significant long-term cost savings. The need for these adjustments stems directly from state-level reapportionment following the 2020 Decennial Census. Since 2022, the boundaries for several elected offices—including U.S. House, State Senate, State House, and County Commissioner districts—have shifted. Specifically, the City of Madison Heights has been impacted by legal challenges to the state maps, resulting in new legislative boundaries. The revised Michigan House districts took effect in 2024, and our new Michigan Senate District 10 will take effect in 2026. Because every voting precinct in Madison Heights has been impacted by these changes, the Clerk's office is required to mail updated voter registration cards to all registered voters.

In addition to these mandated boundary changes, recent updates to Michigan Election Law now allow us the flexibility to restructure. Due to the expansion of early voting and no-reason absentee voting, the allowable size of an active registered voter precinct has increased significantly, from 2,999 to 4,999. This presents an opportunity for long-term fiscal planning. The State of Michigan will require local governments to replace our current election equipment in Fiscal Year 2027/2028, as the equipment reaches the end of its service life. Local governments have been advised to budget approximately \$15,000 for new equipment per in-person precinct. Therefore, consolidating our precincts will directly result in substantial, long-term cost savings for the city.

Based on changes in voting patterns, updated legislation, and fiscal considerations, the City Clerk and the Election Commission recommend reducing the number of precincts from nine (9) to seven (7). The City Charter requires that precinct boundary changes be adopted via ordinance.

The deadline for making these updates must be submitted to the State of Michigan by **January 6, 2026**, to be effective for the August 2026 election; therefore, staff recommends that City Council

adopt Ordinance No. 2208, Amending Precinct Boundary Descriptions, Polling Locations and Precinct Numbers, on First Reading and schedule the Second Reading for November 10, 2025.



AGENDA ITEM SUMMARY FORM

MEETING DATE: 10/27/25

PREPARED BY: Matt Lonnerstater, AICP

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

AGENDA ITEM SECTION: Public Hearings

BUDGETED AMOUNT: N/A

FUNDS REQUESTED: N/A

FUND: N/A

EXECUTIVE SUMMARY:

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

RECOMMENDATION:

Staff Recommendation: Postpone to November 10th, 2025 meeting to allow for the submittal of a proper traffic study.

Planning Commission Recommendation (9/16/25 meeting): Approve with conditions. Refer to staff memo.

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



MEMORANDUM

Date: October 21st, 2025

To: City of Madison Heights City Council [October 27th, 2025 Meeting]

From: Matt Lonnerstater, AICP – City Planner

Subject: Alley Vacation Request # PEE 25-01 – Alley between 601 W. 12 Mile Road and 28767 Dartmouth Road

At the October 13th, 2025 meeting, City Council postponed action on this alley vacation request to the October 27th, 2025 meeting to allow time for the applicant to complete and submit a traffic study to the City. As of the date of this letter, the City has not yet received the traffic study. As such, staff recommends that City Council postpone action on this request, as well as action on the related Special Land Use (PSP 25-05), to the November 10th, 2025 meeting.

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

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

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

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

Voting Nay: Commissioner Sylvester, Chair Champagne

Motion carries.

Introduction

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

The aerial image below depicts the location of the alley.



Project Area and Utilities

The existing alley abuts three (3) properties:

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

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

Historic Aerial Imagery (1974)

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

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

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

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

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

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

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

Zoning

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

Next Step

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

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

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



City of Madison Heights

Item 3.

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

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

Fire Department
31313 Brush Street
Madison Heights, MI 48071

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

www.madison-heights.org

September 11, 2025

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

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

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

Yours most sincerely,

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

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

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

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

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

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

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

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

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

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

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

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

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

Sec. 23-112. Easements; procedure.

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

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

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

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

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

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

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

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

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



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

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

Hi Matt,

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

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

Thank you,

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

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

Good afternoon, Angela:

Just circling back on this. Any updates?

Thank you!



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

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

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

Hi Matt,

Item 3.

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

Thanks!

Angie Wesson

Right-of-Way Manager

m 248.877.9518 | ad3245@att.com

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

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

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

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

Importance: High

Good afternoon:

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

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

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

Thank you,



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

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

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

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

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

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

Good morning Matt,

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

Thank you,

Angie Wesson

Right-of-Way Manager

o 248.456.0361 m 248.877.9518 | ad3245@att.com

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

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

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

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

Importance: High

Good afternoon:

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



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

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

Best,



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

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



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

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

I have no objections. Thanks. 😊

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



Working with DTE should be easy:

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

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

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

Good morning, Mary:

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

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

Thank you,



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

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

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

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

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

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

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

Good afternoon, Kimberly:

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



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

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

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

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

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

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

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

Good afternoon, Kimberly:

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

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

Thank you,



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

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

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

Hi Mr. Lonnerstater:

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

Thanks,

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

DTE Electric Company

Office: 313.235.4458

Cell: 586.202.7881

Kimberly.tassen@dteenergy.com

DTE

CONFIDENTIAL OR PRIVILEGED COMMUNICATION

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



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

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

Hi Matt,

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

Rob

Robert F. Marvin
Senior Attorney
Legal Department

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

WORLD CLASS PERFORMANCE DELIVERING HOMETOWN SERVICE



Please consider the environment before printing this email



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

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

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

Good afternoon:

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

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

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

Thank you,



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

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

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

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

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

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

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

Good afternoon, Matt.

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

Thanks.

Rob

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

O: 517-788-7298

C: 517-914-6167

WORLD CLASS PERFORMANCE DELIVERING HOMETOWN SERVICE



Please consider the environment before printing this email



ALLEY VACATION [APPROVAL] – PEE #25-01

Motion by Councilor _____,

Supported by Councilor _____,

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

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

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

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

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

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

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

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

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

Yeas:

Nays:



City of Madison Heights

Petition to Vacate Public Right of Way or Easement

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

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

City Of Madison Heights

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

joevitalijr@madison-heights.org

DTE Energy

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

Consumer's Energy

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

AT & T

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

Wide Open West

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

Comcast

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

Consumer's Energy

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

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

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

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

Date: 8/14/25

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

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

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

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

29

e-recorded

LIBER 55006 PAGE 702

0214022

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

Oct 16, 2020

5.00 E-FILE

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

Not Examined

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

STATE OF
MICHIGANREAL ESTATE
TRANSFER TAX

OAKLAND
 10/16/2020
 168966

\$192.50 CO
 \$1,312.50 ST
 001283049



WARRANTY DEED

File No.: MI-20-3945

Drafted by:

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

When recorded return to:

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

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

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

Conveys and Warrants to Brian Najor

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

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

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

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

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

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

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

Subject to easements, reservations and restrictions of record.

Page 1 of 2

LIBER 55006 PAGE 703

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

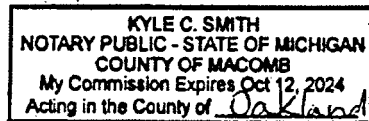
Dated: October 14, 2020

Signed and Sealed:

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

STATE OF Michigan } ss
COUNTY OF Oakland }

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



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

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

Item 3.

SEP 08 2020

RTN

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

5.00

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

WARRANTY DEED
(Statutory Form - Entity)

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

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

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

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

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

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

- (a) Highway Easement in favor of the Board of County Road Commissioners of the County of Oakland, and terms conditions and provisions contained therein, recorded in Liber 6211, page 216, Oakland County Register of Deeds; and
- (b) Permanent Easement for ingress and egress, and the terms, conditions and provisions contained therein, recorded in Liber 11022, page 588, Oakland County Register of Deeds.

04/3 89/33

OK-AB

Dated: 25 day of August, 2020

REVENUE TO BE AFFIXED
AFTER RECORDING

10:2 PM 3-SEP-2020

RECEIVED
OAKLAND COUNTY
REGISTER OF DEEDS

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

SELLER(S): QSL Madison Heights RE, LLC

By:

Milton Feldberg, Manager

State of Michigan

County of Oakland

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

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

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

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

TC13-89133

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

MEMORANDUM OF LAND CONTRACT

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

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

the following described premises:

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

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

CKA: 601 W. 12 mile Rd, Madison Heights, MI 48071

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

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

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

By *May Najem*
May Najem, Managing Member

STATE OF: MICHIGAN

COUNTY OF: *Oakland*

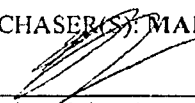
On this *1st* day of December, 2020, before me personally appeared Casey Developments, L.L.C., a Michigan Limited Liability Company, by May Najem, Managing Member, known to me to be the person(s) described in and who executed the foregoing instrument and acknowledged that they executed same as their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

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

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

TC13-94566

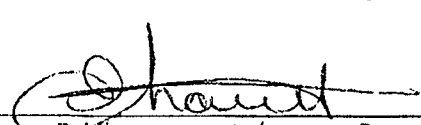
PURCHASER(S): **MAD Fuels Holdings LLC, a Michigan Limited Liability Company**

By: 

Brian Najor, Manager

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

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


Notary-Public **Oakland** County

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

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

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

TC13-94566

NOTICE OF PUBLIC HEARING

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

Item 3.

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

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

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

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

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



AGENDA ITEM SUMMARY FORM

MEETING DATE: 10/27/25

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

AGENDA ITEM CONTENT: ECC Membership

AGENDA ITEM SECTION: Consent Agenda

BUDGETED AMOUNT:

FUNDS REQUESTED: \$

FUND:

EXECUTIVE SUMMARY:

At the regular meeting of October 9, 2025, the Environmental Citizens Committee (ECC) unanimously voted to recommend removal of member Kristen Lagos for lack of attendance.

RECOMMENDATION:

Staff recommends that Council concur with the recommendation of the ECC to remove Kristin Lagos, and appoint alternate member Cathy Ellison to the newly vacated seat, with a term to expire February 28, 2028.

MEMORANDUM

Item 4.

DATE: October 13, 2025
TO: Melissa R. Marsh, City Manager
FROM: Sean P. Ballantine, Director of Public Services
SUBJECT: ECC Membership

At the regular meeting of October 9, 2025, the Environmental Citizens Committee (ECC) voted to recommend removal of member Kristen Lagos. Ms. Lagos has accumulated three unexcused absences since her appointment to the Committee (meetings of 4/10, 7/10, and 10/9, 2025), and has only contacted the staff liaison once after the fact (7/10), at which time the location, date, and time of the next meeting was confirmed. The motion to remove for lack of attendance was made by Jennifer Bartleman, and seconded by Councilor Rohrbach, with unanimous approval.

During the meeting, it was confirmed that alternate Cathy Ellison is willing and able to serve in a full membership position.

Staff recommends that Council concur with the recommendation of the ECC to remove Kristin Lagos, and appoint alternate member Cathy Ellison to the newly vacated seat, with a term to expire February 28, 2028.

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

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



AGENDA ITEM SUMMARY FORM

MEETING DATE: 10/27/25

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

AGENDA ITEM CONTENT: Emergency Purchase - Fire Station 2 Sewer Repairs

AGENDA ITEM SECTION: Consent Agenda

BUDGETED AMOUNT: \$0

FUNDS REQUESTED: \$29,4000

FUND:

EXECUTIVE SUMMARY:

Fire Station 2, has has recurring incidents of sewer backups occurring at the far south end of the building. Multiple service calls and evaluations, including from the original contractor, have identified he underlying issue as a section of original cast iron piping that was not replaced during the renovation. These backups are unpredictable, pose serious health and safety concerns, significantly disrupt fire station operations, and require extensive and costly cleanup each time they occur. Due to the urgency and impact on essential services, immediate action was required and could not wait for standard council approval. In accordance with City Code 2-255 and Charter Section 12.1, the situation has been classified as an emergency. Therefore, the proposal from Levine and Sons, in the amount of \$29,400, has been approved and work will proceed without delay.

RECOMMENDATION:

Per the Charter this purchase shall be received and filed with the purchasing officer as a permanent and public record.

MEMORANDUM

Item 5.

DATE: October 16, 2025
TO: Melissa R. Marsh, City Manager
FROM: Sean P. Ballantine, Director of Public Services
SUBJECT: Emergency Purchase – Fire Station 2 Sewer Repairs

Since the renovation, Fire Station 2 has experienced occasional sewer backups on the far south end of the building. Multiple plumbers have been called out to diagnose the issue, including the original contractor. The proximate cause appears to be a length of existing original cast iron pipe which was left in place during the building project.

As this requires an extensive repair, Staff has been diligently attempting to get multiple quotes from plumbers to correct the issue, during which time, there have been several more backups. We have been successful in getting two quotes for the desired scope of work, from Levine and Sons, and Pipeline Management. Levine and Sons was originally pursued on recommendation from the City of Southfield.

The quote presented by Levine and Sons is by far the more favorable of the two, and they have a clear understanding of the issues we are attempting to rectify. As these backups are unpredictable, a severe inconvenience to our firefighters, and require extensive cleanup when they occur, time is of the essence. As such, it has been determined that an emergency exists, and the proposal from Levine and Sons has been approved pursuant to City Code 2-255 and Charter section 12.1, in the amount of \$29,400.

As this purchase has already been approved under emergency authorization, Staff respectfully requests that this information be received and filed.

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

**Billing Address**

Madison Heights Fire Station
26339 John R Road
Madison Heights, MI 48071 USA

LEVINE & SONS, Inc.
23820 Telegraph Road
Southfield, MI 48033
248-356-1680

Estimate 270493755
Job 269814351
Estimate Date 9/19/2025
Technician Tom Sesi
Customer PO

Job Address

Madison Heights Fire Station
26339 John R Road
Madison Heights, MI 48071 USA

Estimate Details

Floor break to replace 40ft with liner install: We will start at the bathrooms to expose the main trunk line.
We will follow the pipe through the bathrooms into the living room area.
We will connect to the existing fixture drain lines.
We will install schedule 40 pvc
We will install a cleanout in the bathroom and another one in the living room area.
We will come back on a different day to install approx 40ft of CIPP liner.
We will connect both ends of the liner to the new pvc and the existing PVC that's in the garage.
We will replace the cement to patch grade.
We will clean our work area when complete.

25 year warranty on the pipe we install
50 year warranty on the area we reline.

*We are not responsible for carpet, tile, walls, any drain lines going to the fixtures, buried water lines or any unforeseen issues. If any additional pipe needs to be replaced we will advise the customer and quote at that time.

Service #	Description	Quantity	Your Price	Your Total
DLR-175	See proposal for full details.	1.00	\$29,400.00	\$29,400.00
Potential Savings				\$2,940.00
Sub-Total				\$29,400.00
Tax				\$0.00
Total				\$29,400.00

Thank you for trusting us with your home!

Any alteration or deviation from above specifications, involving extra costs will be executed only upon written orders, and will become an extra charge over and above the estimate. All agreements contingent upon strikes, accidents or delays beyond our control. Owner to carry fire, tornado and other necessary insurance. Our workers are fully covered by Workman's Compensation Insurance. 5% per month interest charge on past due accounts. Company claims a contractor's and materialmen's lien in the amount covered by this contract on the house, the premises and/or the real estate for installing, repairing, improving, and furnishing material and equipment in and on said premises.

All Discount and Promotions are given at the time of sale.

Dear Customer,

Item 5.



Proud
member
of the:



Thank you for calling us for your service needs. Your business is appreciated. Efficient, dependable service requires far more than just a technician, tools and parts. Quality service involves substantial investment of time, money and equipment. Unlike servicing a vehicle, we must travel to your door which involves truck mileage as well as the technician's travel time. Here are some of the items which contribute to superior service:

- ★ An experienced customer service representative to receive calls and get the facts.
- ★ A qualified dispatcher to relay calls to the nearest service technician and schedule stops for efficient operation.
- ★ A parts department with a large working inventory of back-up parts to eliminate costly delays in servicing your equipment.
- ★ Trucks with a large working inventory of parts plus expensive tools and test equipment for prompt repairs.
- ★ Trained service technicians to diagnose the problem quickly, make the repairs promptly and keep your costs reasonable.

We would appreciate hearing from you if you have any problems or suggestions.

Thank you for choosing us today!

TERMS AND CONDITIONS

RESPONSIBILITIES OF CUSTOMER:

Customer represents that, except as described in the request for service, all plumbing, heating, air conditioning, electrical, and drain systems are in good repair and condition and agrees to hold Seller harmless for the discovery of defective conditions, including but not limited to the following:

- | | | | |
|--------------------------------|-------------------------------------|-------------------------------|---------------------------------------|
| 1. Improper or faulty plumbing | 4. Lines that are settled or broken | 7. Improperly charged systems | 10. Improper or faulty electrical |
| 2. Rusted or defective pipes | 5. Existing illegal conditions | 8. Faulty air movement | 11. Improper voltage by power company |
| 3. Acids in the drain system | 6. Defective roofing | 9. Electrical defects | |

RESPONSIBILITIES OF SELLER:

Seller shall do all work in a competent, workmanlike manner. Seller is not responsible for any existing illegal conditions.

LIMITED WARRANTY:

All materials, parts and equipment are warranted by the manufactures' or suppliers' written warranty only. All labor (plumbing and HVAC) performed by Levine and Sons, Inc. is warranted for 90 days (or one year for active Family Plan Members). **All labor for drain line work is warranted for 30 days (or 90 days for active Family Plan members).** All warranties are void if payment is not made when due. Warranties extend only to the customer and are not transferable. If a defect in workmanship covered by this warranty occurs, Seller will, with reasonable promptness during normal working hours, remedy the defect. In no event shall seller be held liable for water damage caused by delay in remedying a defect.

EXCLUSIONS AND LIMITATIONS:

CUSTOMER'S RIGHT TO REPAIR AND REPLACEMENT ARE CUSTOMER EXCLUSIVE REMEDIES. SELLER SHALL NOT BE LIABLE FOR INCIDENTAL OR CONSEQUENTIAL DAMAGES.

Seller is not responsible for the following which are excluded from the coverage of this limited warranty:

1. Defective conditions listed under the above "Responsibilities of Customer."
2. Work performed by or materials installed by others not in this agreement.
3. Defects and failures from mistreatment or neglect or otherwise not caused by defect in Seller's materials or workmanship.
4. Mold development or mold detection of any kind.

"THE LIMITED WARRANTY STATED ABOVE IS THE ONLY WARRANTY SELLER MAKES. SELLER MAKES NO WARRANTY OF MERCHANTABILITY OR FITNESS FOR A PARTICULAR PURPOSE FOR GOOD SOLD, OR ANY OTHER WARRANTY, EXPRESS OR IMPLIED."

PROTECTION OF CUSTOMER'S PROPERTY:

Customer agrees to remove or protect any personal property, inside and out, including but not limited to carpets, rugs, shrubs and planting, and Seller shall not be responsible for said items. Nor shall Seller be held responsible for the natural consequences of Seller's work which may cause damage to improvements to real property including, but not limited to, curbs, sidewalks, walks, driveways, garages, patios, lawns, shrubs, sprinkler systems, wallpaper, drywall, stucco, tile, cabinets and other appurtenances to the residence or real property.

Seller shall not be held responsible for damage to personal property, real property or any improvements to real property caused by persons delivering materials or equipment, or keeping gates and doors closed for children and animals.

SUMP PUMP REPLACEMENT:

Levine and Sons, Inc. is not responsible for the condition of the home's sump basket, the sump pump discharge piping that the pump connects to, or where the sump water discharges outside the home. Levine and Sons, Inc. will not be held responsible for any damages incurred due to sump pump failure due to poor sump basket conditions, discharge piping failure, or water migrating back into the home due to discharge water re-entering the home.

ENTIRE AGREEMENT:

This is the entire agreement. The parties are not bound by any oral expression or representation by any agent purporting to act on their behalf, or by any commitment, or arrangement herein. The agreement binds jointly and severally all signing as Customer, their heirs, representations, successors and assigns. Seller will not provide an itemized breakdown of materials and labor.

WARRANTIES, AND LIMITATIONS OF WARRANTIES:

No warranty, expressed or implied, is provided for any existing systems or appliances. Any alterations, additions or repairs made by others unless authorized or agreed upon by Seller, will be cause to terminate Seller's obligation under this contract.

Nexstar™ is an association of independent service providers that have come together to share business best practices. Although Nexstar educates its members on how to meet professional standards and provide superior customer service, Nexstar is not an owner of its member's businesses and each member's business is independently owned and operated. Consequently, Nexstar makes no warranties or representations that the work described herein will be performed in accordance with Nexstar's professional standards.



AGENDA ITEM SUMMARY FORM

MEETING DATE: 10/27/25

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

AGENDA ITEM CONTENT: Civic Center Park - Bandshell Landscaping

AGENDA ITEM SECTION: Consent Agenda

BUDGETED AMOUNT: \$19,111

FUNDS REQUESTED: \$19,111

FUND: 101-752-818-0000

EXECUTIVE SUMMARY:

Since its installation, the Civic Center Park bandshell has been a well utilized and popular addition to the park. At the time, in order to control construction costs, very minimal landscaping was included as part of the project, and was limited to grade corrections and general site restoration. Streets/Facilities Coordinator. Justin Kowalski has identified a need to not only aesthetically improve the area, but improve its overall functionality, providing screening on both sides of the bandshell to mitigate walkthrough and better focus sound, as well as improving and maintaining the highly trafficked turf through overseeding and installation of an irrigation system. Funding is available from savings in playground mulching and special project funding.

RECOMMENDATION:

Staff recommends that City Council approve the proposal for the Civic Center Bandshell landscaping project from Frank Rewold and Sons, through the Oakland County cooperative purchasing agreement, in the amount of \$19,111, and to authorize the Director of Public Services to sign on behalf of the City.

MEMORANDUM

Item 6.

DATE: October 16, 2025
TO: Melissa R. Marsh, City Manager
FROM: Sean P. Ballantine, Director of Public Services
SUBJECT: Contract Extension – DiLisio Contracting

Since its installation, the Civic Center Park bandshell has been a well utilized and popular addition to the park. At the time, in order to control construction costs, very minimal landscaping was included as part of the project, and was limited to grade corrections and general site restoration.

Streets/Facilities Coordinator Justin Kowalski has identified a need to not only aesthetically improve the area, but improve its overall functionality, providing screening on both sides of the bandshell to mitigate walkthrough and better focus sound, as well as improving and maintaining the highly trafficked turf through overseeding and installation of an irrigation system.

Frank Rewold and Sons managed the bandshell project, as well as several other major projects including the Civic Center Campus renovation, and have provided a comprehensive and reasonable quote for this work.

Staff recommends that Council approve the proposal for the Civic Center Bandshell landscape project from Frank Rewold and Sons, through the Oakland County cooperative purchasing agreement, in the amount of \$19,111.00, and authorize the Director of Public Services to sign on behalf of the City.

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



October 8, 2025

Sean Ballantine
Director of Public Services
City of Madison Heights
300 W 13 Mile Rd.
Madison Heights, MI 48071

RE: Band Shelter Landscape and Irrigation

Dear Sean:

Frank Rewold & Sons Inc. is pleased to present our proposal for the Madison Band Shelter Landscape and Irrigation on your property off 13 Mile Rd. This proposal is based on the site visit conducted, renderings attached and contractor proposal.

Our proposed cost for the Band Shelter landscape and irrigation and our services is **\$19,111.00**.

Please review the attached Band Shelter landscape and irrigation Proposal breakdown. Also, included in our Proposal is a 20% contingency to be used for any project unknowns. Our Proposal is based on the work being completed separately from the other projects performed for the city.

Some items that are not included at this time are site supervision (can be provided if required), builder's risk insurance (can be provided if required), bonds, cost of any permits or fees, or any third-party inspection fees and signage.

If acceptable, please sign below and return a copy to my attention. Please contact me on my cell phone at 586-623-1162 with questions.

Sincerely,
FRANK REWOLD & SONS INC.

Joe Lucci
Project Manager

Accepted By:

City of Madison Heights

Sean Ballantine, Director of Public Services

Dated: _____

CC: Mike Gagnon- Frank Rewold & Sons

[illegible]

City Council Regular Meeting
Madison Heights, Michigan
October 13, 2025

A City Council Regular Meeting was held on Monday, October 13, 2025 at 6:30 PM at City Hall - Council Chambers, 300 W. 13 Mile Rd.

PRESENT

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

OTHERS PRESENT

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

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

CM-25-150. Addition to the Agenda.

Motion to add Police Department Update from Sergeant Schram to Agenda under presentations.

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.

PRESENTATIONS:

Sergeant Schram reported that the Mass Heights Police Department is holding an open house to recruit new members for the reserve program on Wednesday, October 15th, 6:00 p.m. to 8:00 p.m., at the Police Department (280 West 13 Mile).

CM-25-151. Alley Vacation Request # PEE 25-01 - 17 ft.-wide alley between 601 W. 12 Mile Rd. and 28767 Dartmouth St. – PUBLIC HEARING

City Manager Marsh reviewed the alley vacation request PEE 25-01 for a 17 ft.-wide alley between 601 W. 12 Mile and 28767 Dartmouth St.

Mayor Grafstein announced that the Public Hearing would still be held for anyone in attendance that wanted to speak; however, since the related Special Land Use was rescheduled for the October 27, 2025 City Council meeting, pending the results of a traffic study being conducted at the recommendation of the city and Oakland County Road Commission, any action on the alley vacation would be postponed until the October 27, 2025 as well.

Mayor Grafstein opened the public hearing at 6:34 p.m.

Seeing no one further wishing to speak, Mayor Grafstein closed public comment at 6:49 p.m.

Motion to postpone action on the public hearing for the Alley Vacation Request #Pee 25-01 until the October 27, 2025 City Council meeting.

Motion made by Councilor Rohrbach, Seconded by Councilman Mier.

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

Motion carried.

MEETING OPEN TO THE PUBLIC:

Kathy Sepia, resident, commented on the perceived disdain that the developer has towards the residents who spoke on the alley vacation, emphasizing that these individuals are directly affected by this development request.

CM-25-152. Consent Agenda:

Motion to approve the Consent Agenda excluding the Resolution Condemning Political Violence in the United States.

Motion made by Councilor Wright, Seconded by Councilman Fleming.

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

Motion carried.

CM-25-153. Resolution Condemning Political Violence in the United States.

Mayor Grafstein read the Resolution Condemning Political Violence in the United States.

Motion to adopt the Resolution Condemning Political Violence in the United States, as follows:

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

WHEREAS, on September 10, 2025, conservative political activist Charlie Kirk, the cofounder of Turning Point USA, was assassinated while answering questions from

college students attending Utah Valley State University in Orem, Utah. The assassin has been arrested and is awaiting trial; and,

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

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

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

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

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

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

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

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

prison terms; two other defendants pleaded guilty; and three other defendants were acquitted; and,

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

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

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

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

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

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

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

(February 14, 2018), Virginia Tech University in Blacksburg, Virginia (April 16, 2007), Columbine High School in Jefferson County, 3 Colorado (April 20, 1999), and University of Texas at Austin (August 1, 1966), among many others; and, WHEREAS, political violence, as indicated above, is a feature of both the political left and the political right; and the recitation of violent incidents herein was not intended to cover every single incident of political or school violence in this country.

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

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

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

Motion made by Councilor Wright, Seconded by Councilman Fleming.

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

Motion carried.

CM-25-154. Resolution Recognizing Indigenous Peoples' Day.

Motion to adopt the Resolution Recognizing Indigenous Peoples' Day, as follows:

RECOGNIZING INDIGENOUS PEOPLES' DAY
IN THE CITY OF MADISON HEIGHTS

WHEREAS, the City of Madison Heights acknowledges that the land now known as the City of Madison Heights is the ancestral homeland of Indigenous peoples who have stewarded this land for generations prior to colonization, including but not limited to the

Anishinaabe peoples of the Ojibwe, Odawa, and Potawatomi nations, known collectively as the Three Fires Confederacy; and

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

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

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

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

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

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

Motion made by Councilor Wright, Seconded by Councilman Fleming.

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

Motion carried.

CM-25-155. City Council Regular Meeting Minutes of September 29, 2025.

Motion to adopt the City Council Regular Meeting Minutes of September 29, 2025, as printed.

Motion made by Councilor Wright, Seconded by Councilman Fleming.

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

Motion carried.

CM-25-156. Scheduled Replacement Ambulance #710.

Motion to approve the purchase of a Road Rescue ambulance from Emergency Vehicle Plus in the amount of \$361,681.

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

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

Motion carried.

CM-25-157. Pavilion C Roof Replacement.

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

Motion made by Councilman Mier, Seconded by Councilor Rohrbach.

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

Motion carried.

CM-25-158. Rosie's Ballfield Backstop Replacement – BUDGET AMENDMENT.

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

Motion made by Councilman Mier, Seconded by Councilor Rohrbach.

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

Motion carried.

CM-25-159. Rosie's Ballfield Backstop Replacement.

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

Motion made by Councilman Mier, Seconded by Councilor Rohrbach.

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

Motion carried.

CM-25-160. Ordinance #2206 - Second Reading - Zoning Ordinance Text Amendment ZTA #25-01 - Non-Conforming Residential Driveways.

Motion to approve on second reading Ordinance No. 2206 (ZTA 25-01), Non-Conforming Residential Driveways, as follows:

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

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

The City of Madison Heights ordains:

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

10. DETACHED ONE-FAMILY DWELLINGS

[...]

C. DRIVEWAYS

- (1) Minimum driveway width at the right-of-way line: 9 feet.
- (2) All driveways or approaches within the public right-of-way shall be paved with concrete and all other driveways shall be paved with asphalt or concrete.
- (3) Driveways shall be set back a minimum of one (1) foot from side and rear lot lines, except in cases where the driveway is accessed from a rear alley or where a driveway

is shared between two or more properties. Driveways shall not be permitted in front of the residential dwelling, except as permitted within this Section.

- (4) Driveways leading to an Attached Garage: A driveway providing access to an attached garage shall be no wider than 20 feet at the front or street side lot line but may taper to a width up to, but not to exceed, eighteen (18) inches beyond the exterior edges of the garage door opening; the taper shall begin a minimum of five (5) feet from the property line adjacent to the street and shall be angled no greater than forty-five (45) degrees. However, in no case shall any part of the driveway be located directly in front of the residential dwelling, with the exception of living spaces above the garage.
- (5) Driveways leading to a Detached Garage: A driveway that provides access to a detached garage shall be no wider than twelve (12) feet in width at the property line but may taper to a width up to, but not to exceed, eighteen (18) inches beyond the exterior edges of the garage door opening; the taper shall begin in the side or rear yard and shall be angled no greater than forty-five (45) degrees. In no case shall any part of the driveway be located directly in front of the residential dwelling, with the exception of accessory dwelling living spaces above/within the detached garage.

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

- (6) Driveways on Properties without a Garage: Where no garage exists, a driveway shall be no wider than twelve (12) feet in width at the property line but may taper to a maximum of twenty (20) feet in the side and rear yard. In no case shall any part of the driveway be located directly in front of the residential dwelling.
- (7) Circular Driveways: A circular driveway with two approaches on the same street, or one per street on a corner lot, is permitted on parcels containing 200 feet or more of combined lot width.
- (8) Ribbon Driveways: Ribbon driveways are permitted for residential driveways, subject to the same dimensions and paving standards for standard driveways.

Individual ribbons shall only be permitted within the boundary of the lot and shall not be less than eighteen (18) inches or more than thirty (30) inches wide.

- (9) Additional Parking Pad: One (1) additional parking pad for parking and turnarounds, no greater than 18 x 20 feet, is permitted adjacent to a permitted driveway within a side or rear yard. Parking pads shall be set back a minimum of one (1) foot from side and rear property lines.

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

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

- (a) A driveway, or a portion of a driveway, which is non-conforming due to a failure to meet the one (1) foot side-yard setback requirement of paragraph (3), above, may be repaved or reconstructed in-kind, irrespective of non-conforming driveway width at the property line, if at least one of the following conditions are met:
 - i) The existing parcel features a lot width of 40 feet or less.
 - ii) The non-conforming portion of the driveway to be repaved or reconstructed is ten (10) feet wide or less.
- (b) A driveway, or a portion of a driveway, which is non-conforming due it extending directly in front of a residential dwelling may be repaved or reconstructed in-kind, irrespective of non-conforming driveway width at the property line. However, in no case shall the portion of the driveway extending in front of the dwelling exceed five (5) feet in width.

A. DETACHED ONE-FAMILY DWELLINGS IN N-P DISTRICT. Detached one-family dwellings within the N-P, Natural Preservation and Recreation District, shall only

be permitted upon parcels with a minimum area of one acre, and shall require Special Land Use approval.

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

1. Parking of Motor Vehicles in Residential Districts.

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

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

6. Nonconforming Site Elements.

- A. Nonconforming site elements pertaining to Article 7 (Standards Applicable to Specific Uses), Article 8 (General Provisions), Article 10 (Parking, Loading, and

Access Management), and *Article 11* (Landscaping) shall be brought into compliance when one (1) or more of the following situations occurs

- (1) A proposed site modification requires Major Site Plan approval, per *Section 15.04*; or
- (2) Major change of use classification (per use table). (i.e., commercial to residential); or
- (3) Other actions deemed necessary to bring the site into compliance as determined by the Planning and Zoning Administrator.

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

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

Section 4. Repealer

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

Section 5. Severability

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

Section 6. Savings

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

Section 7. Effective Date

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

Section 8. Enactment

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

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

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

Motion carried.

CM-25-161. Ordinance No. 2207 - Second Reading - Requirement for Recycling and Trash Carts.

Motion to approve the revised Ordinance No. 2207 requiring the use of City-approved trash and recycling carts on second reading, as follows:

Ordinance No. 2207 City of Madison Heights Oakland County, Michigan

AN ORDINANCE TO AMEND ORDINANCE NO. 517, BEING AN ORDINANCE CODIFYING AND ADOPTING A NEW CODE OF ORDINANCES FOR THE CITY OF MADISON HEIGHTS BY AMENDING CHAPTER 14, SECTIONS 14-10, 14-11, AND 14-16 OF THE CODE OF ORDINANCES, CITY OF MADISON HEIGHTS, MICHIGAN, TO ESTABLISH A REQUIREMENT FOR TRASH AND RECYCLING CARTS FOR CITYWIDE RUBBISH PICK-UP.

Section 1. Amendment.

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

Sec. 14-10. Authorized recyclable materials.

- (a) Residents or occupants of any house, home, dwelling, apartment building or structure of any kind or description whatsoever, intended as a place where people live in the city (collectively "premises"), shall separate authorized recyclable materials and place them in an authorized container at the curb on their normal garbage pickup day and in the manner set out in this chapter, or for multiple

dwelling or apartment buildings, at approved locations on the site in authorized containers.

- (b) Due to the rapidly changing technology in the area of refuse and recycling, authorized recyclable materials and authorized containers may change from time to time based upon available markets, transportation vehicle sizes, and pickup methods. To keep the public informed of the current authorized recyclable materials and authorized containers, the city shall on a regular basis distribute in newsletter form, or to be included with other information in an appropriate newsletter, details and listings of the then current authorized recyclable materials and authorized containers. In addition, the city shall provide a leaflet containing a list and details of the current authorized recyclable materials and authorized containers, which leaflets shall be available for pickup by the public at the city clerk's office, the information desk at City Hall and the department of public services.

(Ord. No. 2139, § 1, 5-28-19)

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

- (a) All yards, alleys, streets, vacant lots or other places in the city shall be kept free from garbage, bulky waste and rubbish. Garbage, bulky waste and rubbish shall be deposited in an appropriate container or placed for collection as set out in this chapter.
- (b) The residents or occupants of any premises shall have and use approved containers compatible with the city-authorized mechanical handling equipment., for receipt of garbage and rubbish, but not compostable material. All garbage and rubbish (with the exception of bulky waste) shall be placed in the container for collection
- (c) For composting purposes, compostable materials will not be collected by the city from any premises unless it is placed in a container approved by the director of the department of public services or his or her designee.
- (d) All containers shall be placed in a convenient location for collection at the proper time. The city shall not collect bulky waste or containers holding garbage, bulky waste, rubbish or compostable which weigh over 200 pounds.
- (e) No containers, rubbish, bulky waste or other materials to be disposed of shall be placed in any public street, alley or other public place, or in front or side yard, prior to 12 hours before the regular collection time, and said containers shall be removed from said places not later than 12 hours after collections are made.
- (f) Containers and bulky waste on collection day shall be placed between the curb and the sidewalk unless otherwise authorized..
- (h) Small tree limbs, two inches and less in diameter, shall be collected only if they have been cut into lengths not to exceed three feet in length and tied securely into bundles not to exceed three feet in length and tied securely into bundles not to exceed three feet in girth. In lieu of this paragraph, brush-chipping services are available as specified under subparagraph (i) of this section.

- (i) The city will provide brush-chipping services upon request of the landowner or occupant of the premises. The fee for brush chipping services has previously been established by resolution of the city council. The individual making the request for services will be billed after the services are rendered.
- (j) If payment is not received within 30 days after the services are billed, the director of the department of public services shall make a sworn statement of said account and deliver the same to the city clerk. The city clerk shall certify them forthwith to the city treasurer. The city treasurer shall then enforce payment for those services as prescribed in this chapter for the collection of special assessment.

(Ord. No. 2139, § 1, 5-28-19)

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

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

(Ord. No. 2139, § 1, 5-28-19)

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

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

(Ord. No. 2139, § 1, 5-28-19)

Sec. 14-14. Unauthorized collection prohibited.

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

(Ord. No. 2139, § 1, 5-28-19)

Sec. 14-15. Vehicles.

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

(Ord. No. 2139, § 1, 5-28-19)

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

Sec. 14-16. Burning restrictions.

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

(Ord. No. 2139, § 1, 5-28-19)

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

SECTION 2. Repealer.

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

SECTION 3. Severability.

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

SECTION 4. Savings.

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

SECTION 5. Effective Date.

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

SECTION 6. Inspection.

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

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.

COUNCIL COMMENTS:

Councilman Mier stated that he appreciates all public comment this evening. He looks forward to the results of the traffic study, noting that the property is dilapidated, the alley is ugly, and the site has been empty for a long time. The Downtown Touchdown and Fall Festival were huge successes. He thanked Sergeant Schram for his work with the reserve officers. There is a lot of fun stuff going on in the city, including at the library and with Parks and Recreation, etc. so please check it out. Please remember to be good neighbors and help each other.

Mayor Pro Tem Bliss noted that the move to a 6:30 PM meeting time led to more resident attendance. He advocated for promoting the trash cart assistance program to maximize participation among the elderly. He thanked city officials, including the late Bob Corbett, for securing city ownership of the 11 Mile and John R property, calling it a "huge opportunity" for downtown creation.

Councilor Wright requested staff investigate potential smaller trash cans for seniors and the feasibility of installing a speed bump on Dartmouth Street due to high traffic and child safety concerns. He acknowledged October as Breast Cancer Awareness Month, Domestic Violence Awareness Month, and National Youth Substance Prevention Month.

City Attorney Burns encouraged resident participation in master planning process. He highlighted the Fire Department's new program for residents to provide house information (pets, mobility) for emergency assistance. Reported progress on creating a special mental health treatment court for Hazel Park and Madison Heights.

City Manager Marsh praised the successful Downtown Touchdown and Harvest Festival at Rosey's Park, noting they both were well attended, and she appreciates the efforts made to hold events in the parks within the city.

Deputy City Manager/City Clerk Rottmann stated that early voting for the November 4, 2025 election begins Saturday, October 25th at the Royal Oak Senior Center located at 3500 Marais Avenue. Voting hours are daily from 8:30 to 4:30, except for Thursday, October 30th, when the hours are 12 p.m. to 8 p.m. Absentee ballots are available at the Clerk's office and ballots can be returned by mail, via our secure mailbox in the back of city hall or in-person at the Clerk's office.

Councilor Rohrbach reported the Environmental Citizens Committee (ECC) has composted 12,041 pounds of food waste this year. She announced the ECC is creating the Madison Mix native flower seed packets to expand native pollinators and acknowledged the day as Indigenous People's Day.

Councilman Fleming had no comments this evening.

Councilman Soltis had no comments this evening.

Mayor Grafstein announced that Cass Community Social Services is open to help federal employees affected by the shutdown. She reminded the public that council regular meetings are

now at 6:30 p.m., though due to the tree lighting event on November 24th, council will meet at 7:30 p.m.

ADJOURNMENT:

Having no further business, Mayor Grafstein adjourned the meeting at 8:07 p.m.



AGENDA ITEM SUMMARY FORM

MEETING DATE: October 27, 2025

PREPARED BY: Tracee L. Miller, HR Director/Purchasing Coordinator

AGENDA ITEM CONTENT: Resolution to Opt Out of PA 152

AGENDA ITEM SECTION: Reports

BUDGETED AMOUNT: n/a

FUNDS REQUESTED: n/a

FUND: n/a

EXECUTIVE SUMMARY:

Public Act 152, as amended, limits the amount that public employers pay toward employee medical benefit plans, beginning January 1, 2026. City Council is required to make an election for its choice of compliance for the subsequent calendar year.

RECOMMENDATION:

Given that all of the City's Collective Bargaining Agreements approved by City Council provide for 10% employee premium sharing, Council is requested to opt-out of PA 152 as allowable under that statute.

RESOLUTION TO OPT OUT OF PA 152

WHEREAS, PA 152, passed by the state Legislature, was designed to lessen the burden of employee healthcare costs on public employers;

WHEREAS, Communities are given three options for complying with the requirements of the Bill;

WHEREAS, those three options are as follows:

- 1) Apply the Hard Cap (capped dollar amount each government employer may pay towards an employee's healthcare costs);
- 2) Adopt by majority vote the 80%/20% (employer/employee) cost-sharing model;
- 3) Opt out of the cost-sharing model by a super majority vote of five as set forth in the bill and revisit it prior to the next year.

WHEREAS, the City of Madison Heights has determined to opt out of the cost-sharing model by a super majority vote of five as set forth in the bill as its choice of compliance under PA 152;

NOW, THEREFORE, BE IT RESOLVED, the Madison Heights City Council elects to comply with the requirements of the Publicly Funded Health Insurance Contribution Act by opting out of the cost-sharing model as set forth in PA 152.

Yeas:

Nays:

CERTIFICATION: I hereby certify that the foregoing is a true and complete resolution adopted by the City Council for the City of Madison Heights at a regular meeting held this _____ day of _____ 2025.

Cheryl E. Rottmann
City Clerk



AGENDA ITEM SUMMARY FORM

MEETING DATE: 10/27/25

PREPARED BY: Cheryl Rottmann, Deputy City Manager/City Clerk

AGENDA ITEM CONTENT: Ordinance 2208 - Precinct Boundary and Polling Location Changes, First Reading

AGENDA ITEM SECTION: Ordinances

BUDGETED AMOUNT: \$5,300

FUNDS REQUESTED: \$5,300

FUND: 101-262-729-0000

EXECUTIVE SUMMARY:

Please see attached memo.

RECOMMENDATION:

Staff recommends that City Council adopt Ordinance No. 2208, Amending Precinct Boundary Descriptions, Polling Locations, and Precinct Numbers, on First Reading, and schedule a Second Reading on November 10, 2025.



MEMO

Office of the City Clerk

To: Mayor and City Council
From: Cheryl Rottmann, City Clerk
Date: October 10, 2025
RE: Precinct Boundary and Polling Location Changes

In 2020, the State of Michigan conducted a Decennial Census, followed by the 2022 reapportionment of elected offices, including U.S. House of Representatives, State Senate, State House Representative, and County Commissioner districts. Since that time, both the Michigan Senate and Michigan House district maps have faced legal challenges, resulting in legislative boundary changes that affect the City of Madison Heights.

The revised Michigan House districts took effect in 2024; the new Michigan Senate districts will take effect in 2026. Every voting precinct in Madison Heights has been impacted by these changes. Our new Michigan Senate District is District 10, which will require the Clerk's office to mail updated voter registration cards to all registered voters in the city.

Whenever district boundaries are adjusted, it is appropriate to review precinct boundaries as well. In addition to the boundary changes, there have been legislative updates to Michigan Election Law now allowing precinct size to increase from 2,999 to 4,999 active registered voters due to expanded early voting and no-reason absentee voting.

Looking ahead, the State of Michigan will require local governments to replace election equipment in FY 2027/28 as our current equipment reaches the end of its service life. At this time, there is no State or Federal funding has been allocated for this purchase. Local governments are advised to budget approximately \$15,000 per in-person precincts for new equipment. Consolidating precincts will therefore result in long-term cost savings for the city.

Based on changes in voting patterns, updated legislation, and fiscal considerations, I recommend the following precinct adjustments:

1. Reduce the number of precincts from nine (9) to seven (7), as follows:

- a. Combining Precinct 6 and part of Precinct 8 (east of John R). These two precincts are geographically located next to each other. Voters will vote at John Page Middle School.
 - b. Combining part of Precinct 8 (west of John R) with Precinct 9. Voters will vote at John Page Middle School.
 - c. Combining the norther half of Precinct 2 (north of Eleven Mile Rd.) with Precinct 4. Voters will vote at Wilkinson Middle School.
2. Renumber the precincts, as follows:
- a. Combined Precinct 6 & 8 become Precinct 6
 - b. Combined Precinct 8 & 9 become Precinct 4
 - c. Combined precinct 2 & 4 become Precinct 2.

As required by MCL 168.661(3), the Election Commission approved a resolution with the proposed changes at their meeting on October 13, 2025 (attached). According to the City Charter, precinct boundary changes also require ordinance adoption. The deadline to submit these updates to the State of Michigan for the August 2026 election is January 6th.

Recommendation:

That City Council adopt Ordinance No. 2208, Amending Precinct Boundary Descriptions, Polling Locations, and Precinct Numbers, on First Reading, and schedule a Second Reading on November 10, 2025.

**A RESOLUTION
TO APPROVE PRECINCT BOUNARIES MAP, POLLING LOCATIONS, AND
PRECINCT NUMBERS FOR THE CITY OF MADISON HEIGHTS**

BE IT RESOLVED, that the Madison Heights City Election Commission hereby approves the proposed Precinct Boundary Map designating seven (7) precincts for the City of Madison Heights, along with the boundary description and list of polling locations;

BE IT FURTHER RESOLVED that all documentation be forwarded to the Bureau of Elections as approved by the Election Commission to be implemented for the August 2026 Primary Election.

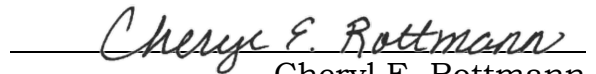
Yeas: Burns, Rottmann

Nays: None

Absent: Fleming

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 Election Commission at their meeting held on October 13, 2025.


Cheryl E. Rottmann
City Clerk

ORDINANCE NO. 2208

AN ORDINANCE TO AMEND ORDINANCE 571, BEING AN ORDINANCE CODIFYING AND ADOPTING A NEW CODE OF ORDINANCES FOR THE CITY OF MADISON HEIGHTS BY AMENDING CHAPTER 10, SECTION 10-1, OF THE CODE OF ORDINANCES, CITY OF MADISON HEIGHTS, MICHIGAN, TO APPROVE PRECINCT BOUNDARY DESCRIPTIONS, POLLING LOCATIONS, AND PRECINCT NUMBERS FOR THE CITY OF MADISON HEIGHTS

THE CITY OF MADISON HEIGHTS ORDAINS:

Section 1.

That Chapter 10, Section 10-1 of the Code of Ordinance, City of Madison Heights, Michigan, is hereby repealed in its entirety and replace as follows:

Sec. 10-1. Precincts established; numbers, boundaries.

- (a) There is hereby established, in the City of Madison Heights, 7 voting precincts to be used by the electors of the City of Madison Heights for the purpose of casting their ballots at all future elections.
- (b) The following precincts are hereby established and shall be referred to by number, as follows:

Precinct No. 1 shall be the area bounded as follows: to the north beginning at the intersection of the Chrysler Expressway and Bellaire; thence east along Bellaire to Dartmouth; thence south along Dartmouth to Gardenia; thence east along Gardenia Avenue to the southwest corner of Beauty Built Manor Subdivision; thence north along the west subdivision line of Beauty Built Manor Subdivision and Steven Heights Subdivision to the northwest corner of Steven Heights Subdivision; thence east along the north subdivision line of Steven Heights Subdivision to Dequindre Road; to the east by Dequindre Road; to the south by Eleven Mile Road; and to the west Chrysler Expressway The voting place shall be at the Madison Elementary School located at 27107 Hales Street.

Precinct No. 2 4 shall be the area bounded on the north by Eleven Mile; on the east by Dequindre Road; on the south by Lincoln Avenue; and on the west by the Chrysler Expressway. The voting place shall be at the Wilkinson Middle School located at 26524 John R Road.

Precinct No. 3 shall be the area bounded on the north by Lincoln Avenue; on the east by Dequindre Road; on the south by Ten Mile Road; and on the west by the Chrysler Expressway. The voting place shall be at the Wilkinson Middle School located at 26524 John R Road.

Precinct No. 9 4 shall be the area bounded as follows: to the north beginning at the intersection of Twelve Mile Road and the Chrysler Expressway; thence east along Twelve Mile Road to Dequindre Road; thence south along Dequindre Road to the northeast corner of the Steven Heights Subdivision; thence west along the north subdivision line of the Steven Heights Subdivision; thence south along the west subdivision line of the Steven Heights Subdivision and the Beauty Built Manor Subdivision to a point on the southwest corner of the Beauty Built Manor Subdivision; thence west along the east-west one-quarter section line of Section 13, Township 1 North Range 11 East along Gardenia Avenue to the centerline of Rialto Street; thence south along Rialto Street to the centerline of Gardenia Avenue; thence west along the centerline of Gardenia Avenue to the centerline of Lorenz Avenue; thence north along Lorenz Avenue to the center of Gardenia Avenue; thence west along Gardenia Avenue to centerline of Dartmouth; thence north along Dartmouth to the centerline of Bellaire; thence west along Bellaire to the Chrysler Expressway; thence north to the point of the beginning. The voting place shall be at the John Page Middle School located at 29615 Tawas St.

Precinct No. 5 shall be the area bounded as follows: Beginning as the intersection of the Chrysler Expressway and Fourteen Mile; thence east along Fourteen Mile to Dequindre; thence south along Dequindre to Thirteen Mile; thence west along Thirteen Mile to John R Road; thence south along John R Road to Twelve Mile; thence west along Twelve Mile to the Chrysler Expressway; thence north along the Chrysler Expressway to the point of beginning. The voting place shall be at the Madison Heights Public Library located at 240 West Thirteen Mile Road.

Precinct No. 6 shall be the area bounded on the north by Thirteen Mile Road; on the east by Dequindre Road; on the south by Twelve Mile Road; and on the west by John R Road. The voting place shall be at the John Page Middle School located at 29615 Tawas St.

Precinct No. 7 shall be the area bounded as follows: Beginning at the intersection of Twelve Mile Road and Campbell Road; thence north along Campbell Road to the southwest corner of parcel 25-02-101-043 also being the corporation line between the City of Madison Heights and the City of Royal Oak; thence east along the southerly boundary of parcel 25-02-101-043 to the southeast corner of parcel 25-02-101-043 also being the corporation line between the City of Madison Heights and the City of Royal Oak; thence north along the west line of the Mally's Industrial Subdivision No. 2 which is the east boundary line of parcel 25-02-101-043, parcel 25-02-101-059, and parcel 25-02-101-058 also being the corporation line between the City of Madison Heights and the City of Royal Oak to the northeast corner of parcel 25-02-101-058; thence west along the north boundary line of parcel 25-02-101-058 and parcel 25-02-101-052 which is also the corporation line between the City of Madison Heights and the City

of Royal Oak to the northwest corner of parcel 25-02-101-052 also being the centerline of Campbell Road; thence north along Campbell Road to Fourteen Mile Road; thence east along Fourteen Mile Road to the Chrysler Expressway; thence south along the Chrysler Expressway to Twelve Mile Road; thence west along Twelve Mile Road to the point of beginning. The voting place shall be at the James S. McCann Administration Building located at 31201 Dorchester.

Section 2. Repealer.

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

Section 3. Severability.

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

Section 4. Savings.

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

Section 5. Effective Date.

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

Section 6. Inspection.

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

, Mayor

Cheryl E. Rottmann, City Clerk

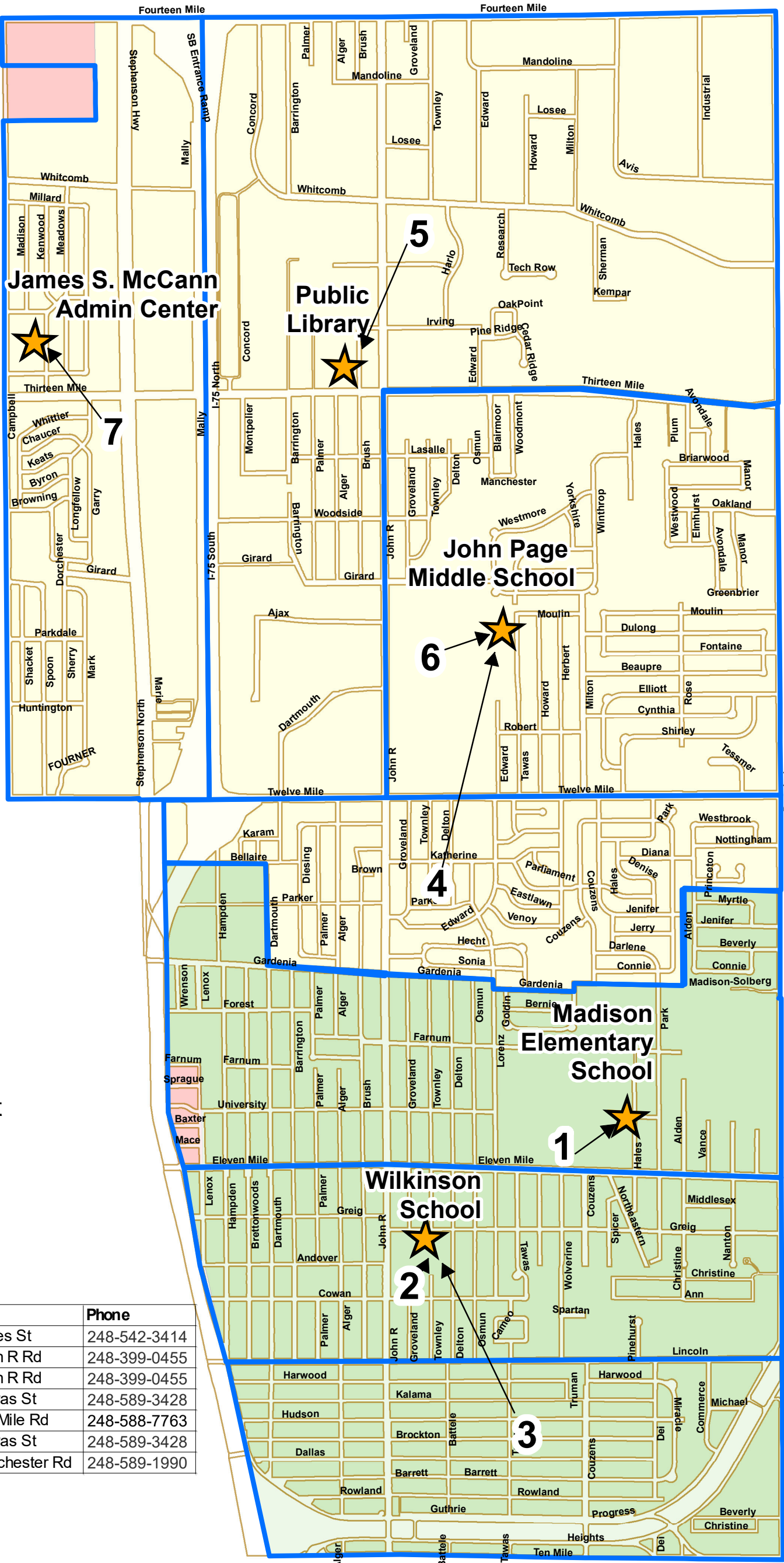
CERTIFICATION:

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 an ordinance adopted by the Madison Heights City Council at their Regular Meeting held on .

Cheryl E. Rottmann, City Clerk



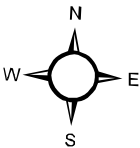
Madison Heights - Voting Precincts



Effective as of
August 4, 2026

- Voting Precinct
- Voting Location
- Royal Oak School District
- Lamphere School District
- Madison School District

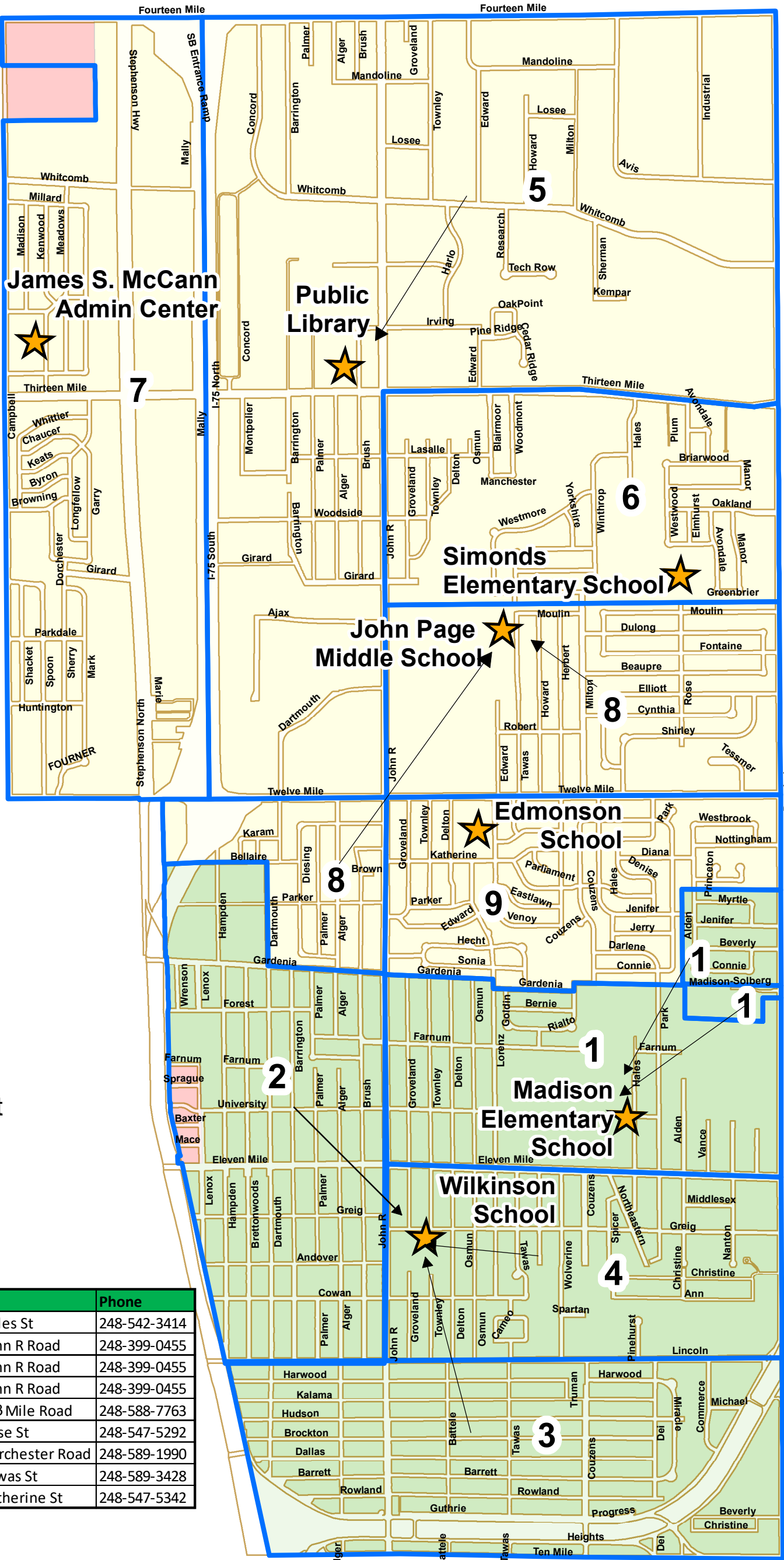
Voting Precinct	Location	Address	Phone
1	Madison Elementary School	27107 Hales St	248-542-3414
2	Wilkinson School	26524 Jhn R Rd	248-399-0455
3	Wilkinson School	26524 Jhn R Rd	248-399-0455
4	John Page Middle School	29615 Tawas St	248-589-3428
5	Public Library	240 W. 13 Mile Rd	248-588-7763
6	John Page Middle School	29615 Tawas St	248-589-3428
7	James S McCann Admin Center	31201 Dorchester Rd	248-589-1990



1 inch = 1,542 feet



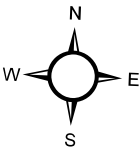
Madison Heights - Voting Precincts



Effective as of August 2, 2022

- Voting Precinct
- Voting Location
- Royal Oak School District
- Lamphere School District
- Madison School District

Voting Precinct	Location	Address	Phone
1	Madison Elementary School	27101 Hales St	248-542-3414
2	Wilkinson School	26524 John R Road	248-399-0455
3	Wilkinson School	26524 John R Road	248-399-0455
4	Wilkinson School	26524 John R Road	248-399-0455
5	Public Library	240 W. 13 Mile Road	248-588-7763
6	Simonds Elementary School	30000 Rose St	248-547-5292
7	James S. McCann Admin Center	31201 Dorchester Road	248-589-1990
8	John Page Middle School	29615 Tawas St	248-589-3428
9	Edmonson School	621 E. Katherine St	248-547-5342



1 inch = 1,542 feet