



CITY OF MADISON HEIGHTS

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

CITY COUNCIL REGULAR MEETING AGENDA

JULY 08, 2024 AT 7:30 PM

CALL TO ORDER

ROLL CALL

INVOCATION and PLEDGE OF ALLEGIANCE - MAYOR PRO TEM BLISS

APPROVAL OF THE AGENDA:

- [1.](#) Additions/Deletions

PRESENTATIONS

- [2.](#) Director of Public Services - Priority Waste Presentation

PUBLIC HEARINGS:

- [3.](#) CED Director - Special Approval PSP 24-03 - Wash Pointe Car Wash [Modifications to Vacuums] - 28245 John R Road

ITEMS ON AGENDA OF INTEREST TO PARTIES IN THE AUDIENCE

MEETING OPEN TO THE PUBLIC:

CONSENT AGENDA:

- [4.](#) Director of Public Services - Purchase of Radar Signs
- [5.](#) Director of Public Services - Budgeted Replacement of Tire Machinery
- [6.](#) City Council Regular Meeting Minutes of June 24, 2024

COMMUNICATIONS:

REPORTS:

- [7.](#) Oakland County Parks and Recreation Grant - Rosie's Park Pickleball Courts
- [8.](#) Accelerated Tax Foreclosure Resolution, 2024-25
- [9.](#) Resolution to Modify Medical Marihuana Facilities and Adult Use Marihuana Establishments ("Green Zone") Map

ITEMS FOR FUTURE PUBLIC HEARINGS:

BID AWARDS/PURCHASES:

- [10.](#) Director of Public Services - Scheduled Replacement of Loader #488
- [11.](#) Director of Public Services - Edison Park Parking Lot Paving
- [12.](#) Parcel Redevelopment Program 2024

ORDINANCES:

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: July 2, 2024

TO: City Council

FROM: Melissa R. Marsh, City Manager

SUBJECT: Agenda Comments - Regular Council Meeting of Monday, July 2, 2024

The following are my comments on items appearing on the agenda of the Regular Council Meeting on Monday, June 8, 2024.

PRESENTATIONS:

DIRECTOR OF PUBLIC SERVICES – PRIORITY WASTE PRESENTATION

A representative from Priority Waste is scheduled to attend the Council meeting to provide background on their company and its acquisition of the GFL residential contracts in this region.

PUBLIC HEARINGS:

CED DIRECTOR – SPECIAL APPROVAL PSP 24-03 – WASH POINTE CAR WASH

The applicant and property owner, Steve Gunn, requests a modification to a previously approved Special Approval application for Wash Pointe Car Wash, located at 28245 John R Road. The applicant owns and operates the auto wash and revised their request to increase the number of exterior vacuum spaces from four (4) to eight (8). The property is zoned B-3, General Business.

The applicant intends to remove their existing vacuums and install a total of nine (9) “VACUTECH” vacuums, which will be accessed via eight (8) parking spaces. The additional vacuum will allow patrons on the end to vacuum either side of their vehicle. Based on the revised orientation of the proposed vacuuming parking spaces, two-way vehicle circulation is now possible.

This special approval was originally heard on May 28th, when City Council voted to postpone action on the requested special land use modification to allow the applicant time to address concerns related to noise, trash control and dumpster location, and traffic circulation.

Noise - The applicant has provided a noise study showing the sound level meter readings from various distances from the turbine/generator. Per the study, at a distance of 20 feet, the turbines produce a sound level of approximately 54 decibels. Based on a chart provided by the Federal Aviation Administration (FAA), below, this is similar to the sound produced by a conversation in a living room. At a distance of 30 feet, the turbines produce a sound level of approximately 38 decibels, similar to that of the background noise in a library.

Trash Control/Dumpster Location - Per the applicant, the modified vacuums include trash canisters that restrict the ability to place obscure, larger items inside. The applicant claims that there will be no increase in trash as a result of the new vacuums. While the site does feature a dumpster enclosure and dumpster pad in the northwest corner (approved as part of the original site plan), the dumpster itself has been moved to an unimproved area in the southwest corner of the site adjacent to the public alley. Per Section 10.510(B)(8), all dumpsters shall be located on an eight-inch-thick

concrete pad and completely screened from view. The new dumpster area should be brought into conformance as part of the Special Approval process.

Traffic Circulation - Based on the ninety-degree orientation of vacuuming parking spaces, two-way circulation is proposed adjacent to the vacuums. The previous submittal depicted angled parking spaces, which would have required patrons to proceed through the car wash after utilizing the vacuums. Per the applicant, the ninety-degree orientation allows for applicants to exit the site after using the vacuums. Staff recommend and the applicant removed from their original submittal the northern-most vacuum parking space due to its proximity to the pay kiosks, and brought the total spaces back down to eight (8) (Nine (9) total vacuums) as originally proposed and as advertised in the public notice.

If City Council moves to approve the requested modifications to the Special Approval use, staff recommends including the following conditions of approval relating directly to the site layout and operation of the proposed vacuums, in accordance with Section 10.201(4)(k), to fulfill the spirit and purpose of the Zoning Ordinance and the intent of the B-3 zoning district:

1. Provide a dumpster pad and screening enclosure (either masonry wall or landscaping, or combination) for the dumpster, in coordination with the Community and Economic Development Department. Alternatively, move the dumpster back to the originally approved dumpster pad/enclosure.
2. Vacuums shall be turned off no later than 8 p.m., consistent with the closure of the auto wash tunnel.
3. Motors and mechanical equipment for the outdoor vacuums shall be enclosed within the auto wash building. Details of such equipment shall be provided on the formal building plans, when submitted.

After the public hearing and discussion, City Council may take action on the requested modified Special Approval. Any motion shall include concise findings based upon the Special Approval review standards and criteria, Section 10.201(4). Per Section 10.201(3), City Council may postpone action on a Special Approval request to allow verification, compilation, or submission of additional or supplemental information or to address other concerns or issues.

CONSENT:

DIRECTOR OF PUBLIC SERVICES – PURCHASE OF RADAR SIGNS

The FY 2025 Budget includes funding for nonspecific traffic safety enhancements. This funding was made possible by the settlement of the money from the addition of the two Marijuana Facilities.

The Traffic Safety committee met and determined that the highest immediate priority relates to schools on major roads, and tempering speeds in those areas. The decision was made to install radar signs programmed to the speed limit in the areas that will provide a visual warning to drivers prompting them to slow down if they are exceeding the speed limit. The Committee researched multiple options and were impressed with the units furnished by RadarSign due to their quality of build, ease of operation, and available features, they also provide the ability to perform traffic counting, which provides

necessary data for overall road analysis and replacement funding. A quote was requested for twelve of these units, which will provide one in each direction for each major road school zone, as well as two extras to be deployed throughout the City as needed.

Staff recommends that the Council approve on the consent agenda the purchase of 12 RadarSign TC-600 units from RadarSign, of Marietta, Georgia, for \$45,671.00 through the BuyBoard government purchasing cooperative. Funding is budgeted and available for this purchase.

DEPARTMENT OF PUBLIC SERVICES – REPLACEMENT OF TIRE MACHINERY

The FY 2025 Budget includes funding for replacing the Motor Pool tire machinery. The existing machinery, consisting of a tire changer and wheel balancing machine, is 23 years old, and shows significant wear and tear. Motor Pool changes approximately 15-20 tires per month, resulting in this machinery receiving heavy and routine use.

Staff requests that the Council approve by consent agenda the purchase of a Coats 800Maxx70 tire changing machine and Coats 80016003D wheel balancer as quoted from O'Reilly Auto Parts through the Omnia Purchasing cooperative contract 05-42. Funding is budgeted and available.

REPORTS:

CITY MANAGER – OAKLAND COUNTY PARKS AND RECREATION GRANT – ROSIE'S PARK PICKLEBALL COURTS

Oakland County Parks and Recreation (OCPRC) has awarded the City of Madison Heights a Park Development grant for the creation of Pickleball Courts at Rosie's Park in the amount of \$75,000. The total project cost is not to exceed \$351,000; the grant from Oakland County Parks and Recreation covers \$75,000 of the project cost. The city's match of \$276,000 will come from the allocated parks and recreation budget. We are working with Frank Rewold and Sons for the final cost of the contract of these courts as designed. However, the staff is committed to completing this within or under the \$351,000. Final approval of the construction project will require Council approval at a future Council meeting.

Staff and I request the City Council's approval to accept the \$75,000 grant from Oakland County Parks and Recreation and authorize the City Manager to sign on behalf of the City.

FINANCE DIRECTOR – ACCELERATED TAX FORECLOSURE RESOLUTION

The "Certification of Abandoned Property for Accelerated Forfeiture Act" (MCL 211.961) allows for property with delinquent taxes and is certified abandoned by the local governing body to enter an accelerated foreclosure process in which the County Treasurer's Office can foreclose on the property 1-year earlier than the regular 3-year foreclosure process. The annual election to accelerate the tax foreclosure process can be a useful tool to expedite the removal of abandoned property and to reduce blight. A resolution for certification of abandoned property for accelerated forfeiture act is included for your review and approval consideration.

Staff and I recommend that the Council approve the resolution for the Certification of Abandoned Property for Accelerated Forfeiture Act.

COMMUNITY DEVELOPMENT DEPARTMENT – RESOLUTION TO REVISE THE MARIHUANA MAP

Per Sections 7-310 and 7-410 of the City's Business Regulations and Licenses Ordinance contained within the Code of Ordinances, City Council may approve by resolution from time to time a published map of approved properties where marihuana medical facilities and adult-use marihuana establishments can be located, known as the "green zone." These are allowable uses in the M-1 or M-2 Industrial Districts, per the City's business regulation ordinances related to marihuana; and

On June 10, City Council approved the rezoning of 1035 W. 12 Mile Road from B-3 (General Business) to M-1, (Light Industrial) for a Marijuana Facility. Therefore the parcel should now be included in the City's published "green zone" map of allowed properties for the placement of marihuana medical facilities and adult-use marihuana establishments so that the parcel may be combined with a neighboring parcel that is already located within said "green zone". Both the subject parcel and the adjacent parcel must be within the approved "green zone" map prior to a parcel combination being approved.

Therefore staff and I recommend that the City Council incorporates the parcel at 1035 W. 12 Mile Road (Parcel ID 44-25-14-127-053) as an approved property within the City's "green zone" map.

BID AWARDS/PURCHASES:

DIRECTOR OF PUBLIC SERVICES – SCHEDULED REPLACEMENT OF LOADER #488

The approved FY 2025 Budget includes the scheduled replacement of Loader #488, a 2003 Volvo L-30 B front-end loader with bucket, forks, and broom, funded through the Parks division.

The current loader to be replaced is 21 years old and has an extremely poor condition. The replacement of this machine is essential to support routine DPS operations.

The last three loaders purchased have been Volvo, due to its being highly favored in demonstrations and operations, as well as a proven track record of providing strong service with minimal maintenance and downtime. Having all of these machines provided by the same maker also helps to streamline the parts and service inventory, as well as providing familiarity for the operators who use both machines on a routine basis. Due to these factors, Staff elected to spec out a new Volvo as a functional like-for-like replacement.

The loader and its attachments are available on a cooperative MiDeal bid through the State of Michigan, from Alta Equipment, which is the area Volvo dealer. Based on this information, Staff requests that Council approve the purchase of one Volvo L-30 GS Front-End Loader, with identified options from Alta Equipment of Burton, Michigan, through the MiDeal Cooperative Purchasing Contract #240000000159 for a total equipped cost of \$160,898. Funds are budgeted and available for this scheduled replacement and purchase.

DEPARTMENT OF PUBLIC SERVICES – EDISON PARK PARKING LOT PAVING

The FY 2025 Budget includes funding carried forward for the paving of the Edison Park parking lot, which is currently composed of gravel. Additional funding was obtained through the city's Community Development Block Grant (CDBG). The paving of this parking lot represents a key step in improving ADA accessibility at this park; patrons with limited mobility will now be able to park and transport onto the adjacent sidewalk network to the ADA accessible playscape and other amenities in the park.

Due to the various conditions of the CDBG funding, including Davis-Bacon wage requirements, a bid for the project was prepared by Staff and the City's consulting engineering firm Nowak and Fraus. Five sealed bids were received by the deadline, and upon tabulation, DiLisio Contracting, of Clinton Township is the low bid. DiLisio has been the City's concrete contractor for many years on the major and local sectional projects, and the R-3 road construction. They have proven to be a responsive and qualified firm, and their work is of a consistently high quality.

Between the CDBG funds and programmed expense, funding is currently budgeted and available to cover this bid and the necessary construction oversight.

Therefore, staff and I concur with the recommendation of our city engineer, and recommends that Council award the bid for the Edison Park Parking Lot paving project to DiLisio Contracting, of Clinton Township, for a total amount of \$112,331.

CITY MANAGER – PARCEL REDEVELOPMENT PROGRAM 2024

As part of the Adopted 2019 Goal Plan, the City implemented a Tax Foreclosure Purchase/Sale/Redevelopment Program. This initiative has led to the immediate clean-up of property exteriors, ongoing maintenance, guaranteed code-compliant renovations, and the sale of residential properties to owner-occupants. Additionally, it has provided immediate tax base benefits from renovated structures, enhanced property appraisals for future appraisal comparable, and reduced potential future single-family rental or vacant properties.

In July 2018, the City Council approved the first year of this Tax Foreclosure Redevelopment Program. Since then, we have worked with developers to successfully renovate 22 foreclosed properties through this program. This program has proven to be beneficial for the city, neighborhoods, and future homeowners.

This year, the City is opting to purchase one (1) foreclosed property eligible for this program: Parcel 25-13-302-005, located at 27804 Groveland Street. This property is vacant, condemned, and slated for demolition. As a result, Oakland County Equalization has reassessed this parcel at \$30,000.

Using this information, we developed and issued a Request for Proposal (RFP), receiving submissions from two companies. Only one company, DMC Consultants, Inc., met our specific requirements to 1) demolish the structure on this parcel within 30 days of ownership and 2) build a new residential building on this parcel. DMC Consultants will pay \$30,000 for the property plus a \$1,575 administrative fee to the City upon closing.

Based on the condition of the parcel to be purchased, the proposal submitted in response to this year's RFP, and the proven success of this program, I recommend the following actions by the City Council:

1. Approve the purchase of 27804 Groveland Street Parcel ID 25-13-302-005, for \$30,000 from Oakland County through the tax foreclosure process. (According to Charter Section 12.1, the purchase of property requires five (5) affirmative votes.)
2. Award the Parcel Development Program to DMC Consultants Inc. and the subsequent sale of 27804 Groveland by approving the contract and authorizing the City Manager and City Clerk to sign on behalf of the City.

Representatives from DMC Consultants will be present at the meeting to answer any questions.



AGENDA ITEM SUMMARY FORM

MEETING DATE: 7/8

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

AGENDA ITEM CONTENT: Director of Public Services - Priority Waste Presentation

AGENDA ITEM SECTION: Communications

BUDGETED AMOUNT: N/A

FUNDS REQUESTED: N/A

FUND: N/A

EXECUTIVE SUMMARY:

A representative from Priority Waste is scheduled to attend the Council meeting to provide a background on their company, and their acquisition of the GFL residential contracts in this region.

RECOMMENDATION:



AGENDA ITEM SUMMARY FORM

MEETING DATE: 7/8.24

PREPARED BY: Matt Lonnerstater, AICP

AGENDA ITEM CONTENT: Special Approval Request PSP 24-03– 28245 John Road – Modification to Previously-Approved Special Approval [Wash Pointe Car Wash Vacuums]

AGENDA ITEM SECTION: Public Hearings

BUDGETED AMOUNT: N/A

FUNDS REQUESTED: N/A

FUND: N/A

EXECUTIVE SUMMARY:

The applicant and property owner, Steve Gunn, requests a modification to a previously approved Special Approval application for Wash Pointe Car Wash, located at 28245 John R Road (PIN # 44-25-14-232-014). The applicant owns and operates the auto wash and requests to increase the number of exterior vacuum spaces from four (4) to eight (8). The property is zoned B-3, General Business.

Note: The applicant applied for this Special Approval modification request prior to formal adoption of the new Zoning Ordinance/Zoning Map. Therefore, City Council should use the processes and standards of the prior Zoning Ordinance to act upon this request.

RECOMMENDATION:

Refer to staff report, including "Template Motion, Findings and Conditions" section on page 5.



MEMORANDUM

Date: June 27th, 2024

To: City of Madison Heights City Council

From: Matt Lonnerstater, AICP – City Planner

Subject: Special Approval Request PSP 24-03– 28245 John Road – Modification to Previously-Approved Special Approval [Wash Pointe Car Wash]

TEMPLATE MOTION AND FINDINGS INCLUDED ON PAGE 5

Introduction

The applicant and property owner, Steve Gunn, requests a modification to a previously approved Special Approval application for *Wash Pointe Car Wash*, located at 28245 John R Road (PIN # 44-25-14-232-014). The applicant owns and operates the auto wash and requests to increase the number of exterior vacuum spaces from four (4) to eight (8). The property is zoned B-3, General Business.

Note: The applicant applied for this Special Approval modification request prior to formal adoption of the new Zoning Ordinance/Zoning Map. Therefore, City Council should use the processes and standards of the prior Zoning Ordinance to act upon this request.

Background and Historical Information (Minutes Attached)

- **August 11th, 2003:** City Council granted Special Approval allowing the applicant to construct and operate an auto wash at the subject site (listed as a special approval use in the B-3 zoning district). Per Zoning Ordinance standards in 2003, exterior vacuums were not permitted at auto wash uses. Therefore, exterior vacuums were not included, nor approved, in the original application. The auto wash opened for business in 2005.
- **October 24th, 2005:** The applicant requested a modification to the previously-approved auto wash to allow the installation of exterior vacuums. City Council approved the installation of **two (2)** exterior vacuums, with the condition that the Zoning Board of Appeals grant a variance to allow vacuums outside the building area.
- **January 5th, 2006:** The Zoning Board of appeals (ZBA) approved a variance to allow external vacuuming equipment at the auto wash. ZBA approval accounted for an additional vacuum, bringing the total to three (3). However, the Special Approval was never updated to include the third vacuum.
- **Today:** There are currently four (4) exterior vacuums at the auto wash, although City Council only formally approved two (2), and the ZBA only formally approved three (3). It is unclear when the additional vacuum was installed; per the applicant, it may have been approved through an informal handshake process. The applicant is requesting a modification to the existing Special Approval to increase the number of exterior vacuuming spaces to eight (8), with a total of nine (9) vacuums.

On May 28th, 2024, City Council voted to postpone action on the requested special land use modification to allow the applicant time to address concerns related to noise, trash control and dumpster location, and traffic circulation.

Project Details

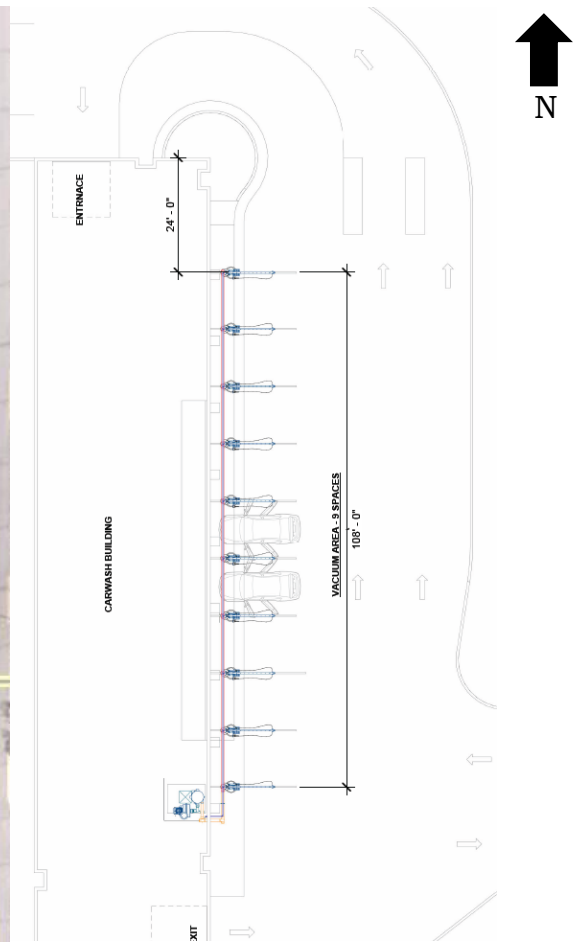
The four (4) existing vacuuming spaces are placed parallel to the auto wash building, as shown in the image below. These are pay-to-use vacuums. The applicant intends to remove these vacuums and install a total of nine (9) “VACUTECH” vacuums, which will be accessed via eight (8) 90-degree, perpendicular parking spaces. The additional vacuum will allow patrons on the end to vacuum either side of their vehicle.

Wash Pointe Car Wash

Existing Conditions



Proposed Conditions



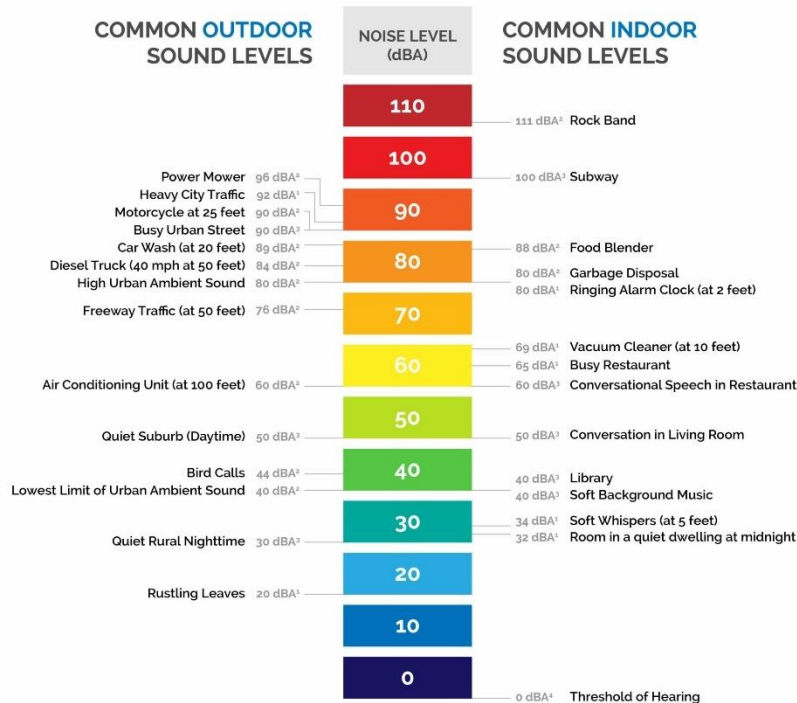
Traffic Circulation

Based on the ninety-degree orientation of vacuuming parking spaces, two-way circulation is proposed adjacent to the vacuums. The previous submittal depicted angled parking spaces, which would have required patrons to proceed through the car wash after utilizing the vacuums. Per the applicant, the ninety-degree orientation allows for applicants to exit the site after using the vacuums.

Noise

The applicant has provided a noise study showing the sound level meter readings from various distances from the turbine/generator. Per the study, at a distance of 20 feet, the turbines produce a sound level of approximately 54 decibels. Based on a chart provided by the Federal Aviation Administration (FAA), below, this is similar to the sound produced by a conversation in a living room. At a distance of 30 feet, the turbines produce a sound level of approximately 38 decibels, similar to that of the background noise in a library.

Comparative Noise Levels (dBA)



Source: FAA

The turbine, which generates air flow and power to the vacuuming hoses, will be placed inside the auto wash structure. The nearest residential property line is located 60 feet from turbine location and is separated from the turbine by the car wash building itself and an additional masonry wall.

Trash/Dumpster

Per the applicant, the modified vacuums include trash cannisters that restrict the ability to place obscure, larger items inside. The applicant claims that there will be no increase in trash as a result of the new vacuums.

While the site does feature a dumpster enclosure and dumpster pad in the northwest corner (approved as part of the original site plan), the dumpster itself has been moved to an unimproved area in the southwest corner of the site adjacent to the public alley. Per Section 10.510(B)(8), all dumpsters shall be located on an eight-inch-thick concrete pad and completely screened from view. The new dumpster area should be brought into conformance as part of the Special Approval process.

Special Approval Criteria

Per Section 10.201(5)(h), *“the conditions imposed with respect to the approval of a special land use shall be recorded in the record of the approval action and shall remain unchanged except upon the mutual consent of the approving authority and the landowner.”* As City Council granted original Special Approval for the auto wash and the exterior vacuuming layout, City Council approval is required to modify the layout and general number of exterior vacuums.

Requests for Special Approval are subject to criteria and review standards contained in Section **10.201(4)**. The primary review standards are outlined below.

[...]

(C) *The use shall be designed and located so that it is compatible with the surrounding properties, neighborhood and vicinity. At a minimum, this shall include:*

1. *Location of use(s) on site;*
2. *Height of all improvements and structures;*
3. *Adjacent conforming land uses;*
4. *Need for proposed use in specified areas of the city;*
5. *Conformance with future land use plans for the area as adopted by the planning commission;*
6. *Compatibility with the permitted principal uses allowed in the zoning district where the special approval use is requested.*

[...]

(G) *The use shall not have an adverse effect on the environment beyond the normal effects of permitted principal uses in the same zoning district and shall not result in an impairment, pollution, and/or destruction of the air, water, and natural resources.*

[...]

(I) *The proposed use shall be designed as to location, size, intensity, site layout, and periods of operation to eliminate any possible nuisances which might be noxious to the occupants of any nearby properties. The use shall not involve uses, activities, processes, materials, equipment and conditions of operation that will be detrimental to any persons, property, or the general welfare by reason of excessive smoke, fumes, glare, noise, vibration, odors, and adverse environmental impacts.*

These approval criteria should be incorporated into any motion acting upon the Special Approval request. Additional criteria for reviewing Special Approval uses are contained at the end of this report.

Staff Analysis

Staff concerns relating to exterior vacuums primarily relate to noise and hour of operation. While the subject site directly abuts a residential neighborhood to the west, the auto wash building separates the vacuuming spaces from the adjacent homes. Additionally, the vacuuming operating equipment, including turbine and muffler, will be located within the auto wash structure which should dampen noise impacts, as evident by the noise study provided by the applicant.

The Zoning Board of Appeals previously approved a variance to allow exterior vacuums but did not place a condition relating to the total number of vacuums. Therefore, additional variances through the ZBA are not required.

As part of this Special Approval request, the nonconforming dumpster location and conditions should be addressed. As a condition of approval, if granted, staff recommends requiring a dumpster pad and screening to bring the site into compliance with the Zoning Ordinance.

Conditions

Per Section 10.201(4)(k), City Council may impose conditions in granting Special Approval that it deems necessary to fulfill the spirit and purpose of the Zoning Ordinance. If City Council moves to approve the Special Approval application, staff recommends the following conditions to meet the intent and purpose of the B-3 zoning district and the spirit of the Zoning Ordinance:

1. *Provide a dumpster pad and screening enclosure (either masonry wall or landscaping, or combination) for the dumpster, in coordination with the Community and Economic Development Department. Alternatively, move the dumpster back to the originally-approved dumpster pad/enclosure.*
2. *Vacuums shall be turned off no later than 8 p.m., consistent with the closure of the auto wash tunnel.*
3. *Motors and mechanical equipment for the outdoor vacuums shall be enclosed within the auto wash building. Details of such equipment shall be provided on the formal building plans, when submitted.*

Template Motion, Findings and Conditions

Staff offers the following motions and findings as a suggested template and guide for City Council's motion on this case, either for approval or denial. Staff urges City Council to provide additional detailed findings, as needed, to substantiate any motion for approval or denial.

MOVE TO **(APPROVE/DENY)** SPECIAL APPROVAL REQUEST NUMBER PSP 24-03 BASED UPON THE FOLLOWING FINDINGS PERTAINING TO THE SPECIAL APPROVAL CRITERIA OF SECTION 10.201(4):

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

If City Council moves to approve the requested modifications to the Special Approval use, staff recommends including the following conditions of approval relating directly to the site layout and operation of the proposed vacuums, in accordance with Section 10.201(4)(k), to fulfill the spirit and purpose of the Zoning Ordinance and the intent of the B-3 zoning district:

1. *Provide a dumpster pad and screening enclosure (either masonry wall or landscaping, or combination) for the dumpster, in coordination with the Community and Economic Development Department. Alternatively, move the dumpster back to the originally-approved dumpster pad/enclosure.*
2. *Vacuums shall be turned off no later than 8 p.m., consistent with the closure of the auto wash tunnel.*
3. *Motors and mechanical equipment for the outdoor vacuums shall be enclosed within the auto wash building. Details of such equipment shall be provided on the formal building plans, when submitted.*

Next Step

After the public hearing and discussion, City Council may take action on the requested modified Special Approval. **Any motion shall include concise findings based upon the Special Approval review standards and criteria, Section 10.201(4). Per Section 10.201(3), City Council may postpone action on a Special Approval request to allow verification, compilation, or submission of additional or supplemental information or to address other concerns or issues.**

Pertinent Zoning Ordinance Sections

Section 10.201 – *Special Approval Use Review Procedures and Requirements*

- (4) *Review standards and criteria.* The city council shall consider the following standards and criteria in their review of all special approval use requests:
- (a) Site plans submitted for special approval uses shall be prepared in conformance with and contain all information as outlined in Section 10.514. Site Plan Review.
 - (b) All design standards or criteria imposed on specific special approval uses elsewhere in this Ordinance shall be met.
 - (c) The use shall be designed and located so that it is compatible with the surrounding properties, neighborhood and vicinity. At a minimum, this shall include:
 - 1. Location of use(s) on site;
 - 2. Height of all improvements and structures;
 - 3. Adjacent conforming land uses;
 - 4. Need for proposed use in specified areas of the city;
 - 5. Conformance with future land use plans for the area as adopted by the planning commission; and
 - 6. Compatibility with the permitted principal uses allowed in the zoning district where the special approval use is requested.
 - (d) Ingress/egress to the use shall be controlled to assure maximum vehicular and pedestrian safety, convenience and minimum traffic impact on adjacent roads, drives and uses including, but not limited to:
 - 1. Reduction in the number of ingress/egress points through elimination, minimization and/or consolidation of drives and/or curb cuts;
 - 2. Proximity and relation to intersections, specifically with regard to distance from drive(s) to intersection(s);
 - 3. Reduction/elimination of pedestrian/vehicular traffic conflicts;
 - 4. Adequacy of sight distances;
 - 5. Location and access of off-street parking;
 - 6. Location and/or potential use of service drives to access multiple parcels, reducing the number of access points necessary to serve the parcels.
 - (e) Screening shall be provided along all property lines, where council determines such screening is necessary to minimize impact of the use on adjacent properties or uses.
 - (f) The use shall be properly served by utilities.
 - (g) The use shall not have an adverse effect on the environment beyond the normal affects of permitted principal uses in the same zoning district and shall not result in an impairment, pollution, and/or destruction of the air, water, and natural resources.
 - (h) The use shall be specifically scrutinized for conformance with the performance standards outlined in section 10.509 of this Ordinance.
 - (i) The proposed use shall be designed as to location, size, intensity, site layout, and periods of operation to eliminate any possible nuisances which might be noxious to the occupants of any other nearby properties. The use shall not involve uses, activities, processes, materials, equipment and conditions of

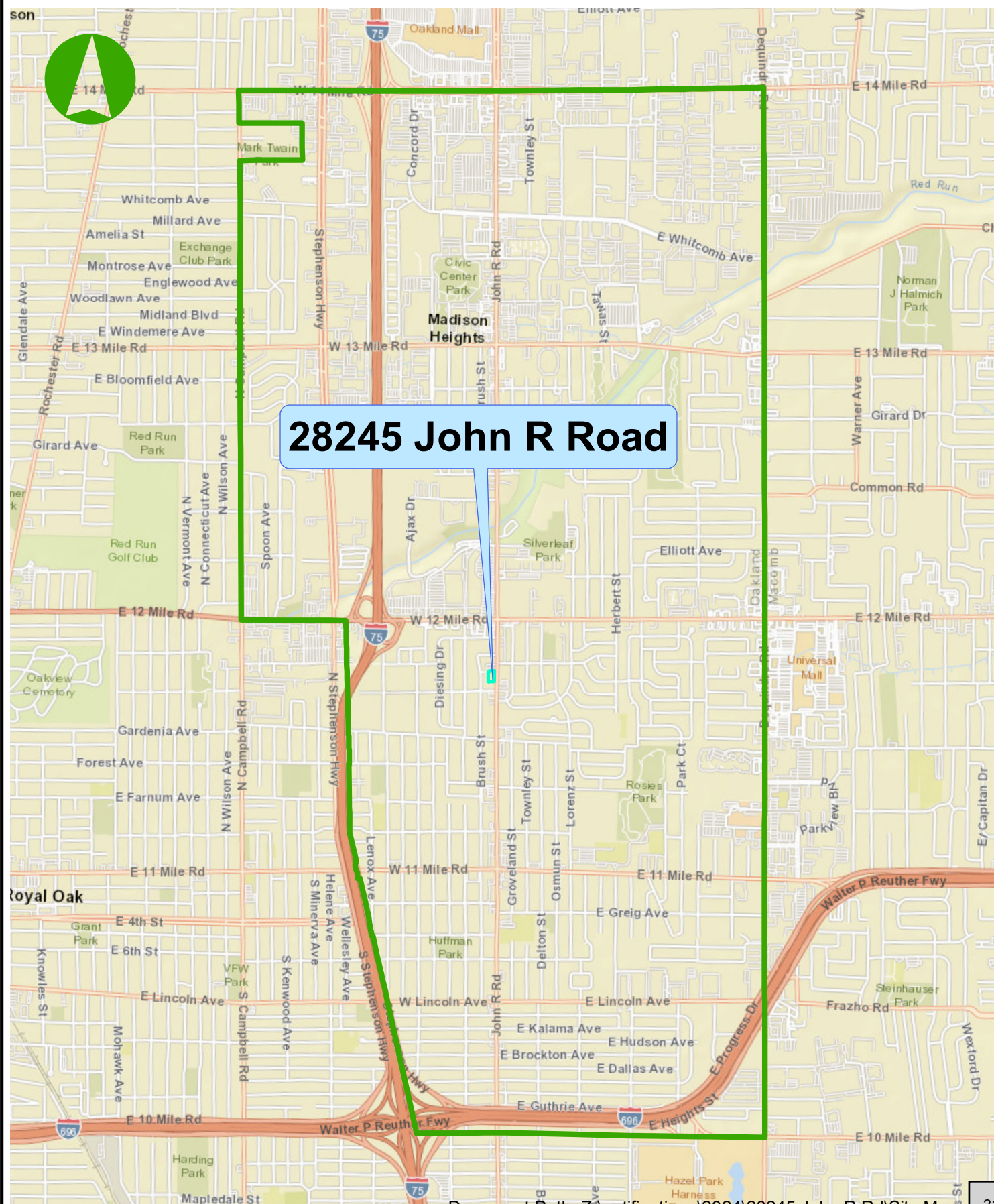
operation that will be detrimental to any persons, property, or the general welfare by reason of excessive smoke, fumes, glare, noise, vibration, odors, and adverse environmental impacts.

- (j) The proposed use does not impose an unreasonable burden upon public services and utilities in relation to the burden imposed by permitted principal uses in the same zoning district.
- (k) The city council may impose conditions in granting special approval that it deems necessary to fulfill the spirit and purpose of this Ordinance. The conditions may include those necessary to ensure that public services and facilities affected by a proposed land use or activity will be capable of accommodating increased service and facility loads caused by the land use or activity, to protect the natural environment and conserve natural resources and energy, to ensure compatibility with adjacent uses of land, and to promote the use of land in a socially and economically desirable manner. Conditions imposed shall:
 - 1. Be designed to protect natural resources, the health, safety and welfare, as well as the social and economic well-being of those who will use the land use or activity under consideration, residents and landowners immediately adjacent to the proposed land use or activity, and the community as a whole.
 - 2. Be related to the valid exercise of the police power and purposes that are affected by the proposed use or activity.
 - 3. Be necessary to meet the intent and purpose of the zoning regulations; be related to the standards established in this Ordinance for the land use or activity under consideration (if applicable); and be necessary to ensure compliance with those standards.
 - 4. Provide adequate safeguards as deemed necessary for the protection of the general welfare and individual property rights, and for ensuring that the intent and objectives of this Ordinance will be observed. The breach of any condition, safeguard or requirement, and the failure to correct such breach within 30 days after an order to correct is issued by the city shall be reason for immediate revocation of the special approval. Conditions and requirements stated as a part of special use permit authorizations shall be continuing obligations of the holders of such permits and are binding upon their heirs and assigns and upon any persons taking title to the affected property while such special use permit is in effect.
- (l) The discontinuance of a special use after a specified time may be a condition to the issuance of the permit. Renewal of a special use permit may be granted after a review and determination by the city council that continuing private need and public benefit will be served by such renewal. Renewal applications shall be in accord with standards and requirements in effect at the time that the renewal is requested.

Sec. 10.326 - B-3 Uses Permissible on Special Approval

- (8) Auto washes:
 - (a) When completely enclosed in a building.
 - (b) An attendant must be on duty and on the premises at all times that such auto wash is in operation. All other times, the building must be locked and safely secured.
 - (c) The time of operation shall be limited between the hours of 8:00 a.m. and 10:00 p.m.
 - (d) All buildings to be used in connection with the auto wash shall be located at least 20 feet away from any right-of-way line.
 - (e) Where multiple wash stalls are proposed all auto stacking lanes must be channeled with curbs to each wash stall so as to prevent cross traffic and the minimum stacking space shall be six cars per stall. The minimum amount of stacking space to be provided in all car wash developments shall be equivalent to 20 minutes of full and continuous operation.

- (f) Buildings must be constructed so as to be enclosed on two sides plus doors on the front and rear of each stall, capable of being locked.
- (g) All lights used in connection with auto washes shall be shaded so as not to project upon or become a nuisance to adjacent properties.
- (h) All land used in connection with auto washes is to be paved and drainage provided in accordance with existing ordinances pertaining to parking lots.
- (i) A chainlink-type fence must be constructed so as to enclose the entire property except drives and areas where screen walls are required, two feet along any street, four feet side and back.
- (j) Access points are limited to not more than two 20-foot drives. Such drives are to be a minimum of 50 feet apart and ten feet from the exterior lot lines and 35 feet from any intersection right-of-way lines and shall not be constructed so that ingress and egress shall be through residentially zoned areas. Such access points must have the approval of the Madison Heights Police Department to effect that they will not interfere with vehicular traffic nor will they create a safety hazard.
- (k) No steam hose for public use shall be located upon the premises in connection with such auto wash.
- (l) All blowers shall be turned off when not in use in connection with the operation of the car wash.
- (m) It shall be unlawful for any person, firm or corporation or any agent, servant or employee thereof, who while operating an auto wash, to permit or cause to be permitted upon the premises in which the said business is located, a nuisance, by allowing the health, safety or welfare of the community to be impaired.
- (n) It shall be the duty of the licensee, manager, or person in charge of any auto wash, to keep the premises whereon said auto wash is located, together with the parking area and any adjacent area, free from rubbish, waste products and debris.
- (o) It shall be unlawful for any patron of an auto wash or for any other person while parking on or adjacent to the premises to race the motor of any vehicle, to suddenly start or stop any unseemly noise, nuisance or disturbance which shall impair the peace, health or safety of the community.
- (p) Construction of auto wash buildings shall not be permitted if said construction shall require standing or parking on public rights-of-way in connection with the operation of the auto wash.
- (q) All operations must be carried on within the building area, including but not limited to vacuuming, washing and drying.




Site Address: 28245 John R Road

[Click for maps](#)

Aerial



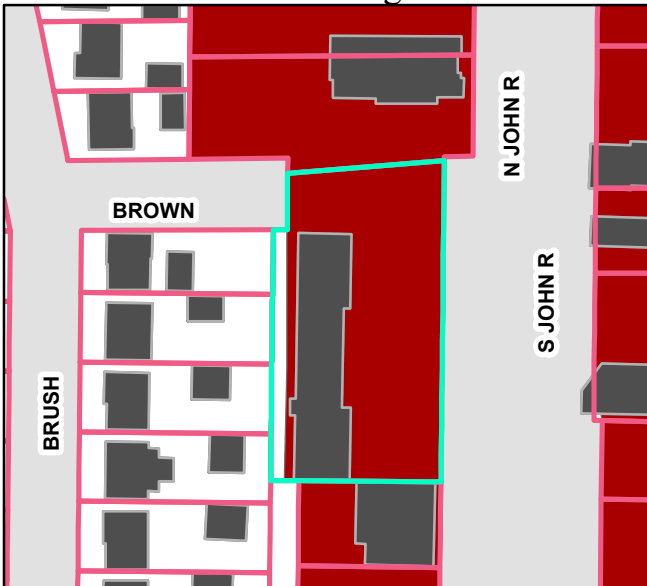
 28245 John R Road






Existing Land Use



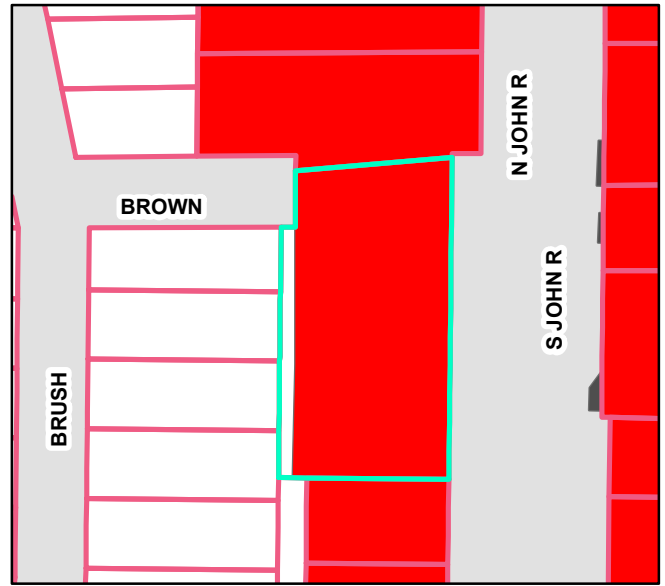
 28245 John R Rd  Commercial
 Single and Two Family  Buildings





Zoning



 28245 John R Road  Buildings
 B-3 General Business  Parcels
 R-3 Residential

Future Land Use

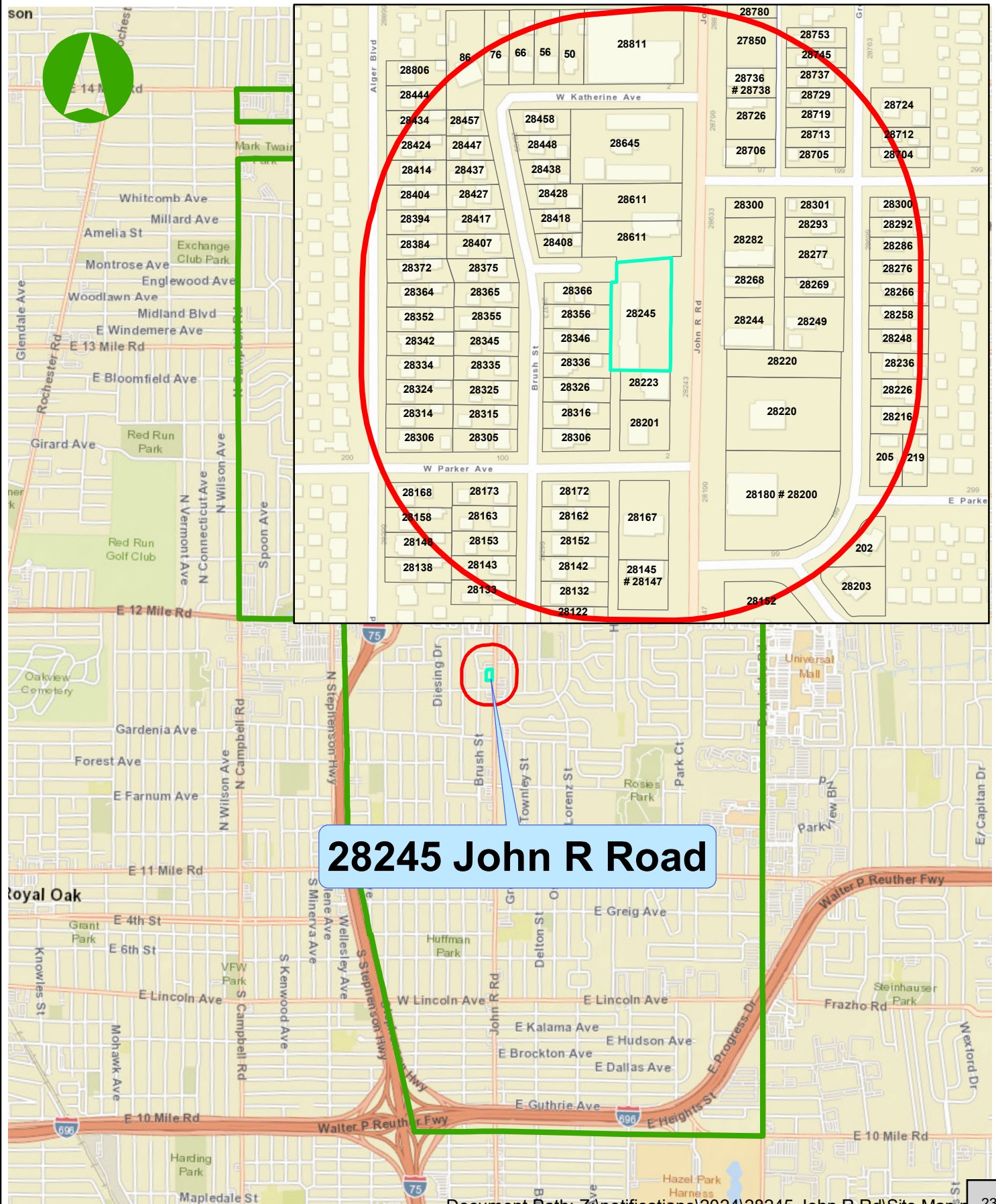


 28245 John R Road  Commercial
 Parcels  Single Family

PSP CASE: 24 - 03

BUFFER 500 FT

Item 3.





**CITY OF MADISON HEIGHTS
COMMUNITY DEVELOPMENT DEPARTMENT
PETITION FOR USE PERMITTED BY
SPECIAL APPROVAL**

Item 3.

FOR OFFICE USE ONLY

Request PSP 24-003 No: _____
Date 3/27/24 Filed: _____
Approved by _____ CDD: _____
Approved for Hearing: _____

I (we) the under signed, do hereby apply and petition the City of Madison Heights for a Special Approval Use Permit and provide the following information.

(Application must be typed)

Building Address: 28245 John R Tax ID No.: 44 - 25 - - -

APPLICANT INFORMATION

Name: Steve Gunn
Phone No.: 586-292-0662 Fax No.: n/a
Mailing Address: 28245 John R. City, State, Zip: Madison Heights, MI 48071
(Notices will be mailed to this address)
Driver's License No.: G 500 777 603 564 Date of Birth: 7-17-1978
Interest in Property: Owner

BUILDING & BUSINESS INFORMATION

Zoning District: B-3 Use Requested Pursuant to Section _____ of the Zoning Ordinance
Explain Requested Use in Detail: Replace existing 4 widely spaced exterior vacuums with one new central indoor vac system able to run 8 exterior vacuum spots.

The above referenced parcel is known as: (Lots(s) Acreage Parcel (s)) lots 1-9 of kenmos park
Subdivision (if platted lot(s)) and is located on the N S E W (Circle One) side of _____ Street/Road between _____ Street/Road and _____ Street / Road.

Hours of Operation: 7:30-8:00
Property Frontage: 220 Width/Depth: 117 No. of Parking Spaces: 3 Private Lot _____ Shared Lot _____
No. of Floors: 1 Max. No. of Employees: 2 Male _____ Female _____ No. on Largest Single Shift: 2
No. of Seats for Restaurant or Assembly Uses: n/a Capacity of Waiting Area: n/a
Building: New _____ or Existing X Will Additions or Alterations to the Building be Required? no
Explain: no alterations to the building
Describe Any Other Site Improvements to be Made: n/a

Building Owner Name: Steve Gunn Phone No.: 586-292-0662 Fax No.: _____
Mailing Address: 28245 John R City: madison heights Zip: 48071
(Notices will be mailed to this address)

Note: All blanks and boxes above must be completed. Use N/A where appropriate.
CONTINUED ON REVERSE SIDE



**PETITION FOR USE PERMITTED BY
SPECIAL APPROVAL (Continued)**

Include one (1) copies of a site plan, no larger than 11 x 17 inches, which meets the requirements of Section 10.514 of the Zoning Ordinance of Madison Heights and the required seven hundred and fifty dollar fee (\$750.00) plus a site plan application.

This petition / application must be signed by both the Owner in Fee of the property and the Applicant prior to submittal. Applicant(s) and property owner(s) hereby consent to city staff, board and commission members, and contractors to access the property for purposes of evaluating the site for the requested action(s).

FOR THE OWNER:

Signature [Signature]
 Printed Steve Gunn Name
 Date 3-27-24

FOR THE APPLICANT IF NOT THE OWNER:

Signature _____
 Printed _____ Name
 Date _____

NOTARY:

On this 27 day of March

Before me personally appeared

Steven Gunn to me known to be the

person who executed the forgoing instrument, and

acknowledged that he executed the same as his free act

and deed.

Notary's Signature [Signature]

Notary's Printed Name Jessica Prather

Notary public, State of Michigan,

County of Macomb.

My commission expires 3.14.26.

Acting in the County of OAKLAND.

NOTARY:

On this _____ day of _____

Before me personally appeared

_____ to me known to be the

person who executed the forgoing instrument, and

acknowledged that he executed the same as his free act

and deed.

Notary's Signature _____

Notary's Printed Name _____

Notary public, State of Michigan,

County of _____.

My commission expires _____.

Acting in the County of _____.

OFFICE USE ONLY

\$750.00 Fee Paid _____ Receipt Number _____ By _____ Date: _____

One Site Plan Attached no larger than 11 x 17 inches ☐ Yes ☐ No

Site Plan Application: _____ Date: _____

Copies to C.D.D. _____

Notices Mailed to Properties Within 500 Feet _____

Council Action _____

Meeting Date _____

GENERAL NOTES

Preliminary Drawings:

Preliminary drawings may be provided with a quote to indicate the location of vacuum equipment, piping, and hoses. Drawings may be used in direct coordination with Architects' and Engineers' plans for city/AHJ/client approval. Accurate and complete site plans must be provided to ensure the quality of your vacuum area to coordinate issues such as vacuum parking space width/angle, traffic flow, and hose reach.

Drawings are preliminary until the final system order is signed by the client.

Changes made to a vacuum system without Vacutech's consultation voids all Vacutech responsibility as well as the system warranty.

INSTALLATION NOTES

Installation By Others:

Installation drawings are provided with each project. Most projects require 2 or more installers and a forklift. Buried pipe, footings and concrete equipment pad(s) should be completed before installing Vacutech systems. J-bolt template kits for footings for vacuum arches and stanchions are available for purchase from Vacutech. Refer to drawings for footing requirements. Changes to vacuum piping, vacuum equipment location, and vacuum equipment enclosure will effect the performance of your system. Changes made to a vacuum system without Vacutech's consultation voids all Vacutech responsibility and the system warranty.

Vacutech System Install:

Vacutech offers installation as an option when bidding a project.

Please note that the scope of Vacutech's installation only includes work above ground. Vacutech will install vacuum arches/stanchions to concrete footings, install vacuum piping and set vacuum equipment in place.

Vacutech does not dig trenches, auger footings, dig/backfill/bury pipe or conduit, or provide any work below grade.

Vacutech does not pour footings, install J-bolts, install concrete trenches with covers, pour concrete pads, pour grout or do concrete work of any kind. Vacutech does not do core drilling through walls or patch any type of wall coring.

Vacutech does not do any type of roof penetration sealing. I.e. rubber boots, flat room mating, or any other type of material.

Vacutech does not wire lights, turbines, disconnects, VFDs , starters or any other electrical component. Vacutech does not pull wire through conduits. These items must be done by a Licensed Electrician.

WARRANTY NOTES

CHANGES MADE TO VACUUM SYSTEM WITHOUT VACUTECH CONSULTATION
VOIDS ALL VACUTECH RESPONSIBILITY AND SYSTEM WARRANTY

Equipment warranty information:

(if applicable)
When vacuum equipment is installed in an enclosure with 4 walls and a roof it must be ventilated. Enclosure door must be louvered and an exhaust fan with thermostat set at 85°F must be installed to turn over air every 15 min. Vacuum turbine must be exhausted outside with metallic pipe no smaller than 6" with exhaust pipe opening protected from elements. Equipment pad must be flat and level.

Variable frequency drive (VFD) warranty information:

(if applicable)
VFDs must be wired from main distribution panel in separate conduit (sized per code; based on turbine H.P. and voltage) to each VFD and from each VFD to turbine motor.

A separate conduit, sized per code, must also be installed from VFD to vacuum pressure transducer installed on filter separator. If two (2) or more VFD's are installed in one (1) enclosure, a separate conduit must be installed for each VFD. Install separate conduit from enclosure to each turbine motor, and each filter separator if there is more than one (1).

PIPE NOTES

Piping systems above ground

Piping system shall be schedule 40 (or sch 80) solid core PVC or ABS plastic pipe, with plastic D.W.V. (drain, waste and vent) fittings. Zinc, aluminum, or galvanized tubing, with directional flow zinc fittings of no less than 16 gauge, designed specifically for central vacuum systems are also acceptable.

Buried piping systems cast iron no-hub

In-ground piping systems that are subject to ground freeze/thaw conditions or excessive movement shall be cast iron with no-hub fittings and no-hub couplings (w/ stainless steel band).

Buried piping systems PVC sch 40 (or sch 80)

In-ground piping systems using PVC pipe shall be sch 40 (or sch 80) solid core, with PVC D.W.V. (drain, waste, and vent) fittings. Plastic pipe installed in-ground have a potential of possible cracking and wear. All plastic pipe systems in-ground must be below freeze line.

System notes:

All interior surfaces shall be free of burrs and obstructions for a non-restrictive air flow.ABS and PVC piping shall be cut straight and removed of burrs. Piping shall be attached together using a primer, and a cement (clear PVC cement for PVC/ black abs cement for abs) for a 100% tight seal.

Overhead piping systems shall be supported by means of approved pipe hangers, and shall be installed at a maximum of six feet O.C. when using abs or PVC pipe and ten feet when using zinc or aluminum tubing. All fittings supporting vacuum drop/hose assemblies shall be supported with within one foot on each side of fitting connection.

Piping systems shall be tested to hold 10 psi for a minimum of 24 hours.

When vacuum system is installed in potentially explosive environment, the following may be required as a minimum: Explosion proof motor Class I - Group D & Class II - Group E, F & G. Aluminum piping with zinc fittings. Primary and filtered separators and hose assemblies require special grounding. Verify all conditions.

PVC and ABS plastic pipe are not U.V. rated and will discolor and soften/cause bowing when exposed to direct sunlight. It is recommended that all exposed plastic pipe and fittings be primed and painted to help prevent this. It is recommended to use zinc, or aluminum tubing and zinc fittings be used when exposed to sun.

Plastic pipe exposed to elements:

PVC pipe will become brittle at 40° f and can crack/split when moving debris collides with it, it is recommended to use cast iron, zinc, or aluminum tubing for colder conditions.

ADDITIONAL NOTES

VFD Systems:

Instructions for wiring VFD to Turbine and Filter Separator are available for your electrician. After wiring is complete, call our customer service to complete programming.

Arch Systems: How Awnings are ordered (Coolaroo/Weblon)

Step 1: Arches are to be completely installed on site.

Step 2: After installation, Vacutech will send an awning measurement form to be filled out with instructions on how and where to measure. The awning form must be filled out entirely, signed, dated, and faxed or emailed to Vacutech for production.

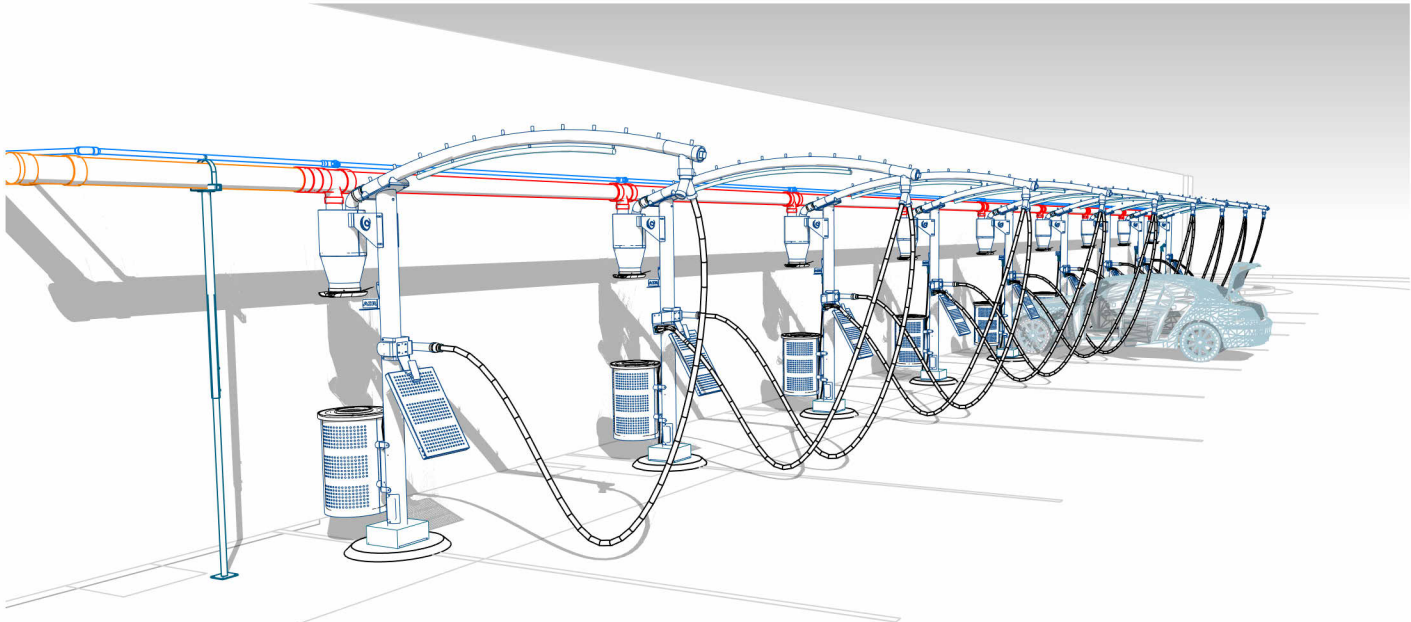
Step 3: Awnings are shipped to site w/ instructions.

Maintenance:

System longevity under continuous operation is extended by regular maintenance. Issues commonly result from failure to remove obstructions in the piping system, replace damaged or worn parts, or not regularly changing filter bags. Refer to Vacutech maintenance instructions

Assign a person to central vacuum maintenance:

To ensure continued trouble free central vacuum system operation and to avoid downtime during periods of heavy use, assign an employee to follow a strict maintenance schedule. Refer to Vacutech recommended maintenance schedule.



VACUTECH

Elevation: 500' ASL AN **NCS** COMPANY

SHEET INDEX

NO.	NAME	REV.
V001	COVER SHEET	2
V101	OVERALL SITE PLAN	2
V111	VACUUM SITE PLAN	2
V121	VACUUM SITE ISOMETRIC	2

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VACUTECH
AN **NCS** COMPANY

1350 HI-TECH DRIVE
SHERIDAN, WY 82801
PHONE: (307) 675-1982
EMAIL: vacinfo@ncswash.com
WEB: www.vacutechllc.com

WASH POINTE CAR WASH

28245 JOHN R ROAD
MADISON HEIGHTS, MICHIGAN 48071

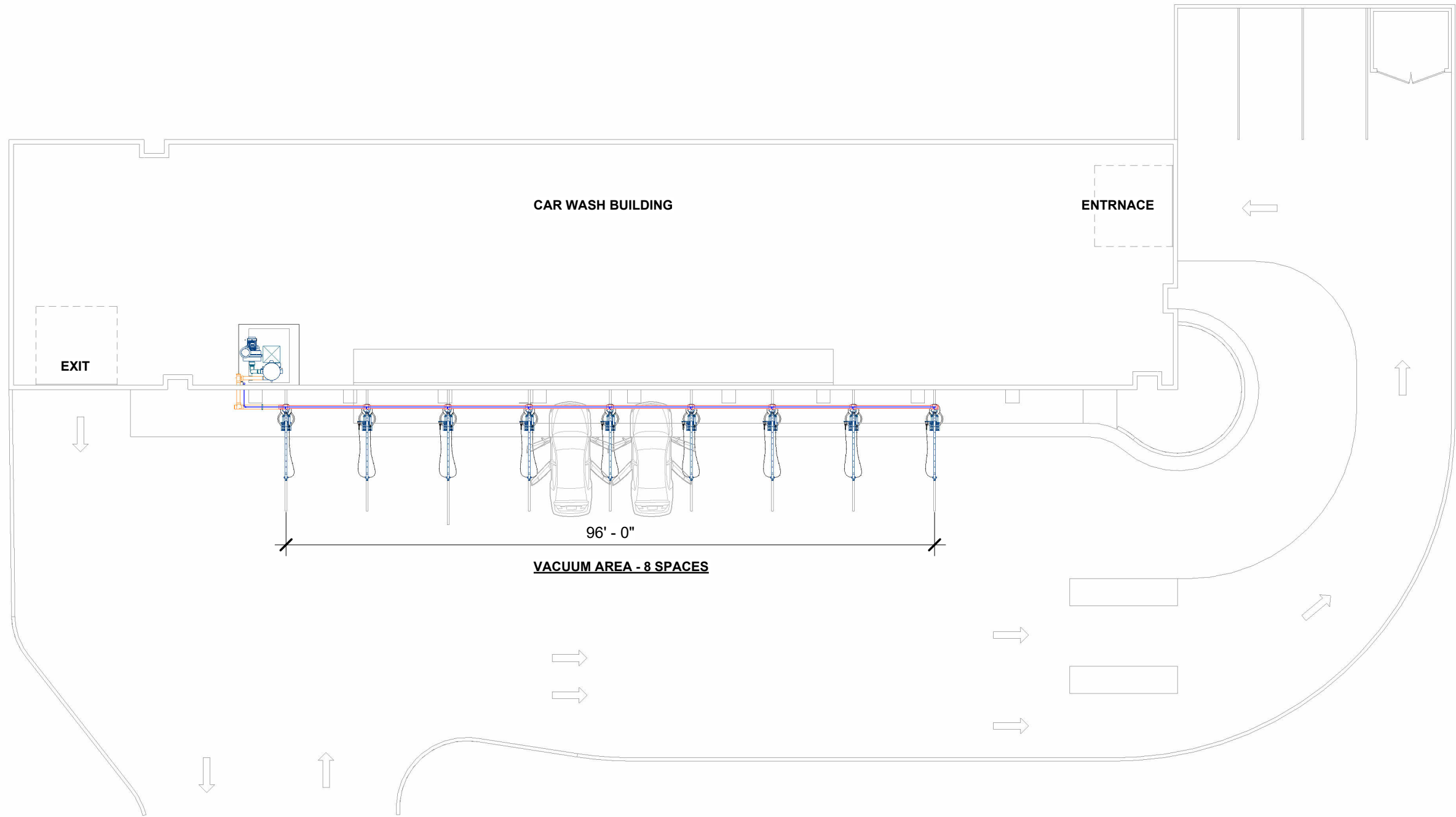
#	Revision	By	Chk	Date
1	Added one vacuum space, rotated vacuum spaces to 90 degrees, decreased vacuum space width from 14 to 12 feet.	PK	RY	5/30/24
2	REMOVED VACUUM SPACE A9	RY	TJ	7/3/24

COVER SHEET

Project Number	1510477
Date	5/20/24
Drawn By	FM
Checked By	TJ

V001

THIS DRAWING IS PRELIMINARY AND NOT TO BE USED FOR CONSTRUCTION



CONSTRUCTION NOTES

Item 3.

GENERAL NOTES:

- a. ALL DIMENSIONS TO BE FIELD VERIFIED BY OWNER
- b. IF VACUUM EQUIPMENT IS ENCLOSED WITH ROOF/CEILING, REFER TO VENTILATION REQUIREMENTS UNDER EQUIPMENT WARRANTY INFORMATION
- c. PIER DESIGN AND REINFORCEMENT FOR CONCEPTUAL USE ONLY. CONSULT STRUCTURAL ENGINEER IN YOUR AREA FOR SPECIFIC DESIGN CRITERIA.
- d. COMPLY WITH ALL STATE/ COUNTY BUILDING CODES IN YOUR AREA

EQUIPMENT & MATERIAL:

- a. RUN COMPRESSED AIR TO AIR COMPRESSOR LOCATION (BY OTHERS)
- b. WALL PENETRATION: CORE DRILLING MAY BE REQUIRED FIELD VERIFY HEIGHT
- c. 9'Lx9'Wx4"H MINIMUM FLAT AND LEVEL CONCRETE FLOOR SPACE REQUIRED FOR VACUUM EQUIPMENT VERIFY SEPARATOR WILL FIT THROUGH DOOR (48" CLEAR OPENING WIDTH RECOMMENDED)

VACUUM & PLUMBING:

- a. SUPPORT SCHEDULE 40 PVC OVERHEAD DRY/WET VACUUM PIPE EVERY 6' MAXIMUM; USE UNISTRUT & CLAMP OR OTHER SUPPORT (PROVIDED BY OTHERS)
- b. ALL FITTINGS TO BE 'DWV'

1 OVERALL SITE PLAN

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WASH POINTE CAR WASH

28245 JOHN R ROAD
MADISON HEIGHTS, MICHIGAN 48071

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OVERALL SITE PLAN

Project Number 1510477
Date 5/20/24
Drawn By FM
Checked By TJ

V101

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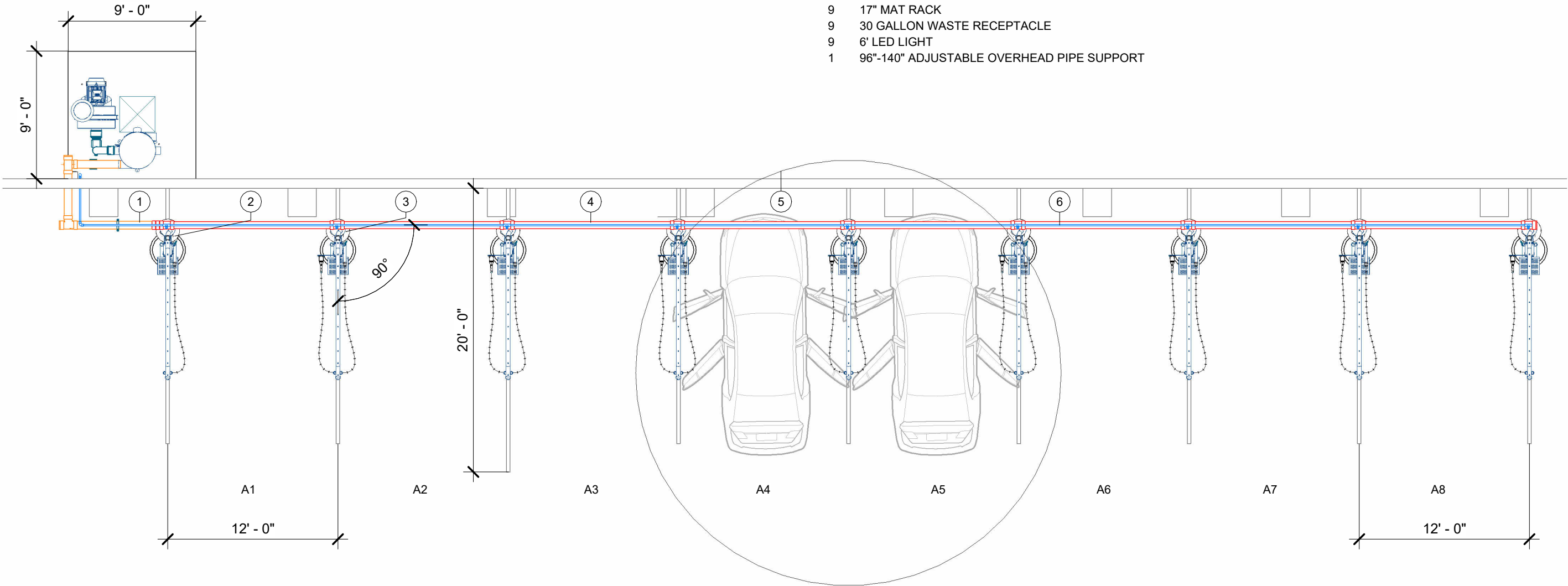
SITE PLAN	
Item 3.	
ITEM	DESCRIPTION
1	6" OVERHEAD SCH. 40 SOLID CORE PVC VACUUM PIPE
2	SINGLE USER PROTEAN ARCH REAR AT ENDS OF VACUUM SPACES
3	DUAL USER PROTEAN ARCH REAR BETWEEN VACUUM SPACES
4	6" OVERHEAD ALUMINUM VACUUM TUBE
5	15' HOSE REACH
6	1" RAPID AIR COMPRESSED AIR LINE

VACUUM EQUIPMENT

QTY	ITEM
1	40HP T4 DIRECT DRIVE TURBINE
1	8" T4 INDOOR EXHAUST MUFFLER
1	31x79 FILTER SEPARATOR

VACUUM AREA

QTY	ITEM
2	SINGLE USER 'PROTEAN' ARCH
7	DUAL USER 'PROTEAN' ARCH
8	CREVICE VACUUM TOOL & HOLDER
8	DUO LOCK TOOL & HANGER
8	TOOL EXTENSION BRACKET
16	1-1/2"x15' RAPIDLOCK HOSE
9	AIR NOZZLE & HOSE
9	AIR TOOL HANGER
9	17" MAT RACK
9	30 GALLON WASTE RECEPTACLE
9	6' LED LIGHT
1	96"-140" ADJUSTABLE OVERHEAD PIPE SUPPORT



1 SITE PLAN

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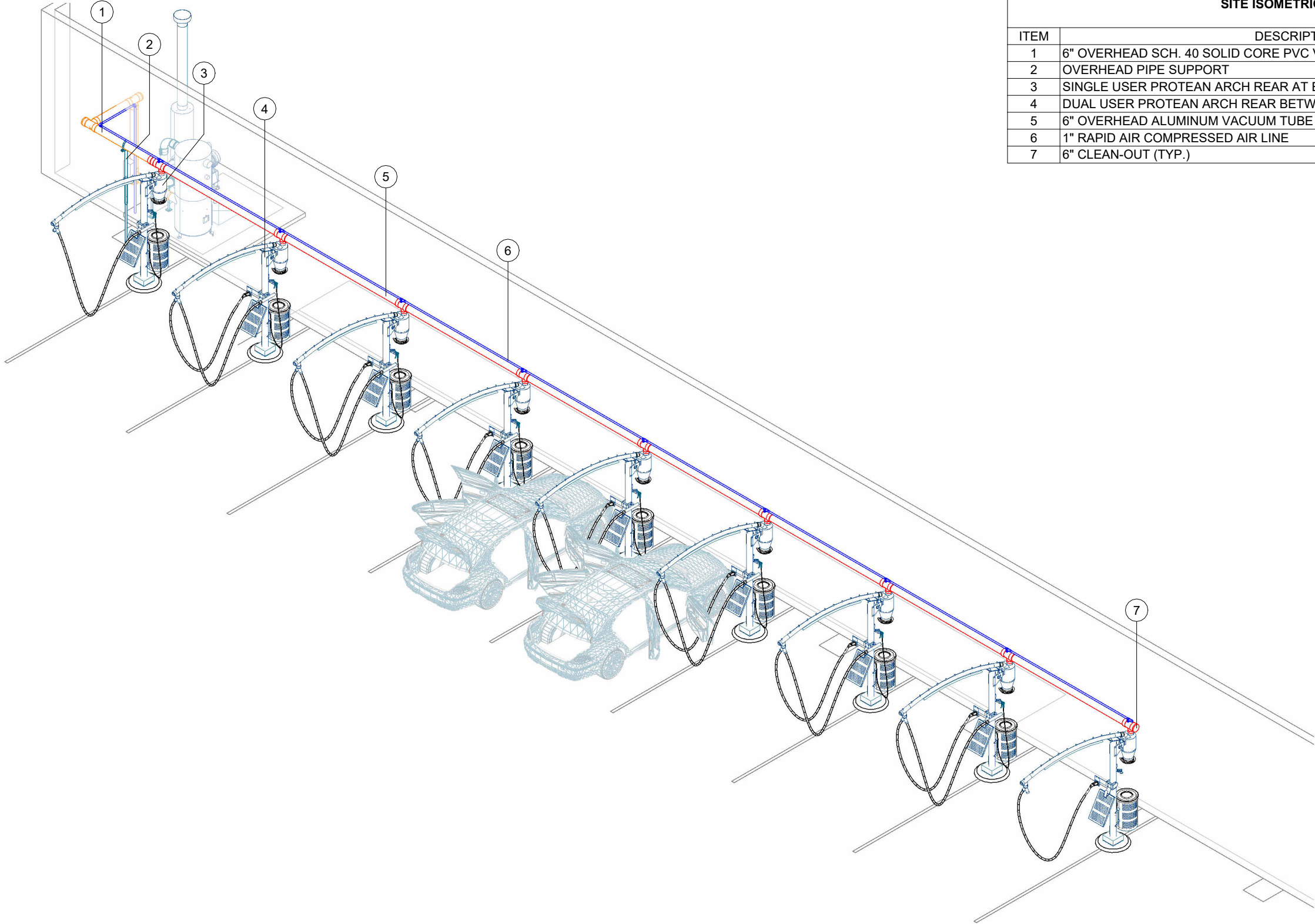
VACUUM SITE PLAN

Project Number1510477
Date5/20/24
Drawn ByFM
Checked ByTJ

V111

28

THIS DRAWING IS PRELIMINARY AND NOT TO BE USED FOR CONSTRUCTION



SITE ISOMETRIC	
Item 3.	
ITEM	DESCRIPTION
1	6" OVERHEAD SCH. 40 SOLID CORE PVC VACUUM PIPE
2	OVERHEAD PIPE SUPPORT
3	SINGLE USER PROTEAN ARCH REAR AT ENDS OF VACUUM SPACES
4	DUAL USER PROTEAN ARCH REAR BETWEEN VACUUM SPACES
5	6" OVERHEAD ALUMINUM VACUUM TUBE
6	1" RAPID AIR COMPRESSED AIR LINE
7	6" CLEAN-OUT (TYP.)

1 SITE ISOMETRIC

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WASH POINTE CAR WASH

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MADISON HEIGHTS, MICHIGAN 48071

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VACUUM SITE ISOMETRIC

Project Number1510477

Date5/20/24

Drawn ByFM

Checked ByTJ

V121

29



VACUTECH

SOUND LEVEL METER READINGS

MODEL: FT-DD-T440HP3 (40hp T4 VACSTAR TURBINE VACUUM PRODUCER)

READING ONE: 73 DB-A, 3 FEET FROM TURBINE @ 45° ANGLE
AND NO BACKGROUND NOISE OR OUTSIDE INTERFERENCE.

READING TWO: 69 DB-A, 10 FEET FROM TURBINE @ 45° ANGLE
AND NO BACKGROUND NOISE OR OUTSIDE INTERFERENCE.

READING THREE: 54 DB-A, 20 FEET FROM TURBINE @ 45° ANGLE
AND NO BACKGROUND NOISE OR OUTSIDE INTERFERENCE.

READING FOUR: 38 DB-A, 30 FEET FROM TURBINE @ 45° ANGLE
AND NO BACKGROUND NOISE OR OUTSIDE INTERFERENCE.

NOTE: THESE READINGS WERE TAKEN OUTSIDE OF 8'x10'x8' CINDER BLOCK ENCLOSURE WITH CONCRETE SLAB AND NO ROOF.

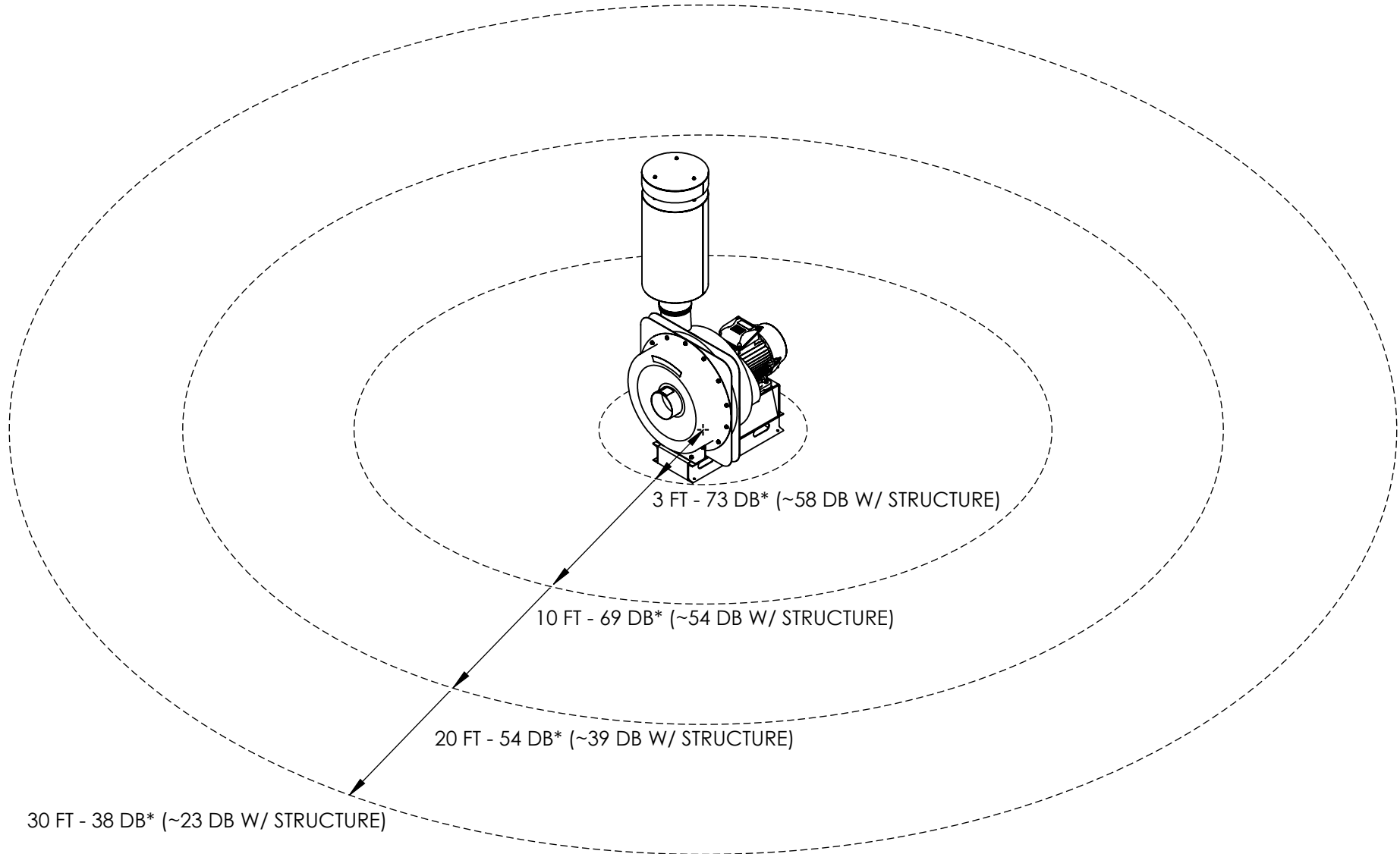
SOUND LEVEL METER USED:

SIMPSON MODEL #40003 – MSHA APPROVED.
MEETS OSHA & WALSH-HEALY REQUIREMENTS FOR NOISE CONTROL.
CONFORMS TO ANSI S1.4-1983, IEC 651 SPECS FOR METER TYPE.

Vacutech
1350 Hi-Tech Drive, Sheridan WY, 82801
PHONE: (800) 917-9444 FAX: (303) 675-1988
EMAIL: info@vacutechllc.com
WEB SITE: vacutechllc.com

SOUND INTENSITY VACUTECH T4, 40HP, DD TURBINE

Item 3.



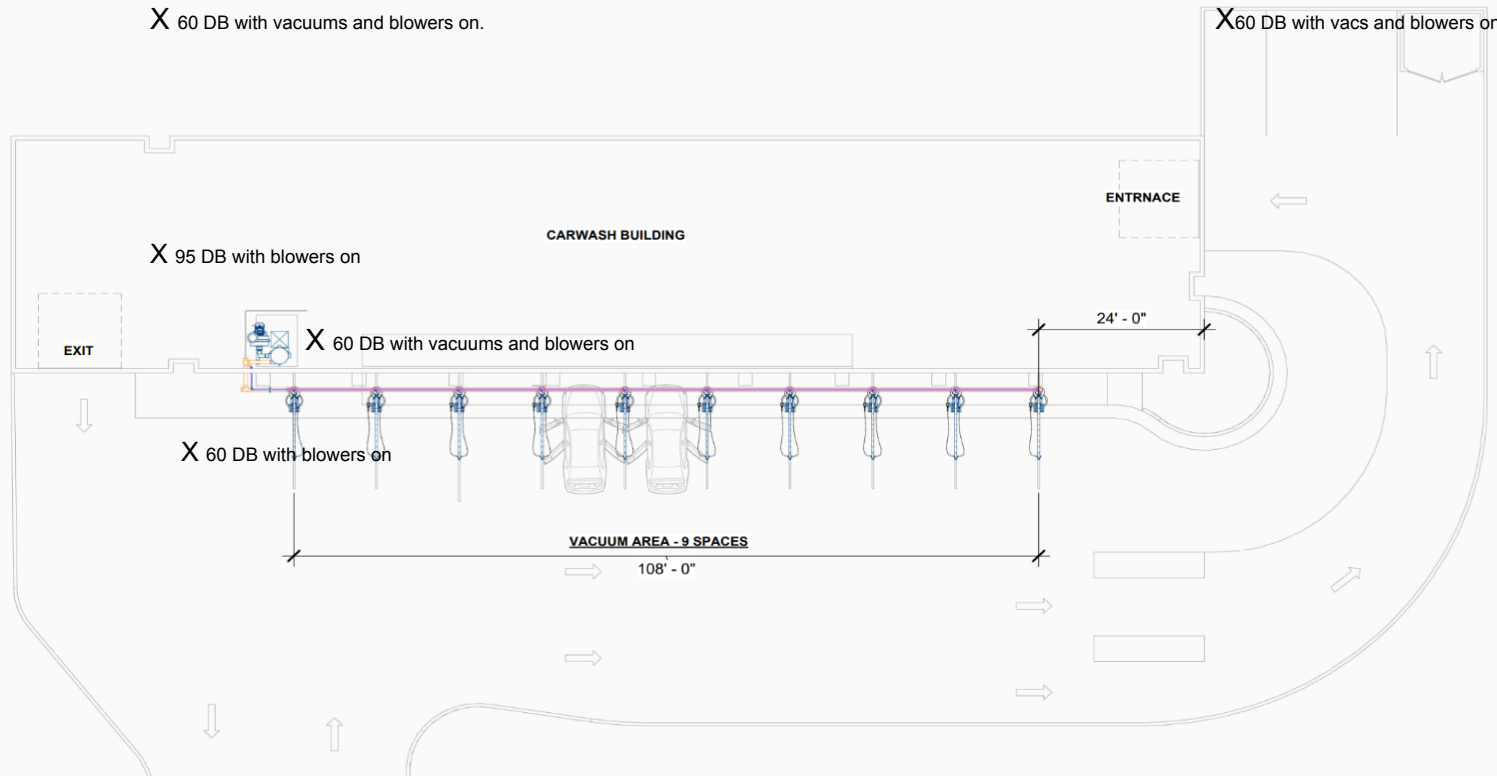
TYPICAL VEHICULAR TRAFFIC
MEASURES 60-75 DB ON MOST
CITY STREETS

*SOUND LEVELS REPORTED ARE FROM ACTUAL FIELD MEASUREMENTS
AND WILL VARY BASED ON ACTUAL CONDITIONS

THIS DRAWING IS PRELIMINARY AND NOT TO BE USED FOR CONSTRUCTION

X 60 DB with vacuums and blowers on.

X 60 DB with vacs and blowers on



CONSTRUCTION NOTES

GENERAL NOTES:

- ALL DIMENSIONS TO BE FIELD VERIFIED BY OWNER
- IF VACUUM EQUIPMENT IS ENCLOSED WITH ROOF/CEILING, REFER TO VENTILATION REQUIREMENTS UNDER EQUIPMENT WARRANTY INFORMATION
- PIER DESIGN AND REINFORCEMENT FOR CONCEPTUAL USE ONLY. CONSULT STRUCTURAL ENGINEER IN YOUR AREA FOR SPECIFIC DESIGN CRITERIA.
- COMPLY WITH ALL STATE/ COUNTY BUILDING CODES IN YOUR AREA

EQUIPMENT & MATERIAL:

- RUN COMPRESSED AIR TO AIR COMPRESSOR LOCATION (BY OTHERS)
- WALL PENETRATION: CORE DRILLING MAY BE REQUIRED FIELD VERIFY HEIGHT
- 9'Lx9'Wx4"H MINIMUM FLAT AND LEVEL CONCRETE FLOOR SPACE REQUIRED FOR VACUUM EQUIPMENT VERIFY SEPARATOR WILL FIT THROUGH DOOR (48" CLEAR OPENING WIDTH RECOMMENDED)

VACUUM & PLUMBING:

- SUPPORT SCHEDULE 40 PVC OVERHEAD DRY/WET VACUUM PIPE EVERY 6' MAXIMUM; USE UNISTRUT & CLAMP OR OTHER SUPPORT (PROVIDED BY OTHERS)
- ALL FITTINGS TO BE "DWV"

1 OVERALL SITE PLAN

THIS PRELIMINARY DRAWING IS THE PROPERTY OF VACUTECH AND IS NOT TO BE USED FOR CONSTRUCTION OR INSTALLATION WITHOUT WRITTEN CONSENT. WRITTEN CONSENT MAY NOT BE PROVIDED BY ANY PERSON, AGENCY, OR DEALER NOT AUTHORIZED BY VACUTECH.

VACUTECH
AN **NCS** COMPANY

1350 HI-TECH DRIVE
SHERIDAN, WY 82801
PHONE: (307) 675-1962
EMAIL: vacinfo@ncswash.com
WEB: www.vacutec.com

WASH POINTE CAR WASH

**28245 JOHN R ROAD
MADISON HEIGHTS, MICHIGAN 48071**

#	Revision	By	Chk	Date
1	Added one vacuum space, rotated vacuum spaces to 90 degrees, decreased vacuum space width from 14 to 12 feet	PK	RY	5/30/24

OVERALL SITE PLAN

Project Number 1510477
Date 5/20/24
Drawn By FM
Checked By TJ

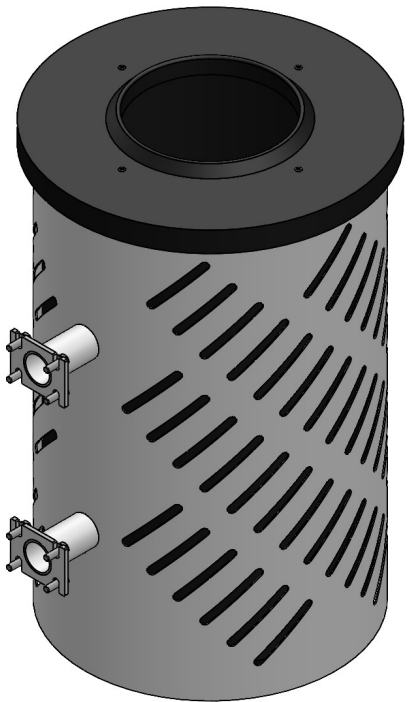
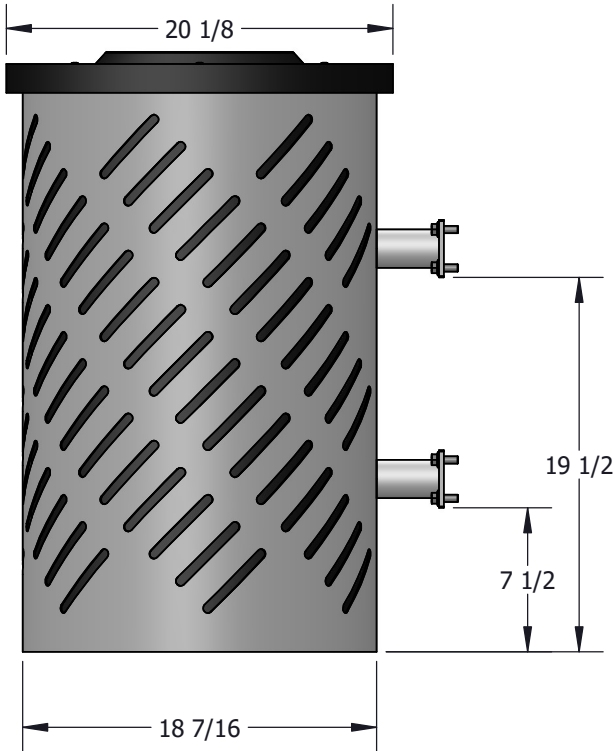
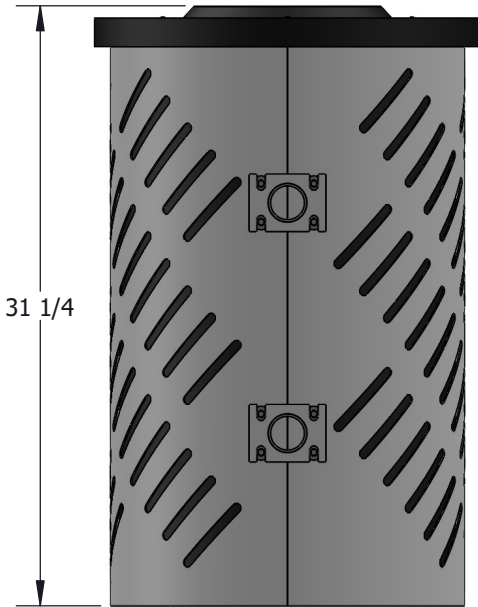
V101

Notes: In parking lot : 60 DB no vacuums and no traffic on John R
70 DB with traffic, no vacuums
70 DB with traffic and vacs

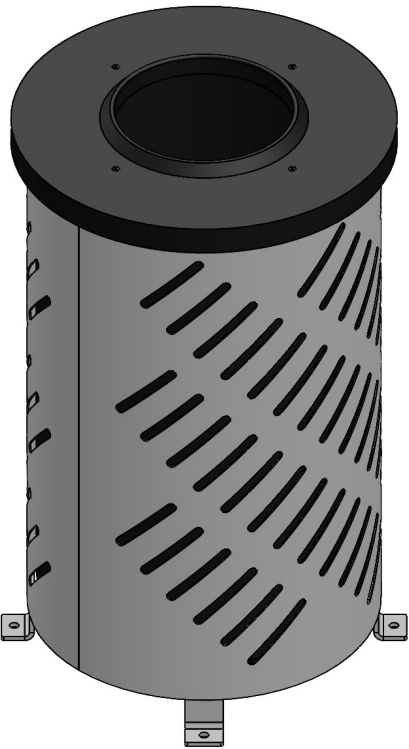
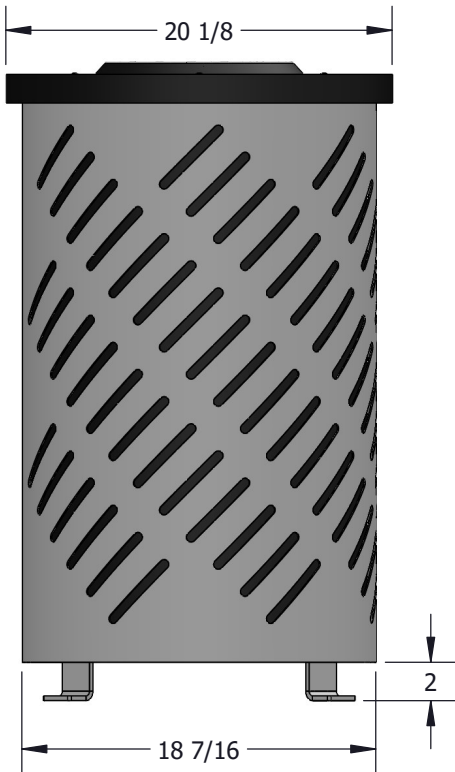
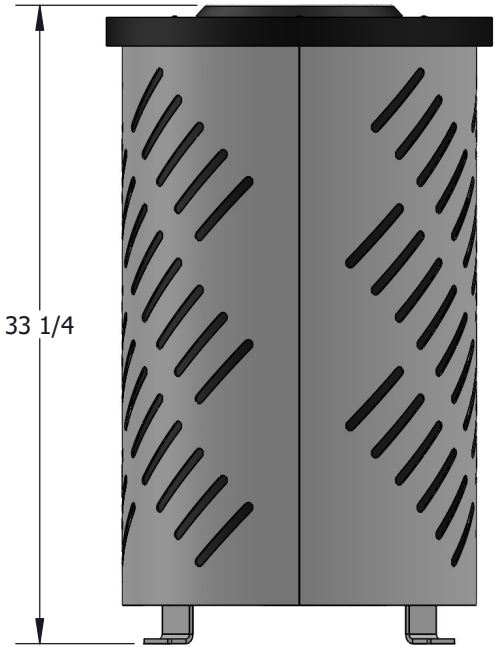
Vehicle music test notes: 92 decibels emitting from vehicle in parking lot spaces.
64 DB before property line wall behind Mcdonald's 28249
Groveland with all four vacuums running, blowers running, and music playing at 92 decibels in the parking lot.

Canister Vacuum Volume: 85 DB next to vacuum while on

POST/WALL MOUNT



FLOOR MOUNT




Wash Pointe Car Wash

Wash Pointe Car Wash <washpointecarwash@gmail.com>

Mon 6/3/2024 9:12 PM

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

 7 attachments (4 MB)

1510477 WASH POINT CAR WASH, MADISON - PRELIM - REV1.pdf; Sound Meter T4-DD-40HP-Outside.pdf; 16300000-01 (1).pdf; IMG_4116.JPG; IMG_4119.JPG; IMG_4113.JPG; IMG_4118.JPG;

Matt,

Thank you for meeting today. I have prepared a summary for addressing the concerns of the city council with our previously proposed site plan.

"Changing from angle parking to 90 degree parking space allows for two-way circulation. If a customer needs to leave prior to washing their vehicles or if an emergency happens, changing the angle of the parking spaces to 90 degrees allows for a safer and more efficient exit.

Sound level meter readings performed by Vacutech show that the turbine will produce 38 decibels of noise pollution at 30 feet with no structure and 23 decibels with a structure. These were taken outside of a 8' x 10' x 8' cinder block enclosure with concrete slab and no roof. The location of our turbine will be placed in a similar room with two more cinder block walls and a roof making the decibel readings even less. The nearest resident property line is approximately 60 feet away with an additional cement wall adding to the buffer. The turbine will not be heard over ambient sounds at the property line. An expert will be present to explain this further.

We currently have canister vacuums installed on our site. There is no way to isolate canister vacuum noise from the neighborhood. Each canister vacuum produces a minimum of 60-70 decibels units when active. The centralized vacuum system main motor will be located inside of our building. This unit is what will produce all of the noise pollution. It has a VFD (variable frequency drive) that will help conserve energy and decrease noise. The decibel readings in the study are based on the worst case scenario of every hose being activated at the same time. The motor will not continuously run. It will only turn on when a hose is activated and ramp up in power as more hoses are used. The vacuums will be turned off at closing hours and resume at opening hours also decreasing the noise pollution in the neighborhood.

We will utilize our existing garbage dumpster. There will be no increase in trash. The modified vacuums are for our existing customers and will not increase the number of customers utilizing our wash. We recently did the same upgrade at our Roseville location and our trash situation is similar. It has actually decreased the amount of trash on the lot by upgrading our previous trash receptacles to a more closed off, smaller version. Customers are no longer able to place obscure, larger items into the trash receptacles. "

I have attached all relevant files and photos you requested. Please reach out to me if you need more or need verification.

Unfortunately it seems as our vacuum and decibel expert will be unavailable 6/25, 7/2, and possibly 7/9. Is it possible to do 6/18 or to push it back after these dates? We feel having him present will strengthen our case.

Item 3.

Thank you,

Brian Weichel
General Manager
Wash Pointe Car Wash
586-859-1882

LAW OFFICES
ROBERT L. STEFANI
PROFESSIONAL CORPORATION
THE STEFANI BUILDING
512 EAST ELEVEN MILE ROAD
ROYAL OAK, MICHIGAN 48067-2741

OF COUNSEL TO
STEFANI & STEFANI, P.C.

TELEPHONE (248) 554-9929
FACSIMILE (248) 544-3403

E-MAIL
rob@stefani-law.com

July 3, 2024

City Council
City of Madison Heights
300 W. 13 Mile Road
Madison Heights, Michigan 48071

RE: Address: 28245 John R Road
Applicant: Wash Pointe Car Wash
Case No.: PSP 24-03

Dear Council members,

On behalf of Wash Pointe Car Wash, I am providing this letter in support of its request for a single variance relative to the removal of the current 4 outdoor canister style vacuums, to be replaced by indoor vacuum equipment connected to 9 vacuum arches totaling 8 spaces.

Wash Pointe Car Wash has been a member of the Madison Heights community for over 20 years. During this time, Wash Pointe has supported/sponsored local events, including little league teams. They have operated their business without any ordinance violations, or other complaints from neighboring residents. Washpointe has been a good community member and maintains a spotless facility.

The Zoning Board of Appeals previously approved a variance for the applicant to allow for exterior vacuuming without a condition relating to the total number of vacuums. Currently, the Applicant has 4 outdoor style canister style vacuums. Applicant is proposing to install new vacuum equipment which will be located entirely within the car wash facility. The new equipment would be connected to 9 vacuum stations through external overhead piping in place of the current cannister vacuums. The 9 stations provide for 8 vacuum spaces, with vacuum hoses on each side of the station to permit users to vacuum on either side of their vehicle. At the recomondation of Council, the site plan for each vacuum parking space was revised to be at a 90° angle, promoting 2-way traffic.

Most importantly though, is that the new vacuum equipment will be entirely within the wash facility which greatly reduces the typical noise that exists with the current outdoor canister vacuums. Provided with this correspondence are examples of Noise Study Projections from other car wash facilities utilizing the same equipment being proposed by Wash Pointe. The new indoor vacuum system is significantly quieter than the current cannisters, and will be less noisy than the carwash equipment itself. In addition, the vacuums will only be operational during normal business hours- 7:30 am-8:00 pm M-S, and 9:00 am-6:00 pm Sunday.

The concerns raised by the City Planner related to noise and hours of operation have been addressed by the Applicant as discussed above. Notably, the new vacuum system creates less of a noise impact on the surrounding area than the 4 outdoor cannister vacuums it is replacing. Included with this correspondence is a site plan of the proposed new vacuums with current decibel readings taken by applicant at various points around the car wash. Currently, with the wash tunnel blowers running as well as the the 4 cannister vacuums, the decibel level around the property is 60 dBA, and 95 dBA inside the wash tunnel. The new vacuum equipment will not exceed the current decibel readings depicted on the site plan drawing as the equipment is quieter than the wash tunnel itself. Using the Comparative Noise Level chart referenced on page 3 of the City Planners June 27, 2024 Memorandum, the current noise level is comparable to an air conditioner at 100 feet. The new vacuums also fit within the character of the neighborhood which is consistent with current B-3 zoning as evidenced by the approval granted to El Carwash for the same type of vacuum equipment.

Lastly, the conditions recommended by the City Planner on page 5 of their memorandum will be adopted by the Applicant as a condition of Council approving the Special Approval Application.

Based on the foregoing, I believe the facts support that Applicants proposed modifications satisfy the Special Approval Review Standards and criteria listed in Section 10.201(4), and Council is respectfully requested to approve the application.

Very Truly Yours,

ROBERT L. STEFANI, P.C.

Robert L. Stefani

Robert L. Stefani

RLS/dim

cc: Steve Gunn (via email)



July 8th, 2013

Re: Vacutech Sound Study Projections for South Coast Speedwash, Santa Ana, CA.

To: City of Santa Ana / Planning Commission/ Plan Review

Project: South Coast Speedwash, Santa Ana, CA

Vacutech has no formal data available that covers vacuum sound projections beyond fifteen feet. I am sending this sound study that was performed at Lakewood Car Wash on Lakewood Blvd. in Lakewood, CA. It provides decibel readings at a maximum of 15'.

The chart below shows a cumulative average of the data collected and is presented in an incremental form based on the worst case scenario of the vacuum hoses being off their nozzle hanger. The table below is an average of the 5 foot through the 15 foot readings.

Vacutech Noise Study Projections	
Average of all ten hoses off	77.24 db
Average @ 25'	74.53 db
Average @ 35'	71.82 db
Average @ 45'	69.11 db
Average @ 55'	66.40 db
Average @ 65'	63.69 db

Refer to attached Vacutech Sound Study for All readings

The data from the Vacutech Sound Study also shows an ambient noise level of 74.4 – 82.3 db which is conclusive with the sound study that was performed by ACS on the existing parcel of the Bristol Speedwash. These numbers are all based on averages but do not appear to be out of line.

Below you will find the Vacutech sound study performed at the Lakewood Carwash. After reviewing the data provided by Vacutech there is no apparent reason that noise from the vacuum system would reach above ambient sound levels at the property line of the proposed project. Any questions or comments please feel free to call.

Tom Tucker Jr.
President

MANUFACTURERS OF STATIONARY AND MOBILE VACUUM EQUIPMENT
P.O. BOX 3048, 1350 HI-TECH DRIVE, SHERIDAN, WY 82801
PHONE: (800) 917-9444 (307) 675-1982 FAX: (307) 675-1988
EMAIL: TTUCKER@VACUTECHLLC.COM
WEB SITE: vacutechllc.com



July 17, 2017

Re: Vacutech Sound Study Projections

To: Buck Buckner

The chart below shows a cumulative average of that data taken from express car washes of this type and size. It is presented in an incremental form based on the worst case scenario of the vacuum hoses being off the hook, so to speak. Based on the collective average of the 45' reading to the 85' reading and is presented in the chart below:

Vacutech Noise Study Projections	
Average of all 8 hoses off and in use	
Average @ 45'	52.3 db
Average @ 55'	54.6 db
Average @ 65'	52.1 db
Average @ 75'	49.2 db
Average @ 85'	49.0 db

SOUND LEVEL METER USED: SIMPSON MODEL #40003 – MSHA APPROVED. MEETS OSHA AND WALSH-HEALY REQUIREMENTS FOR NOISE CONTROL. CONFORMS TO ANSI S1.4 1983, IEC 651 SPECS FOR METER TYPE.

NOTE: Typical outside vacuum system with 1.5" x 15' vacuum crevice tools (1" wide by 3/4" opening) in use with customer vacuuming.



February 10th, 2016

Re: Vacutech Sound Study Projections for Bella Terra Car Wash in Huntington Beach, CA

To: Chase Russell – Owner of Bella Terra Car Wash 16061 Beach Blvd. Huntington Beach, CA

The chart below shows a cumulative average of that data taken from express car washes of this type and size. It is presented in an incremental form based on the worst case scenario of the vacuum hoses being off the hook, so to speak. Based on the collective average of the 45' reading to the 85' reading and is presented in the chart below:

Vacutech Noise Study Projections	
Average of all 19 hoses off and in use	
Average @ 45'	52.3 db
Average @ 55'	54.6 db
Average @ 65'	52.1 db
Average @ 75'	49.2 db
Average @ 85'	49.0 db

SOUND LEVEL METER USED: SIMPSON MODEL #40003 – MSHA APPROVED. MEETS OSHA AND WALSH-HEALY REQUIREMENTS FOR NOISE CONTROL. CONFORMS TO ANSI S1.4 1983, IEC 651 SPECS FOR METER TYPE.

NOTE: Typical outside vacuum system with 1.5" x 15' vacuum nozzles (4" wide by ¾" opening) in use with customer vacuuming.



VACUTECH

SOUND LEVEL METER READINGS

MODEL: FT-DD-T440HP3 (40hp T4 VACSTAR TURBINE VACUUM PRODUCER)

READING ONE: 73 DB-A, 3 FEET FROM TURBINE @ 45° ANGLE
AND NO BACKGROUND NOISE OR OUTSIDE INTERFERENCE.

READING TWO: 69 DB-A, 10 FEET FROM TURBINE @ 45° ANGLE
AND NO BACKGROUND NOISE OR OUTSIDE INTERFERENCE.

READING THREE: 54 DB-A, 20 FEET FROM TURBINE @ 45° ANGLE
AND NO BACKGROUND NOISE OR OUTSIDE INTERFERENCE.

READING FOUR: 38 DB-A, 30 FEET FROM TURBINE @ 45° ANGLE
AND NO BACKGROUND NOISE OR OUTSIDE INTERFERENCE.

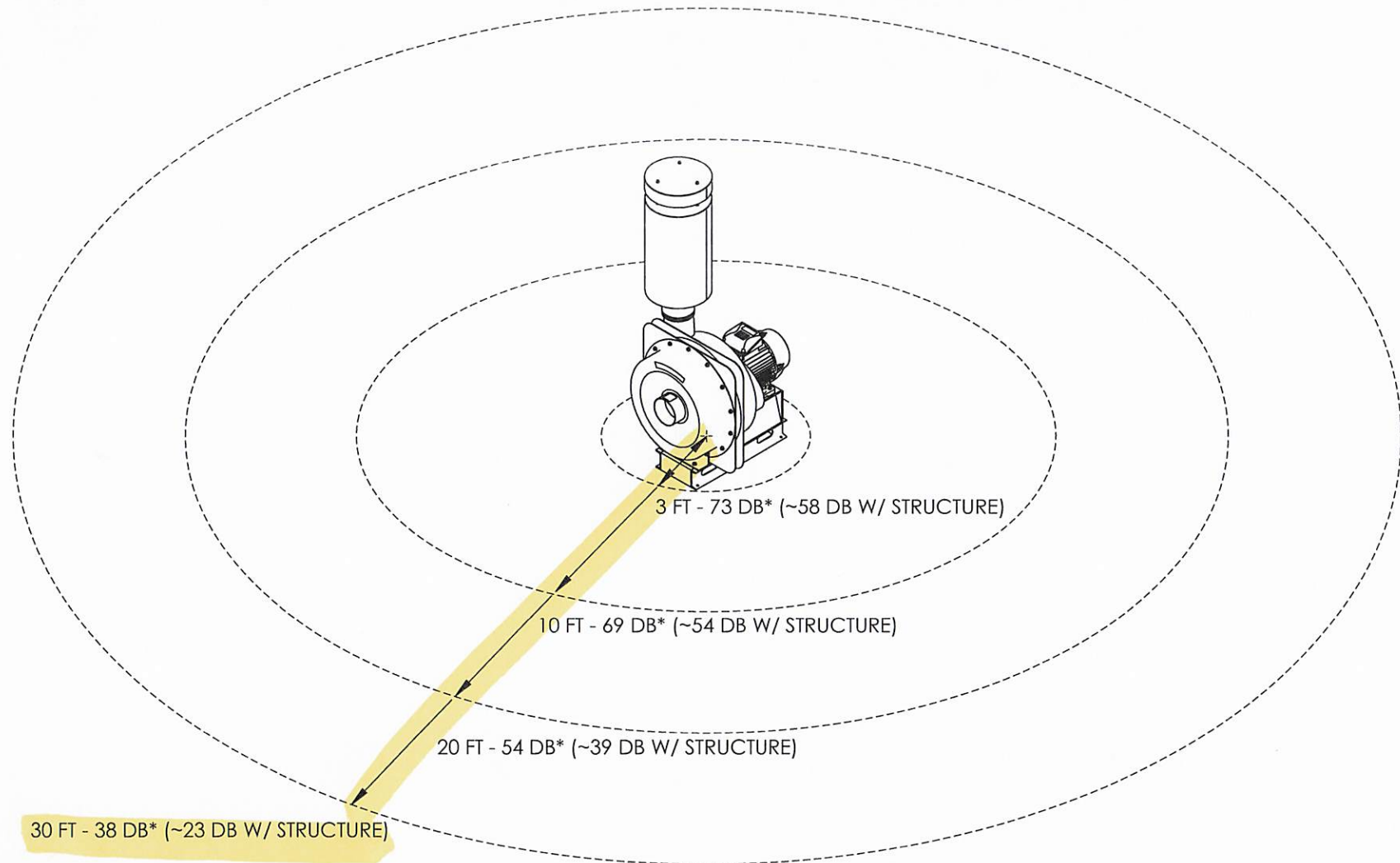
NOTE: THESE READINGS WERE TAKEN OUTSIDE OF 8'x10'x8' CINDER BLOCK ENCLOSURE WITH CONCRETE SLAB AND NO ROOF.

SOUND LEVEL METER USED:

SIMPSON MODEL #40003 – MSHA APPROVED.
MEETS OSHA & WALSH-HEALY REQUIREMENTS FOR NOISE CONTROL.
CONFORMS TO ANSI S1.4-1983, IEC 651 SPECS FOR METER TYPE.

Vacutech
1350 Hi-Tech Drive, Sheridan WY, 82801
PHONE: (800) 917-9444 FAX: (303) 675-1988
EMAIL: info@vacutechllc.com
WEB SITE: vacutechllc.com

SOUND INTENSITY VACUTECH T4, 40HP, DD TURBINE



TYPICAL VEHICULAR TRAFFIC
MEASURES 60-75 DB ON MOST
CITY STREETS

*SOUND LEVELS REPORTED ARE FROM ACTUAL FIELD MEASUREMENTS
AND WILL VARY BASED ON ACTUAL CONDITIONS









Regular Meeting
 Madison Heights City Council
 Madison Heights, Michigan
 August 11, 2003

A Regular Meeting of the Madison Heights City Council was held on Monday, August 11, 2003, at 7:30 p.m. in the Municipal Building at 300 West Thirteen Mile Road, Madison Heights, Michigan.

Present: Mayor Swanson, Mayor Pro Tem Corbett, Councilmen Clark and McGillivray, Councilwomen Shad and Scott. City Manager Austin, City Attorney L. Sherman and City Clerk Flack.

Absent: Councilwomen Russell (excused).

The invocation was offered by Councilwoman Scott, and was followed by the Pledge of Allegiance to the Flag.

251. Councilmember Excused.

Motion by Councilman Clark, supported by Councilwoman Scott, to excuse Councilwoman Russell from tonight's meeting.

Yeas: Clark, Corbett, McGillivray, Scott, Shad and Swanson.
 Nays: None.

252. Special Approval - 28245 John R Road.

A public hearing was held to hear comments, if any, to permit the use of an automation exterior only car wash at 28245 John R Road, said property is zoned B-3, General Business. Robert Gunn, 19918 Fleetwood, Harper Woods, Michigan 48225 the applicant was present and reviewed the revised application and site plan. The original application was denied by City Council on February 24, 2003. Chester Stempien, Architect, 29895 Greenfield, Southfield, representing the applicant stated that in his opinion the noise level of both the vehicles and the car wash equipment will be eliminated from the homes in the rear of the property with a 6 foot high masonry screen wall and the solid wall of the building.

Edward Rayman, 28356 Brush stated that he favored the car wash because of the current fence will be replaced with a new screen wall and the draining will eliminate the standing water in the rear of his home. Tom Vaughn, 22731 Saxony, Eastpointe stated that he lives in close proximity of a car wash owned by Mr. Gunn at 17335 East Nine Mile Road, East Pointe, and he is not bothered with the problems of trash, noise, car fumes or vibrations. Bill Koerber, 20656 Country Club, Harper Woods, and owner of Du-All Instrument Service, 31431 John R Road stated that he knows the applicant, Steve Gunn and he uses the car wash in East Pointe and that in his opinion this proposed business will be an asset to the community. Mary Simmons, 28305 Brush stated that she favored the car wash, which will improve the vacant site, which is littered and the sidewalk, in winter, will now be cleared of snow. Hugh Simpson, 86 West Katherine favored the car wash. Greg Vargo, President of Vargo Construction, 20210 Woodland, Harper Woods, stated that he has helped to construct other car washes the applicant owns and it is his opinion this building will be harmonious to the area. Mike Rennick, 28806 Dising stated that the design of the building would improve the vacant lot and the neighborhood.

Janet Trabucchi, 28306 Brush stated that she was opposed to the car wash because of the close proximity of the pedestrian cross walk to the existing restaurant and the proposed car wash and in her opinion there would be an increase in traffic and car fumes. Leonard Kopich, 28326 Brush stated that he was opposed to the car wash and submitted a petition of residents objecting to the proposed car wash.

Erin Howard, 29660 Mark favored the proposed car wash. Todd Christopher, 20115 North Line, Taylor stated that he installs car washes and specializes in the car wash dryers and that this proposal, by turning the doors toward the front of the building and moving the dryers from the rear of the building, allows the sound to go toward the front of the building. There being no further comments from the audience, the public hearing was closed.

Motion by Councilwoman Shad,
Supported by Councilman Clark,

WHEREAS, a Special Approval Board application has been received from Robert Steven Gunn, 19918 Fleetwood, Harper Woods, Michigan, 48225, requesting to use the property at 28245 John R Road for an automation exterior only car wash, said property is zoned B-3, General Business; and

WHEREAS, a public hearing was advertised in the Daily Tribune on July 31, 2003 and 135 notices were mailed to property owners within 500 feet of the aforementioned property; and

WHEREAS, a report has been received from the Community Development Department, stating that

Request: Special Approval for an automated car wash at 28245 John R

Location: West side of John R between Katherine and Parker

Applicant: Robert Gunn
19918 Fleetwood
Harper Woods, MI 48225

Staff Analysis:

1. This request is for Special Approval to operate an automated car wash. The applicant previously sought special approval for a car wash on this site in February 2003. That request was denied.
2. After that action, the applicant met with City staff, the City Attorney, and the applicant's legal counsel to discuss the applicant's options. Section 10.201(5)g of the Zoning Ordinance addresses the issue of reapplication for special approvals that have been denied:

- G. *No reapplication, reconsideration and/or rehearing for a special use permit which has been denied by the City Council shall be resubmitted until the expiration of one (1) year from the date of such denial, except on grounds of newly discovered evidence or proof of materially changed conditions, sufficient to justify reconsideration by the City Council. Each re-application will be treated as a new application. (Underline added)*

The applicant has revised the application and site plan and is seeking City Council approval of a new application based on the underlined provisions of the Zoning Ordinance above.

3. The applicant has submitted a detailed summary of the proposal and changes to the application and plan. Major changes to the request include the following:

- ☐ The building has been redesigned to eliminate the previous 8 feet encroachment into the required 20 feet rear yard setback. The required setback is now maintained.
- ☐ The previous plan called for a 12 feet wide driveway behind the building, adjacent to the residential parcels to the west. This drive has been eliminated and the area is proposed to be a grass swale.
- ☐ The previously proposed outside vacuum stations have been eliminated.
- ☐ The building has been modified so that exit doors from the building face John R. The previous plans had exit doors facing south, partially observable from the residential area to the west.
- ☐ Elimination of the vacuum stations resulted in additional area for vehicle stacking (Previous: 14; Proposed: 31).

- ☐ Hours of Operation have been changed.

Previous: 8:00 a.m. – 8:00 p.m. Monday – Saturday;
8:00 a.m. – 5:00 p.m. Sunday
Proposed: 8:00 a.m. – 6:00 p.m. Monday – Saturday;
9:00 a.m. – 5:00 p.m. Sunday

- ☐ Lighting has been redesigned to reduce potential impact on adjacent residential areas. Pole heights have been reduced to 20 feet from 28 feet, and the rear yard lighting is facing away from adjacent residential and is motion sensor activated.

4. Number of Employees: 3
5. The Site Plan Review Committee has reviewed the site plan and has one site plan related comment for Council's consideration in their review of the request:
- a. A chain link fence is required on all sides of the property where no screen wall is proposed. In this case, a 2 feet high chain link fence is required along John R and a 4 feet high chain link fence is required on the north side property line. No chain link fencing is proposed. Accordingly, a variance will be required from the Zoning Board of Appeals.

Recommendation:

Following public hearing, should City Council grant special approval for the proposed facility, staff recommends the following conditions:

1. Zoning Board of Appeals approval of a chain link fence variance on the north side and east front property lines.
2. Hours of Operation:
8:00 a.m. - 6:00 p.m. Monday – Saturday,
9:00 a.m. - 5:00 p.m. Sunday

NOW, THEREFORE, BE IT RESOLVED, that the Madison Heights City Council, acting as a Special Approval Board in accordance with Section of the Code of Ordinances, hereby approves the request subject to the following conditions:

1. Zoning Board of Appeals approval of a chain link fence variance on the north side and east front property lines.
2. Hours of Operation:
 - 8:00 a.m. - 6:00 p.m. Monday – Saturday,
 - 9:00 a.m. - 5:00 p.m. Sunday

253. Substitute Motion.

Motion by Councilman McGillivray, that the request for Special Approvals for an exterior car wash a 28245 John R Road be denied.

THE MOTION DIED FOR LACK OF SUPPORT.

Vote on Motion 252.

Yeas: Corbett, Scott, Shad, Swanson and Clark.
Nays: McGillivray.

254. Meeting Open to the Public.

Louis Kattuah, 26612 Wolverine presented pictures relating to his neighbor planting two small trees and landscaping in the right-of-way on Wolverine. Mayor Swanson stated that Code Enforcement would investigate.

Dean Cinader, 30190 Northeastern stated that he did not oppose replacing the sidewalks in front of his home but he was concerned as to them being replaced properly. Community Development Director Schafer stated that he would investigate.

3. Parking meets minimum ordinance requirements.

4. Hours of Operation:

Mon – Fri: 10:00 am – 6:00 pm
 Saturday 10:00 am – 3:00 pm
 Sunday: 10:00 am – 3:00 pm (depending on demand)

5. The Site Plan Review Committee has reviewed the site plan and has no additional comments to address.

NOW, THEREFORE, BE IT RESOLVED, that the Madison Heights City Council, acting as a Special Approval Board in accordance with Section 10.329(5) of the Code of Ordinances, hereby approves the request to permit temporary holiday retail sales in a Light Industrial District (M-1) November 14th through December 23rd of this year, and on an annual basis in November and December in the future.

Yeas: Corbett, McGillivray, Russell, Scott, Shad, Swanson, Clark
 Nays: None.

291. Special Approval – Washpointe Car Wash, 28245 John R

A public hearing was held to hear comments, if any, to permit the installation and use of two self-serve vacuum units at 28245 John R; said property is zoned B-3, General Business. Steve Gunn, co-owner of the Washpointe Car Wash stated that vacuums were included on the original special approval request in February, 2003 and were denied, and special approval was granted without vacuums in August, 2003. He stated that decibel testing of portable vacuums produced decibel levels so low that the vacuums could not be heard behind the building by the masonry screen wall that separates the business from the residences. He further stated that there is no room to put the vacuums inside the building and the outside area for the vacuums will be bricked to match the building and will be landscaped. There being no further comments from the audience, the public hearing was closed.

Motion by Councilman Corbett,
 Supported by Councilwoman Scott,

WHEREAS, a Special Approval Board application has been received from, Robert S. Gunn, co-owner of the Washpointe Car Wash at 28245 John R, requesting the installation and use of two self-serve vacuum units at 28245 John R; said property is zoned B-3, General Business; and

WHEREAS, a public hearing was advertised in the Daily Tribune on October 15, 2005 and 131 notices were mailed to property owners within 500 feet of the aforementioned property; and

WHEREAS, a report has been received from the Community Development Department, stating that

LOCATION: 1200 E. 14 Mile Road

Request: To modify existing Special Approval for an automated car wash at 28245 John R to add two self-serve vacuum units.

Location: West side of John R between Katherine and Parker.

Applicant: Robert Gunn
19918 Fleetwood
Harper Woods, MI 48225

Staff Analysis:

1. This request is to modify an existing Special Approval to allow two self-serve vacuums at the existing automated car wash. The applicant was granted conditional special approval on August 11, 2003 after an initial denial in February 2003. (Minutes attached).
2. In the B-3 General Business District all operations must be carried on within the building area, including but not limited to vacuuming, washing and drying. The vacuums as proposed would require a ZBA variance to allow them to be placed outside the building.
3. The applicant has submitted a request to modify the special approval to permit installation of two self-serve vacuums on the east side of the building immediately adjacent to the building. The applicant has submitted information relative to the proposed vacuums in terms of their appearance and noise generation (attached).
4. Vacuums were included on the original special approval application and plan that was denied in February 2003. In conjunction with numerous other plan and operational changes, the vacuums were subsequently removed from the application and plan that was ultimately approved by City Council on August 11, 2003. Applicant now seeks installation of the vacuums. There have been no complaints regarding noise or other operational aspects of this facility since it opened in the spring.

5. The Site Plan Review Committee has reviewed the site plan and has one recommended condition for Council's consideration in their review of the request:

Zoning Board of Appeals variance to allow vacuums outside the building area.

Recommendation:

Following public hearing, should City Council grant special approval for the proposed facility, staff recommends the following condition:

Zoning Board of Appeals variance to allow vacuums outside the building area.

NOW, THEREFORE, BE IT RESOLVED, that the Madison Heights City Council, acting as a Special Approval Board in accordance with Section (10.3268) of the Code of Ordinances, hereby approves the installation and use of two self-serve vacuum units at 28245 John R; subject to approval of a variance by the Zoning Board of Appeals to allow vacuums outside the building area.

Yeas: McGillivray, Russell, Scott, Shad, Swanson, Clark, Corbett
Nays: None.

292. Public Hearing – Industrial Development District Established.

A public hearing was held to hear comments, if any, on a request to establish an Industrial Development District for CITG Promotions, LLC at 800 Tech Row, Madison Heights. Roger Parsons, representing CITG Promotions, stated that due to a growth of the company the business was moved from Troy to Madison Heights due to the favorable tax base and tax incentives. There being no comments from the audience, the public hearing was closed.

Motion by Councilwoman Russell,
Supported by Councilwoman Scott,

**RESOLUTION ESTABLISHING INDUSTRIAL DEVELOPMENT DISTRICT
FOR CITG PROMOTIONS, LLC**

A public hearing was held to hear comments, if any, on a request to establish an Industrial Development District at 800 Tech Row, Madison Heights, Michigan.



AGENDA ITEM SUMMARY FORM

MEETING DATE: 7/8

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

AGENDA ITEM CONTENT: Director of Public Services - Purchase of Radar Signs

AGENDA ITEM SECTION: Consent Agenda

BUDGETED AMOUNT: \$50,000

FUNDS REQUESTED: \$45,671

FUND: 101-446-987-0000

EXECUTIVE SUMMARY:

The FY 2024-25 Budget includes funding for nonspecific traffic safety enhancements, as well as money carried-forward from the last fiscal year. These monies were made available by the settlement between the City and the two additional marijuana companies. The Traffic Safety committee determined that the highest immediate priority relates to tempering speeds on major roads adjacent to schools, through the permanent deployment of radar speed signs.

RECOMMENDATION:

Staff recommends that Council approve the purchase of 12 RadarSign TC-600 units from RadarSign, of Marietta, Georgia, in the total amount of \$45,671.00, through the BuyBoard government purchasing cooperative. Funding is budgeted and available for this purchase.

MEMORANDUM

Item 4.

DATE: June 26, 2024

TO: Melissa R. Marsh, City Manager

FROM: Sean P. Ballantine, Director of Public Services
Gregory G. Lelito, Fire Chief
Brent S. LeMerise, Police Chief
(With the City Manager, comprising the Traffic Safety Committee)

SUBJECT: Purchase – Radar Signs (Traffic Safety Enhancement)

At the direction of Council, the FY 2024-25 Budget includes funding for nonspecific traffic safety enhancements. Funding was also made available in the FY 2023-24 Budget, which has been carried forward.

The Traffic Safety committee met, and determined that the highest immediate priority relates to schools on major roads, and tempering speeds in those areas. For reference, these schools include Lessenger Elementary on Campbell Road, Bishop Foley High School on Campbell Road, Lamphere High School on 13 Mile Road, Madison High School on 11 Mile Road, and Wilkinson Middle School on John R. Road.

The routine practice to address speeding concerns, besides extra patrols by the Police Department, is for DPS to deploy one of the City's two radar signs. These signs are programmed to the speed limit in the area, and provide a visual warning to drivers, prompting them to slow down if they are exceeding the speed limit. The existing signs have been in service for quite a few years, and are beginning to show their age. Further, and more importantly, the demand for placement of these signs is outpacing the availability of these units.

The Committee researched multiple options, and were impressed with the units furnished by RadarSign. In addition to the quality and ruggedness of build, ease of operation, and available features, they also provide the ability to perform traffic counting, which provides necessary data for overall road analysis and replacement funding. A quote was requested for twelve of these units, which will provide one in each direction for each major road school zone, as well as two extra to be deployed throughout the City as needed.

Staff therefore recommends that Council approve the purchase of 12 RadarSign TC-600 units from RadarSign, of Marietta, Georgia, in the total amount of \$45,671.00, through the BuyBoard government purchasing cooperative. Funding is budgeted and available for this purchase.

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

Date: 6/25/2024

1220 Kennestone Circle
Suite 130
Marietta, GA 30066

PROPOSED BY:
Name: Paul Kenney
Phone: (678) 965-4814 Ext. 116 M: 404-403-9826
Email: pkenney@radarsign.com

Cloud Admin:
Phone:
Email:

PROPOSED TO / BILL TO:	SHIP TO:	
City of Madison Heights	City of Madison Heights	Account
801 Ajax Drive	801 Ajax Drive	Address
Madison Heights, MI 48071	Madison Heights, MI 48071	City, ST, Zip
248-589-02294	248-589-02294	Phone
SeanBallantine@Madison-Heights.org	SeanBallantine@Madison-Heights.org	Email
Sean Ballentine	Sean Ballentine	Attention

P. O. NUMBER	TERMS	

LINE #	QTY	PART #	DESCRIPTION	PRICE EACH	TOTALS
1	12	TC-600 S	Solar Power Radar Sign 13" Full Matrix Display: speeds readable at 600 feet 13" LED display - superbright amber with est. 100,000 hour life Two 12V 18 amp hour AGM batteries, provides up to 12 days backup operation K Band radar, meets FCC Part 15 rules, detection range up to 1200 feet "SLOW DOWN" & "TOO FAST" speeder alert messages, plus 3 levels of flashing speeds 3/8" thick Bashplate™ (provides the ultimate in vandal protection of sign) Standard timers allow up to 5 settings per day Possum Switch' allows sign to go dark for 30 minutes if assaulted with force Wi-Fi wireless transmitter, communication range up to 300 feet, No internet required	\$3,695.00	\$44,340.00
2	12	RS020	Standard faceplate, 28" x 33", 4" lettering: (White RS019, Fl. Yellow/Green RS020, Orange RS021, OR Yellow RS022)	Included	Included
3	12	AA041	50 watt solar panel, standard, Includes mounting bracket (AA003)	Included	\$0.00
4	0	AA083	Optional Message Alert: SCHOOL ZONE	\$90.00	\$0.00
5	12	AA067	Optional: Date/Time Calendar Programmer: (Set operation by date for entire year)	\$90.00	\$1,080.00
6	24	AA048	Mounting Options: Universal Bolt Mounting Kit - Used on square post or U-Channel post. Qty 2 per pack	\$4.00	\$96.00
7	12	StreetSmart	Optional: StreetSmart Data Collection Lifetime license (per sign) 35 charts, graphs, and tables included. Provides weekly, daily, hourly, and 1/2 hour data on # of vehicles, # of speeders, average speeds, peak speeds, 50th & 85th percentile & more. Extended 30 day charts included for trend analysis. No recurring fees. Required to access traffic data.	\$275.00	\$3,300.00
8	12	RW002	Two year warranty (includes parts & labor and backup batteries)	Included	Included
9	12	SHP-600	Ground Shipping for TC-600 Series	\$145.00	\$1,740.00
10	1	-	Customer Discount		\$0.00
11	1	-	Customer Discount	(\$4,885.00)	(\$4,885.00)

Minimum re-stock fee: 15%.					
* Quote valid for 30 days. Pricing does not include any international taxes, fees, or duties.				TOTAL US\$	\$45,671.00
Sales Tax Rate:				0.000%	\$0.00
Grand Total:					\$45,671.00
				TOTALS	

US State sales tax must be collected unless you provide a sales tax exempt form.

Authorized Signature

Print Name/Title

Date



Certified Quality System
ISO 9001:2015



100% MUTCD Compliant
Radar Speed Signs



Proudly Engineered &
Manufactured in the USA



AGENDA ITEM SUMMARY FORM

MEETING DATE: 7/8

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

AGENDA ITEM CONTENT: Director of Public Services - Budgeted Replacement of Tire Machinery

AGENDA ITEM SECTION: Consent Agenda

BUDGETED AMOUNT: \$20,000

FUNDS REQUESTED: \$18,249

FUND: 592-901-982-0000

EXECUTIVE SUMMARY:

The FY 2024-25 Budget includes funding for the replacement of the Motor Pool tire machinery. The existing machinery, consisting of a tire changer and wheel balancing machine, is 23 years old, and is showing significant wear and tear. Motor Pool changes approximately 15-20 tires per month, resulting in this machinery receiving heavy and routine use.

RECOMMENDATION:

Staff requests that Council approve the purchase of a Coats 800Maxx70 tire changing machine, and Coats 80016003D wheel balancer as quoted from O'Reilly Auto Parts, through the Omnia Purchasing cooperative contract 05-42. Funding is budgeted and available.

MEMORANDUM

Item 5.

DATE: June 28, 2024
TO: Melissa R. Marsh, City Manager
FROM: Sean P. Ballantine, Director of Public Services
SUBJECT: Budgeted Replacement of Tire Machinery

The FY 2024-25 Budget includes funding for the replacement of the Motor Pool tire machinery. The existing machinery, consisting of a tire changer and wheel balancing machine, is 23 years old, and is showing significant wear and tear. Motor Pool changes approximately 15-20 tires per month, resulting in this machinery receiving heavy and routine use.

The existing machinery has provided years of reliable service, and is fairly standard equipment for the industry. Motor Pool thus elected to replace them with a like-for-like, and began researching sources to prepare a bid. Through one of our normal vendors, we were able to find the exact machinery required on a cooperative bid, and several hundred dollars cheaper than other vendors.

Staff therefore requests that Council approve the purchase of a Coats 800Maxx70 tire changing machine, and Coats 80016003D wheel balancer as quoted from O'Reilly Auto Parts, through the Omnia Purchasing cooperative contract 05-42. Funding is budgeted and available.

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

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



Customer Information

O'Reilly Account # 1508659 Sales Person: Doug Wallis
 Account Name CITY OF MADISON HEIGHTS Store 3316

6/26/2024

Entry	QTY	Line	Item #	Description	Price ea	Selling
1	1	COT	800MAXX70	TIRE CHARGER	\$ 8,150.00	\$ 8,150.00
2	1	COT	80016003D	WHEEL BALANCER	\$ 10,099.00	\$ 10,099.00
3				#NAME?		
4				#NAME?		
5				#NAME?		
6				#NAME?		
7				#NAME?		
8				#NAME?		
9				#NAME?		
10				#NAME?		
11				#NAME?		
12				#NAME?		

Financing options are available. Below, estimated payments are shown with approved credit through CIT, these are estimates only and are subject to change based on customer credit. Customers interested in this options should visit www.oreillyautoparts1.directcapital.com and complete the online application or call CIT direct with any financing questions or concerns 866-267-4008

Sub Total	\$ 18,249.00
Tax	TBD
Total	\$ 18,249.00

Term:	36- Month	48- Month	60-Month
Estimated Payment :	\$576.67	\$447.65	\$370.64
To apply for financing visit - www.oreillyautoparts1.directcapital.com			

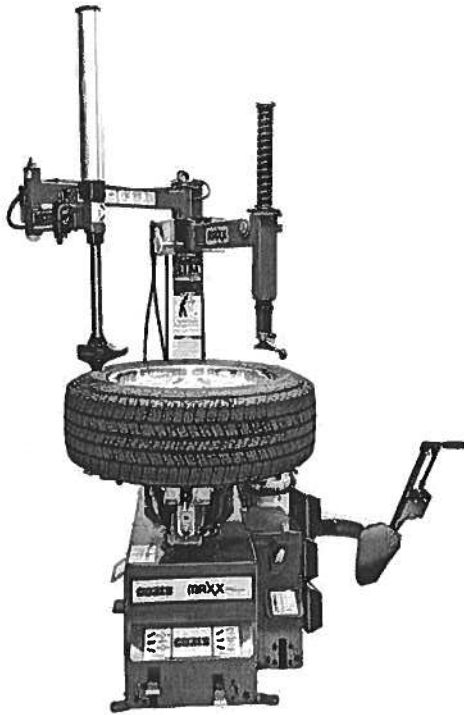
Prices are subject to State and local tax

Customer will provide a forklift for offloading equipment

The above prices are valid until - 9/30/2024

Notes :

Per Omnia Cooperative contract # 05-42



Coats 50 Inch Tire Changer

Line: COT Item: 800MAXX70

List:

\$18,438.98 Each

Cost:

\$8,500.00 Each

as low as **\$182/mo**

60 month term | [Details](#)

Availability

1 Out of Stock

1

Add To Quote

Add to Stock Order

[Feedback](#)

Details

Coats 50 Inch Tire Changer

COATS.

- Coats Maxx 70 Tire Changer; 110 Volt
- No Product Applications
- Contact O'reilly Service Equipment Department For Warranty Details

New from Coats, the Maxx Series of Rim Clamp tire changers builds on a legacy of reliability, durability and ease of use. With many new features based upon extensive user research and customer feedback, and redesigned from the ground up, the Maxx Series is the tire changer of choice for a wide variety of shop environments, from general repair, up to the most hardcore, high-volume tire dealer and everything in-between. Coats Maxx Series will be as familiar to you as tire changers you've used in the past, but built to last into the future as you grow your business.

[Specifications](#)

[Brand Information](#)



Coats Wheel Balancer

Line: COT Item: 80016003D

List:

\$21,642.37 Each

Cost:

\$10,499.00 Each

as low as **\$225/mo**

60 month term | [Details](#)

Availability

1 Out of Stock

1

Add To Quote

Add to Stock Order

[Feedback](#)

Details

Coats Wheel Balancer

COATS.

- Wheel Balancer
- No Product Applications
- Contact O'reilly Service Equipment Department For Warranty Details

Features:

Powered by Direct Drive Motor and spindle are combined into a single, pre-balanced assembly that always stays calibrated to zero.

ProBalance Technology A unique balancing algorithm and unbalance correction methodology that minimizes both static and couple unbalance.

Touchscreen The weight location recognition system offers touch-free operation for 85% of wheel balances. The touchscreen system is built to last and can be used while wearing gloves.

[Specifications](#)



[Brand Information](#)



[Documents](#)



City Council Regular Meeting
Madison Heights, Michigan
June 24, 2024

A City Council Regular Meeting was held on Monday, June 24, 2024 at 7:30 PM at City Hall - Council Chambers, 300 W. 13 Mile Rd.

PRESENT

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

OTHERS PRESENT

Deputy City Manager/City Clerk Cheryl Rottmann
City Attorney Larry Sherman
Deputy City Clerk Phommady A. Boucher

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

CM-24-118. Appointment of the Acting City Clerk.

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

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-24-119. Additions/Deletions to the Agenda.

Motion to move from Consent Agenda to Presentation: Madison Heights Chiropractic 50th Anniversary Proclamation.

Motion made by Councilman Mier, Seconded by Councilman Fleming

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

Motion carried.

Motion to add to Consent Agenda as item #2: Accept the resignation of Quinn Wright as Council Representative to Madison Heights Community Coalition and appoint William Mier as Council Representative to Madison Heights Community Coalition to Consent Agenda.

Motion made by Councilor Wright, Seconded by Councilor Rohrbach

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

Motion carried.

PRESENTATIONS:

Madison Heights Chiropractic 50th Anniversary Proclamation.

On behalf of City Council, Mayor Grafstein presented Dr. Allen Kash with the Madison Heights Chiropractic 50th Anniversary Proclamation.

MEETING OPEN TO THE PUBLIC:

Resident, no name given, shared a story of her 49 years of experience at the Madison Heights Chiropractic Center with Dr. Allen Kash.

Kevin Wright, resident, shared a story of his 40 years of knowing Dr. Allen Kash. He thanked all the sponsors, Human Relations & Equity Commission (HREC) board members, and the Department of Public Services (DPS) Department for the success of the Juneteenth event.

Martha Covert, resident, thanked all the participants at the Juneteenth event. She spoke about the candidates and campaign initiatives for the County Commissioner 3rd District.

CM-24-120. Consent Agenda.

Motion to approve the Consent Agenda, as read.

Motion made by Councilor Rohrbach, Seconded by Councilman Mier.

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

Motion carried.

CM-24-121. Resignation of Quinn Wright as Council Representative to the Madison Heights Community Coalition and appoint William Mier as Council Representative to Madison Heights Community Coalition.

Motion to accept the resignation of Quinn Wright as Council Representative Madison Heights Community Coalition and appoint William Mier as Council Representative to Madison Heights Community Coalition.

Motion made by Councilor Rohrbach, Seconded by Councilman Mier.

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

Motion carried.

CM-24-122. City Council Regular Meeting Minutes of June 10, 2024.

Motion to approve the City Council Regular Meeting Minutes of June 10, 2024

Motion made by Councilor Rohrbach, Seconded by Councilman Mier.

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

Motion carried.

CM-24-123. Consent to Assignment of Solid Waste Collection and Disposal Agreement.

Motion to approve the Consent to Assignment of Solid Waste Collection and Disposal Agreement for June 30, 2024, and motion is contingent on closing.

Motion made by Councilor Rohrbach, Seconded by Councilman Fleming.

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

Motion carried.

CM-24-124. Amendments to FY 202324 Budget and Carryforwards to Amend the FY 2024-25 Budget.

Motion to approve amendments to FY 2023-24 Budget and Carryforwards to Amend the FY 2024-25 Budget

Motion made by Councilor Rohrbach, Seconded by Councilor Wright.

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

Motion carried.

CM-24-125. Tree Nursery and Planting Services.

Motion to approve the Tree Nursery and Planting Services.

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.

COUNCIL COMMENTS:

Councilman Mier reminded everyone that June is Men's Mental Health Awareness Month. He asked that Green for Life (GFL) and Priority Waste come to a council meeting to answer questions from residents.

Mayor Pro Tem Bliss requested a moment of silence to remember Oakland County Deputy Bradley Reckling.

Councilor Wright echoed the sentiments of Mayor Pro Tem Bliss and sends his condolences to the Reckling family. He provided an update on the Arts & Pride event on June 23rd, and he wished those that celebrate a "Happy Pride Month." The Human Relations & Equity Commission (HREC) and Arts Board co-hosted a Picnic in the Park that was well attended. Councilor Wright announced that HREC is hosting "Rev'n in the Heights" on Saturday, September 14th from 10 a.m. – 3 p.m. following the Fire Department Open House. The Arts Board is hosting Trail Tunes on Saturday, September 21st at 3 p.m.

City Attorney L. Sherman echoed the sentiments of Mayor Pro Tem Bliss. Our thoughts and prayers go out to the victims of the mass shooting at Rochester Hills splash pad. City Attorney L. Sherman talked about his late friend and colleague Special Environmental Counsel Hugh Thomas who passed away on May 31st.

Deputy City Manager/City Clerk Rottmann informed voters about the August 6th State Primary Election and noted that ballots will be sent out on Friday, June 28th. She reminded voters for the State Primary Election you are only allowed to vote for one party. Voters may contact the Clerk's Office, come into the City Hall, or go online to the Secretary of State website for an absentee ballot application.

Deputy City Clerk Boucher had no comments this evening.

Councilor Rohrbach congratulated all the participants and volunteers who worked very hard on the Juneteenth celebration. She recognized and thanked everyone who helped with the Arts & Pride event. Councilor Rohrbach reminded everyone about the Festival in the Park on Sunday, June 30th at 6 p.m. She announced that Michigan Statewide Independent Living Council (MiSILC) is hosting an Americans with Disabilities Act Pride on Saturday, July 13th at Civic Center Park. Councilor Rohrbach is excited to see the growth in all the trees planted along 12 Mile Road and John R Road.

Councilman Fleming had no comments this evening.

Councilman Soltis would like to reconsider going to the Michigan Municipal League (MML) conference. He talked about waste management companies Rizzo Environmental Services, GFL, and Priority Waste.

Mayor Grafstein echoed the sentiments of Mayor Pro Tem Bliss and she stated, "hold the people that you care close to you."

ADJOURNMENT

Having no further business, Mayor Grafstein adjourned the meeting at 8:16 p.m.



AGENDA ITEM SUMMARY FORM

MEETING DATE: 07/08/24

PREPARED BY: Melissa Marsh, City Manager

AGENDA ITEM CONTENT: Oakland County Parks and Recreation Grant - Rosie's Park Pickleball Courts

AGENDA ITEM SECTION: Bid Awards/Purchases

BUDGETED AMOUNT: \$276,000

FUNDS REQUESTED: \$351,000

FUND: 101 - General Fund

EXECUTIVE SUMMARY:

Oakland County Parks and Recreation (OCPRC) has awarded the City of Madison Heights a Park Development grant for the creation of Pickleball Courts at Rosie's Park in the amount of \$75,000.

Total project cost is not to exceed \$351,000; the grant from Oakland County Parks and Recreation covers \$75,000 of the project cost. The city's match of \$276,000 will come from the allocated parks and recreation budget. We are working with Frank Rewold and Sons for final cost on the contract of these courts as designed. However, the staff is committed to completing this within or under the \$351,000. Final approval of the construction project will require Council approval at a future Council meeting.

RECOMMENDATION:

Staff and I request the City Council's approval to accept the \$75,000 grant from Oakland County Parks and Recreation and authorize the City Manager to sign on behalf of the City.

Date: July 2, 2024
To: Honorable Mayor and City Council
From: Melissa R. Marsh, City Manager
Subject: Oakland County Parks and Recreation Grant – Rosie’s Park Pickleball Courts

Oakland County Parks and Recreation (OCPRC) has awarded the City of Madison Heights a Park Development grant for the creation of Pickleball Courts at Rosie’s Park. The proposed project aims to diversify recreational offerings to our community and promote health, wellness, and social engagement among residents of all ages.

According to the Sports & Fitness Industry Association (SFIA), pickleball is currently the fastest-growing sport in the United States and internationally, with over 4.8 million players in the United States in 2023.

Grant Details:

- **Grant Source:** Oakland County Parks and Recreation
- **Grant Amount:** \$75,000
- **City Match:** \$276,000
- **Total Project Cost:** \$351,000

Project Description:

The development of Pickleball courts at Rosie's Park includes:

- Construction of multiple Pickleball courts to accommodate both casual and competitive play.
- Installation of court lighting to enable evening use.
- Landscaping to provide sound barriers and a pleasant environment for players and spectators.
- Estimated construction timeline would be September – November 2024.

Financial Considerations:

The grant from Oakland County Parks and Recreation covers \$75,000 of the project cost. The city's match of \$276,000 will come from the allocated parks and recreation budget. The FY 2025 budget includes funding to be used for this enhancement by combining \$75,000 for the refurbishment of this area in Rosie’s park, and \$200,000 remaining from the budgeted ballfield light project, which is now funded by a grant, \$1,000 from the \$50,000 special park project fund.

We are currently working with Frank Rewold and Sons to get a final cost on the contract of these courts as designed. However, the staff is committed to completing this within or under the \$351,000. Final approval of the construction project will require Council approval at a future Council meeting.

Recommendation:

Staff and I request the City Council's approval to accept the \$75,000 grant from Oakland County Parks and Recreation and authorize the City Manager to sign on behalf of the City.

COUNTY OF OAKLAND—PARK DEVELOPMENT AGREEMENT
MADISON HEIGHTS – ROSIE’S PARK PICKLEBALL

This Agreement is between the County of Oakland, by and through, its statutory agent, the Oakland County Parks and Recreation Commission ("OCPRC") and the City of Madison Heights, 300 West 13 Mile Rd., Madison Heights, MI 48071 ("Grantee").

The purpose of this Agreement is to provide funding to Grantee in exchange for the work to be performed by Grantee for the below named project. The Parties agree to the terms and conditions set forth in this Agreement.

Project Title (“Project”): Rosie’s Park Pickleball

Project Number:

Grant Amount ("Grant Amount"): Seventy-five Thousand Dollars (\$75,000)

Grantee Match Amount ("Match Amount"): Two Hundred and Seventy-six Thousand Dollars (\$276,000)

Total Project Amount: Three Hundred and Fifty-one Thousand Dollars **(\$351,000)**

Start Date: Effective Date—the date the last Party to this Agreement signs the Agreement

End Date: Three years after the date the last Party to this Agreement signs the Agreement

By signing this Agreement, the below individuals certify they are authorized to sign this Agreement on behalf of their organizations and the Parties will fulfill the terms of this Agreement, including any attached Exhibits.

Grantee:

Name: Melissa Marsh, City Manager
City of Madison Heights

County of Oakland:

David J. Woodward (May 22, 2024 12:32 EDT)

Name: David T. Woodward, Chairperson Date _____
Oakland County Board of Commissioners

Oakland County Parks and Recreation Commission:

 5/15/2024
Name: Ebony Bagley, Chairperson Date _____
Oakland County Parks and Recreation Commission

1. **Agreement Execution.** Grantee is required to sign the Agreement and return it to the contact person listed in Section 2 within sixty (60) calendar days of the date the Agreement is issued to Grantee. If not, the OCPRC Chairperson may cancel this Agreement and the monies allocated under this Agreement may be issued to another entity, in the County's sole discretion. This Agreement is not effective until both Parties sign the Agreement. The "Effective Date" shall be the date the last Party signs the Agreement.
2. **Contact Information.** This Agreement shall be administered on behalf of the County by the Planning & Resource Development Unit of the OCPRC. All notices, reports, documents, requests, actions, or other communications required between the OCPRC and Grantee shall be in writing and submitted to the contacts identified below. By written notice, the Parties may designate a different contact with correlating information.
 - 2.1. Grantee Contact**
 - 2.1.1. Organization: City of Madison Heights
 - 2.1.2. Name/Title: Melissa Marsh, City Manager
 - 2.1.3. Address: 300 West 13 Mile Rd., Madison Heights, MI 48071
 - 2.1.4. Telephone Number: 248-583-0829
 - 2.1.5. E-Mail Address: melissamarsh@madison-heights.org
 - 2.2. OCPRC Contact**
 - 2.2.1. Name/Title: Donna Folland, Chief of Planning, Oakland County Parks
 - 2.2.2. Address: 2800 Watkins Lake Road, Waterford, MI 48328
 - 2.2.3. Telephone Number: 248-736-9087
 - 2.2.4. E-Mail Address: follandd@oakgov.com
3. **Project/Project Period.**
 - 3.1. Grantee shall complete the Project as set forth and described in Exhibit A within the Project Period. Exhibit A is incorporated into this Agreement.
 - 3.2. As defined in this Agreement, "Project Period" means the period of time beginning on the Effective Date and ending on the End Date listed on page 1 of this Agreement.
 - 3.3. Grantee shall complete the Project within the Project Period. Requests to extend the Project Period must be made in writing a minimum of thirty (30) calendar days before the Project Period ends. OCPRC may extend the Project Period, in its sole discretion, and the extension must be codified in an amendment to this Agreement.
4. **Grantee Reporting Requirements:**
 - 4.1. Grantee shall complete and submit bi-annual progress reports, including a narrative report and summary of Project expenditures, in accordance with instructions provided by OCPRC.
 - 4.2. Within sixty (60) days of Project completion, Grantee shall submit final reporting documentation, including a final reimbursement request and narrative report, and copies of written materials and/or photographs of grant recognition signs in accordance with the instructions provided by OCPRC.
5. **Payments/Advances/Project Closeout.** The OCPRC shall make payments of the Grant Amount to Grantee as follows:
 - 5.1. OCPRC shall pay the Grantee fifty percent (50%) of the Grant Amount listed on page 1 of this Agreement within thirty (30) calendar days of the Effective Date. The remaining fifty percent (50%) of the Grant Amount shall be paid by Oakland County

within thirty (30) calendar days of the date the Project is complete in accordance with Section 4. Any cost overruns incurred to complete the Project shall be the sole responsibility of the Grantee. To be eligible for payment, Grantee must submit a complete payment request to OCPRC on form(s) provided by OCPRC and have satisfied all progress reporting requirements due prior to the date of the payment request.

- 5.2. Grantee shall submit documentation of all costs incurred, including the value of match and donations made to the Project.
- 5.3. OCPRC reserves the right to request additional information necessary to substantiate payments.
- 5.4. Grantee shall be a registered vendor with the County of Oakland to receive payments. Registration can be accomplished by completing a vendor registration through the Oakland County Vendor Registration link on the County Web site. All grant funds will be paid by ACH or Check.
- 5.5. OCPRC shall not pay any portion of the Grant Amount to a Grantee contractor or subcontractors. Grant Amounts shall only be paid to Grantee.
- 5.6. OCPRC shall hold back ten percent (10%) of the Grant Amount until Project Closeout set forth in this Section. Final payment of the remaining ten percent (10%) of the Grant Amount will be released upon OCPRC's approval of Grantee's Final Report and satisfactory Project completion as determined by OCPRC, in its sole discretion.
- 5.7. A determination of Project completion, which may include a site inspection and an audit, shall be made by OCPRC after Grantee has met any match obligations, satisfactorily completed the activities, and provided products and deliverables described in Exhibit A.
- 5.8. Grantee shall immediately refund to OCPRC any payments in excess of the costs allowed by this Agreement.
- 5.9. Upon issuance of final payment from the OCPRC, Grantee releases the County, OCPRC, and its employee and officers of all claims against the County/OCPRC arising under this Agreement. Unless otherwise provided in this Agreement or by State law, final payment under this Agreement shall not constitute a waiver of the County's claims against Grantee.
6. **Grantee Assurances/Responsibilities.**
 - 6.1. Grantee shall comply with all applicable local, State, and federal laws, rules, ordinances, and regulations in the performance of this Agreement.
 - 6.2. Grantee shall obtain all necessary permits and licenses for construction and maintenance of the Project. Grantee shall solely determine what permits or licenses are required for the Project, secure the needed permits or licenses, and remain in compliance with such permits or licenses. Grantee shall retain a copy of all permits or licenses and make them available to the County upon request.
 - 6.3. Grantee shall have control of the Project area through fee simple title, lease, or other recorded interest, or have written permission from the owner of the Project area to complete Project activities.
 - 6.4. Grantee shall abide by all State and federal threatened and endangered species regulations when completing Project activities.

- 6.5. Grantee shall not discriminate against an employee or an applicant for employment in hiring, any terms and conditions of employment or matters related to employment regardless of race, color, religion, sex, sexual orientation, gender identity or expression, national origin, age, genetic information, height, weight, disability, veteran status, familial status, marital status or any other reason, that is unrelated to the person's ability to perform the duties of a particular job or position, in accordance with applicable federal and state laws. Grantee further agrees that any subcontract shall contain non-discrimination provisions, which are not less stringent than this provision and binding upon any and all subcontractors. A breach of this covenant shall be regarded as a material breach of this Agreement.
- 6.6. Grantee shall require that no individual be denied access to the Project or Project activities on the basis of race, color, religion, sex, sexual orientation, gender identity or expression, national origin, age, genetic information, height, weight, disability, veteran status, familial status, or marital status.
- 6.7. Grantee is solely responsible for all activities performed under this Agreement and for the construction and maintenance of the Project. Grantee shall be the sole point of contact regarding contractual matters for the Project, including payment of any and all charges resulting from the Project.
- 6.8. Grantee shall require all contractors and subcontractors constructing or performing the Project to comply with this Agreement.
- 6.9. Grantee shall ensure all contractors and subcontractors constructing and performing the Project are qualified to perform such work.
- 6.10. Grantee shall be solely responsible for the installation, operation, repair, and maintenance of the Project.
- 6.11. All records related to the Project must be maintained for a minimum of seven (7) years after the final payment has been issued to Grantee by the County.
7. **Liability.**
 - 7.1. The County/OCPRC is not liable or required to install, operate, repair, maintain, or contribute to the installation, operation, repair, or maintenance of the Project and any associated Project activities.
 - 7.2. Grantee shall defend any Claim brought against either Party that involves the Project or associated Project activities or that involves title, ownership, or other specific rights of real property controlled by Grantee and relates to the Project.
 - 7.3. Grantee is responsible for all Claims arising under or in any manner related to the Agreement, the activities authorized by the Agreement, or the use and occupancy of the Project.
 - 7.4. As used in this Agreement, "Claims" mean any alleged losses, claims, complaints, demands for relief or damages, lawsuits, causes of action, proceedings, judgments, deficiencies, liabilities, penalties, litigation, costs, and expenses, including, but not limited to, reimbursement for reasonable attorney fees, witness fees, court costs, investigation expenses, litigation expenses, amounts paid in settlement, and/or other amounts or liabilities of any kind which are incurred by or asserted against a Party, or for which a Party may become legally and/or contractually obligated to pay or defend against, whether direct, indirect or consequential, whether based upon any alleged

violation of the federal or the state constitution, any federal or state statute, rule, regulation, or any alleged violation of federal or state common law, whether commenced or threatened.

- 7.5. Performance of this Agreement is a governmental function. This Agreement does not, and is not intended to, impair, divest, delegate, or contravene any constitutional, statutory, and/or other legal right, privilege, power, obligation, duty, or immunity of the Parties. Nothing in this Agreement shall be construed as a waiver of governmental immunity.
8. **Insurance.** The Grantee shall acquire and maintain insurance or a program of self-insurance, which Grantee deems necessary, to protect it from liability related to construction and/or operation of the Project. The County/OCPRC shall not obtain any insurance or provide any self-insurance for construction and/or operation of the Project.
9. **Audit and Access to Records.** OCPRC reserves the right to conduct programmatic and financial audits of the Project and may withhold payment until the audit is satisfactorily completed. Grantee shall maintain all pertinent records and evidence pertaining to this Agreement, including grant and any required matching funds, in accordance with generally accepted accounting principles and other procedures specified by OCPRC. OCPRC or any of its duly authorized representatives must have access, upon reasonable notice, to such books, records, documents, and other evidence for the purpose of inspection, audit, and copying. Grantee shall provide proper facilities for such access and inspection. All records must be maintained for a minimum of seven (7) years after the final payment has been issued to Grantee by OCPRC.
10. **Assignability.** Grantee shall not assign or transfer any interest in this Agreement without prior written authorization of OCPRC.
11. **Changes.** Any changes to this Agreement requested by Grantee shall be made in writing and sent to the contact listed in Section 2 of this Agreement. OCPRC may approve or deny such change, in its sole discretion. Any changes related to the grant amount or any other financial component of this Agreement will require an amendment to be executed in the same manner as this Agreement. Any changes not related to the grant amount or any other financial component of this Agreement, including but not limited to modifications to Project scope or Project Period extensions, can be made by amendment at the discretion of and signed by the OCPRC Chairperson.
12. **Termination.**
 - 12.1. Failure by Grantee to comply with any provision of this Agreement shall be a material breach of this Agreement. Upon breach of the Agreement by Grantee, OCPRC may, in addition to any other remedy provided by law:
 - 12.1.1. Terminate this Agreement;
 - 12.1.2. Withhold and/or cancel future payments to Grantee on any or all current grant projects until the violation is resolved to the satisfaction of OCPRC;
 - 12.1.3. Withhold action on all pending and future grant applications submitted by Grantee; or
 - 12.1.4. Require specific performance of the Agreement.
 - 12.2. Upon the date of termination, all outstanding reports and documents are due to OCPRC and after the termination date OCPRC will no longer be liable to pay or reimburse Grantee any outstanding Grant Amounts.
13. **Governing Laws/Consent to Jurisdiction and Venue.** This Agreement shall be governed, interpreted, and enforced by the laws of the State of Michigan, excluding Michigan's conflict of

law principles. Except as otherwise required by law or court rule, any action, complaint, lawsuit, or other legal or equitable proceeding brought to enforce, interpret, or decide any Claim, as defined herein, arising under or related to this Agreement shall be brought in the Sixth Judicial Circuit Court of the State of Michigan, the 50th District of the State of Michigan, or the United States District Court for the Eastern District of Michigan, Southern Division, as dictated by the applicable jurisdiction of the court. Except as otherwise required by law or court rule, venue is proper in the courts set forth above. The choice of forum set forth above shall not be deemed to preclude the enforcement of any judgment obtained in such forum or taking action under this Agreement to enforce such judgment in any appropriate jurisdiction.

14. **Entire Contract.** This Agreement represents the entire agreement and understanding between the Parties. This Agreement supersedes all other prior oral or written understandings, communications, agreements, or contracts between the Parties regarding the subject matter of this Agreement. The language of this Contract shall be construed as a whole according to its fair meaning and not construed strictly for or against any Party.

OCPR Grant Program Application

For the 2023 Oakland County Parks and Recreation Park Improvement and Trailways Grant Program, \$650,000 is available for trail and park improvement projects. This program is designed to assist local Oakland County communities with planning, preliminary engineering/design, and construction costs directly related to park improvement and trail projects located in Oakland County. For full program guidelines refer to the 2023 Community Grant Program Guidelines found on the [Oakland County Parks web site](#).

We are not using Laserfiche this year but changing to this fillable PDF application. Please submit attachments and supporting documents along with this application as ONE PDF document if possible.

A. Applicant Information

1. Project Title:

2. Oakland County City, Village or Township Name:

3. Census Tract:

4. Name of Primary Grant Contact:

Address:

Primary Contact Phone:

Primary Contact E-Mail Address:

5. Please list any project partners:

6. For which type of funding are you applying (please check one):

☐ Pre-development grants minimum request \$5,000, maximum request \$25,000 (design, engineering, planning, etc.) 25% Match

☒ Development grants minimum request \$5,000, maximum request \$100,000. 50% Match

B. Financial Information

Item 7.

Grant Amount Requested:

Match Amount:

☐ 25% minimum match for pre-development projects

☒ 50% match for development projects.

Certain communities may be eligible to have the match requirement waived – if your community is struggling to provide a match, please reach out to OCPR grants planning staff

Match Source(s):

Madison Heights General Fund \$275,000, SMPA \$1,000

Southeast Michigan Pickleball Association has agreed to partner with the City ensure utilization, visibility and programming across the region can take place on these courts. They will also partner on on-going upkeep including splitting the cost of future sealing of courts.

Projected Budget (if more lines are needed, please attach as additional document):

Scope Item	Quantity	Total Amount
Engineering	1	35,000
Construction, base, concrete, surfacing	1	315,000
nets, windscreens, paddle racks ect.	1	1,000

Total project budget:

C. Grant Application Requirements

1. Indicate how and where this project is addressed in relevant community planning documents, which may include: 5-Year Parks and Recreation Master Plan, Capital Improvement Plan, Park Master Plan, Community Master Plan, Complete Streets Plan, Trailway Master Plan, Pathway Plan, etc. Provide links to relevant online planning documents or add relevant pages to application PDF document. (100 word maximum)

The city will be updating our Parks and Recreation Master Plan this year with all projects in our current plan completed. We have had numerous residents request pickleball courts in addition to a very active association with over 500 members in the Madison Heights/Royal Oak area.

2. Proposed Project Dates

Item 7.

Anticipated Start Date: 07/01/2024

Anticipated End Date: 06/30/2025

3. Select the type of site control the applicant has over the site where the project is to be completed:

- ☒ Fee simple
- ☐ Less-than-fee-simple (explain): (text field)
- ☐ Lease
- ☐ License
- ☐ Easement
- ☐ Other (explain):

4. Final Report & Reimbursement

The OCPD Trails and Park Improvements grant program is a reimbursement program. If awarded a grant, the community will have an opportunity to request reimbursement on a quarterly basis. A final report will need to be submitted and approved by OCPD grant management staff prior to the release of the final 20% of grant funds.

- ☒ Please check here to acknowledge that this is a reimbursement grant and that a final report will be required to release the final 20% of grant funds.

D. Project Description

1. Describe the physical location of the proposed project and ownership of the property. (250 words max)

Rosie's Park is a 26.5 acre park in Madison Heights with walking trails, baseball, trees. The location identified an existing basketball court that is in need of refurbishment. The distance from this location to the nearest residential neighbor is 150 feet. There is a large densely wooded areas to the southeast and some mature trees surrounding the courts which may provide minimal sound adsorption. The budget also does include additional landscaping for sound abatement. These courts are being proposed adjacent to a parking lot for easy access.

2. Describe the project design and why it was chosen. (250 words max)

The project design of 8 courts instead of 4 or 6 was chosen to allow us the ability to offer social league to promote the sport and make sure the courts are utilized. With 8 courts we can also offer future tournaments to offset future maintenance cost. This location was chosen because as a City we are attempting to bring opportunity to those tracts in our community that have been identified as Justice 40, this area is also located near the area we are working on making more walkable with streetscape designs.

3. Provide a relevant history/background information (including any environmental concerns). (250 words)

Item 7.

Based on Oakland County Parks Research Summary focused on pickleball. This study revealed several items regarding location and the need for noise abatement as well as the desire to install more courts to help meet demand, the need for organized play at various levels from beginning to advanced. Courts were reported to be utilized frequently or almost always by over 75% of respondents, with a few reporting about half-time usage. Player demograph ranges from 8-80 with most frequent users in age 55-74 and 35-54 second.

4. Describe the community need for the project. (250 words max)

Investing in pickleball courts in this area will promote physical activity, foster community engagement, and boost the local economy. Pickleball is a sport suitable for people of all ages and fitness levels providing a low impact way to stay healthy. By providing courts in Rosie's Park residents in this disadvantaged part of the community have convenient access to recreational opportunities, encouraging them to adopt a more active lifestyle. Moreover, hosting leagues and tournaments can attract people from across the county and southeast Michigan region.

5. Project Alignment with most recent OCPR Community-Wide Needs Assessment.

Please select all categories in which your proposed project falls:

- | | |
|---|---|
| <input type="checkbox"/> Beaches | <input type="checkbox"/> Mountain-biking trails |
| <input type="checkbox"/> Multi-use trails | <input type="checkbox"/> Tennis courts |
| <input type="checkbox"/> Canoe & kayak launch sites | <input type="checkbox"/> Baseball and softball diamonds |
| <input type="checkbox"/> Picnicking areas and pavilions | <input type="checkbox"/> Basketball courts |
| <input type="checkbox"/> Playgrounds | <input type="checkbox"/> Disc golf |
| <input type="checkbox"/> Sledding Hills | <input type="checkbox"/> Archery range |
| <input type="checkbox"/> Farmers Markets | <input type="checkbox"/> Hunting areas |
| <input type="checkbox"/> Waterparks and Waterslides | <input type="checkbox"/> Off-road vehicle areas |
| <input type="checkbox"/> Boating and fishing areas | <input type="checkbox"/> Soccer and cricket fields |
| <input type="checkbox"/> Splash pads and spray parks | <input type="checkbox"/> Outdoor equestrian facilities/trails |
| <input type="checkbox"/> Outdoor amphitheaters | <input checked="" type="checkbox"/> Pickleball courts |
| <input type="checkbox"/> Camping areas | <input type="checkbox"/> Other <input type="text"/> |

6. Does the project positively impact equity and justice and/or provide parks and recreation services that are safe and welcoming to everyone? If so, please summarize here. (250 word max)

Item 7.

Yes pickleball is a social sport that fosters connections and camaraderie among players, enhancing community cohesion. This is a strategic investment in public health, community well-being, and economic development. The sport is easy to learn and doesn't require a large investment in equipment to participate.

7. Does the project consider sustainable design/construction practices and help build community resilience and adaptation to climate change? If so, please summarize here. (250 word max)

Erosion control measures shall be installed to prevent any sediment entering the existing storm drainage system. In addition, a trench drain/trench will be installed to assist in the storage of stormwater at a reduced release rate. The existing asphalt at this location will be removed and replaced with concrete that will not retain the heat as much. The removal of asphalt will reduce the Solar Reflectance Index (SRI) of this area. In addition, additional landscaping will be provided to remove additional stormwater and also reduce the noise decibel level at this location.

8. Does the project increase access to spaces and experiences that promote physical, mental, and social health for all? If so, please summarize here. (250 word max)

Pickleball provides an inclusive and accessible way for residents to engage in physical activity. The sport can be adapted to various skill levels and ages, making it suitable for individuals of all fitness levels. By providing residents with access to pickleball courts, the city is promoting mental well-being by offering an outlet for stress relief and relaxation. Additionally, the social aspect of pickleball encourages social interaction and support, which can further contribute to positive mental health outcomes. Pickleball also provides an avenue to meet new people, build new friendships, strengthen social bonds, and sense of community. Overall, these courts will create a more vibrant and inclusive community.

9. Has any public engagement been done around this project yet? If so please summarize here.

Specific targeted community engagement has not been done around this project however, we are in the process of creating the community engagement. We have contracted with our engineer for design, cost and location details and will be sharing that with the community to gauge their interest and feedback.

10. Describe how the project will be managed and maintained long-term, including any equipment or staff needs and how they will be addressed. Item 7.

We are partnering with the Southeast Michigan Pickleball Association to make sure the courts are utilized. They will host leagues open to those across the area to promote use. They will also be partnering with us to ensure the courts are maintained and are built and maintained as premier courts in the area.

11. Describe how the project will meet or exceed ADA guidelines. Describe any Universal Design principles that will be incorporated into the project.

As part of this project, all sidewalks leading to the new pickleball courts will be upgraded to meet ADA requirements including detectible warning. In addition, new van accessible parking space will be added directly adjacent to the new courts along with an accessible walkway.

12. Select whether or not the park or facility has any required entrance fees – annual, daily, non-resident, etc.

- ☒ No fees for park use
- ☐ Non-resident annual or daily fee
- ☐ Annual or daily fee for residents and non-residents
- ☐ Other (explain):

13. Select the ways in which people can access the site:

- ☐ Automobile only
- ☒ Automobile
- ☒ Bicycle on-street
- ☐ Dedicated bike lane
- ☒ Sidewalk
- ☒ Nearby bus stop (within ¼ mile)

E. Attachments

If possible please use the “Combine Files into one PDF” tool to combine your application materials into one PDF document. If you don’t have the ability to do so, individual files will still be accepted. Email all attachments to Kate Layton at laytonk@oakgov.com. Put your community name in the subject line of the email.

Required Attachments:

1. Project location map
2. Site plan or site map
3. Optional letters of support
4. Optional Other Materials
 - a) Design drawings/specifications
 - b) Photographs with captions that indicate the relevant content of the photo

Submission

Completed applications should be e-mailed to Kate Layton at laytonk@oakgov.com.

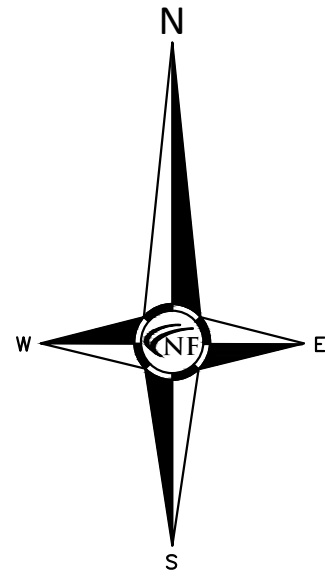
You will receive a confirmation e-mail within 48 hours indicating that we received your application. If your application file size is too large to e-mail, reach out to Kate or Donna for file-sharing options.

Applications should be submitted by April 21 at 5:00 p.m.

Contact Information:

Donna Folland
Supervisor – Planning and Resource Development
(248) 736-9087
follandd@oakgov.com

Kate Layton
Community Liaison
laytonk@oakgov.com



NF
ENGINEERS
CIVIL ENGINEERS
LAND SURVEYORS
LAND PLANNERS

NOWAK & FRAUS ENGINEERS
46777 WOODWARD AVE.
PONTIAC, MI 48342-5032
TEL. (248) 332-7931
FAX. (248) 332-8257
WWW.NFE-ENGR.COM

SEAL

PROJECT
Rosie's Park -
Pickleball Courts

CLIENT
City of Madison Heights

PROJECT LOCATION
Part of the SW ¼
of Section 13
T. 1 North, R. 11 East
City of Madison Heights,
Oakland County, Michigan

SHEET
Preliminary Site Plan



Know what's below
Call before you dig.

PAVING LEGEND	
	PROPOSED CONCRETE PAVEMENT
	PROPOSED ASPHALT PAVEMENT

LEGEND	
	MANHOLE
	HYDRANT
	MANHOLE CATCH BASIN
	UTILITY POLE
	GUY POLE
	GUY WIRE
	C.O.
	HYDRANT
	INLET
	MANHOLE
	GATE VALVE
	C.B.
	MANHOLE
	PROPOSED LIGHT POLE
	EXISTING SANITARY SEWER
	SAN. CLEAN OUT
	EXISTING WATERMAIN
	EXISTING STORM SEWER
	EX. R. Y. CATCH BASIN
	EXISTING BURIED CABLES
	OVERHEAD LINES
	LIGHT POLE
	SIGN
	EXISTING GAS MAIN
	PR. SANITARY SEWER
	PR. WATER MAIN
	PR. STORM SEWER
	PR. R. Y. CATCH BASIN

DATE	ISSUED/REVISED
00-00-00	REVISED PER

DRAWN BY:
R. Johnson

DESIGNED BY:
B. Brickel

APPROVED BY:
B. Brickel

DATE:
March 6, 2024

SCALE: 1" = 20'

NFE JOB NO. 0011 SHEET NO. 1 of 1

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Oakland County Parks Pickleball Research Summary

Pickleball locations in southeast Michigan were identified using a variety of search methods. Those locations were pinned on an [interactive map](#), displaying 42 unique locations representing 26 organizations. Oakland County Parks (OCP) contacted these organizations and was able to collect information about their courts and programs from over a dozen organizations, as well as information about the sport overall from a variety of online sources.

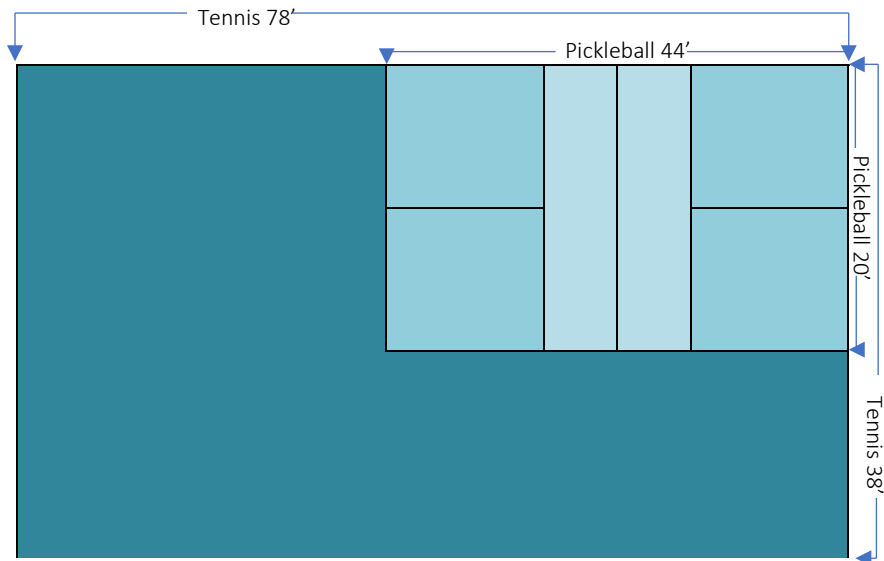
Recommendation

After evaluating the information provided by local area organizations, information provided by USA Pickleball and other sources, OCP does not recommend the installation of outdoor pickleball courts within residential areas as the noise from the game has a negative impact on quality-of-life for neighbors within 500 feet.

Summary of findings

Pickleball court information

Pickleball courts, which are 20'x40', are slightly more than a quarter the size of tennis courts, which are 38'x78'.



Many tennis courts are being converted into pickleball courts, which allows for more simultaneous users as many existing tennis footprints can accommodate four pickleball courts to each tennis court. Outdoor courts should be oriented so that players will be facing north and south to avoid looking directly into the sun in the mornings and evenings.

Pickleball noise

The impact of a ball hitting a pickleball paddle has a frequency reported between 1,000 – 2,000 Hz and an average of 65-70 dB. These figures vary depending on the environment, external noise, humidity and other factors.

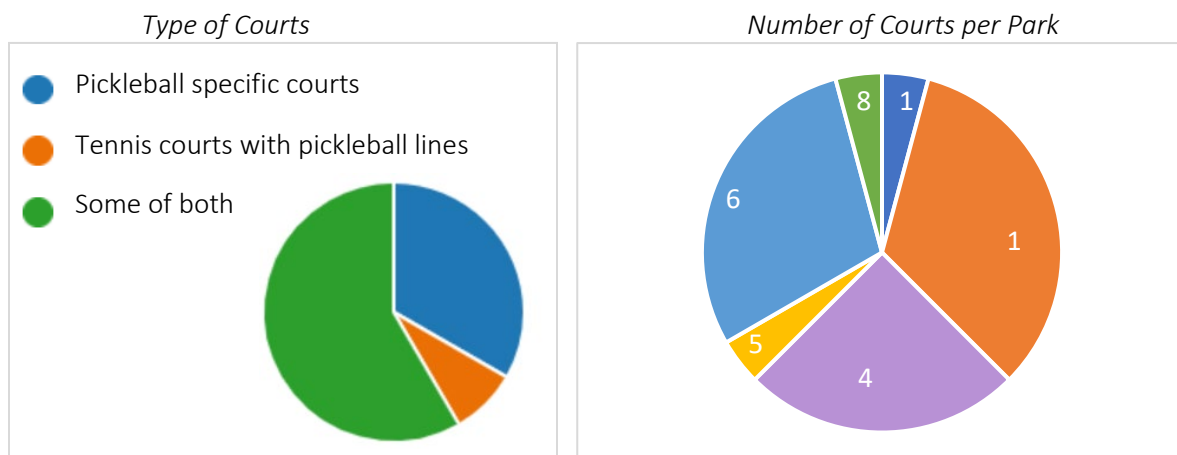
There are many sound abatement options available, both natural and manufactured, with varying claims of efficacy, but the three major categories found were:

- Natural barriers- hedge rows or tree rows
 - [Noise attenuation provided by hedges](#) reports a reduction of 2.7 dB for hedgerows with a porosity less than 4.6%
- Walls – varying materials and construction complexity
 - [AcoustiGuard](#) is a manufactured wall that claims a reduction of around 40 dB
- Curtains - manufactured sound-barrier to be hung on existing fence
 - [ACOUSTIBLOK](#) claims 11 dB reduction which results in more than 50% reduction in perceived sound
 - [FENCE SCREEN](#) claims 32 dBA sound reduction and an 8-10 year life expectancy

Local pickleball organization feedback

Courts

Slightly more than a quarter of all respondents reported having courts that are specific to pickleball, while most have a combination of both pickleball and tennis courts. The majority of respondents have two, four or six courts per park. Only one respondent each reported having one, five or eight courts.



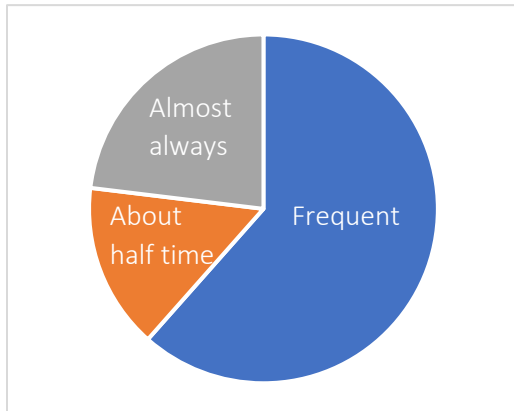
When asked what, if anything, organizations have learned since opening their pickleball courts or what they would have done differently, the following themes were identified:

- A desire to install more courts to help meet demand
- Ensuring that courts are enclosed and that wind and sound barriers are in place
- Experienced players were identified as potentially difficult as they often make inexperienced and beginner players feel unwelcome and have high expectations and demands for the courts

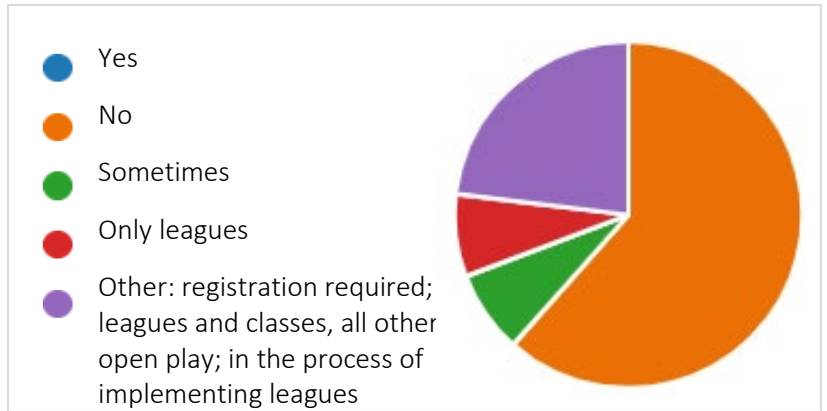
Operation and Management

Courts were reported to be utilized frequently or almost always by over 75% of respondents, with a few reporting about half-time usage. None of the organizations who responded noted accepting reservations for individuals, while some allow for league reservations. Most courts are open from sunrise to sunset, while a couple are open until after dark, and a few have specific hours. Very few organizations have pickleball equipment available.

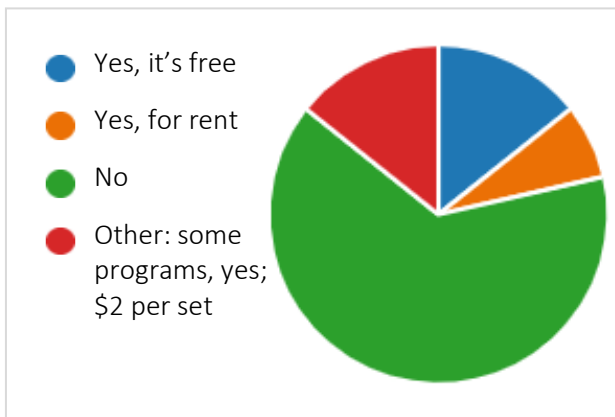
Court utilization frequency



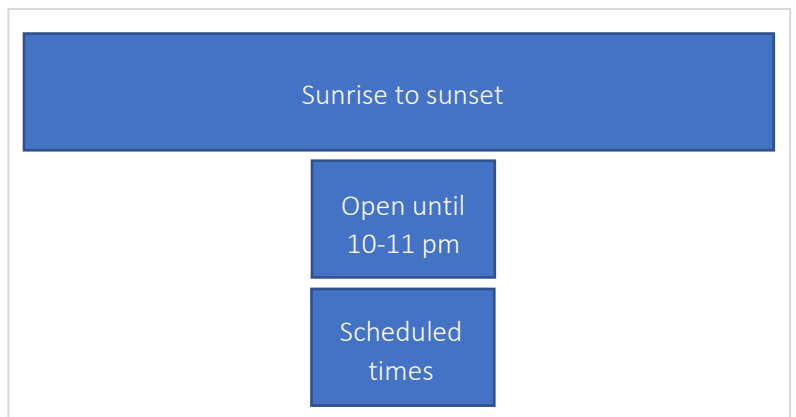
Reservations accepted



Equipment available



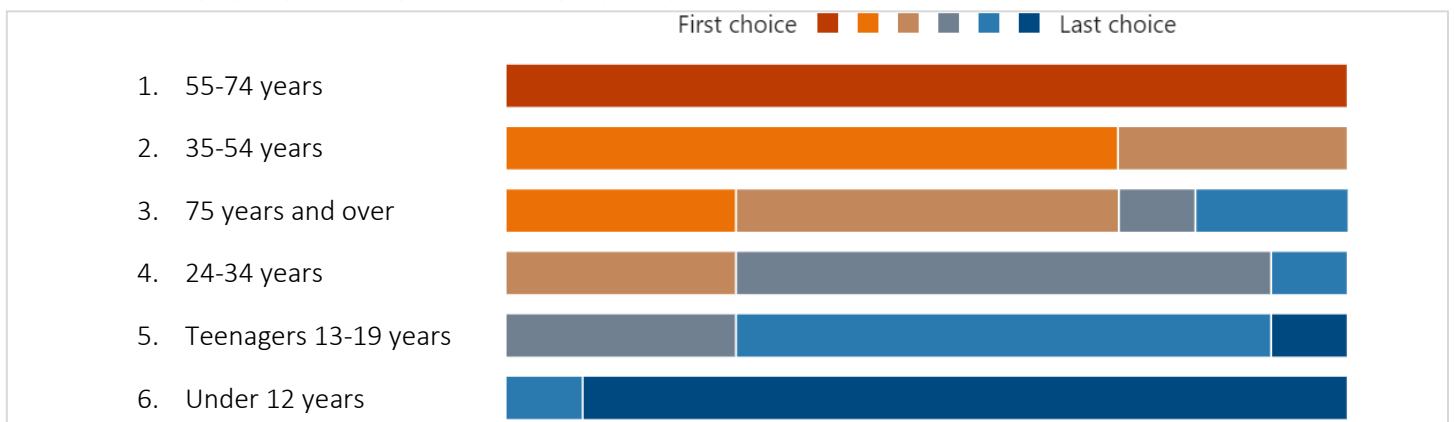
Hours of operation



Player Demographics

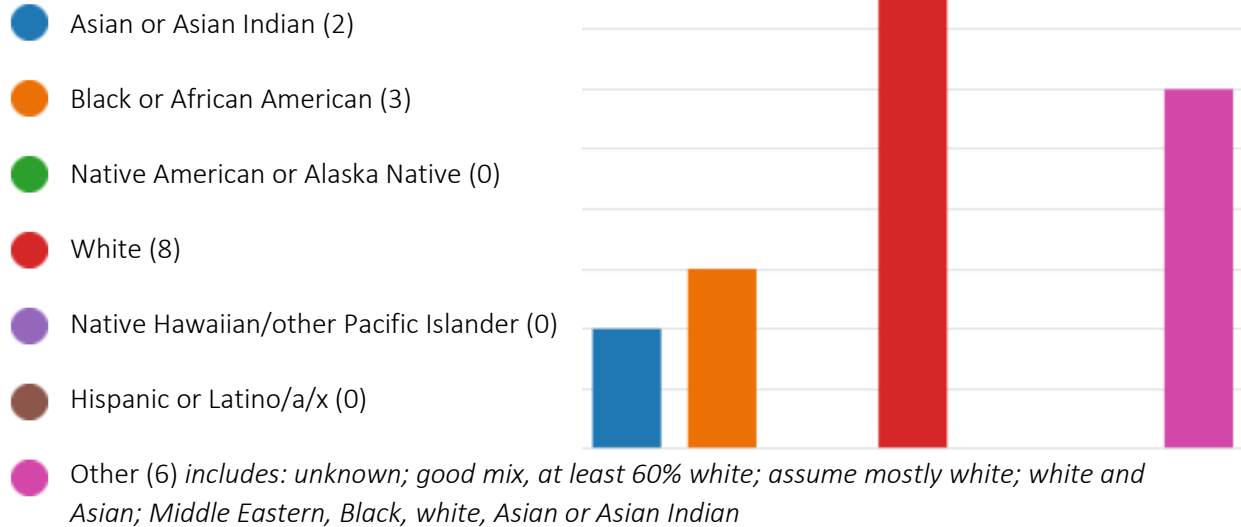
The demographic information shown here is what was reported from the local organizations who responded to our pickleball inquiries. USA Pickleball also reported demographic findings in 2022 that support these findings and can be found on their 2022 Fact Sheet. Of the local respondents to our inquiry, 100% reported that their courts are most utilized by adults ages 55-74, with most reporting users 35-54 years of age the second most frequent users. Children are widely reported to utilize the courts the least. According to USA Pickleball, the top age group below represented core players who play 8 or more times annually, while the second age group below largely represented casual players, playing 1-7 times a year.

Age groups utilizing courts most frequently



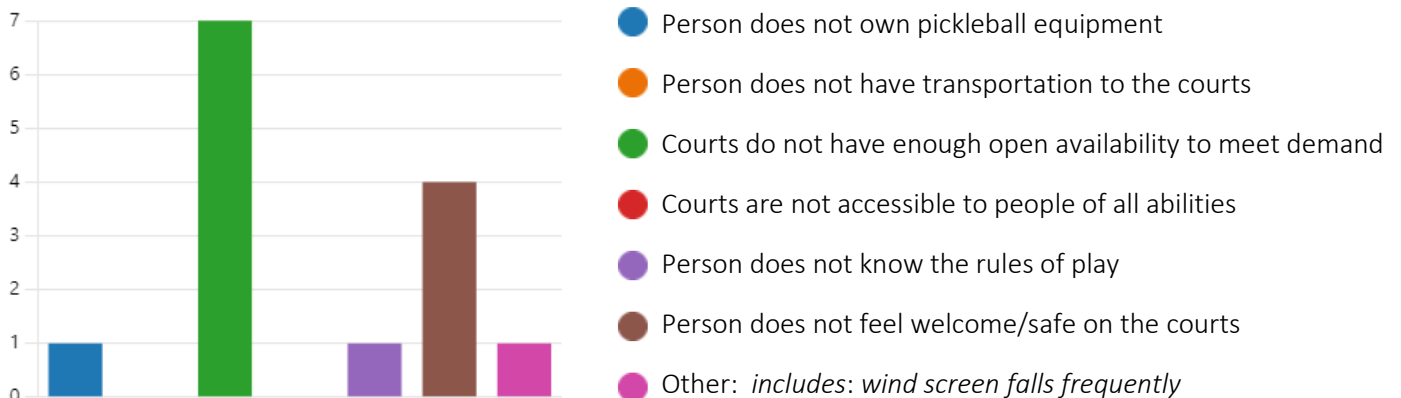
Respondents were asked to report the race and/or ethnicity of their primary pickleball users and largely reported users being white, or selecting white along with other races. Of all provided options, no organizations reported users who were Native American, Alaska Native, Native Hawaiian, other Pacific Islander or Hispanic/Latino/a/x.

Race/ethnicity of pickleball players reported by local organizations



When asked if there were any barriers, either observed or reported, that prevented people from playing pickleball, the most selected response was that the courts do not have enough open availability to meet demand, with the second most selected response being a feeling of being unwelcome or unsafe on the courts. The other given options were infrequently or not identified as being barriers by any organizations.

Barriers to play, reported or observed



Feedback on pickleball noise

Reports of noise complaints varied among respondents based on location of courts and surrounding neighborhoods. West Bloomfield reported that in a 40-acre park, pickleball “ruins” any quiet areas.

Ann Arbor operates courts at 4 parks and report receiving noise complaints often, stating “We do get complaints from noise complaints regarding pickleball from various community members.

Leslie Park is adjacent to the Leslie Park Golf Course, and you can hear the pickleball games going on from quite a distance on the course.” Below is a map of that park with court locations and proximity to neighboring residential areas.

Leslie Park (and Leslie Park Golf Course)



Several municipalities reported never receiving noise complaints, however all reported that their courts did not have neighboring residences. Some of their feedback is below, along with an aerial image (right) of one of the parks referenced.

“They [the pickleball courts] are at the community center and not near any homes.” *-Dearborn*

-Dearborn

"Our courts are located in one of our largest parks and does not neighbor any homes or businesses." -Ypsilanti

-*Ypsilanti*

“indoor courts- [noise abatement] not needed”

-Springfield Township

"Both sets of courts are set back in our parks where there is plenty of tree cover which limits sound from spreading too far."

-Novi

Beverly Hills, Orion Township and Troy reported receiving “some” noise complaints from neighboring residents. Below is an image of a park in Beverly Hills, the location of the pickleball/tennis courts and the distance to the adjacent neighborhoods.

Beverly Park (Beverly Hills)



ITC Community Sports Park - Novi



Ambassador Park Recommendations

Due to the extremely close proximity to neighbors on both the east and west park boundaries, OCP does not recommend the installation of outdoor pickleball courts at Ambassador Park.

Ambassador Park is a seven-acre park on the south side of 13 Mile Rd., between John R. and Dequindre. There is a residential neighborhood of single-family homes on the west side of the park with homes as close as 120 feet from the existing tennis courts. There is also a residential apartment complex on the east side of the park with units as close as 140 feet from the courts.

Ambassador Park tennis courts and proximity to neighbors



Many of the local organizations who host pickleball courts in neighborhoods reported receiving noise complaints from their residential neighbors, all of which were located in parks where the closest neighbors were at least 300 feet away, more than double the distance from the neighbors at Ambassador Park.

The City of Madison Heights does have noise ordinances that game play may violate. If pickleball courts were to be installed, sound testing from the park boundary would have to occur to ensure compliance. There are sound abatement options that are available which should reduce the perceived sound to the neighbors, though none would ensure compliance and all would block sight lines to the courts, creating enclosed spaces where monitoring would need to be closely considered.

Alternative Ambassador Park Proposal

As an alternative to the tennis court conversion to pickleball, OCP proposes a destination gathering hub that will include spaces and activities that appeal to seniors, children and people of all ages and abilities. Unique features draw people in, activate the area and encourage intergenerational engagement.



Unique shade / pavilion



Built in game areas/ ping pong



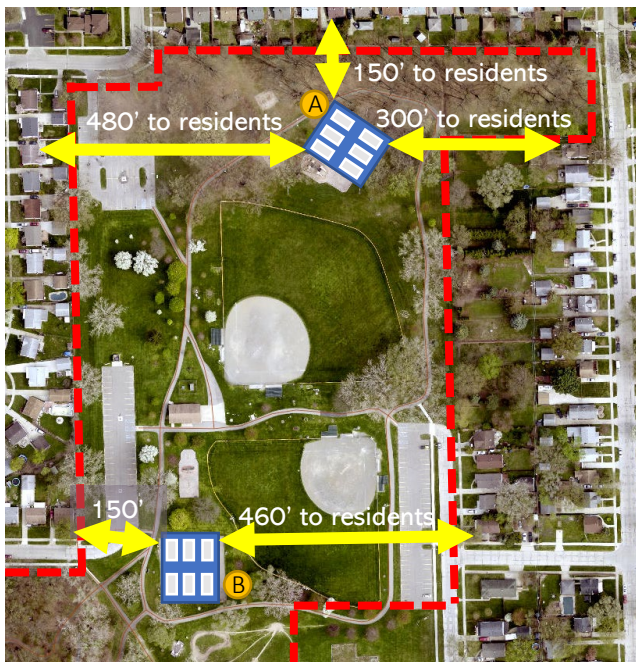
Natural play elements

Rosie's Park Recommendations

Rosie's Park is a 26.5 acre park in Madison Heights with walking trails, baseball diamonds, basketball courts and many mature trees, including a heavily wooded border on the southeast edge of the park. The entire northern portion of the park shares its border with residential neighborhoods while the southern portion of the park is neighbored by two school properties.

Oakland County Parks has identified three potential locations where pickleball courts could be installed, with the understanding that the noise from the game could be a disruption to the residential and educational neighbors. Professional sound testing should be administered to ensure compliance with applicable Madison Heights noise ordinances before any decisions for installation are made. See maps below for proposed locations and distance to bordering neighbors.

Northern portion- Rosie's Park



Southern portion- Rosie's Park

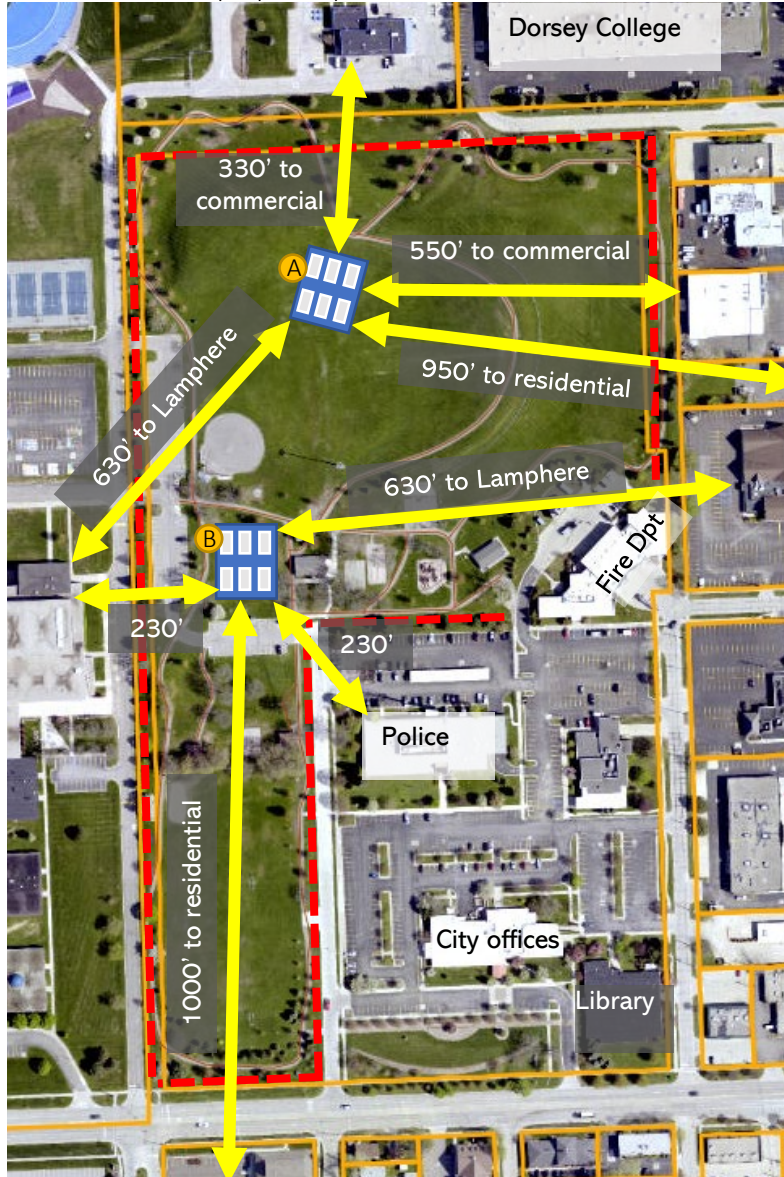


- A. This northernmost location is within 150 feet of the nearest residences but is separated by woods and has many surrounding trees. This location is adjacent to the existing playground and accessible by path to the northern parking lot. This location would require some tree removal and would not conform to the recommended court orientation of north to south.
- B. The existing basketball courts could accommodate six, or perhaps even eight, pickleball courts. The distance from this location to the nearest residential neighbors is 150 feet and has little vegetation between the two to serve as a sound buffer. There is, however, a large, densely wooded area to the southeast and some mature trees surrounding the courts which may provide minimal sound adsorption, however OCP would recommend alternative sound abatement in this location. These courts are adjacent to a parking lot.
- C. This southernmost proposed location is surrounded by schools within 190 feet, which may require more stringent noise compliance, but almost 600 feet from residential neighbors. This location is not easily accessible from the park.

Civic Center Park Recommendations

Civic Center Park is a 34.4 acre park on 13 Mile Rd. in Madison Heights and is the largest of the city's parks. Civic Center Park shares a border with municipal buildings such as police, fire, library and the city offices. The entire western edge of the park borders Lamphere High School, and the remaining neighbors are classified as commercial, with the nearest residents at least 950 feet away and separated by other buildings, trees and open space. Oakland County Parks has identified two potential locations for pickleball court installation.

Civic Center Park- proposed pickleball locations



- A. This proposed location is on the walking trail but is not adjacent to the parking lot and would need a connector route. It is situated between two sloped areas (see map with contour lines and proposed walking path below). The nearest neighbors are commercial, with Lamphere High School and municipal buildings over 600 feet away.
- B. This location is easily accessed from the parking lot and is near the playground, basketball courts and other park amenities. It is about 230 feet from both Lamphere High School and the police station.

Both locations provide very little vegetation for sound absorption.

Topographical map of Civic Center Park



Oakland County Parks recognizes that noise from pickleball play could be a disruption to the residential, commercial, municipal and educational neighbors. Professional sound testing should be administered to ensure compliance with applicable Madison Heights noise ordinances before any decisions for installation are made.



AGENDA ITEM SUMMARY FORM

MEETING DATE: 7/8/24

PREPARED BY: Linda Kunath, Finance Director/Treasurer

AGENDA ITEM CONTENT: Accelerated Tax Foreclosure Resolution

AGENDA ITEM SECTION: Reports

BUDGETED AMOUNT:

FUNDS REQUESTED:


FUND:

EXECUTIVE SUMMARY:

The "Certification of Abandoned Property for Accelerated Forfeiture Act" (MCL 211.961) allows for property, with delinquent taxes and is certified abandoned by the local governing body, to enter an accelerated foreclosure process in which the County Treasurer's Office can foreclose on the property 1-year earlier than the regular 3-year foreclosure process. The annual election of accelerating the tax foreclosure process can be a useful tool to expedite removal of abandoned property and to reduce blight. A resolution for certification of abandoned property for accelerated forfeiture act is included for your review and approval consideration.

RECOMMENDATION:

Staff recommends that Council approve the resolution for Certification of Abandoned Property for Accelerated Forfeiture Act.

	CITY OF MADISON HEIGHTS	
	300 WEST 13 MILE ROAD, MADISON HEIGHTS, MI 48071	
	FINANCE/TREASURER DEPARTMENT	
	Linda A. Kunath,	(248) 837-2639
	Finance Director/Treasurer	LindaKunath@Madison-Heights.org
	MEMORANDUM	

DATE: July 1, 2024

TO: Melissa Marsh, City Manager

FROM: Linda A. Kunath, Finance Director/Treasurer

SUBJECT: Accelerated Tax Foreclosure Resolution

The "Certification of Abandoned Property for Accelerated Forfeiture Act" allows for property, with delinquent taxes and is certified abandoned by the local governing body, to enter an accelerated foreclosure process in which the County Treasurer's Office can foreclose on the property 1-year earlier than the regular 3-year foreclosure process. Accelerating the tax foreclosure process can be a useful tool to expedite removal of abandoned property and to reduce blight.

The annual accelerated foreclosure process can only be initiated if the local governing body adopts a resolution by October 1, 2024 and notifies the County Treasurer's Office of the property in question before June 1, 2025. Oakland County tells the City that adoption of a "declaration of accelerated forfeiture of abandoned property" resolution does not bind the City to any action; rather it simply reserves the City's right to pursue accelerated foreclosure on a property deemed abandoned, if the City chooses. A resolution for certification of abandoned property for accelerated forfeiture act is included for your review and approval consideration.

Staff recommends that Council approve the resolution for Certification of Abandoned Property for Accelerated Forfeiture Act.

**RESOLUTION FOR CERTIFICATION OF ABANDONED PROPERTY FOR ACCELERATED
FORFEITURE ACT (PUBLIC ACT 132 OF 1999)**

WHEREAS, the governing body for the City of Madison Heights determines that parcels of abandoned tax delinquent property exist;

WHEREAS, abandoned tax delinquent property contributes to crime, blight, and decay within the City of Madison Heights;

WHEREAS, the certification of tax delinquent abandoned property as Certified Abandoned Property will result in the accelerated forfeiture and foreclosure of certified property under the General Property Tax Act and return abandoned property to productive use more rapidly, thereby reducing crime, blight, and decay within the City of Madison Heights.

BE IT RESOLVED that the City of Madison Heights City Council hereby notifies residents and owners of property within the City of Madison Heights that abandoned tax delinquent property will be identified and inspected and may be certified as Certified Abandoned Property under the certification of the Foreclosure under the General Property Tax Act.

Voting Yea:

Voting Nay:

Absent:

Motion

CERTIFICATION:

I, Cheryl E. Rottmann, the duly appointed City Clerk of the City of Madison Heights, County of Oakland, State of Michigan, do hereby certify that the foregoing is a resolution adopted by the Madison Heights City Council at their Regular Meeting held on July 8, 2024.

Cheryl E. Rottmann
City Clerk



1200 N. Telegraph Road, Dept. 479
Pontiac, MI 48341-0479
(248) 858-0611
oakgov.com/treasurer

Robert Wittenberg, Treasurer

Jody Weissler DeFoe, Chief Deputy
Treasurer

TO: All Oakland County Cities, Villages, and Townships

FROM: Robert Wittenberg
Oakland County Treasurer

DATE: July 2024

RE: **Accelerated Tax Foreclosure Process**

I am writing to remind you of the accelerated tax foreclosure process which can be a useful tool to expedite removal of abandoned property in your community and reduce blight. The "Certification of Abandoned Property for Accelerated Forfeiture Act" (MCL 211.961) allows for property with delinquent taxes and certified abandoned by the local governing body to enter an accelerated foreclosure process in which the County Treasurer's Office can foreclose on the property 1 year earlier than the regular 3-year foreclosure process.

As you likely know, our office devotes a significant amount of energy to helping taxpayers avoid tax foreclosure using repayment plans and leveraging outside resources, among other strategies. Our team believes that helping keep families in their homes prevents damage to neighborhoods and property values and is in the best interest of our shared constituents. I have no doubt that you share a similar commitment. However, properties that are abandoned and neglected can become a liability to the community as they progress through the state-mandated 3-year foreclosure process.

The accelerated foreclosure process can only be initiated if the local governing body (city council/ commission or township board) adopts a resolution by October 1, 2024 and notifies the County Treasurer's Office of the property in question before June 1, 2025.

The timeline for the 2024 tax year set forth by the act is:

- By October 1, 2024 – Pass "declaration of accelerated forfeiture of abandoned property" resolution (sample language is described in MCL 211.963)
- By February 1, 2025 –
 - Inspect property, determine it is abandoned, and
 - Post notice as described in section 211.964 Sec 4 (1) (B), and
 - Send copy of notice through first-class mail to owner or taxpayer of record
- March 1, 2025 - Return delinquent taxes to Oakland County

- By June 1, 2025 – Notify Oakland County Treasurer’s office of property that was certified abandoned
- By June 15, 2025– Oakland County Treasurer’s office files petition for forfeiture
- March 31, 2026 – Last day for 2024 taxes to be paid

Adoption of a “declaration of accelerated forfeiture of abandoned property” resolution does not bind your community to any action; rather it simply reserves your right to pursue accelerated foreclosure on a property you deem abandoned if you choose.

We can provide sample resolutions and postings that have been utilized in other Michigan communities. If our team can answer any questions or provide any assistance in this regard, please contact us directly.



AGENDA ITEM SUMMARY FORM

MEETING DATE: 7/8/24

PREPARED BY: Matt Lonnerstater, AICP

AGENDA ITEM CONTENT: CED Director - Resolution to Modify Medical Marihuana Facilities and Adult Use Marihuana Establishments ("Green Zone") Map

AGENDA ITEM SECTION: Reports

BUDGETED AMOUNT: N/A

FUNDS REQUESTED: N/A

FUND: N/A

EXECUTIVE SUMMARY:

The City has received a request from the property owner of 1035 W. 12 Mile Road ("subject parcel") to include the subject parcel in the City's published "green zone" map that depicts allowed properties for the placement of marihuana medical facilities and adult-use marihuana establishments. The subject parcel was recently rezoned from B-3, General Business, to M-1, Light Industrial. The applicant/property owner intends to combine the subject parcel with an adjacent parcel for the establishment of a marihuana facility/establishment.

RECOMMENDATION:

Staff recommends City Council adopt the Resolution to Modify the Medical Marihuana Facilities and Adult Use Marihuana Establishments ("green zone") map.

CITY OF MADISON HEIGHTS
OAKLAND COUNTY, MICHIGAN
RESOLUTION OF CITY COUNCIL

A RESOLUTION TO MODIFY THE CITY’S PUBLISHED MAP OF ALLOWED MARIHUANA
MEDICAL FACILITIES AND ADULT-USE MARIHUANA ESTABLISHMENTS (“GREEN ZONE”)

At the regular meeting of the City of Madison Heights City Council held in the City Council Chambers at 300 W. Thirteen Mile Road, Madison Heights, Michigan, on the eighth day of July, 2024, commencing at 7:30 p.m.:

PRESENT:

ABSENT:

WHEREAS, per Sections 7-310 and 7-410 of the City’s Business Regulations and Licenses Ordinance contained within the Code of Ordinances, City Council may approve by resolution from time to time a published map of approved properties where marihuana medical facilities and adult-use marihuana establishments can be located, known as the “green zone.” These are allowable uses in the M-1 or M-2 Industrial Districts, per the City’s business regulation ordinances related to marihuana; and

WHEREAS, on June 10th, 2024, City Council approved the rezoning of 1035 W. 12 Mile Road (Parcel ID 44-25-14-127-053; “subject parcel”) from B-3 (General Business) to M-1, (Light Industrial); and

WHEREAS, the property owner of the subject parcel is requesting the subject parcel now be included in the City’s published “green zone” map of allowed properties for the placement of marihuana medical facilities and adult-use marihuana establishments so that the parcel may be combined with a neighboring parcel that is already located within said “green zone”; and

WHEREAS, both the subject parcel and the adjacent parcel must be within the approved “green zone” map prior to a parcel combination being approved.

NOW, THEREFORE, BE IT RESOLVED, that the City of Madison Heights City Council hereby incorporates the parcel at 1035 W. 12 Mile Road (Parcel ID 44-25-14-127-053) as an approved property within the City’s “green zone” map, as shown in Exhibit 1

YEAS:

NAYS:

ABSENT:

RESOLUTION DECLARED ADOPTED

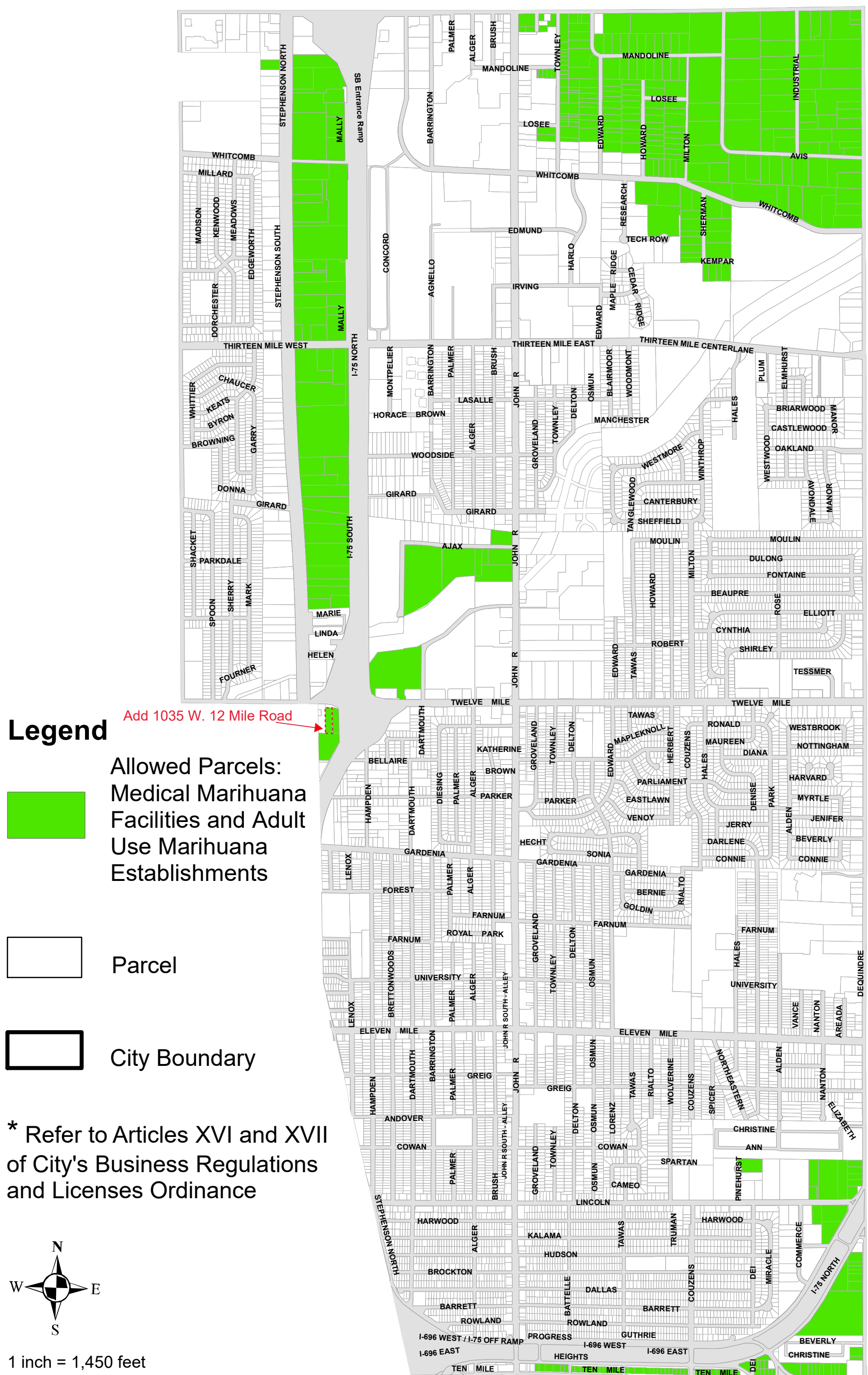
Cheryl E. Rottmann
City Clerk
City of Madison Heights

CERTIFICATION

I hereby certify that the foregoing is a true and complete copy of a resolution adopted by the City Council at a regular meeting held on the 8th day of July, 2024, and that said meeting was conducted and public notice of said meeting was given pursuant to and in full compliance with the Open Meetings Act, being Act 267 of the Michigan Public Acts of 1976, as amended, and that the minutes of said meeting were kept and will or have been made available as required by said Act.

Cheryl E. Rottmann
City Clerk
City of Madison Heights

Allowed Parcels For Medical Marihuana Facilities and Adult Use Marihuana Establishments *





AGENDA ITEM SUMMARY FORM

MEETING DATE: 7/8

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

AGENDA ITEM CONTENT: Director of Public Services - Scheduled Replacement of Loader #488

AGENDA ITEM SECTION: Bid Awards/Purchases

BUDGETED AMOUNT: \$225,000

FUNDS REQUESTED: \$160,898

FUND: 101-752-985-0000

EXECUTIVE SUMMARY:

The approved FY 2024-25 Budget includes the scheduled replacement of Loader #488, a 2003 Volvo L-30 B front-end loader with bucket, forks, and broom, funded through the Parks division.

RECOMMENDATION:

Staff requests that Council approve the purchase of one Volvo L-30 GS Front-End Loader, with identified options from Alta Equipment of Burton, Michigan, through the MiDeal Cooperative Purchasing Contract #240000000159 for a total equipped cost of \$160,898. Funds are budgeted and available for this scheduled replacement and purchase.

MEMORANDUM

Item 10.

DATE: June 24, 2024
TO: Melissa R. Marsh, City Manager
FROM: Sean P. Ballantine, Director of Public Services
SUBJECT: Scheduled Replacement – Loader #488

The approved FY 2024-25 Budget includes the scheduled replacement of Loader #488, a 2003 Volvo L-30 B front-end loader with bucket, forks, and broom, funded through the Parks division.

This is the smallest of the various DPS loaders, and is heavily utilized year-round for parks maintenance projects, general handling of materials at the DPS yard, snow removal at municipal facilities, and curblane sweeping and cleanup. As noted on the attached evaluation sheet, the current machine is 21 years old, and has an extremely poor evaluation score of 44 (28 and over is denoted as requiring priority replacement). The replacement of this machine is essential to support routine DPS operations.

The last three loaders purchased have been Volvo, due to its being highly favored in demonstrations and operations, as well as a proven track record of providing strong service with minimal maintenance and downtime. Having all of these machines provided by the same maker also helps to streamline the parts and service inventory, as well as providing familiarity for the operators who use both machines on a routine basis. Due to these factors, Staff elected to spec out a new Volvo as a functional like-for-like replacement.

The loader and its attachments are available on a cooperative MiDeal bid through the State of Michigan, from Alta Equipment, which is the area Volvo dealer. Based on this information, Staff requests that Council approve the purchase of one Volvo L-30 GS Front-End Loader, with identified options from Alta Equipment of Burton, Michigan, through the MiDeal Cooperative Purchasing Contract #240000000159 for a total equipped cost of \$160,898. Funds are budgeted and available for this scheduled replacement and purchase.

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



Grand Rapids, MI
8840 Byron Commerce Dr SW
Byron Center, MI 49315
616-878-7450
Traverse City, MI
1061 Stepke Ct, Traverse City, MI 49685
231-943-3700
New Hudson, MI
56195 Pontiac Trail, New Hudson, MI 48165
248-356-5200

Burton, MI
3283 Dort Hwy, Burton, MI 48529
810-744-4840
Detroit, MI
5105 Loraine St, Detroit, MI 482
313-394-1811
Gaylord, MI
3725 Old Hwy 27 S, Gaylord, MI 49735
989-731-9988

Sault Ste. Marie
2917 Ashmun St, Sault
Ste. Marie, MI 49783
906-259-8313

June 18, 2024



City of Madison Heights

Contract# 240000000159

Contract Expires 1/16/29

Attn: Dan Yamarino

Alta Equipment is pleased to present you with pricing on a **NEW VOLVO L30GS** (reference EQ0372406). The unit is equipped as follows:

- Cab with heat and AC
- T4F Engine with DOC
- Auto engine shutdown
- Hand inch valve
- Rearview mirror inside cab
- Flow share function
- CareTrack
- Heated Airsuspension seat
- Heated rearview mirrors
- LED work lamps, 2 front, 2 rear
- Boom suspension system
- SSL quick coupler
- Hydraulic adjust pallet forks
- Lifetime frame guarantee
- Holms SL220 sweeper
- Goodyear Powerload 405/70R18 tires
- Water separator with heater
- Engine block heater 110V
- Reversible cooling fan
- Single lever control with 3rd function
- Back up alarm
- Rotating beacon, foldable
- 3" orange seatbelt
- Radio
- Boom kickout and bucket leveler
- Hi-flow hydraulics, 29GPM
- Bucket
- Grapple bucket
- Standard warranty: 1 year or 2,500 hours

Total Purchase Price

\$134,938

** Quote is valid for 30 days and subject to prior sale

Thank you for this opportunity,

Lucas Laforge

Compact Equipment Specialist

P: (989) 450-3575

E: lucas.laforge@altg.com

ALTA EQUIPMENT COMPANY

Grand Rapids, MI
8840 Byron Commerce Dr SW
Byron Center, MI 49315
616-878-7450
Traverse City, MI
1061 Stepke Ct, Traverse City, MI 49685
231-943-3700
New Hudson, MI
56195 Pontiac Trail, New Hudson, MI 48165
248-356-5200

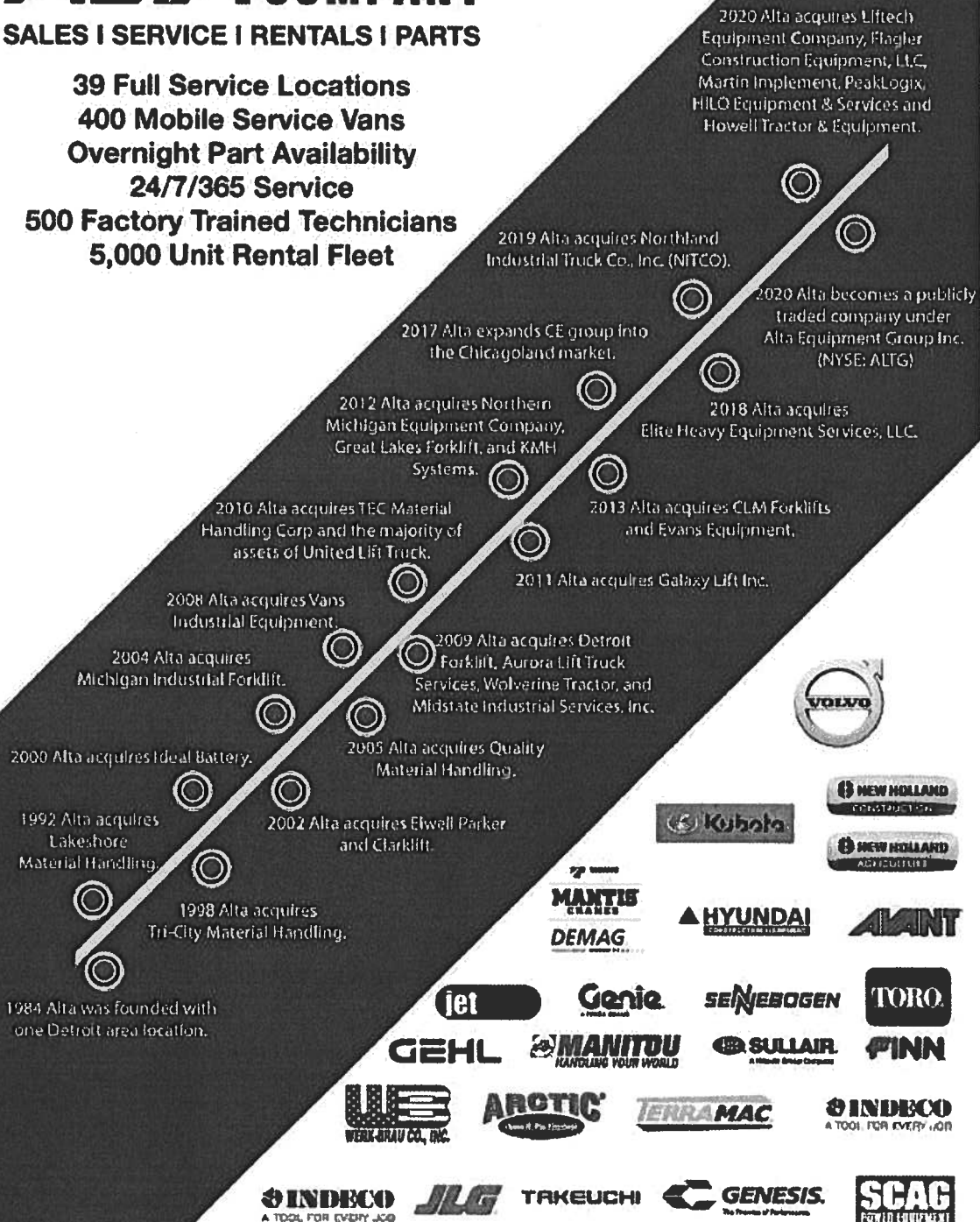
Burton, MI
3283 Dort Hwy, Burton, MI 48529
810-744-4840
Detroit, MI
5105 Loraine St, Detroit, MI 48:
313-394-1811
Gaylord, MI
3725 Old Hwy 27 S, Gaylord, MI 49735
989-731-9988

Sault Ste. Marie
2917 Ashmun St, Sault
Ste. Marie, MI 49783
906-259-8313

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39 Full Service Locations
400 Mobile Service Vans
Overnight Part Availability
24/7/365 Service
500 Factory Trained Technicians
5,000 Unit Rental Fleet



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3283 Dort Hwy • Burton, MI 48529 • Office (810) 744-4840 • www.Altaequipment.com

June 18th, 2024

City of Madison Heights,

New Daniels VBR42-12

- Steel trip edge
- Heavy duty floating mount
- Mounts to hook Volvo L90
- Delivery to site
- Two week lead time

Sell price (excluding tax).....

\$17,400

New Daniels VBR42-14

- Steel trip edge
- Heavy duty floating mount
- Mounts to hook Volvo L90
- Delivery to site
- Two week lead time

Sell price (excluding tax).....

\$18,150

Thank you,

Lucas Laforge

P: (989) 450-3575

E: Lucas.Laforge@altq.com

ALTA EQUIPMENT COMPANY

3283 Dort Hwy • Burton, MI 48529 • Office (810) 744-4840 • www.Altaequipment.com

June 18th, 2024

City of Madison Heights,

New Daniels VBT-36-10

- Steel trip edge
- Heavy duty floating mount
- Mounts Volvo L30
- Delivery to site
- Four to five week lead time

Sell price (excluding tax).....

\$9,835

New Daniels VBR36-8

- Steel trip edge
- Heavy duty floating mount
- Mounts Volvo L30
- Delivery to site
- Four to five week lead time

Sell price (excluding tax).....

\$8,560

Thank you,

Lucas Laforge

P: (989) 450-3575

E: Lucas.Laforge@altq.com

HOLMS

ATTACHMENTS

Angle Sweeper
HOLMS SL



Water spraying system
105 US Gallon



Weight
860 - 992 lbs



Brush diameter
2.3 ft



Width
6.5 - 9.1 ft



Brush replacement (swish)
35-40 min



Tilt & height indicators
Standard

Standard duty sweeper that gets the job done.

Technical specification

Model	SL200	SL220	SL250	SL280
Working width (ft)	6.5	7.2	8.2	9.1
Working width, fully angled 30° (ft)	5.5	6.2	7.2	7.8
Weight, excl. hooks (lb)	860	904	948	992
Brush diameter (ft)	2.3	2.3	2.3	2.3
Weight, excl. hooks, full tank 400 pounds (lb)	2083	2127	2171	2215
Recommended Oilflow, min/max (gpm)	10/35	10/35	10/35	10/35

All weights are approximate. Attachment weight is exclusive of hooks.

Options

Improve your attachment with one of these options.

- Water spraying system
- 50/50 wire/poly brush
- Swish brush
- Hydraulic or manual angle
- Wireless control

HOLMS
SAFER ROADS

HOLMS

Which model is right for you?



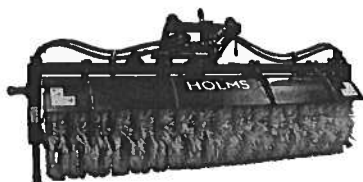
Holms V Plow PV



Holms V Plow PVF



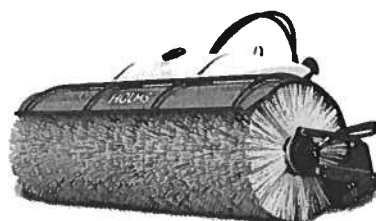
Holms Diagonal Plow PD



Holms Angle Sweeper SL



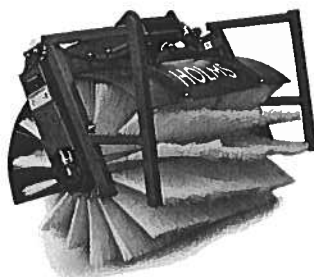
Holms Angle Sweeper SH



Holms Angle Sweeper SP



Holms Brush HB



Holms Sweeper SC



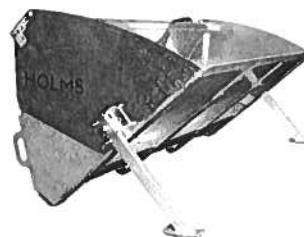
Holms Sweeper Duo DL



Holms Pick-up Sweeper PH



Holms Pick-up Sweeper PL

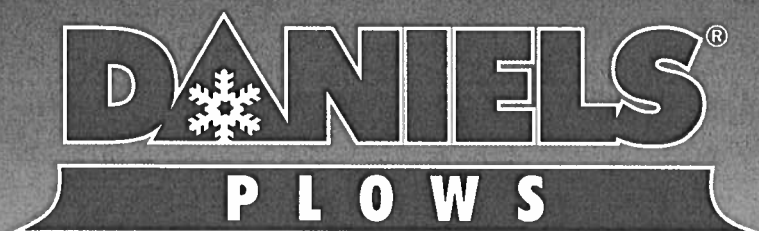


Holms Spreading Bucket SB

contact@holms.com

www.holms.com

Holms Attachments INC.
+1 704 878 9300



VERSABOX



844.BLU.PLOW
(844.258.7569)

www.danielsplows.com

Incredibly Efficient

- Overbuilt and fully-welded, this plow pushes snow, pulls snow from curbs, loading docks, garage doors, etc.
- Operators that switched from traditional box plows have realized increased efficiencies up to 40%
- SAVE SALT – Durable steel trip edge for incredible ice and hard packed snow removal
- The VersaBox uses AR400 steel cutting edges for all types of snow and ice conditions

Options

- Extended skis available on request
- Optional Rubber Edges available

VersaBox Specifications

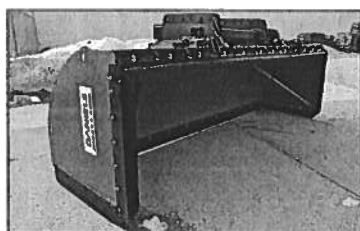
** Available for Avant Loaders **

Model Number	VB-24-6	VB-24-8	VB-36-8	VB-36-10	VB-36-12	VB-42-10	VB-42-12	VB-42-14
Height	24"	24"	36"	36"	36"	42"	42"	42"
Width	6'	8'	8'	10'	12'	10'	12'	14'
Cubic Volume	19 Cu ft.	25 Cu ft.	57 Cu ft.	71 Cu ft.	85 Cu ft.	96 Cu ft.	115 Cu ft.	134 Cu ft.
Plow Construction								
Moldboard	11 ga	11 ga	11 ga	11 ga	11 ga	11 ga	11 ga	11 ga
Vertical Ribs	3/4" & 3/8"	3/4" & 3/8"	3/4" & 3/8"	3/4" & 3/8"	3/4" & 3/8"	3/4" & 3/8"	3/4" & 3/8"	3/4" & 3/8"
Quantity	3	3	3	5	5	5	5	5
Cross Beams	C-5	C-5	C-6	C-6	C-6	C-6	C-6	C-6
Cutting Edges								
Drag Cutting Edge - AR400 Steel	5/8" x 6"	5/8" x 6"	5/8" x 6"	5/8" x 6"	5/8" x 6"	5/8" x 6"	5/8" x 6"	5/8" x 6"
Drag Shoe- AR400 Steel	1-1/8" x 6"	1-1/8" x 6"	1-1/8" x 6"	1-1/8" x 6"	1-1/8" x 6"	1-1/8" x 6"	1-1/8" x 6"	1-1/8" x 6"
Ski-AR400 Steel	3/4" x 4"	3/4" x 4"	3/4" x 4"	3/4" x 4"	3/4" x 4"	3/4" x 4"	3/4" x 4"	3/4" x 4"
Shipping Weight +/-	795 lbs.	925 lbs.	1235 lbs.	1500 lbs.	1650 lbs.	2400 lbs.	2600 lbs.	3000 lbs.



DANIELS
P L O W S

844-BLU-PLOW • www.danielsplows.com



Backdrag Position



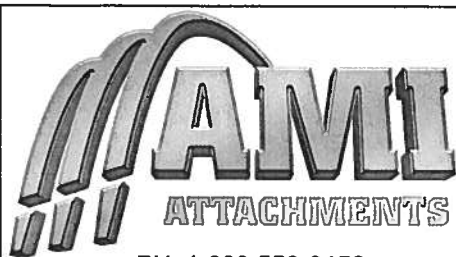
Trip Spring



Push Position



Detachable Heavy Duty Mount with Floating Coupler Ears



PH: 1-800-556-9452
www.amiattachments.com

**IT'S NOT A JOB
IT'S A PERFORMANCE**

SPECIFICATIONS:

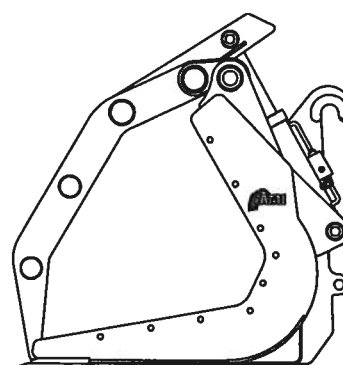
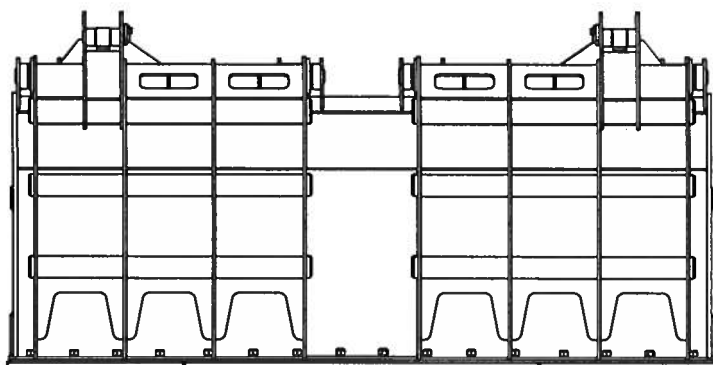
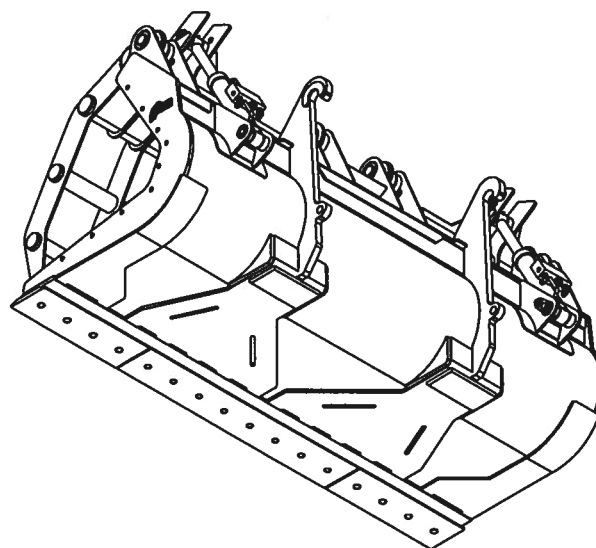
- FLAT FLOOR DESIGN
- COMES WITH REVERSIBLE BOLT ON EDGE
- BOLT-ON END PLATE ARE AVAILABLE
- SHOWN WITH DUAL GRAPPLE ARMS, SINGLE GRAPPLE ARM AVAILABLE
- AVAILABLE IN ANY LUGGING STYLE

Part #	Capacity		Weight	
	yd ³	(m ³)	lbs	(kg)
WL50SGB150	1.500	(1.145)	1600	(725)

MATERIAL SPECIFICATIONS

Part	Hardox	Strenx
	450	
BASE EDGE	X	
SIDE PLATE	X	
FOOTPADS	X	
SHELL		X
LUGGING		X

AMI ATTACHMENTS SPECIFICATION DRAWING WHEEL LOADER CATEGORY 50 SCRAP GRAPPLE BUCKET



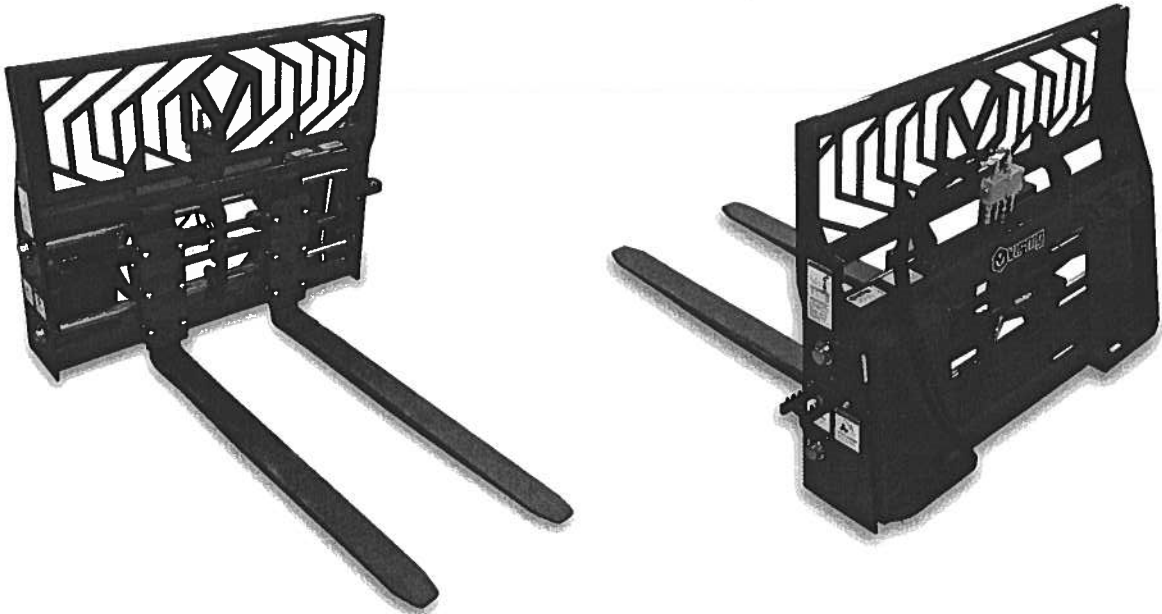
DESIGNED & BUILT WITH

HARDOX
IN MY BODY

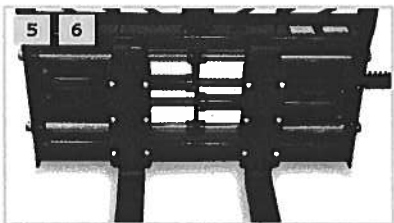
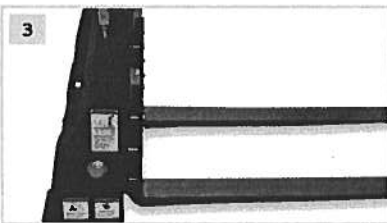
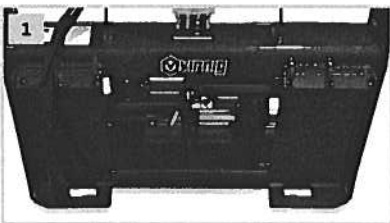
STRENX
IN MY BODY

HYDRAULIC ADJUST PALLET FORK

Adjust the tines simultaneously from 8" to 38" wide without leaving the cab.



50.1" FRAME WIDTH	5500 LB CAPACITY	48" & 60" TINE LENGTHS	GREATER THAN 1500 LB LOADER OPERATING CAPACITY
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1. ANGLED MOUNT PLATE OPTIMIZED FOR SKID LOADER USE
2. HIGH VISIBILITY BRICKGUARD
3. UNIQUE HOLDER DESIGN ALLOWS STANDARD TINES
INSTEAD OF EXPENSIVE SHAFT STYLE TINES
4. ITA CLASS II FORGED TINES WITH
5,500LB CAPACITY
5. BOLT-ON STEP INSTALLS ON EITHER SIDE
6. HD 1 9/16" DIAMETER SHAFT

MODEL	PFHA48	PFHA60
Height: Overall w/Step / Frame (in.)	53.9 / 50.1	
Overall Height (in.)	40.1	
Tine: Length / Width / Thickness (in.)	48.0 / 4.0 / 1.5	60.0 / 4.0 / 1.5
Tine Space: Min / Max (in.)	7.8 / 38.2	
Cylinder Bore / Stroke (in.)	2.0 / 16.0	
Cylinder Pins Diameter (in.)	1.0	
Approximate Weight (lbs)	705	755
Capacity (lbs)	5500	
Recommended Loader Capacity	Greater than 1500 lbs	

City of Madison Heights
Vehicle Replacement Guidelines & Evaluation Worksheet

Disposition: Auction

Item 10.

(Only those fields shaded in yellow need to be completed.)

Date of Evaluation:	6/24/2024	Vehicle Type:	C
Vehicle #:	488	Type A = Sedans / Light Trucks ≤ 1 Ton	
Department / Division:	Parks	Type B = Medium / Heavy Duty > 1 Ton	
Year / Make / Model:	2003 Volvo Loader	Type C = Off Road Equipment	

Age: One point for each year of chronological age beginning with in-service date

In Service Date:	11/19/2003	Age in Months:	247	Score:	21
		Age in Years (rounded):	21		

Usage: Type A = 1 point per 10,000 miles; Type B = 1 point per 5,000 miles; Type C = 1 point per 250 hours used

Actual Mileage:		as of	6/24/2024	Score:	12
Actual Hours:	3,022				

Service Type:

Type A		Type C	
Points	Description	Points	Description
1	Standard sedans and light pickups.	1	Standard duties as equipped.
2	Standard vehicles with occasional off-road usage.	2	Standard duties when used with attachments (sickle bar, backhoes, rear bushhogs).
3	Any vehicle that pulls trailers, hauls heavy loads, continued off-road usage.	3	Multiple duties based on seasons (snow, mowing, leaf).
4	Any vehicle involved in snow removal.	4	Extreme duties in harmful atmosphere (dust, salt, water).
5	Police, Fire, and Rescue service vehicles.	5	Heavy construction work including snow removal.

Type B	
Points	Description
1	Standard use including basic job site duties, some light duty hauling.
2	Standard use with attachments (compressors, lights, etc.) including job site duties, standard load hauling, some towing.
3	Above standard use including job site duties that include idling, standard load hauling, light trailer/equipment towing, leaf collection.
4	Above standard use including job side idling and hauling above standard loads, towing equipment and heavy trailers, light snow removal.
5	Extreme service, high job site idling and duties with attachments, heavy load hauling, heavy trailer/equipment towing, major snow removal duties, refuse collection, etc. (Examples: Sign Truck, Tandem or Single Dump Truck, Snow Removal Truck).

Score: 5

Reliability: Note: Based on current conditions. Preventative Maintenance work is not included.

Points	Description
1	In shop 0 or 1 time within the last 3 months, and no major breakdowns or road calls.
2	In shop 1 time within the last 3 months, and 1 breakdown/road call within the last 3 months.
3	In shop more than twice within the last month, and no major breakdowns or road calls.
4	In shop more than once within the last month, and 2 or more breakdowns/road calls within the last month.
5	In shop more than twice monthly within the last 3 months, and 2 or more breakdowns within the last month.

Number of times in shop within the last month:	0
Number of times in shop within the last 3 months:	0
Any Road Calls or Breakdowns (Y or N):	N
Road Calls / Breakdowns within the last month:	0
Road Calls / Breakdowns within the last 3 months:	0
In shop more than twice monthly within the last 3 months (Y or N):	N

Score: 1

Maintenance & Replacement Costs:

Points	Description
1	Maintenance costs are less than or equal to 20% of replacement cost.
2	Maintenance costs are 21-40% of replacement cost.
3	Maintenance costs are 41-60% of replacement cost.
4	Maintenance costs are 61-80% of replacement cost.
5	Maintenance costs are greater than or equal to 81% of replacement cost.

Total Maintenance Cost	:	\$17,464	as of	6/24/2024
Estimated Purchase Price - New Veh.	:	\$150,000	as of	6/24/2024
Est. Resale Value of Car to be sold	:	\$10,000	as of	6/24/2024
Estimated Net Replacement Cost	:	\$140,000	as of	6/24/2024
Maintenance Cost as % of Replacement Cost:	:	12.5%	as of	6/24/2024

Score: 1

Condition:

Type A	
Points	Description
1	No visual damage or rust and a good drive train
2	Minor imperfections in body and paint, interior fair (no rips, tears, burns), and a good drive train.
3	Noticeable imperfections in body and paint surface, some minor rust, minor damage from add-on equipment, worn interior (one or more rips, tears, burns), and a weak or noisy drive train.
4	Previous accident damage, poor paint and body condition, rust (holes), bad interior (tears, rips, cracked dash), major damage from add-on equipment, and one drive train component bad.
5	Previous accident damage, poor paint, bad interior, drive train that is damaged or inoperative, and major damage from add-on equipment

Type B	
Points	Description
1	No visual damage or rust, good paint, good interior, no damage from add-on equipment, no body modification, good drive train.
2	Minor imperfections in body and paint, interior fair (no rips, tears, burns), good drive train, minor body modification.
3	Noticeable imperfections in body and paint surface, some minor rust, fair interior, weak/fair drive train, minor body modification, minor damage from add-on equipment.
4	Previous accident damage, poor paint & body condition, major rust/corrosion, poor interior, damage from add-on equip., moderate body modification evidence, 1 drive train component bad.
5	Previous accident damage, poor paint & body condition, bad interior, drive train damaged or inoperative, major body modifications, major damage from add-on equipment and attachments.

Type C	
Points	Description
1	Good condition, fully functional.
2	Fair body, functional.
3	Minor body damage, weak operating system.
4	Severe damage, component not functional.
5	Extreme damage, inoperable.

Number of Notable Accidents:	1	(list number)
Paint / Body:	Fair	comment
Interior:	Fair	comment
Drive Train:	Good	comment
General Condition:	3	(pick number from table)

Score: 4

Overall: Total Score: 44

0 - 17	Excellent	Do not replace.
18 - 22	Good	Re-evaluate for future budget(s).
23 - 27	Fair	Qualifies for replacement if budget allows.
28+	Poor	Needs priority replacement.

Prepared By:	Sean P. Ballantine	Date:	6/24/2024
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AGENDA ITEM SUMMARY FORM

MEETING DATE: 7/8

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

AGENDA ITEM CONTENT: Director of Public Services - Edison Park Parking Lot Paving

AGENDA ITEM SECTION: Bid Awards/Purchases

BUDGETED AMOUNT: \$137,000

FUNDS REQUESTED: \$112,331

FUND: 101-752-987-0000

EXECUTIVE SUMMARY:

The FY 2024-25 Budget includes funding carried forward for the paving of the Edison Park parking lot, which is currently composed of gravel. Additional funding was obtained through the city's Community Development Block Grant (CDBG). The paving of this parking lot represents a key step in improving ADA accessibility at this park; patrons with limited mobility will now be able to park and transport onto the adjacent sidewalk network to the ADA accessible playscape and other amenities in the park.

RECOMMENDATION:

Staff concurs with the recommendation of our city engineer, and recommends that Council award the bid for the Edison Park Parking Lot paving project to DiLisio Contracting, of Clinton Township, for a total amount of \$112,331. Funding is budgeted and available for this project.

MEMORANDUM

Item 11.

DATE: June 26, 2024

TO: Melissa R. Marsh, City Manager

FROM: Sean P. Ballantine, Director of Public Services
Giles Tucker, Community and Economic Development Director

SUBJECT: Bid Award – Edison Park Parking Lot Paving

The FY 2024-25 Budget includes funding carried forward for the paving of the Edison Park parking lot, which is currently composed of gravel. Additional funding was obtained through the city's Community Development Block Grant (CDBG). The paving of this parking lot represents a key step in improving ADA accessibility at this park; patrons with limited mobility will now be able to park and transport onto the adjacent sidewalk network to the ADA accessible playscape and other amenities in the park.

Due to the various conditions of the CDBG funding, including Davis-Bacon wage requirements, a bid for the project was prepared by Staff and the City's consulting engineering firm Nowak and Fraus. Five sealed bids were received by the deadline, and upon tabulation, DiLisio Contracting, of Clinton Township is the low bid. DiLisio has been the City's concrete contractor for many years on the major and local sectional projects, and the R-3 road construction. They have proven to be a responsive and qualified firm, and their work is of a consistent high quality.

Between the CDBG funds and programmed expense, funding is currently budgeted and available to cover this bid and the necessary construction oversight. Staff is pleased to report that CED Director Tucker is exploring a possible reallocation request, that if approved by City Council and Oakland County CDBG could cover the entirety of the project.

Based on these facts, Staff concurs with the recommendation of our city engineer, and recommends that Council award the bid for the Edison Park Parking Lot paving project to DiLisio Contracting, of Clinton Township, for a total amount of \$112,331.

Department of Public Services

City of Madison Heights
801 Ajax Drive
Madison Heights, Michigan 48071

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



June 25, 2024

City of Madison Heights
300 W. 13 Mile Road
Madison Heights, MI 48071

Attn.: Mr. Sean Ballantine, Director of Public Services

Re: **Edison Park Parking Lot Improvements Project**
NFE Recommendation Letter – Award of Bid #1071 Contract to Dilisio Contracting Inc.
Madison Heights, Michigan

Dear Mr. Ballantine:

As you are aware, the City of Madison Heights received five sealed bids for the above-mentioned project during the public bid opening held on June 19, 2024 at the City Offices. At the completion of our bid analysis, it has been determined that Dilisio Contracting, Inc. of Clinton Township, Michigan had submitted the lowest bid in the amount of \$112,331.00. Please find attached a copy of the "Tabulation of Bids" for your review and / or distribution.

Dilisio Contracting Inc. has completed several similar projects for the City of Madison Heights. They have completed several other similar projects for the City of Troy and Sterling Heights during the past couple of years and are qualified to complete the above referenced project based upon their past experience and our research.

Therefore, we recommend that the contract for the Edison Park Parking Lot Improvements Project be awarded to Dilisio Contracting Inc. of Clinton Township, MI, in the amount of \$112,331.00. Given historical and current trends in cost, we feel this is reasonable and affords certainty in our construction cost going forward.

Should you have any questions, please feel free to contact our office at any time.

Very truly yours,

NOWAK & FRAUS ENGINEERS

Brad Brickel, P.E.
Consulting Assistant City Engineer

Enclosures

cc: City of Madison Heights – Melissa Marsh, City Manager (300 W. Thirteen Mile Road, Madison Heights, MI. 48071)
NFE - Timothy L. Germain, PE., City Engineer (46777 Woodward Avenue, Pontiac, MI 48342) - copy
File: NFE# O010 Electronic File – 2024 Recommendation Letter



Tabulation of Bids - City of Madison Heights

City of Madison Heights
300 W. Thirteen Mile Road
Madison Heights, Michigan 48071

Project: Name: Edison Park
Parking Lot Improvements
Bid #1071

Bids Received: Wednesday, June 19, 2024 - 10:00 A.M.

First Lowest Bidder
Dilisio Contracting, Inc
23525 Lake Pointe Dr.
Clinton Township, MI 48036
Ph: (586) 783-4044
Fax: (586) 783-4058

Second Lowest Bidder
JB Contractors, Inc
2933 Military St.
Detroit, MI 48029
Ph: (313) 995-8301
Fax: (313) 344-7455

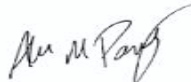
Item	Quantity	Unit Price	Amount	Unit Price	Amount
Remove & Replace Concrete Curb & Gutter	25 L.F.	\$40.00	\$1,000.00	\$100.00	\$2,500.00
Sidewalk Removal	50 S.Y.	\$18.00	\$900.00	\$48.00	\$2,400.00
Drive Approach Removal	15 S.Y.	\$40.00	\$600.00	\$48.00	\$720.00
Earth Excavation	400 C.Y.	\$30.00	\$12,000.00	\$30.25	\$12,100.00
Tree Protection	6 EA	\$1.00	\$6.00	\$700.00	\$4,200.00
Subgrade Undercutting, 21 AA	5 C.Y.	\$60.00	\$300.00	\$55.00	\$275.00
Subgrade Undercutting, 1" - 3"	2 C.Y.	\$80.00	\$160.00	\$80.00	\$160.00
Non-Woven Geo-Textile Fabric, 8 oz. - Modified	20 S.Y.	\$2.50	\$50.00	\$6.00	\$120.00
4" Concrete Sidewalk	350 S.F.	\$5.00	\$1,750.00	\$7.00	\$2,450.00
6" Concrete Sidewalk	100 S.F.	\$6.00	\$600.00	\$8.00	\$800.00
6" Concrete Drive Approach	200 S.F.	\$6.00	\$1,200.00	\$7.50	\$1,500.00
6" Aggregate Base CIP - 21AA	1,150 S.Y.	\$7.00	\$8,050.00	\$15.25	\$17,537.50
6" NR, Concrete Pavement	10,350 S.F.	\$6.90	\$71,415.00	\$6.60	\$68,310.00
Bumper Blocks	28 EA.	\$350.00	\$9,800.00	\$150.00	\$4,200.00
Parking Lot Striping	1 LSUM	\$3,000.00	\$3,000.00	\$6,600.00	\$6,600.00
Restoration	150 SY	\$10.00	\$1,500.00	\$6.00	\$900.00
TOTAL :			\$112,331.00		\$124,772.50

Engineer's Estimate - \$119,670.00
W/O Construction Observation

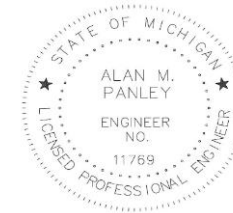
Third Lowest Bidder - Merlo Construction \$135,320.00
Fourth Lowest Bidder - T&M Paving \$161,947.50
Fifth Lowest Bidder - Audia Concrete * \$215,789.00

* Bid Adjusted by Engineer (Arithmetic Error)

I hereby certify that this is a true and accurate copy of
the bids received, read, and tabulated for this project.



Alan Panley, P.E. - Project Engineer





AGENDA ITEM SUMMARY FORM

MEETING DATE: 07/08/24

PREPARED BY: Melissa Marsh, City Manager

AGENDA ITEM CONTENT: Parcel Redevelopment Program - 2024

AGENDA ITEM SECTION: Bid Awards/Purchases

BUDGETED AMOUNT: \$0

FUNDS REQUESTED: \$0

FUND: 101 - General Fund

EXECUTIVE SUMMARY:

In July 2018, the City Council approved the first year of this Tax Foreclosure Redevelopment Program. Since then, we have worked with developers to successfully renovate 22 foreclosed properties through this program. This program has proven to be beneficial for the City, neighborhoods, and future homeowners. This year, the City is opting to purchase one (1) foreclosed property eligible for this program located at 27804 Groveland St. This property is vacant, condemned, and slated for demolition. As a result the City issued a Request for Proposal for the sell and development of this parcel.

RECOMMENDATION:

Based on the condition of the parcel to be purchased, the proposal submitted in response to this year's RFP, and the proven success of this program, I recommend the following actions by the City Council:

1. Approve the purchase of 27804 Groveland Street Parcel ID 25-13-302-005, for \$30,000 from Oakland County through the tax foreclosure process. (According to Charter Section 12.1, the purchase of property requires five (5) affirmative votes.)
2. Award the Parcel Development Program to DMC Consultants Inc. and the subsequent sale of 27804 Groveland by approving the contract and authorizing the City Manager and City Clerk to sign on behalf of the City.

Date: July 2, 2024
To: Honorable Mayor and City Council
From: Melissa R. Marsh, City Manager
Subject: Parcel Redevelopment Program – 2024

As part of the Adopted 2019 Goal Plan, the City implemented a Tax Foreclosure Purchase/Sale/Redevelopment Program. This initiative has led to the immediate clean-up of property exteriors, ongoing maintenance, guaranteed code-compliant renovations, and the sale of residential properties to owner-occupants. Additionally, it has provided immediate tax base benefits from renovated structures, enhanced property appraisals for future appraisal comparables, and reduced potential future single-family rental or vacant properties.

In July 2018, the City Council approved the first year of this Tax Foreclosure Redevelopment Program. Since then, we have worked with developers to successfully renovate 22 foreclosed properties through this program. This program has proven to be beneficial for the City, neighborhoods, and future homeowners.

This year, the City is opting to purchase one (1) foreclosed property eligible for this program: Parcel 25-13-302-005, located at 27804 Groveland Street. This property is vacant, condemned, and slated for demolition. As a result Oakland County Equalization has reassessed this parcel at \$30,000.

Using this information, we developed and issued a Request for Proposal (RFP), receiving submissions from two companies. Only one company, DMC Consultants, Inc., met our specific requirements to 1) demolish the structure on this parcel within 30 days of ownership and 2) build a new residential building on this parcel. DMC Consultants will pay \$30,000 for the property plus a \$1,575 administrative fee to the City upon closing.

Based on the condition of the parcel to be purchased, the proposal submitted in response to this year's RFP, and the proven success of this program, I recommend the following actions by the City Council:

1. **Approve the purchase of 27804 Groveland Street Parcel ID 25-13-302-005, for \$30,000 from Oakland County through the tax foreclosure process.** (According to Charter Section 12.1, the purchase of property requires five (5) affirmative votes.)
2. **Award the Parcel Development Program to DMC Consultants Inc. and the subsequent sale of 27804 Groveland by approving the contract and authorizing the City Manager and City Clerk to sign on behalf of the City.**

Representatives from DMC Consultants will be present at the meeting to answer any questions.

AGREEMENT FOR PURCHASE OF REAL ESTATE

The Purchaser, DMC Consultants, Inc., a Michigan corporation, whose address is 13500 Foley Street, Detroit, Michigan 48227, (the "Purchaser") hereby offers and agrees to purchase, and the Seller, City of Madison Heights, a Michigan municipal corporation, whose address is 300 West 13 Mile Road, Madison Heights, Michigan 48071, (the "Seller") hereby agrees to sell real estate and other intangibles related to the following real estate located in City of Madison Heights, County of Oakland, State of Michigan, upon the following terms and conditions set forth in this Agreement for Purchase of Real Estate, hereafter the "Agreement."

I. PROPERTY DESCRIPTION

- 1.1 Properties located in the City of Madison Heights, Michigan, and commonly referenced as follows:

Address	Parcel ID	Purchase Price
27804 Groveland Street	25-13-302-005	\$30,000

together with all buildings, structures, rights, easements, and appurtenances pertaining thereto and all improvements, trees, bushes, landscaping, and foliage thereon, if any, any right, title, and interest of Seller in any rights of way, all of Seller's rights to connect with and to utilize any private or public utility facilities now or hereafter serving the Property, to the extent transferable, all licenses, permits, certificates of occupancy and other governmental approvals with respect to the Property, and all development and similar agreements relating to governmental units or utility services with respect to the Property; and subject to the existing building and use restrictions, easements, and zoning ordinances. The land which is part of the Property has a legal description as set forth on Exhibit A, attached hereto and incorporated herein by reference.

II. PURCHASE PRICE

- 2.1 Purchaser agrees to pay a sum equal to the purchase price listed in section 1.1 above plus the administrative fee of \$1,575 as detailed in section 5.1. The total purchase price for 27804 Groveland is (\$31,575) or thirty-one thousand five hundred and seventy-five dollars thousand dollars; in consideration for which Seller will provide a QUIT CLAM deed subject to the existing building and use restrictions and easements and rights of way of record.

III. TITLE

- 3.1 Title Insurance. The Purchaser may obtain, at Purchaser's expense, a commitment (the "Title Commitment") leading to an owner's policy of title insurance with standard exceptions (the "Title Insurance") from a title company selected by Purchaser (the "Title Company"). The Title Commitment shall be updated immediately prior to the Closing and shall show no objectionable matters, or defects except as provided in paragraph 3.3 below, other than those which may be permitted by Purchaser. All costs associated with the Title Commitment and Title Insurance, including such actions required to correct any flaws in title as a result of the Tax Foreclosure, shall be the sole responsibility of the Purchaser. The Purchaser shall also pay all recording fees.
- 3.2 Objections To Condition of Title. If objection to the title is made by the Purchaser except for provided in paragraph 3.3 herein, then Seller shall have until the Closing, or any extensions in writing to the Closing, to procure a cure for the defects. In the event the Seller is unable through the exercise of its good faith efforts to procure a cure for the claimed defects to the Purchaser's satisfaction within the time herein set forth, then, Purchaser may (i) take title to the Property despite the existence of objectionable matters, or (ii) terminate the Agreement, in which case, notwithstanding anything herein to the contrary, all sums deposited by Purchaser shall be immediately refunded to Purchaser and this Agreement shall be deemed null and void and of no further force and effect.
- 3.3 Tax Foreclosure Transfer. Purchaser acknowledges that Seller obtained the Property through a State/County tax foreclosure (the "Tax Foreclosure") quit claim deed and the Seller makes no representations or warranties as to the condition or title of the Property. Notwithstanding anything to the contrary in this Agreement, Purchaser accepts any flaws or defects in the title to the Property as a result of the Tax Foreclosure.
- 3.4 Quiet Title Action. Purchaser acknowledges that in order to obtain Title Insurance, Purchaser may be required, at Purchaser's sole cost and expense, to institute legal proceeds to quiet title in the name of Purchaser (hereinafter, the "Quiet Title Action"). If a Quiet Title Action is required, the Parties acknowledge such event will have no effect on this Agreement.

IV. POSSESSION, INSPECTIONS, CERTIFICATIONS AND DISCLOSURES

- 4.1 Possession. As a result of obtaining the Property through Tax Foreclosure, Seller has no knowledge as to whether the Property is occupied by tenants, previous owners, or any other occupant (the "Occupants") that may be in possession of the Property. Seller makes no representation as to the occupancy or possession of the Property. The Purchaser recognizes that some properties may be occupied, and the Purchaser is solely responsible for the continued occupancy/relocation/eviction of any occupants. Purchaser agrees that it may not take any action to obtain possession of the property, including service of notice to quit, until after the closing date as determined by the Seller.

- 4.2 Government Certifications. The Purchaser shall obtain, at its expense, all required inspections and required repairs, if any to obtain approval from any government agency or municipality. The Purchaser acknowledges and agrees that it is purchasing the Property in an AS IS/ WHERE IS condition, including but not limited to environmental conditions and/or contamination (if any), in, on, or about the Property, including the groundwater of the Property and hereby releases and indemnifies the Seller, its officers, employees and agents, from any liability whatsoever arising from any condition and/or contamination in, on or about the Property. Further, the Seller makes no express or implied representations or warranties as to the Property's condition.

V. CLOSING

- 5.1 Method of Closing. The sale will be consummated by cash for the total Purchase Price and any administrative fees or costs that are the Purchaser's responsibility. Administrative fees and costs include:
- a. Administrative Fee: \$1,575 per property to cover the related costs for the City.
 - b. Sewer and Water charges: The Purchaser is responsible for all outstanding utility charges, including water and sewer.
 - c. Property taxes: Purchaser to pay all outstanding taxes and keep future taxes current, including any special assessments and related charges
 - d. Miscellaneous Receivables: The Purchaser is responsible for any monies due to the City for any and all charges to these parcels listed, including but not limited to mowing, snow removal, brush chipping, or debris clean-up/out.
- 5.2 Assessments. The Purchaser shall discharge in full all public authority charges confirmed by said municipality or taxing unit(s), special assessments, water, sewer, paving charges, etc., that are currently due and payable. The purchaser is responsible for other assessments.

VI. MISCELLANEOUS

- 6.1 Maintenance of Property. Timeline are set below for tasks to be completed by the Purchaser within one week of closing:
- a. *Within one week of closing* - the purchaser secure the property, order landscape clean-up which includes cleaning yard debris, cutting lawn and removal of any dead trees or shrubs. The Purchaser shall cut the lawn through the construction process, if necessary.
 - b. *Within four weeks of closing* - Permits shall be pulled for all demolition, and work shall be schedule with a timeline approved in writing by the City.
 - c. *Within three months of closing* – Permits and plans for residential home shall be submitted to be built on the property with timelines to be

complete with final inspections ordered and obtain C of O's, approved in writing by the City.

- 6.2 Governing Law. This Agreement shall be governed by, construed, and enforced in accordance with the laws of the State of Michigan.
- 6.3 Venue. The parties concur that any dispute concerning the interpretation of this Agreement shall be brought in the applicable state court located in the County of Oakland, Michigan.
- 6.4 Entire Agreement. This Agreement constitutes the entire, integrated Agreement between the parties, and supersedes all prior written and unwritten negotiations, agreements, proposals and understandings. This Agreement shall not be orally amended, modified, superseded, or cancelled, it being specifically understood that any of the terms, covenants, representations and conditions contained herein may be amended only by written instrument executed by all parties. Purchaser's proposal in its entirety constitutes a part of this agreement.
- 6.5 Binding Effect. The covenants and conditions herein shall bind and inure to the benefits of the executors, administrators, successors and assigns of the respective parties. If the parties herein be more than one or if they be of the feminine gender, or a corporation or other business entity, such words and pronouns and other relative words shall be read as if written in the plural, feminine, and neuter, respectively.
- 6.6 Assignment. This Agreement may not be assigned or transferred by the Purchaser without the written consent of the Seller, except to an entity in which the Purchaser is the sole owner. Any lawful Assignee shall agree to be specifically bound by the terms of this Agreement. Upon such lawful assignment, Purchaser shall have no further or other obligations or liabilities hereunder.
- 6.7 Other Terms and Conditions. The Purchaser is to commit to 100% owner-occupant sales for all single-family homes. Purchaser will secure and stabilize each parcel within one week of closing. Purchaser will build new homes on vacant lots unless otherwise agreed to by the Seller and Purchaser. Specifically for 27804 Groveland Street Parcel 25-13-302-005 the existing structure is to be demolished within 30 days of closing with a new home built on the site over the course of the following 12 months.

6.8 Effective Date. If this Agreement is not signed simultaneously by Seller and Purchaser, it shall be considered to be an offer made by the party first executing it to the other party. In this event, that offer shall expire at midnight on the fifth (5th) calendar day following signature by the offering party. "Effective Date" shall mean the last date upon which this Agreement is accepted and executed by all the parties.

6.9 Notices. All notices, requests, demands or other communications hereunder shall be in writing and deemed given (a) when delivered personally or on the day said communication is deposited in the U.S. mail, by registered or certified mail, return receipt requested, postage prepaid, or (c) on the next business day after notice is sent by facsimile or (d) on the day said communication is deposited with a nationally recognized overnight courier service, addressed and/or sent by facsimile, as the case may be, as follows:

Seller:

Melissa R. Marsh
City Manager
City of Madison Heights
300 West Thirteen Mile
Madison Heights, MI 48071
Contact No. (248) 837-2639

Purchaser:

DMC Consultants, Inc.
13500 Foley Street
Detroit, MI 48227
Contact No. (313) 491-1815

6.10 Survival of Obligations. All of the representations, warranties, and covenants of the parties hereunder shall survive the Closing, provided, however, that no claim for any breach of a representation or warranty hereunder shall be effective unless made in writing on or before the second anniversary of the Closing with respect to which such breach relates.

6.11 Construction and Captions. The parties acknowledge that the parties and their counsel have reviewed and revised this Agreement and that the normal role of construction to the effect that any ambiguities are to be resolved against the drafting party shall not be employed in the interpretation of this Agreement or any exhibits or amendments hereto; and that section headings appearing in this agreement are for convenience of reference only and they are not intended, to any extent or for any purpose, to limit or define the text of any section or any subsection hereof.

6.12 Authority. The Parties represent and warrant that they have the requisite authority to execute this Agreement and to bind the entity or individual signed for and all predecessors and successors to the rights and obligations described or contained in this Agreement.

IN WITNESS WHEREOF, the parties have executed this First Addendum on the day and year first above written.

"SELLER"

**City of Madison Heights, a Michigan
municipal corporation.**

By: Melissa Marsh, City
City Manager

By: Cheryl Rottmann, City Clerk

"PURCHASER,"

DMC Consultants, Inc.

By: _____
Its: _____

[NOTARIZATION APPEARS ON NEXT PAGE]

STATE OF MICHIGAN)
)ss
COUNTY OF OAKLAND)

On this _____ day of _____, 2024, before me, a Notary Public in and for said County and State, personally appeared the above-named Melissa Marsh and Cheryl Rottman, City Manager and City Clerk, respectively, of the City of Madison Heights, a Michigan Municipal Corporation, located at 300 West Thirteen Mile Road, Madison Heights, Michigan 48071, to me known to be the same persons described in and who executed the within instrument on behalf of the City and who then acknowledged the same to be of their free act and deed on behalf of the City.

_____, Notary Public
_____ County, Michigan
My Comm. expires: _____
Acting in: _____

STATE OF MICHIGAN)
)ss
COUNTY OF OAKLAND)

On this _____ day of _____, 2024, before me, a Notary Public in and for said County and State, personally appeared the above-named _____, Managing Member of DMC Consultants, Inc., a Michigan limited liability company, located at 13500 Foley Street, Detroit, MI 48227, to me known to be the same person described in and who executed the within instrument on behalf of the City and who then acknowledged the same to be of his or her free act and deed on behalf of the company.

_____, Notary Public
_____ County, Michigan
My Comm. expires: _____
Acting in: _____

EXHIBIT A

LEGAL DESCRIPTION

T1N, R11E, SEC 13, TUXEDO PARK SUB, LOTS 188 & 189