



**CITY OF MADISON HEIGHTS**  
**CITY HALL - COUNCIL CHAMBERS, 300 W. 13 MILE RD.**  
**CITY COUNCIL REGULAR MEETING AGENDA**  
**JULY 28, 2025 AT 7:30 PM**

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**CALL TO ORDER**

**ROLL CALL**

**INVOCATION and PLEDGE OF ALLEGIANCE - MAYOR PRO TEM BLISS**

**APPOINTMENT OF ACTING CITY CLERK**

**APPROVAL OF THE AGENDA:**

- [1.](#) Additions/Deletions

**PRESENTATIONS**

**PUBLIC HEARINGS:**

- [2.](#) CED Director - CDBG Reprogramming Public Facilities & Improvements PY 2024 Funds

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

**MEETING OPEN TO THE PUBLIC:**

**CONSENT AGENDA:**

- [3.](#) City Council Regular Meeting Minutes of July 14, 2025

**COMMUNICATIONS:**

**REPORTS:**

- [4.](#) Finance Director - Accelerated Tax Foreclosure Resolution, 2025-2026
- [5.](#) Community and Economic Development Director - 241 E 11 Mile Rd Encroachment Agreement
- [6.](#) Community and Economic Development Director - 515 E. 11 Mile Delton Approach Easement Agreement

**ITEMS FOR FUTURE PUBLIC HEARINGS:**

**BID AWARDS/PURCHASES:**

- [7.](#) Director of Public Services - Scheduled Replacement of Fire Department Utility Truck
- [8.](#) Director of Public Services - Purchase of Two Police Patrol Cars

**ORDINANCES:**

- [9.](#) Ordinance 2203 - Amendment to Parks and Recreation Advisory Board Membership, Second Reading
- [10.](#) Ordinance 2204 - Amendment to Compensation Commission - Appointment and Confirmation of Members, Second Reading

**UNFINISHED BUSINESS:**

**EXECUTIVE SESSION:**

## **ADJOURNMENT**

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

DATE: July 24, 2025  
TO: City Council  
FROM: Melissa R. Marsh, City Manager  
SUBJECT: Agenda Comments – Regular Council Meeting of Monday, July 28, 2025

**PUBLIC HEARING:**

In the City’s 2024 Community Development Block Grant Program Year (PY) application, \$64,817 was approved for Public Facilities Improvements for pedestrian amenities along 11 Mile Road. These amenities were purchased for a total of \$13,919.92 leaving a remaining balance of \$50,897.08. Staff is proposing that unspent funds from Public Facilities & Improvements Program Year 2024 be reprogrammed to be used for improvements to Rosie's Park including the installation of a new drinking fountain and benches, and the Minor Home Repair program for qualifying projects.

Staff recommends that the City Council approve the Community Development Block Grant Reprogramming resolution authorizing funds to be reallocated as follows:

- \$17,000 from Public Facilities & Improvements Program Year 2024 to Public Facilities & Improvements Program Year 2024; and
- \$33,897.08 from Public Facilities & Improvements Program 2024 to the Minor Home Repair account.

And to further authorize the filing of the reprogramming with Oakland County.

**REPORTS:**

ACCELERATED TAX FORECLOSURE RESOLUTION, 2025-2026

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. This annual election of accelerating the tax foreclosure process can be a useful tool to expedite removal of abandoned property and to reduce blight.

Staff recommends that Council approve the Resolution for Certification of Abandoned Property for Accelerated Forfeiture Act as presented.

### 241 E 11 MILE RD ENCROACHMENT AGREEMENT

The encroachment agreement between the City of Madison Heights and the property owner of 241 E 11 Mile Rd has been proposed to help mitigate the impact on the private property owners' parking lot circulation and the number of parking spaces. It allows parked vehicles to encroach on the city ROW along 11 Mile Rd by 5.5ft. This arrangement both provides an adequate drive aisle for parking circulation on the private lot and still allows the inclusion of the 10ft multi-use path and on-street parking as a part of the 11 Mile Streetscape project.

Staff recommends that the City Council approve the encroachment agreement with 241 E 11 Mile Road and authorize the City Manager and City Clerk to sign on behalf of the city, pending final legal approval.

### 515 E. 11 MILE DELTON APPROACH EASEMENT AGREEMENT

This approach easement between the City of Madison Heights and the property owner of 515 E 11 Mile Rd has been proposed to help mitigate the impact on the private property owners' parking spaces and circulation created by the 11 Mile Streetscape project. It allows the private property owner access to their parking lot through a city alleyway, opposed to through a newly created approach on Delton that would eliminate two parking spaces.

Staff recommends that the City Council approve the approach easement agreement with 515 E 11 Mile Road and authorize the City Manager and City Clerk to sign on behalf of the city, pending final legal approval.

### **BID AWARDS/PURCHASES:**

#### SCHEDULED REPLACEMENT OF FIRE DEPARTMENT UTILITY TRUCK

The approved FY 2025-26 Budget includes funding for the scheduled replacement of a utility truck for Fire Station 2. This vehicle is a 2016 Ford Interceptor Utility formerly used by the Fire Marshal. With 125,000 miles, it has a condition analysis score of 30, warranting priority replacement.

Staff recommends that Council approve the purchase of one 2026 Dodge Ram 1500 as quoted from LaFontaine Chrysler Dodge Jeep Ram, of Lansing, through the MiDeal Cooperative Vehicle Purchasing Program, in a total amount of \$41,000, including delivery mileage.

## PURCHASE OF TWO POLICE PATROL CARS

The approved FY 2025-26 Budget includes funding for the scheduled replacement of two police patrol vehicles from the general fund. Motor Pool has been working with the police department to determine the best options for replacement. While the department is in the process of making the transition to the Chevrolet Tahoe as a frontline patrol vehicle, the consensus is to take advantage of the availability of two Durango Pursuit vehicles.

Staff recommends that Council approve the purchase of two 2026 Durango Pursuit AWD Patrol Vehicles as quoted from LaFontaine Chrysler Dodge Jeep Ram, of Lansing, through the MiDeal Cooperative Vehicle Purchasing Program in the total amount of \$93,000.

## **ORDINANCES:**

### ORDINANCE 2203 - AMENDMENT TO PARKS AND RECREATION ADVISORY BOARD MEMBERSHIP, SECOND READING

Councilman Fleming with the support of Mayor Grafstein have asked staff to revise the appointment process for those boards and commissions whose members are appointed by the mayor with the consent of Council and amend them to have membership appointed by the Council as a whole.

The First Reading of the Parks and Recreation Advisory Board ordinance amendment was held at the July 14<sup>th</sup> City Council meeting.

Should the Council concur, the appropriate motion would be to adopt Ordinance No. 2203, Amendment to Parks and Recreation Board Membership, on Second Reading.

### ORDINANCE 2204 - AMENDMENT TO COMPENSATION COMMISSION - APPOINTMENT AND CONFIRMATION OF MEMBERS, SECOND READING

The First Reading of the Compensation Commission ordinance amendment was held at the July 14<sup>th</sup> City Council meeting. As requested, staff made a change to the Compensation Commission proposed ordinance amendment to include a staff recommendation for the membership appointment for the Second Reading.

Should the Council concur, the appropriate motion would be to adopt Ordinance No. 2204, Amendment to Compensation Commission Appointments and Confirmation of Members, on Second Reading.



## AGENDA ITEM SUMMARY FORM

**MEETING DATE:** 7/28/25

**PREPARED BY:** Giles Tucker - CED Director

**AGENDA ITEM CONTENT:** CDBG Reprogramming Public Facilities & Improvements PY 2024 Funds

**AGENDA ITEM SECTION:** Reports

**BUDGETED AMOUNT:**

**FUNDS REQUESTED:**

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

**EXECUTIVE SUMMARY:**

Staff is proposing that unspent funds from Public Facilities & Improvements Program Year 2024- 03L be reprogrammed to be used for improvements to Rosie's Park and the Minor Home Repair program for qualifying projects. Doing so will help draw down unspent funds.

**RECOMMENDATION:**

Staff recommends that the City Council approve the included resolution which authorizes the Community & Economic Development Department to prepare and submit a request to Oakland County to reprogram \$17,000 from Public Facilities & Improvements Program Year 2024- 03L to Public Facilities & Improvements Program Year 2024- 03F, and \$33,897.08 be reprogrammed from Public Facilities & Improvements Program Year 2024- 03L to the Minor Home Repair account. Further, the City of Madison Heights, as the applicant, authorizes the filing of said reprogramming of funds with Oakland County.

MEMORANDUM

**DATE:** July 14, 2025

**TO:** Melissa Marsh - City Manager

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

**SUBJECT:** **CDBG REPROGRAM REQUEST: Reprogram Public Facilities Improvements to Minor Home Repair Program**

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**SUMMARY/BACKGROUND:**

In the City’s 2024 Program Year (PY) 2024 application, \$64,817 was approved for “Public Facilities Improvements”. These funds were intended for purchasing pedestrian amenities along 11 Mile Rd including bike racks, benches, and trash bins. City staff purchased these amenities for a total of \$13,919.92 leaving a remaining balance of \$50,897.08. To remain in good standing with HUD and Oakland County’s CDBG program, it is important that program funds are spent in a timely manner. For this reason, staff recommend that these remaining funds be reprogrammed to fund improvements to Rosie’s Park including the installation of a new drinking fountain and benches, and the remainder of these funds would be used to support our Minor Home Repair Grant program. A summary of the reprogramming of these funds is as follows:

\$50,897.08	Current Balance of Public Facilities Improvements PY24
-\$17,000.00	New Public Facilities Improvements for Rosie’s Park
<u>-\$33,897.08</u>	In Additional funds to support Minor Home Repair Projects
\$0	End Balance of Public Facilities Improvements PY24

**STAFF RECOMMENDATION:**

Staff recommends that the City Council approve the included resolution which authorizes the Community & Economic Development Department to prepare and submit a request to Oakland County to reprogram \$17,000 from Public Facilities & Improvements Program Year 2024- 03L to Public Facilities & Improvements Program Year 2024- 03F, and \$33,897.08 be reprogrammed from Public Facilities & Improvements Program Year 2024- 03L to the Minor Home Repair account. Further, the City of Madison Heights, as the applicant, authorizes the filing of said reprogramming of funds with Oakland County.

## PUBLIC HEARING

### City of Madison Heights

#### Notice of Public Hearing – Community Development Block Grant: Reprogramming Public Facilities & Improvements Program Year 2024- 03L

NOTICE IS HEARBY GIVEN that the City of Madison Heights will hold a public hearing on the use of Community Development Block Grant Funds. The Hearing will be held in person on **Monday, July 28<sup>th</sup>, 2025, at 7:30 pm in the City Council Chambers of the Municipal Building at 300 W 13 Mile Rd, Madison Heights, MI 48071** to hear public comments on the reprogramming of Public Facilities & Improvements Program Year 2024- 03L to fund public facilities improvements at Rosie's park and minor home repair projects.

Comments will also be received in writing or in person at the Community & Economic Development Department, 300 W 13 Mile Road, Madison Heights, MI 48071 until 4:30 pm, Thursday, July 24, 2025. Arrangements to reasonably accommodate special needs, including handicap accessibility or interpreter will be made upon receiving a 72-hour advance notice. All comments should be addressed to Giles Tucker, Community Development Director at [gilestucker@madison-heights.org](mailto:gilestucker@madison-heights.org) or call (248) 583-0831, including requests for special needs accommodations.

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

Published at [www.madison-heights.org](http://www.madison-heights.org) , 7/14/2025.

Posted at: Noth Entrance Display Case Madison Heights City Hall 300 W 13 Mile Rd, Madison Heights, MI 48071, 7/14/2025.

**RESOLUTION OF THE MADISON HEIGHTS CITY COUNCIL**

City of Madison Heights, Michigan

**WHEREAS**, the City of Madison Heights was approved \$64,817 in Public Facilities & Improvements for pedestrian amenities along 11 Mile Rd including bike racks, benches and trash bins as a part of its Program Year 2024 application for funding to Oakland County, and

**WHEREAS**, the City purchased these pedestrian amenities for a total of \$13,919.92, leaving a remaining balance of \$50,0987.08 unused for the project, and

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

**WHEREAS**, the City of Madison Heights seeks to meet this HUD standard by spending these remaining funds on eligible projects within the City, and

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

**(Insert Public Hearing Information from portion of the 7-28-25 City Council Meeting)**

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

1. The City Council of Madison Heights authorizes the Community & Economic Development Department to prepare and submit a request to Oakland County to reprogram \$17,000 from Public Facilities & Improvements Program Year 2024- 03L to Public Facilities & Improvements Program Year 2024- 03F, and \$33,897.08 be reprogrammed from Public Facilities & Improvements Program Year 2024- 03L to the Minor Home Repair account.
2. The City of Madison Heights, as the applicant authorizes the filing of said reprogramming with Oakland County.

Yeas:

Nays:

Absent:

Motion Carried

Certification:

I, Cheryl E Rottmann, the duly appointed City Clerk of the City of Madison Heights, County of Oakland, State of Michigan, do hereby certify that the foregoing is a resolution adopted by the Madison Heights City Council at their Regular Meeting held on July 28, 2025

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

City Council Regular Meeting  
Madison Heights, Michigan  
July 14, 2025

A City Council Regular Meeting was held on Monday, July 14, 2025 at 7:30 PM at City Hall - Council Chambers, 300 W. 13 Mile Rd.

PRESENT

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

OTHERS PRESENT

- City Manager Melissa Marsh
- City Attorney Larry Sherman
- Deputy City Manager/City Clerk Cheryl Rottmann

Mayor Grafstein gave the invocation and the Pledge of Allegiance followed.

**PRESENTATIONS:**

Marijuana Impact Report

City Manager Marsh gave a presentation to the Council on the positive financial, economic development, public safety, and social impact that marijuana businesses have had on the city since permitting licensing of these establishments. Councilman Soltis asked for a comparison of marijuana related traffic stops to alcohol related stops. Mayor Pro Tem Bliss noted that there was approximately \$1 million dollars in one-time revenues and \$500,000 dollars of continuing contributions that have helped supplement the city’s budget and supported local causes. He credited the Council for creating ordinances and rules for granting licenses that were geared towards creating economic development improvements. He continued that Council was aware that cannabis was here, whether we had locations in the city or not; but now we are benefiting from having these businesses in the city. He stated that he appreciates the public safety call comparison. Mayor Grafstein noted that there has not been an increase in crime and also stated that she did not believe marijuana businesses in the city have has had any negative effect on Madison Heights home values.

**MEETING OPEN TO THE PUBLIC:**

Richard Taylor Thomas, resident, spoke regarding charging various city officials for hate, discrimination, and conspiracy crimes.

**CONSENT AGENDA:**

Without objection, Mayor Pro Tem Bliss requested that each item be voted on separately from the Consent Agenda.

**CM-25-100. Resolution Establishing the Time for Regular City Council Meetings.**

Motion to adopt the Resolution Establishing the Time for Regular City Council Meetings, as follows:

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MADISON HEIGHTS, ESTABLISHING THE TIME FOR REGULAR CITY COUNCIL MEETINGS**

**WHEREAS**, Section 6.1 of the Madison Heights City Charter provides that the City Council shall hold twenty-three (23) regular meetings per calendar year and shall hold at least one (1) meeting per month, at such times and places as may be established by resolution; and

**WHEREAS**, the City Council desires to establish a consistent schedule for its regular meetings to ensure transparency, promote public participation, and allow for the efficient conduct of city business.

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

**SECTION 1.** Regular meetings of the Madison Heights City Council will begin at 6:30 p.m., unless rescheduled by a majority vote of the Council or as otherwise noticed in accordance with applicable law.

**SECTION 2.** All regular meetings shall be held at 300 W. 13 Mile Road, Council Chambers, City of Madison Heights, unless otherwise specified in the public notice for the meeting.

**SECTION 3.** In the event that a regular meeting date falls on a holiday, the meeting shall be held on the next business day unless otherwise rescheduled by the City Council.

**SECTION 4.** This resolution shall take effect for the first meeting in October 2025 and shall remain in effect until modified or repealed by subsequent resolution.

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

Mayor Tem Bliss noted that this time change will allow more senior citizens to attend the meetings. In response to his question, City Manger Marsh noted the time change was

suggested by staff to begin in October due to the recently distributed city newsletter listing the current 7:30 p.m. time for the July through September Council meetings.

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

Motion carried.

**CM-25-101. Regular City Council Meeting Minutes of June 23, 2025.**

Motion to approve the Regular City Council Meeting minutes of June 23, 2025, as printed.

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

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

Motion carried.

**CM-25-102. Fire Public Safety Drone Grant Purchase.**

Motion to approve the purchase of a Skydio X10 drone from Safeware through the Sourcewell Cooperative Purchasing Program the amount of \$29,969, to be fully funded through the awarded grant.

Motion made by Councilor Wright, 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-25-103. Fire Turnout Gear Grant Purchase.**

Motion to waive the formal bidding process and approve the purchase of five sets of turnout gear from Axes & Irons through Sourcewell, at a total cost of \$16,070.40. Funding for this purchase has been allocated in the FY 2025–26 budget and will be fully reimbursed through the grant.

Motion made by Councilor Wright, 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-25-104. Resolution Amending the City Crime Commission – Appointment Process.**

Motion to approve the resolution amending the City Crime Commission as follows:

Resolution Amending the City Crime Commission

WHEREAS, public safety is a vital function of municipal government; and

WHEREAS, education, community collaboration, and communication all contribute to crime prevention in a community;

NOW, THEREFORE, BE IT RESOLVED that the City Council of Madison Heights hereby establishes the City Crime Commission, as follows:

1. Scope.

(a) There is hereby established a commission to be known as the Madison Heights Crime Commission.

(b) Scope:

- (1) The purpose and function of the city crime commission is to serve in an advisory capacity to the City Council and to study crime in the city, to make recommendations for its prevention and elimination and to develop citizen cooperation in law enforcement.
- (2) This purpose shall include periodic contacts by the commission with members of the community such as school, business and neighborhood leaders as well as police department personnel.
- (3) The Commission shall serve to provide good communication and education within the community regarding law enforcement and crime prevention.
- (4) The commission can recommend any changes to the City Council. The commission can also be available to receive citizen questions and complaints about crime.
- (5) Advise on educational programs and events to promote crime prevention.
- (6) To work with outside groups to build relationships between the Police Department and marginalized residents.

2. Membership.

(a) The commission shall be composed of seven (7) members and one (1) ex-officio member as follows:

- (1) Six (6) citizen members and two (2) citizen alternates; Citizen members and alternates shall be appointed by ~~the mayor with approval of~~ a majority vote of the city council. One (1) ex-officio member shall be a Councilmember with a vote and one (1) alternate ex-officio Councilmember.

- (2) The Police Chief or their designee shall serve as non-voting ex-officio member of the Commission and attends all meetings.
- (3) Citizen members shall be a registered elector of the city.
- (4) Members of the commission may be persons with qualifications in such areas as: law enforcement, crime prevention, public communication, and education.
- (5) Terms of the citizen members are three (3) years and are staggered. Councilmember appointments are two-year terms until the next Regular City Council election.
- (6) A Chairperson of the Commission shall be elected from and by the membership annually. The Chairperson shall preside at all meetings.

3. Meetings.

- (a) An annual meeting shall be held in April and the Commission will meet as required and agreed upon by the Commission.
- (b) The Commission shall follow Robert's Rules of Order and keep a record of its proceedings. All Meetings shall be noticed and conducted in accordance with the Michigan Open Meetings Act (1976 PA 267, MCL 15.261 through 15.275, as amended).
- (c) Attendance by 50% or more of the current membership of the commission shall constitute a quorum for the transaction of business. Any action of the commission shall require a concurrence of the majority of quorum present at the meeting.

Motion made by Councilman Fleming, Seconded by Councilman Mier.

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

Voting Nay: Councilor Wright

Motion carried 6-1.

**CM-25-105. Ordinance 2203 - Amendment to Parks and Recreation Advisory Board Membership, First Reading – Appointment Process.**

Motion to adopt Ordinance No. 2203, Amendment to Parks and Recreation Board Membership, on First Reading and schedule a Second Reading on July 28, 2025.

**ORDINANCE NO. 2203  
CITY OF MADISON HEIGHTS, OAKLAND COUNTY, MICHIGAN  
AMENDMENT TO THE CODE OF ORDINANCES**

An Ordinance to amend Ordinance No. 571, being an Ordinance codifying and adopting a new Code of Ordinances for the City of Madison Heights by amending Chapter 19, Article III, Section 19-29 (a) of the Code of Ordinances, City of Madison Heights, Michigan, to establish a city parks and recreation advisory board in the City to study and recommend short and long-term improvements to the city's parks and recreation system.

Motion made by Councilman Fleming, Seconded by Councilman Mier.

In response to Councilor Wright’s question of why this is being proposed to change, Mayor Grafstein responded that since the mayor is only one of seven, and the mayor doesn’t sit on these boards, it is an attempt to streamline process to make them all appointed by Council. She noted that they are all approved by Council ultimately. Mayor Pro Tem Bliss added that the current process doesn’t really make sense since the mayor doesn’t serve on these boards, and this would be an improvement.

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

Voting Nay: Councilor Wright

Motion carried 6-1.

**CM-25-106. Ordinance 2204 - Amendment to Compensation Commission - Appointment and Confirmation of Members, First Reading – Appointment Process.**

Motion to adopt Ordinance No. 2204, Amendment to Compensation Commission Appointments and Confirmation of Members, on First Reading and schedule a Second Reading on July 28, 2025.

**ORDINANCE NO. 2204  
CITY OF MADISON HEIGHTS, OAKLAND COUNTY, MICHIGAN  
AMENDMENT TO THE CODE OF ORDINANCES**

An Ordinance to amend Ordinance No. 571, being an Ordinance codifying and adopting a new Code of Ordinances for the City of Madison Heights by amending Chapter 2, Article VII, Sections 2-93 of the Code of Ordinances, City of Madison Heights, Michigan, to create a commission to be known as the “compensation commission” to establish compensation for elected officials of the city

Motion made by Councilman Fleming, Seconded by Councilor Rohrbach.

Discussion followed on why the change was being proposed, the potential appearance of a conflict of interest if the Mayor made a recommendation for appointment to this board because they set Council’s salary, the possibility of appointments not being made under the current process if the mayor choose not to make an appointment, and the ability of Council to thwart a possible problem in the future by making the proposed change. Councilor Wright and Rohrbach noted that they were not in agreement with the proposed change. Mayor Pro Tem Bliss suggested the ordinance be

amended before the second reading to include having staff make a recommendation for this board's appointment, similar to how staff makes recommendations to Council on regular business.

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

Voting Nay: Councilor Rohrbach, Councilor Wright

Motion carried 5-2.

### **COUNCIL COMMENTS:**

Councilman Mier commented that there are a lot of wonderful things happening in the city, including in recreation, the library, and at the active adult center so please check out their websites. Little league season wrapped up last week. Councilor Wright's and City Attorney Sherman's teams competed in the championship game, and City Attorney Sherman's team came up on top. Thank you for all your support for little league.

Mayor Pro Tem Bliss wished a happy birthday to Councilman Mier. He highlighted the first concert in the park last week, and despite the rain there was good attendance. The band was fabulous, and it was a great experience, and he encouraged everyone to come out for future events. Public attendance shows that the community wants these types of events. Next Wednesday is the next concert. The grant from MHCF for the drone tonight was good to see. Trail Tunes submission deadline is today. He noted that he was disappointed that the flyer outlining the new trash cart program did not have disability arrangements included. The Council filing deadline is next Tuesday, July 22<sup>nd</sup>, and there are a lot of boards and commission openings as well. The best way to contribute to your community is to be a part of it. On a sad note, Alex Habib was killed by a reckless driver during a police chase. He was a father, husband and a member of the Lamphere graduating class of 2015. He requested a moment of silence in his honor and a resolution for the family be drafted and sent.

Councilor Wright expressed thank you to DPS for doing a fantastic job on the Festival in the Park. It was a very quiet, great community event. September 13<sup>th</sup> will be the *Revin in the Heights*. We have some cool sponsors, and are partnering with the Fire department and Chamber, so please plan on coming. He added that a new award category is being added this year, the City Council award will be in the line up as well.

City Attorney Sherman thanked Councilman Mier for his synopsis of the championship game. The series between the Bluejays and the A's is now tied 1-1 and we will see where it goes next year.

City Manager Marsh stated Madison Heights is now home to DIA's Inside Out program, with 11 stunning art pieces. This is a credit to the Arts Board, the Active Adult Center and Oakland County Parks. On August 16<sup>th</sup>, there will be a bus trip hosted by the Arts Board and provided by the DIA to tour around the art pieces displayed in Madison Heights. Sign up is required to participate.

Deputy City Manager/City Clerk Rottmann noted that the filing deadline for mayor and council members is 4 p.m., Tuesday, July 22<sup>nd</sup> at the City Clerk's office. She also encouraged those interested to apply for the city board and commissions, with the next round of appointments taking place in August.

Councilor Rohrbach expressed thanks to Councilman Mier for his work on little league baseball, noting that her son participated this year for the first time and loved it. The coaches and volunteers were just wonderful, and it was a great experience. She stated that the Tree Grant the city received from the MDNR was exciting. One of her first goal on Council was to plant 500 trees in 5 years and we have exceeded that, and she is excited to keep the progress going. She encouraged those that are interested in having a tree planted in their right-of-way to make an application on the city's website. She noted that the Parks and Recreation Advisory Board is doing a Parks and Recreation Master Plan survey, and we need the public to participate. Your voice needs to be heard when we are creating this Master Plan so that we can implement your vision. Please go to [Madisonheights.org/masterplan](http://Madisonheights.org/masterplan) to take the online survey. You can also still vote on the library card design contest, voting ends tomorrow.

Councilman Fleming noted that on the Parks and Recreation Master Plan survey, you can add additional comments on things you may not have seen on the survey. He stated that the city is going to have an input session on disability needs for the Parks and Recreation Master Plan as well, and more details will be forthcoming. July 18<sup>th</sup> is the Beautification Award deadline, so nominate your neighbors who have been working hard to make their residences beautiful.

Councilman Soltis had no comments this evening.

Mayor Grafstein stated that the Festival in the Park was great with huge attendance. Great job by the city's DPS department. She spoke regarding the discussion this evening on the changes to appointment process and added that Council continually makes decisions to help keep us safe, from public safety to litigation. The council needs to look at hypotheticals to attempt to keep things running smoothly and this was an example of this. She is also super excited about the Tree Grant as well, and she appreciates Council Rohrbach's work on that front. The next City Council meeting is July 28, 2025.

## **ADJOURNMENT**

Having no further business, Mayor Grafstein adjourned the meeting at 8:54 p.m.



## AGENDA ITEM SUMMARY FORM

**MEETING DATE:** 7/28/25

**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. This 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.

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

**DATE:** July 14, 2025  
**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.

This annual accelerated foreclosure process can only be initiated if the local governing body adopts a resolution by October 1, 2025 and notifies the County Treasurer's Office of the property in question before June 1, 2026. 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 28, 2025.

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



## AGENDA ITEM SUMMARY FORM

**MEETING DATE:** 7/28/25

**PREPARED BY:** Giles Tucker - CED Director

**AGENDA ITEM CONTENT:** 241 E 11 Mile Rd Encroachment Agreement

**AGENDA ITEM SECTION:** Reports

**BUDGETED AMOUNT:**

**FUNDS REQUESTED:**

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

**EXECUTIVE SUMMARY:**

This proposed encroachment between the City of Madison Heights and the current property owner of 241 E 11 Mile Rd has been proposed to help mitigate the impact on the private property owners' parking lot circulation, and the number of parking spaces for their private parking lot. It allows parked vehicles to encroach on city ROW along 11 Mile Rd by 5.5ft. This arrangement both provides an adequate drive aisle for parking circulation on the private lot, and still allows the inclusion of the 10ft multi-use path and on street parking as a part of the 11 Mile Streetscape project.

**RECOMMENDATION:**

Staff recommend that City Council approve this agreement and authorize the City Manager and City Clerk to sign the proposed Encroachment Agreement pending final legal approval. If approved, this agreement will be recorded at the Oakland County Register of Deeds.

**Downtown Development Authority of City of Madison Heights****Memorandum**

**Date:** July 15, 2025  
**To:** Melissa Marsh, City Manager  
**From:** Giles Tucker, Community Development Director  
**Subject:** **241 E. 11 Mile Rd Encroachment Agreement**

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This proposed encroachment between the City of Madison Heights and the current property owner of 241 E 11 Mile Rd has been proposed to help mitigate the impact on the private property owners' parking lot circulation, and the number of parking spaces for their private parking lot. The Construction plans for the 11 Mile Streetscape project proposed the closure of the 11 Mile approach into this address to make way for the 10ft wide pedestrian path, landscaping and on-street parking. However, doing so would change the required drive aisle through the parking lot for a one-way to a two-way drive aisle, and therefore increase the width of the drive aisle needed to access the parking spaces in front of the building and to allow for vehicles to back out of spaces and exit the lot.

City Engineers Nowak-Fraus have proposed that the private parking lot be allowed to encroach into the City Right of Way (ROW) 5.5 ft as depicted within Exhibit B of the included Agreement. This agreement ensures access to private parking spaces is important to the viability of the business and allows the 11 Mile Streetscape project the ability to proceed with on-street parking, the 10ft multi-use path while still maintaining a small landscape buffer.

**Staff Recommended Action:**

Staff recommend that City Council approve this agreement and authorize the City Manager and City Clerk to sign the proposed Encroachment Agreement pending final legal approval. If approved this agreement will be recorded at the Oakland County Register of Deeds.

**ENCROACHMENT AGREEMENT**

**THIS ENCROACHMENT AGREEMENT OF THE CITY RIGHT-OF-WAY** (the "Agreement") is made and entered into this \_\_\_\_\_ day of \_\_\_\_\_, 2025, by and between the Grantor, City of Madison Heights, a Michigan municipal corporation, whose address is 300 West Thirteen Mile Road, Madison Heights, Michigan 48071 (hereafter the "City" and/or the "Grantor") and CGB Holdings LLC, a Michigan limited liability company, whose address is 241 E. 11 Mile Rd, Madison Heights, MI 48071 (hereinafter the "Company" and/or the "Grantee").

**RECITALS:**

**WHEREAS**, the City is a Michigan municipal corporation, duly and legally organized under and existing as a Home-Rule City, under the provisions of 1909 P.A. 279, being specifically Michigan Compiled Laws (MCL) 117.1 et seq., with its principal offices located at 300 West Thirteen Mile Road, Madison Heights, Michigan 48071; and,

**WHEREAS**, the City owns the Right-of-Way, between Groveland Street and Townley Street, with the legal description of the Right-of-Way being attached hereto and made a part hereof as **Exhibit A**; and,

**WHEREAS**, the Company is a Michigan limited liability company, duly and legally organized under and existing by virtue of the laws of the State of Michigan, with its principal offices located at 241 E. 11 Mile Rd, Madison Heights, MI 48071; and,

**WHEREAS**, the Company is the owner of the property located at 241 E. 11 Mile Road, Madison Heights, Michigan 48071 (hereinafter referred to as the "Company's property" or "benefited property"), with the legal description of the Company's benefitted property being attached hereto and made a part hereof as **Exhibit B**; and,

**WHEREAS**, the City, by and through the Madison Heights Downtown Development Authority, has developed and approved the "2025 Downtown Streetscape E. 11 Mile Road Project" (the "Project") to revitalize the 11 Mile Road Corridor from John R to Lorenz Street, in the City of Madison Heights. The purpose of the Project is to enhance the business environment, by promoting on-street parking, upgrading sidewalks and pedestrian walkways, advancing a better use of public spaces, and encouraging private investments that contribute to a more vibrant Downtown District, all of which will create an appealing and attractive environment for all; and,

**WHEREAS**, the Project will be implemented on 11 Mile Road, between John R Rd and Lorenz Street, and will include reduction of the roadway from four to three lanes, the addition on-street parking, improved sidewalks and public pathways, installation of landscaping, and pedestrian amenities, including benches, bicycle racks, and trash bins, all of which is intended to create a more walkable, safe, and attractive environment for neighborhood businesses, residents, organizations, and visitors; and, .

**WHEREAS**, to provide on-street parking and to properly complete the Project, the City is required to close the driveway approach on 11 Mile Road to the Company's parking lot within the City's Right-of-Way (as described as **Exhibit A**) and provide an alternative means of ingress and egress to and from the Company's parking lot; and,

**NOW WHEREFORE**, based upon the foregoing statements, which the parties accept and acknowledge as true and accurate, and in consideration of the additional promises and mutual consideration herein received and contained, the parties agree as follows:

1. That the City shall close off the driveway approach on 11 Mile Road to the Company's parking lot and provide on-street parking directly in front of the Company's property, as depicted on **Exhibit D** attached hereto and made a part hereof. This on-street parking shall be available to members of the public, including the Company's customers
  
2. That the City recognizes that closing the driveway approach on 11 Mile Road, in order to provide for on-street parking on 11 Mile Road, may impact the circulation of motor vehicles in the Company's parking lot and reduce the number of available parking spaces in the Company's parking lot. To alleviate these issues, the City hereby grants permission to the Company to encroach upon a portion of the City's Right-of-Way for the purpose of providing adequate parking spaces and an adequate drive aisle in the Company's parking lot. The encroachment area is described in Exhibit C and the Engineer's plans and specifications (the "plans") are described in Exhibit D, both Exhibits being attached hereto and made a part hereof. Further, the company shall maintain its two (2) existing driveway approaches on Townley, which are not depicted in Exhibit D.
  
3. That the signatories represent and warrant that they, by execution of this Encroachment Agreement, have authority to act on behalf of the City, as Grantor, and the Company, as Grantee, respectively. Further, this Encroachment Agreement may be signed in one or more counterparts, all of which, when taken together, shall be deemed to be one full and complete document. Copies of signatures to this Agreement shall be deemed to be originals and may be relied on to the same extent as the originals.

**[THE REST OF THIS PAGE IS BLANK]  
[SIGNATURE PAGES APPEAR ON NEXT PAGE]**

**IN WITNESS WHEREOF**, the parties have executed this Agreement as of the day and year written above

**"GRANTOR"**  
**CITY OF MADISON HEIGHTS,**  
**a Michigan municipal corporation**

**"GRANTEE"**  
**CGB HOLDINGS LLC**  
**a Michigan limited liability company**

\_\_\_\_\_  
**Melissa R. Marsh, City Manager**

\_\_\_\_\_  
**John Glon, Managing Partner**

\_\_\_\_\_  
**Cheryl E. Rottman, City Clerk**

STATE OF MICHIGAN )  
 )ss.  
COUNTY OF OAKLAND)

The foregoing instrument was acknowledged before me this\_ day of \_\_\_\_\_, 2025, by Melissa R. Marsh and Cheryl E. Rottman, City Manager and City Clerk of the City of Madison Heights to me known to be the persons described in and who executed the foregoing instrument and acknowledged that they have executed the same as their free act and deed on behalf of the City of Madison Heights.

\_\_\_\_\_  
Notary Public County  
Acting in County, MI  
My Comm. expires:

STATE OF MICIDGAN )  
 ) ss  
COUNTY OF OAKLAND))

The foregoing instrument was acknowledged before me this\_ day of \_\_\_\_\_, 2025, by John Glon, Managing Partner of CGB Holdings LLC, a Michigan limited liability company (hereinafter the "Company"), to me known to be the person described in and who executed the foregoing instrument and acknowledged that he has executed the same as his free act and deed on behalf of the Company

\_\_\_\_\_  
Notary Public County  
Acting in County, MI  
My Comm. expires:

DRAFTED BY AND WHEN RECORDED  
RETURN TO:  
Jeffrey A. Sherman, Esq.  
30700 Telegraph Road, #3420  
Bingham Farms, MI 48025  
(248) 540-3366 Telephone

# Exhibit A: Right-of-Way

## LEGAL DESCRIPTION

PART OF 11 MILE ROAD RIGHT-OF-WAY (53 FEET WIDE - 1/2 WIDTH) LYING BETWEEN GROVELAND STREET (50 FEET WIDE) AND TOWNLEY AVENUE (50 FEET WIDE) OF "TUXEDO PARK SUBDIVISION" BEING A PART OF THE SOUTHWEST 1/4 OF SECTION 13, TOWN 1 NORTH, RANGE 13 EAST, CITY OF MADISON HEIGHTS, OAKLAND COUNTY MICHIGAN, AS RECORDED IN LIBER 32 OF PLATS, ON PAGE 37, OAKLAND COUNTY RECORDS.



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

SCALE	DATE	DRAWN	JOB NO.	SHEET
N.T.S.	07-15-2025	K.N.	N753	1 of 1

# Exhibit B: Benefited Property

## LEGAL DESCRIPTION (25-13-357-027)

LOTS 243 THRU 249, INCLUSIVE, ALSO 1/2 VACATED ALLEY ADJACENT THEREOF "TUXEDO PARK SUBDIVISION" BEING A PART OF THE SOUTHWEST 1/4 OF SECTION 13, TOWN 1 NORTH, RANGE 13 EAST, CITY OF MADISON HEIGHTS, OAKLAND COUNTY MICHIGAN, AS RECORDED IN LIBER 32 OF PLATS, ON PAGE 37, OAKLAND COUNTY RECORDS.



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

SCALE	DATE	DRAWN	JOB NO.	SHEET
N.T.S.	07-15-2025	K.N.	N753	1 of 1

# Exhibit C: Encroachment Area

## LEGAL DESCRIPTION (ENCROACHMENT AREA)

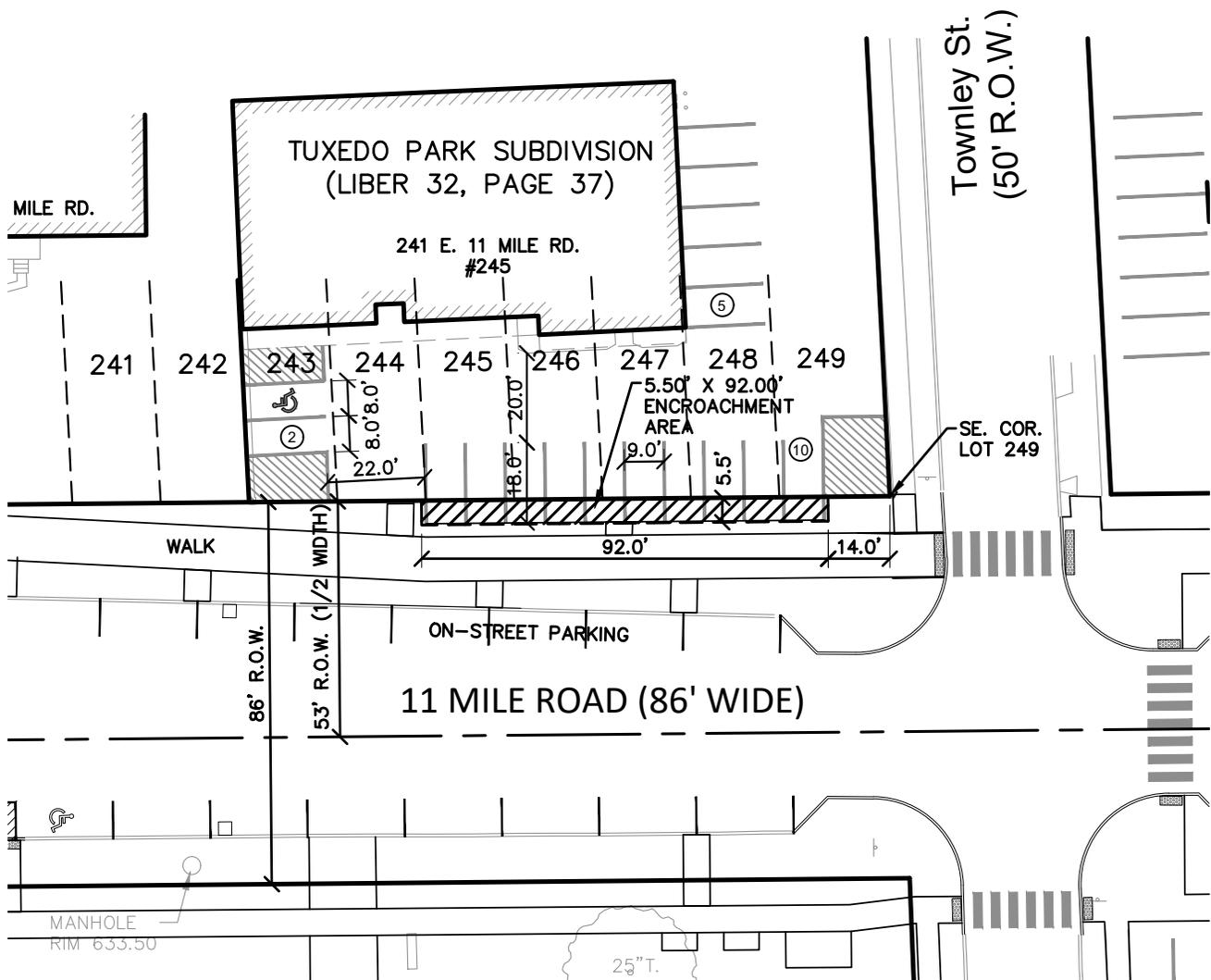
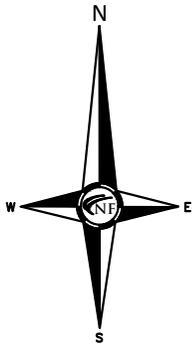
A 5.50 FEET BY 92.00 FEET WIDE ENCROACHMENT AREA BEING A PART OF 11 MILE ROAD (53 FEET WIDE – 1/2 WIDTH) LYING BETWEEN GROVELAND STREET (50 FEET WIDE) AND TOWNLEY AVENUE (50 FEET WIDE) ADJACENT TO LOTS 244 THRU 249, INCLUSIVE, OF "TUXEDO PARK SUBDIVISION" BEING A PART OF THE SOUTHWEST 1/4 OF SECTION 13, TOWN 1 NORTH, RANGE 13 EAST, CITY OF MADISON HEIGHTS, OAKLAND COUNTY MICHIGAN, AS RECORDED IN LIBER 32 OF PLATS, ON PAGE 37, OAKLAND COUNTY RECORDS BEING DESCRIBED AS FOLLOWS: BEGINNING ON THE NORTH LINE OF SAID 11 MILE ROAD, 14.00 FEET WEST OF THE SOUTHEAST CORNER OF SAID LOT 249; THENCE SOUTH, AT RIGHT ANGLES, 5.50 FEET; THENCE WEST, AT RIGHT ANGLES, 92.00 FEET PARALLEL TO THE NORTH LINE OF SAID 11 MILE ROAD; THENCE NORTH, AT RIGHT ANGLES, 5.50 FEET TO A POINT ON THE NORTH LINE OF SAID 11 MILE ROAD; THENCE EAST, AT RIGHT ANGLES, ALONG THE NORTH LINE OF SAID 11 MILE ROAD, 92.00 FEET TO THE POINT OF BEGINNING.



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

SCALE	DATE	DRAWN	JOB NO.	SHEET
N.T.S.	07-15-2025	K.N.	N753	1 of 1

# Exhibit D



**NF ENGINEERS**  
NOWAK & FRAUS ENGINEERS  
46777 WOODWARD AVE.  
PONTIAC, MI 48342-5032  
TEL. (248) 332-7931  
FAX. (248) 332-8257

SCALE	DATE	DRAWN	JOB NO.	SHEET
1" = 40'	07-15-2025	K.N.	N753	1 of 1



## AGENDA ITEM SUMMARY FORM

**MEETING DATE:** 7/28/25

**PREPARED BY:** Giles Tucker - CED Director

**AGENDA ITEM CONTENT:** 515 E 11 Mile Rd Delton Approach Easement Agreement

**AGENDA ITEM SECTION:** Reports

**BUDGETED AMOUNT:**

**FUNDS REQUESTED:**

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

**EXECUTIVE SUMMARY:**

This proposed easement between the City of Madison Heights and the property owner of 515 E 11 Mile Rd has been proposed to help mitigate the impact on the private property owners' parking spaces and circulation created by the 11 Mile Streetscape project. It allows the private property owner access to their parking lot through a city alleyway, opposed to through a newly created approach on Delton that would eliminate two parking spaces.

**RECOMMENDATION:**

Staff recommend that City Council approve this agreement and authorize the City Manager and City Clerk to sign the proposed Easement Agreement pending final legal approval. If approved this agreement will be recorded at the Oakland County Register of Deeds.

**Downtown Development Authority of City of Madison Heights**

**Memorandum**

**Date:** July 11, 2025  
**To:** Melissa Marsh, City Manager  
**From:** Giles Tucker, Community Development Director  
**Subject:** **515 E. 11 Mile Delton Approach Easement Agreement**

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This proposed easement between the City of Madison Heights and the property owner of 515 E 11 Mile Rd has been proposed to help mitigate the impact on the private property owners' parking spaces and circulation created by the 11 Mile Streetscape project. To include on-street parking, the project must close the 11 Mile drive approach to the parking lot for 515 E 11 Mile Rd. The project originally proposed that a new approach be added on Delton and doing so would eliminate two (2) parking spaces.

Instead of this approach on Delton, the Property owner has asked for this easement to secure access to their parking lot through the city alleyway. At its June 19<sup>th</sup> DDA meeting, the DDA agreed to the terms set forth within the agreement including that in the event the property owner wanted the approach within the two (2) years of signing the easement, the DDA would bear the costs of installing an approach on Delton. No costs for this arrangement are expected to impact the City's General Fund.

**Staff Recommended Action:**

Staff recommend that City Council approve this agreement and authorize the City Manager and City Clerk to sign the proposed Easement Agreement pending final legal approval. If approved this agreement will be recorded at the Oakland County Register of Deeds.

## **EASEMENT**

**THIS EASEMENT FOR INGRESS AND EGRESS** (the “Agreement”) is made and entered into this \_\_\_ day of \_\_\_\_\_, 2025, by and between the Grantor, City of Madison Heights, a Michigan municipal corporation, by and through the Madison Heights Downtown Development Authority (the “DDA”), whose collective address is 300 West Thirteen Mile Road, Madison Heights, Michigan 48071 (hereafter the “City” and/or the “Grantor”) and Madison Heights East 11 Mile LLC, a Michigan limited liability company, whose address is 44004 Woodward Avenue, Suite 300, Bloomfield Hills, Michigan 48302 (hereinafter the “Company” and/or the “Grantee”).

### **RECITALS:**

**WHEREAS**, the City is a Michigan municipal corporation, duly and legally organized under and existing as a Home-Rule City, under the provisions of 1909 P.A. 279, being specifically Michigan Compiled Laws (MCL) 117.1 et seq., with its principal offices located at 300 West Thirteen Mile Road, Madison Heights, Michigan 48071; and,

**WHEREAS**, the City is the owner of the entire public alleyway between Delton and Osmun Street in the City of Madison Heights (the “public alleyway” or the “burdened property”), with the legal description of the public alleyway being attached hereto and made a part hereof as Exhibit A; and,

**WHEREAS**, the Company is a Michigan limited liability company, duly and legally organized under and existing by virtue of the laws of the State of Michigan, with its principal offices located at 44004 Woodward Avenue, Suite 300, Bloomfield Hills, Michigan 48302; and,

**WHEREAS**, the Company is the owner of the property located at 515 11 Mile Road, Madison Heights, Michigan 48071 (hereinafter referred to as the “Company’s property” or “benefited property”), with the legal description of the Company’s property being attached hereto as Exhibit B; and,

**WHEREAS**, the City, by and through the DDA, has developed and approved the “2025 Downtown Streetscape E. 11 Mile Road Project” (the “Project”) to revitalize the 11 Mile Road Corridor from John R to Lorenz Street, in the City of Madison Heights. The purpose of the Project is to enhance the business environment, by promoting on-street parking, upgrading sidewalks and pedestrian walkways, advancing a better use

of public spaces, and encouraging private investments that contributes to a more vibrant Downtown District, all of which will create an appealing and attractive environment for all; and,

**WHEREAS**, the Project will be implemented on 11 Mile Road, between John R and Lorenz Street, and will include reduction of the roadway from four to three lanes, the addition on-street parking, improved sidewalks and public pathways, installation of landscaping, and pedestrian amenities, including benches, bicycle racks, and trash bins, all of which is intended to create a more walkable, safe, and attractive environment for neighborhood businesses, residents, organizations, and visitors; and, .

**WHEREAS**, to provide on-street parking and to properly complete the Project, the City is required to close the driveway approach on 11 Mile Road to the Company's parking lot and provide an alternative means of ingress and egress to and from the Company's parking lot; and,

**NOW WHEREFORE**, based upon the foregoing statements, which the parties accept and acknowledge as true and accurate, and in consideration of the additional promises and mutual covenants herein received and contained, the parties agree as follows:

1. That the City shall close off the driveway approach on 11 Mile Road to the Company's parking lot and provide on-street parking directly in front of the Company's property, as more particularly depicted on Exhibit E attached hereto. This on-street parking shall be available to members of the public, including customers of the Company.
2. That, in lieu of the driveway approach on 11 Mile Road to the Company's property, the City hereby grants, gives, and conveys a twenty (20') foot wide easement to the Company for ingress and egress on a portion of the public alleyway between Delton and Osmun Street in the City of Madison Heights, with the legal description of the easement being attached hereto and made a part hereof as Exhibit C and the Engineer's plans and specifications being attached hereto and made a part hereof as Exhibit D.
3. That the Company accepts the easement for the purposes described herein, which acceptance is evidenced by execution of the easement by each party and its recording at the Oakland County Register of Deeds. Since most of the easement use will be the Company's customers, employees and invitees, the Company shall promptly maintain, repair and restore the easement area if damaged or disturbed by reason of the exercise of any of the foregoing rights or powers, to its original condition in a good and workmanlike manner, at its sole cost and expense. The maintenance obligation includes snow removal and salting in the easement area only. Further, the Company releases, defends, indemnifies and hold the City harmless, including its city council, officers, administrators, employees, attorneys, departments, boards and commissions, consultants, contractors, affiliates, insurers, agents, servants, successors, assigns, or equivalent, or anyone claiming by or through them, from any and all actions, causes of action, and claims of any nature whatsoever, which were, are, or may, in the future, be cognizable against the City in regard to the Company's use of the easement, including its customers, employees, and invitees, and its maintenance and repair of the same, if necessary.
4. That the Company shall have non-exclusive use of the easement for the purposes stated herein; provided, however, since the alleyway must remain open to Police, Fire, EMS and Utility companies, the easement cannot be blocked or barricaded in any way and the utilities (on, in, under or above) may not be impaired or hindered in any way. Further, nothing shall impede or prohibit the Company's employees, customers, invitees, or vendors from entering on the Osmun side of the alleyway to get to the Company's parking lot; or the employees, customers, invitees, or vendors of the neighboring

business from entering on either side of the alleyway to get to their respective destination. Nonetheless, the City shall construct a sign, at its sole cost and expense, directing the Company's employees, customers, invitees, and vendors to the Company's parking lot.

5. That, if the Company determines, in its sole discretion, that the easement is adversely affecting its business operations and/or customer convenience, the Company may request, in writing, that the City vacate the easement and build a driveway approach into the Company's parking lot from Delton Street, at the sole cost and expense of the City, by and through the DDA. In such a case, the easement shall be vacated by a written agreement signed by both parties and recorded at the Oakland Country Register of Deeds. Notwithstanding the foregoing, the parties acknowledge that, to give the easement a fair chance to work, said request to build a driveway approach from Delton shall not be made for at least one (1) year from the date the easement has become operational and in use and not later than years (2) years from said date. Notwithstanding the two (2) year limit set forth in the previous sentence, if Company ever elects to redevelop the Company's property, as a result of casualty or otherwise, and the Company and City, in their mutual reasonable judgment determine that the Company's property, as redeveloped, would function better with a driveway approach into the Company's parking lot from Delton Street then the City would not object to the installation of such driveway approach with the exact location of said approach on Delton Street subject to a Company initiated site plan review process for such improvements, subject to all access management standards contained within the Zoning Ordinance; the costs for such improvements, including all application and review fees, shall be paid by the Company. If approved by the City, the easement shall be vacated in the manner described above. The Company acknowledges that it currently has eleven (11) parking spaces and one (1) handicap space in its parking lot. The Company further acknowledges that a driveway approach from Delton shall result in the loss of two (2) parking spaces. Even so, for purposes of complying with the City's parking ordinances, the City will give the Company credit for the two missing parking spaces.

6. That the signatories represent and warrant that they, by execution of this Easement, have authority to act on behalf of the City, by and through the DDA, as Grantor, and the Company, as Grantee, respectively. Further, this Easement may be signed in one or more counterparts, all of which, when taken together, shall be deemed to be one full and complete document. Copies of signatures to this Agreement shall be deemed to be originals and may be relied on to the same extent as the originals.

**IN WITNESS WHEREOF**, the parties have executed this Agreement as of the day and year written above

**"GRANTOR"**  
**CITY OF MADISON HEIGHTS,**  
**a Michigan municipal corporation**

**"GRANTEE"**  
**MADISON HEIGHTS EAST 11 MILE**  
**ROAD, LLC, a Michigan limited liability**  
**company**

\_\_\_\_\_  
By: Melissa R. Marsh, City Manager

\_\_\_\_\_  
By: Charles Laurencelle, Managing Member

\_\_\_\_\_  
By: Cheryl E. Rottman, City Clerk

**MADISON HEIGHTS DOWNTOWN**  
**DEVELOPMENT AUTHORITY**

\_\_\_\_\_  
By: Yousef Jarbo, Chairman

**STATE OF MICHIGAN )**  
**) SS.**  
**COUNTY OF OAKLAND)**

The foregoing instrument was acknowledged before me this \_\_\_ day of \_\_\_\_\_, 2025, by Melissa R. Marsh and Cheryl E. Rottman, City Manager and City Clerk of the City of Madison Heights, and Yousef Jarbo, Chairman of the Madison Heights Downtown Development Authority (“DDA”) to me known to be the persons described in and who executed the foregoing instrument and acknowledged that they have executed the same as their free act and deed on behalf of the City of Madison Heights, by and through the DDA.

\_\_\_\_\_  
Notary Public  
Acting in \_\_\_\_\_ County  
\_\_\_\_\_ County, MI  
My Comm. expires: \_\_\_\_\_

**STATE OF MICHIGAN )**  
**) SS.**  
**COUNTY OF OAKLAND)**

The foregoing instrument was acknowledged before me this \_\_\_ day of \_\_\_\_\_, 2025, by Charles Laurencelle, managing member of Madison Heights East 11 Mile LLC, a Michigan limited liability company (hereinafter the “Company”), to me known to be the person described in and who executed the foregoing instrument and acknowledged that he has executed the same as his free act and deed on behalf of the Company

\_\_\_\_\_  
Notary Public  
Acting in \_\_\_\_\_ County  
\_\_\_\_\_ County, MI  
My Comm. expires: \_\_\_\_\_

DRAFTED BY AND WHEN RECORDED  
RETURN TO:  
Jeffrey A. Sherman, Esq.  
30700 Telegraph Road, #3420  
Bingham Farms, MI 48025  
(248) 540-3366 Telephone  
(248) 540-5959 Fax

**EXHIBIT A:****LEGAL DESCRIPTION OF ENTIRE PUBLIC ALLEYWAY (BURDENED PROPERTY)**

“ALL OF AN EAST-WEST 20 FOOT WIDE PUBLIC ALLEY LYING BETWEEN DELTON STREET (50 FEET WIDE) AND OSMUN STREET (50 FEET WIDE), NORTH OF 11 MILE ROAD OF “TUXEDO PARK SUBDIVISION” OF PART OF THE SOUTHWEST 1/4 OF SECTION 13, ROYAL OAK TOWNSHIP (NOW CITY OF ROYAL OAK), OAKLAND COUNTY, MICHIGAN, AS RECORDED IN LIBER 32 OF PLATS, ON PAGE 37, OAKLAND COUNTY RECORDS BEING DESCRIBED AS A 20 FOOT ALLEY LYING BETWEEN THE EAST LINE OF DELTON STREET AND THE WEST LINE OF OSMUN STREET, LYING ADJACENT TO LOTS 485 THROUGH 498 OF SAID “TUXEDO PARK SUBDIVISION.”

**EXHIBIT B:****LEGAL DESCRIPTION OF COMPANY'S PROPERTY (BENEFITED PROPERTY)**

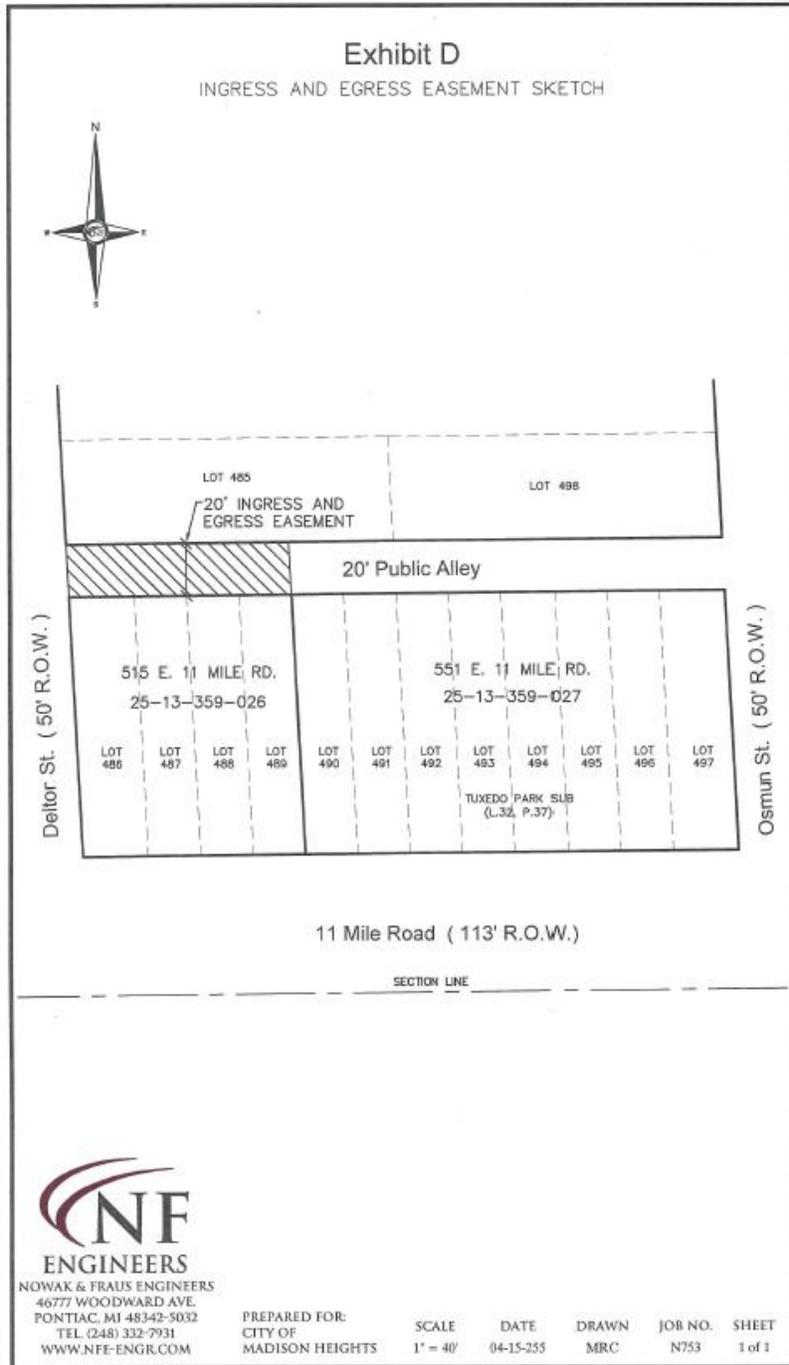
**LOTS 486 THROUGH 489, INCLUSIVE, OF "TUXEDO PARK SUBDIVISION" OF PART OF THE SOUTHWEST 1/4 OF SECTION 13, ROYAL OAK TOWNSHIP (NOW CITY OF ROYAL OAK), OAKLAND COUNTY, MICHIGAN, AS RECORDED IN LIBER 32 OF PLATS, ON PAGE 37, OAKLAND COUNTY RECORDS, COMMONLY KNOWN AS 515 E. 11 MILE ROAD, MADISON HEIGHTS, MICHIGAN 48071.**

**TAX ID: 25-13-359-026**

**EXHIBIT C:****LEGAL DESCRIPTION OF EASEMENT**

A 20 FOOT WIDE EASEMENT BEING A PART OF AN EAST-WEST 20 FOOT WIDE PUBLIC ALLEY LYING BETWEEN DELTON STREET (50 FEET WIDE) AND OSMUN STREET (50 FEET WIDE), NORTH OF 11 MILE ROAD OF "TUXEDO PARK SUBDIVISION" OF PART OF THE SOUTHWEST 1/4 OF SECTION 13, ROYAL OAK TOWNSHIP (NOW CITY OF ROYAL OAK), OAKLAND COUNTY, MICHIGAN, AS RECORDED IN LIBER 32 OF PLATS, ON PAGE 37, OAKLAND COUNTY RECORDS BEING DESCRIBED AS A 20 FOOT EASEMENT LYING BETWEEN THE EAST LINE OF DELTON STREET AND THE EAST LINE OF LOT 489, AS EXTENDED, LYING ADJACENT TO LOTS 485 THROUGH 489 OF SAID "TUXEDO PARK SUBDIVISION."

**EXHIBIT D:**  
**ENGINEER'S PLANS AND SPECIFICATIONS**







## AGENDA ITEM SUMMARY FORM

**MEETING DATE:** 7/28

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

**AGENDA ITEM CONTENT:** Director of Public Services - Scheduled Replacement of Fire Utility Truck

**AGENDA ITEM SECTION:** Bid Awards/Purchases

**BUDGETED AMOUNT:** \$42,000

**FUNDS REQUESTED:** \$41,000

**FUND:** 101-336-985-0000

**EXECUTIVE SUMMARY:**

The approved FY 2025-26 Budget includes funding for the scheduled replacement of Vehicle 704, a utility truck for Fire Station 2. As you may recall, Vehicle 704 was replaced last year due to a significantly worse condition analysis, resulting in Vehicle 700 being replaced this year. The vehicle in question is a 2016 Ford Interceptor Utility formerly used by the Fire Marshal. With 125,000 miles, it has a condition analysis score of 30, warranting priority replacement.

**RECOMMENDATION:**

Staff recommends that Council approve the purchase of one 2026 Ram 1500 as quoted from LaFontaine Chrysler Dodge Jeep Ram, of Lansing, through the MiDeal Cooperative Vehicle Purchasing Program, in a total amount of \$41,000. The additional funding is requested to cover the delivery mileage as provided for in the quote. Funding is budgeted and available.

**MEMORANDUM**

**DATE:** July 22, 2025  
**TO:** Melissa R. Marsh, City Manager  
**FROM:** Sean P. Ballantine, Director of Public Services  
**SUBJECT:** Scheduled Replacement of Fire Department Utility Truck

---

The approved FY 2025-26 Budget includes funding for the scheduled replacement of Vehicle 704, a utility truck for Fire Station 2. As you may recall, Vehicle 704 was replaced last year due to a significantly worse condition analysis, resulting in Vehicle 700 being replaced this year. The vehicle in question is a 2016 Ford Interceptor Utility formerly used by the Fire Marshal. With 125,000 miles, it has a condition analysis score of 30, warranting priority replacement.

Motor Pool and the Fire Department have worked together to identify a vehicle that is not only available for purchase, but would best fit the needs of the department. Working with our normal slate of dealerships that are available on cooperative bid, Staff has determined that the ideal fit is a 2026 Ram 1500 crew cab. The utility vehicle is used for a myriad of day-to-day activities to support fire operations, requiring it to routinely haul cargo and people.

Staff recommends that Council approve the purchase of one 2026 Ram 1500 as quoted from LaFontaine Chrysler Dodge Jeep Ram, of Lansing, through the MiDeal Cooperative Vehicle Purchasing Program, in a total amount of \$41,000. The additional funding is requested to cover the delivery mileage as provided for in the quote. Funding is budgeted and available.

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

**City of Madison Heights  
Vehicle Replacement Guidelines & Evaluation Worksheet**

**Disposition:** \_\_\_\_\_

Item 7.

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

Date of Evaluation: 7/22/2025 Vehicle Type: A  
 Vehicle #: 700 Type A = Sedans / Light Trucks ≤ 1 Ton  
 Department / Division: Fire Type B = Medium / Heavy Duty > 1 Ton  
 Year / Make / Model: 2016 Ford Interceptor Utility (Marshal) Type C = Off Road Equipment

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

In Service Date: 1/1/2016 Age in Months: 114  
 Age in Years (rounded): 10 **Score:** 10

**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: 125,686  
 Actual Hours: (N/A) **Score:** 13

**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 site 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:** 2

**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 : \$7,947 as of 7/22/2025  
 Estimated Purchase Price - New Veh. : \$42,000 as of 7/22/2025  
 Est. Resale Value of Car to be sold : \$6,500 as of 7/22/2025  
 Estimated Net Replacement Cost : \$35,500 as of 7/22/2025  
 Maintenance Cost as % of Replacement Cost: 22.4% as of 7/22/2025

**Score:** 2

**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		Number of Notable Accidents: <u>0</u> (list number)	
Points	Description	Paint / Body:	comment
1	Good condition, fully functional.	<u>Fair</u>	comment
2	Fair body, functional.	<u>Fair</u>	comment
3	Minor body damage, weak operating system.	<u>Fair</u>	comment
4	Severe damage, component not functional.	<u>2</u>	(pick number from table)
5	Extreme damage, inoperable.		

**Score:** 2

**Overall:** **Total Score:** 30

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: 7/22/2025







## AGENDA ITEM SUMMARY FORM

**MEETING DATE:** 7/28/25

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

**AGENDA ITEM CONTENT:** Director of Public Services - Purchase of two Police Patrol Cars

**AGENDA ITEM SECTION:** Bid Awards/Purchases

**BUDGETED AMOUNT:** \$96,000

**FUNDS REQUESTED:** \$93,000

**FUND:** 101-301-985-0000

**EXECUTIVE SUMMARY:**

The approved FY 2025-26 Budget includes funding for the scheduled replacement of two police patrol vehicles from the general fund. Motor Pool has been working with the police department to determine the best options for replacement. While the department is in the process of making the transition to the Chevrolet Tahoe as a frontline patrol vehicle, the consensus is to take advantage of the availability of two Durango Pursuit vehicles.

**RECOMMENDATION:**

Staff recommends that Council approve the purchase of two 2026 Durango Pursuit AWD Patrol Vehicles as quoted from LaFontaine Chrysler Dodge Jeep Ram, of Lansing, through the MiDeal Cooperative Vehicle Purchasing Program in the total amount of \$93,000. This represents a purchase price of \$46,500 each, allowing for delivery charges as provided for in the quote. Funding is budgeted and available.

**MEMORANDUM**

**DATE:** July 22, 2025  
**TO:** Melissa R. Marsh, City Manager  
**FROM:** Sean P. Ballantine, Director of Public Services  
**SUBJECT:** Purchase of 2 Police Patrol Vehicles

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The approved FY 2025-26 Budget includes funding for the scheduled replacement of two police patrol vehicles from the general fund. Motor Pool has been working with the police department to determine the best options for replacement. While the department is in the process of making the transition to the Chevrolet Tahoe as a frontline patrol vehicle, the consensus is to take advantage of the availability of two Durango Pursuit vehicles.

This approach allows the ongoing reuse of multiple upfitted components from the existing fleet of Durangoes before an inevitable model year redesign in the future.

Staff recommends that Council approve the purchase of two 2026 Durango Pursuit AWD Patrol Vehicles as quoted from LaFontaine Chrysler Dodge Jeep Ram, of Lansing, through the MiDeal Cooperative Vehicle Purchasing Program in the total amount of \$93,000. This represents a purchase price of \$46,500 each, allowing for delivery charges as provided for in the quote. Funding is budgeted and available.

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

**LaFontaine CDJR-Lansing**  
**6131 S. Pennsylvania Ave.**  
**Lansing, MI 48911**  
**517-394-1022-Direct**  
**517-394-1205-Fax**  
[mdeacon@lafontaine.com](mailto:mdeacon@lafontaine.com)

Name: Madison Heights  
 Address: \_\_\_\_\_  
 City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_  
 Contact: Dan Yamarino  
 Phone: 248.589.2294 x2795  
 Email: [danyamarino@madison-heights.org](mailto:danyamarino@madison-heights.org)

Date: 7/16/2025  
 Quote 071625

State of Michigan Contract 240000001206		
WDEE75	2026 Dodge Durango Pursuit AWD	\$40,988.00
22Z	5.7L V8	\$3,119.00
PXJ	DB Black	
A7X9	Black Cloth Bucket Seats w/Rear Vinyl	\$160.00
LNF	Black Left LED Spot Lamp	\$660.00
LNA	Black Right LED Spot Lamp	\$660.00
CW6	Deactivate Rear Doors/Windows	\$90.00
GXF	Entire Fleet Alike Key (FREQ 1)	\$540.00
	Per contract delivery is \$2.00 a mile one way mileage.	
	By signing the purchase agreement you agree to purchase of the vehicle or vehicles X_____	
	<b>Total Cost:</b>	<b>\$46,217.00</b>

Signed Michelle Deacon

**Please note payment is due within 30 days of delivery. Any invoices paid after 30 days may be subject to a 1.5% late fee**





# AGENDA ITEM SUMMARY FORM

**MEETING DATE:** 7/14/25

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

**AGENDA ITEM CONTENT:** Resolution Amending Crime Commission; Amendment to Parks and Recreation Board Membership; Amendment to Compensation Commission - Creation, Appointment and Confirmation of Members

**AGENDA ITEM SECTION:** Ordinances

**BUDGETED AMOUNT:** 0

**FUNDS REQUESTED:** 0

**FUND:**

**EXECUTIVE SUMMARY:**

See attached memo

**RECOMMENDATION:**

See attached memo



# MEMO

## Office of the City Clerk

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To: City Council  
From: Cheryl Rottmann, Deputy City Manager/City Clerk  
CC: Melissa Marsh, City Manager  
Date: June 16, 2025  
RE: Amendment of Membership Appointment Process to Mayor Appointed Boards and Commissions

---

Councilman Fleming with the support of Mayor Grafstein have asked staff to revise the appointment process for those boards and commissions whose members are appointed by the mayor with the consent of Council and amend them to have membership appointed by the Council as a whole. The city currently has six (6) boards and commissions that are Mayor appointed with the consent of Council - Crime Commission, Parks and Recreation Advisory Board, Elected Officials Compensation Commission, the Downtown Development and Brownfield Redevelopment Authorities and the Planning Commission.

The Crime Commission was re-established in 2021 by resolution and the amended resolution is attached for Council's consideration. The Parks and Recreation Advisory Board and the Compensation Commission are both established by ordinance and will need to be amended through the ordinance process with a First and Second Reading prior to official adoption. The proposed ordinance amendments are also attached for Council's consideration. For simplicity, the amended resolution and the ordinance amendments are together on the agenda under Ordinances to not cause confusion by separating them on the agenda.

The Planning Commission is governed by the Michigan Planning Enabling Act 33 of 2008, and the Downtown Development and Brownfield Redevelopment Authorities are governed by Recodified Tax Financing Act 57 of 2018, both State laws that cannot be amended by local governments. Therefore, the committee membership appointment process must remain as they currently exist for these boards.

Should Council wish to amend the process for appointments to the Crime Commission, Parks and Recreation Advisory Board and the Compensation Commission (Elected Officials), each item will need to be considered separately, and the suggested motions are as follows:

### Crime Commission

Motion to approve the Resolution Amending the City Crime Commission as submitted.

### Parks and Recreation Advisory Board

Motion to adopt Ordinance No. 2203, Amendment to Parks and Recreation Board Membership, on First Reading and schedule a Second Reading on July 28, 2025.

### Compensation Commission (Elected Officials)

Motion to adopt Ordinance No. 2204, Amendment to Compensation Commission appointments and confirmation of members, on First Reading and schedule a Second Reading on July 28, 2025.

**Ordinance 2203 - Amendment to Parks and Recreation Advisory Board Membership, First Reading.**

Motion made by , Seconded by , to adopt Ordinance No. 2203, Amendment to Parks and Recreation Advisory Board Membership, on First Reading and schedule a Second Reading on July 28, 2025.

**ORDINANCE NO. 2203  
CITY OF MADISON HEIGHTS,  
OAKLAND COUNTY,  
MICHIGAN**

**AMENDMENT TO THE CODE OF ORDINANCES**

An Ordinance to amend Ordinance No. 571, being an Ordinance codifying and adopting a new Code of Ordinances for the City of Madison Heights by amending Chapter 19, Article III, Section 19-29 (a) of the Code of Ordinances, City of Madison Heights, Michigan, to establish a city parks and recreation advisory board in the City to study and recommend short and long-term improvements to the city's parks and recreation system.

**THE CITY OF MADISON HEIGHTS ORDAINS:**

**SECTION 1. Amendment.**

That Chapter 19, Article III, Section 19-29 (a) of the Code of Ordinances, City of Madison Heights, Michigan, are hereby amended to read as follows:

**ARTICLE III. – PARKS AND RECREATION ADVISORY BOARD**

Sec. 19-29. Membership.

- (a) The board shall be composed of nine (9) voting members, one (1) City Council representative, six (6) to be appointed by ~~the mayor with the approval of~~ the city council, two (2) school board representatives; three (3) student representatives, four (4) ex officio members, and three (3) alternates shall be non-voting, as follows:

**SECTION 2. Repealer.**

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

**SECTION 3. Severability.**

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

**SECTION 4. Savings.**

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

**SECTION 5. Effective Date.**

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

**SECTION 6. Inspection.**

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

## **ARTICLE VII. COMPENSATION COMMISSION<sup>1</sup>**

### **Sec. 2-93. Creation; appointment and confirmation of members.**

There is hereby created a commission to be known as the "compensation commission" to establish compensation for elected officials of the city. The commission shall consist of seven members who are registered electors of the city and shall be appointed by the mayor, subject to confirmation by a majority of the members elected and serving as the city council.

(Code 1958, § 2-211; Ord. No. 454, § 1, 4-24-72)

### **Sec. 2-94. Members' terms of office.**

The term of office of each of the members of the compensation commission shall be for seven years except that of the members first appointed, one each shall be appointed for terms of 1, 2, 3, 4, 5, 6 and 7 years. Members shall be appointed before October first of the year of appointment.

(Code 1958, § 2-212; Ord. No. 454, § 1, 4-24-72)

### **Sec. 2-95. Vacancies; eligibility.**

Vacancies on the compensation commission shall be filled for the remainder of the unexpired term. Any member or employee of the legislative, judicial or executive branch of the city or members of the immediate family of such member or employee shall be ineligible to be a member of the commission.

(Code 1958, § 2-213; Ord. No. 454, § 1, 4-24-72)

### **Sec. 2-96. Session days; quorum; action; compensation of members.**

The compensation commission shall meet for not more than 15 session days in every odd numbered year and shall make its determination within 45 calendar days of its first meeting. The majority of the members of the commission shall constitute a quorum for conducting the business of the commission. The commission shall take no action or make no determination without a concurrence of the majority of members appointed and serving on the commission. The commission shall elect a chairman from among its members. "Session day" means any calendar day which the commission meets and a quorum is present. The members of the commission shall receive no compensation but shall be entitled to their actual and necessary expenses incurred in the performance of their duties.

(Code 1958, § 2-215; Ord. No. 454, § 1, 4-24-72)

### **Sec. 2-97. Determination of salaries of elected officials.**

The compensation commission shall determine the salaries of elected officials in the city which determination shall be the salaries unless the mayor and council by resolution adopted by two-thirds of the members elected to and serving shall reject them. The determinations of the commission shall be effective 30 days following the filing with the city clerk of such determination unless rejected by the city council. In case of rejection the existing salary shall prevail. Any expense allowance or reimbursement paid to elected officials in addition to salary shall be for expenses, incurred in the course of city business and shall be accounted for to the city.

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<sup>1</sup>State law reference(s)—Authority to adopt ordinance similar to that from which this article is derived, in lieu of Charter provisions concerning salaries for elected officials, MSA 5.2084(3).

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(Code 1958, § 2-214; Ord. No. 454, § 1, 4-24-72)

**Secs. 2-98—2-108. Reserved.**

**Ordinance 2204 - Amendment to Compensation Commission - Appointment and Confirmation of Members, First Reading.**

Motion made by , Seconded by , to adopt Ordinance No. 2204, Amendment to Compensation Commission appointments and confirmation of members, on First Reading and schedule a Second Reading on July 28, 2025.

**ORDINANCE NO. 2204  
CITY OF MADISON HEIGHTS,  
OAKLAND COUNTY,  
MICHIGAN**

**AMENDMENT TO THE CODE OF ORDINANCES**

An Ordinance to amend Ordinance No. 571, being an Ordinance codifying and adopting a new Code of Ordinances for the City of Madison Heights by amending Chapter 2, Article VII, Sections 2-93 of the Code of Ordinances, City of Madison Heights, Michigan, to create a commission to be known as the “compensation commission” to establish compensation for elected officials of the city

**THE CITY OF MADISON HEIGHTS ORDAINS:**

**SECTION 1. Amendment.**

That Chapter 2, Article VII, Section 2-93 of the Code of Ordinances, City of Madison Heights, Michigan, are hereby amended to read as follows:

**ARTICLE VII. – COMPENSATION COMMISSION**

Sec. 2-93. Creation; appointment and confirmation of members.

There is hereby created a commission to be known as the "compensation commission" to establish compensation for elected officials of the city. The commission shall consist of seven members who are registered electors of the city. Members shall be recommended by staff and ~~shall be~~ appointed by the ~~mayor, subject to confirmation by a majority of the members elected and serving as~~ the city council.

**SECTION 2. Repealer.**

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

**SECTION 3. Severability.**

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

**SECTION 4. Savings.**

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

**SECTION 5. Effective Date.**

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

**SECTION 6. Inspection.**

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