



CITY OF MADISON HEIGHTS
CITY HALL - COUNCIL CHAMBERS, 300 W. 13 MILE RD.
CITY COUNCIL REGULAR MEETING AGENDA
SEPTEMBER 28, 2026 AT 6:30 PM

CALL TO ORDER

ROLL CALL

INVOCATION and PLEDGE OF ALLEGIANCE - COUNCILOR ROHRBACH

APPROVAL OF THE AGENDA:

- [1.](#) Additions/Deletions

PRESENTATIONS

- [2.](#) Director of Public Services - 2026 Summer Beautification Awards

PUBLIC HEARINGS:

ITEMS ON AGENDA OF INTEREST TO PARTIES IN THE AUDIENCE

MEETING OPEN TO THE PUBLIC:

CONSENT AGENDA:

- [3.](#) Director of Public Services - 2026-27 RCOC Winter Maintenance Agreement
- [4.](#) Fire Chief - 2026 Fire Prevention Proclamation
- [5.](#) City Council minutes from the regular meeting on 09-14-26

COMMUNICATIONS:

REPORTS:

ITEMS FOR FUTURE PUBLIC HEARINGS:

BID AWARDS/PURCHASES:

- [6.](#) Director of Public Services - DPS Pavement Repairs
- [7.](#) Director of Public Services - Fire Station 1 Pavement Repairs
- [8.](#) Director of Public Services - Police & Fire Station 1 Carpet Replacement

ORDINANCES:

- [9.](#) Assistant City Attorney - Ordinance 2213 - Amendment to Water and Sewer Ordinance for Rentals - Second Reading
- [10.](#) Assistant City Attorney - Kratom Prohibition Ordinance 2214 - Second Reading
- [11.](#) City Planner - Ordinance 2215 - Rezoning request PRZN 26-02 - City initiated rezoning of 27431 Hales Street from R-3 to N-P

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: September 23, 2026
TO: City Council
FROM: Melissa R. Marsh, City Manager
SUBJECT: Agenda Comments Regular Council Meeting of Monday, September 28, 2026

PRESENTATIONS:

Director of Public Services – 2026 Summer Beautification Awards

DPS Director Ballantine will be showing a slide show of this years nominees and presenting this year's first and second place winners with the summer beautification awards. This years winners are 28727 Dartmouth and 30725 Hales.

CONSENT AGENDA:

Director of Public Services – Road Commission of Oakland County (RCOC) Winter Maintenance Agreement

The City is being asked to approve the 2026-27 Winter Maintenance Agreement with the Road Commission for Oakland County (RCOC). Under the agreement, the City will continue to provide winter maintenance services on designated County roads within Madison Heights, including portions of 14 Mile Road, John R Road, and 12 Mile Road. The agreement provides reimbursement to the City based on lane mileage, with a total anticipated revenue of \$49,391.98, representing a 4% increase from the prior year.

Staff recommends approval of the agreement and authorization for the Mayor and City Clerk to execute the agreement. RCOC has requested the signed agreement and Council resolution by the end of November.

Fire Chief – 2026 Fire Prevention Proclamation

The City Council will consider a proclamation recognizing October 4–10, 2026, as Fire Prevention Week in Madison Heights. This year's theme, "Charge into Fire Safety: Safe Charging Is a Superpower," highlights the growing fire risks associated with lithium-ion batteries in everyday devices and the importance of safe charging practices. The proclamation encourages residents to use approved chargers, charge devices safely, and recognize warning signs such as overheating or swelling batteries. Residents are also encouraged to attend the Fire Department's open house at Fire Station 1 on October 3 from 11 a.m. to 2 p.m.

BID AWARDS AND PURCHASES:

Director of Public Services – DPS Pavement Repairs

The Department of Public Services is proposing the next phase of pavement repairs at the DPS facility, focused on the deteriorated pavement surrounding the approach to the salt dome. The project will address significant drainage issues and improve the efficiency of salt loading and cleanup during winter operations. The work will also support the City's stormwater permit and general site housekeeping.

Staff recommends awarding the work to DiLisio Contracting using its existing unit bid pricing from the City's current road projects, which provides cost savings compared with separately bidding the concrete work. The project includes replacement of approximately 1,215 square yards of 9-inch concrete and adjustment of three structures, for a total cost of \$91,725. Funding is budgeted and available.

Director of Public Services – Fire Station 1 Pavement Repairs

The FY 2026-27 budget includes funding to rehabilitate the rear parking and staging area at Fire Station 1. The existing concrete is original to the station and has experienced significant deterioration, including widespread joint spalling that creates potential trip hazards. The area is used for fire apparatus staging and movement, employee parking, and training activities, making replacement a priority capital project.

The proposed project includes removal and replacement of approximately 1,800 square yards of concrete, sidewalk improvements, drainage structure work, and related site restoration. Staff recommends awarding the project to DiLisio Contracting for \$184,772, using its existing unit pricing, with funding already budgeted and available.

Director of Public Services – Police and Fire Station 1 Carpet Replacement

The City's current budget includes funding to replace the aging carpet and flooring at the Police Department and Fire Station 1. The existing carpet is more than 20 years old and is in poor condition, with several areas sufficiently worn to create potential trip hazards.

Staff combined the two projects to achieve economies of scale and obtained pricing through the Sourcewell cooperative purchasing program. Conventional Carpet was selected as the local vendor, with the Police Department work totaling \$112,541.15 and Fire Station 1 totaling \$26,536.66. The combined project cost is \$139,077.81, with funding budgeted and available.

Staff recommends awarding the project to Conventional Carpet of Sterling Heights through the Sourcewell purchasing cooperative.

ORDINANCE

Assistant City Attorney – Ordinance 2213 Amendment to Water and Sewer Rental Ordinance – Second Reading

This ordinance amendment updates the City’s existing ordinance related to water and sewer for eligible rental homes to clarify the obligations of property owners/lessors participating in the City’s water and sewer billing program.

The amendment is intended to ensure the City’s ordinance is consistent with applicable state law and provides clear direction regarding the collection of delinquent water and sewer charges. Specifically, the amendment clarifies that when a property owner/lessor has complied with the requirements of the City’s water and sewer program, the City may disconnect water and sewer service for non-payment.

The amendment also clarifies that the City may apply any required deposit toward delinquent charges and, if the delinquency is not resolved, may pursue a lien against the property if the property is not in compliance.

This amendment is primarily a clarification of the City’s existing requirements and collection procedures and is intended to provide greater clarity to property owners/lessors and the City regarding enforcement of unpaid water and sewer charges including ability to disconnect service.

Staff recommend City Council approve this ordinance on second and final reading.

Assistant City Attorney - Kratom Prohibition Ordinance 2214 - Second Reading

The proposed Kratom Prohibition Ordinance would amend Chapter 17 of the City Code to prohibit the possession, sale, manufacture, creation, delivery, and certain other activities involving kratom and kratom derivatives within the City of Madison Heights. The ordinance is intended to protect the public health, safety, and welfare and establishes criminal penalties and potential business license sanctions for violations.

This item is presented to City Council for first reading on September 14, 2026. If approved, the ordinance will return to Council for a second reading and consideration for adoption on September 28, 2026.

Staff recommends approval of the Kratom Prohibition Ordinance on second and final reading.

City Planner – Rezoning request PRZN 26-02 – 27431 Hales Street from R-3 to N-P

At its September 22, 2026, meeting, the Planning Commission considered the proposed rezoning of 27431 Hales Street from R-3, One-Family Residential, to N-P, Natural Preservation and Recreation. The property is approximately 1.74 acres and is surrounded by Rosie's Park, which is already owned by the City. The proposed rezoning would allow the property to be purchased and incorporated into the park and preserved for public recreational and natural-resource purposes.

The Planning Commission unanimously recommended approval of the rezoning to City Council. The recommendation is consistent with the City's intent to acquire the property and combine it with Rosie's Park, creating a larger contiguous area for preservation and recreation.

For the Council agenda, I would phrase the comments:

"At its September 22 meeting, the Planning Commission reviewed the proposed rezoning of 27431 Hales Street from R-3, One-Family Residential, to N-P, Natural Preservation and Recreation. The property is adjacent to Rosie's Park and the proposed rezoning would facilitate its incorporation into the park for preservation and recreational purposes. The Planning Commission unanimously recommended approval of the rezoning to City Council."



AGENDA ITEM SUMMARY FORM

MEETING DATE: 9/28/26

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

AGENDA ITEM CONTENT: Director of Public Services - 2026 Summer Beautification Awards

AGENDA ITEM SECTION: Presentations

BUDGETED AMOUNT: N/A

FUNDS REQUESTED: N/A

FUND: N/A

EXECUTIVE SUMMARY:

Presentation of the 2026 Summer Beautification Awards

RECOMMENDATION:

This year's first and second place winners are 28727 Dartmouth, and 30725 Hales, respectively. The Director of Public Services respectfully requests time on the agenda to make a brief award presentation and play a short PowerPoint slide show of the winners and nominees outstanding properties.



Madison Heights
Michigan

Item 2.

Madison Heights Beautification Awards 2026



1st Place Winner

28727 Dartmouth



2nd Place Winner

30725 Hales



28152 Brush



28338 Couzens



26437 Couzens



43 E Kalama



30704 Winthrop



712 W Parker



461 W Girard



530 W Parker



30211 Longfellow



Madison Heights
Michigan

Item 2.

Thank you to all our nominees!

28727 Dartmouth

30725 Hales

28152 Brush

26437 Couzens

28338 Couzens

43 E Kalama

30704 Winthrop

712 W Parker

461 W Girard

530 W Parker

30211 Longfellow



Madison Heights
Michigan

Item 2.



Something wicked this way comes...

*The Active Adult Center and
Department of Public Services will
be accepting nominations for the
2026 Halloween Decoration
Awards starting October 1st!*



CERTIFICATE OF APPRECIATION

WHEREAS, the Holiday Light and Summer Beautification Award programs provide recognition of and incentive for pride in the City of Madison Heights; and,

WHEREAS, attractive, well-maintained homes and businesses, landscaping, and horticultural beauty improve our City's overall appearance and provide a sense of civic pride and community involvement; and,

WHEREAS, the Beautification Committee consists of the Active Adult Advisory Board and DPS supervisory staff; and,

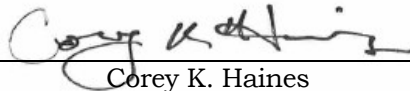
WHEREAS, on the morning of July 13, 2026, the Beautification Committee viewed many well landscaped and beautifully maintained homes throughout the City; and,

WHEREAS, the effort put forth by all Madison Heights' residents and businesses to make our City beautiful does not go unnoticed or unappreciated in our city,

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and City Council extend their heartfelt thanks and gratitude to the 2026 Beautification Award First Place winner, the

Lassila Family 28727 Dartmouth

for maintaining a beautiful home, and extend this certificate as a symbol of our appreciation for their civic-minded contributions to the City of Madison Heights.



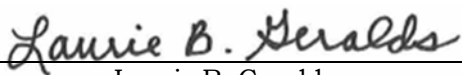
Corey K. Haines
Mayor



Toya Aaron
Councilwoman



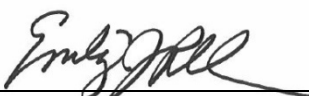
Sean D. Fleming
Councilman



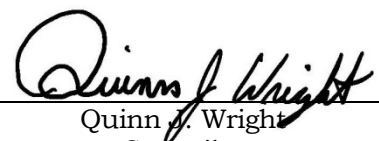
Laurie B. Geraldts
Councilor



William J. Mier
Mayor Pro Tem



Emily J. Rohrbach
Councilor



Quinn J. Wright
Councilor

CERTIFICATE OF APPRECIATION

Item 2.

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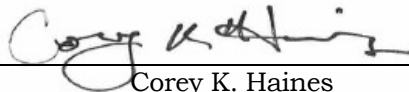
NOW, THEREFORE, BE IT RESOLVED, that the Mayor and City Council extend their heartfelt thanks and gratitude to the 2026 Beautification Award First Place winner,

**Julie Sherwood
30725 Hales**

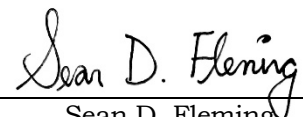
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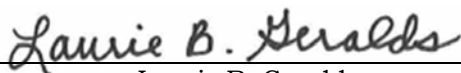
Toya Aaron
Councilwoman



Corey K. Haines
Mayor



Sean D. Fleming
Councilman



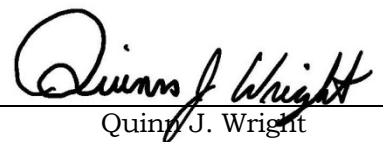
Laurie B. Geraldts
Councilor



William J. Mier
Mayor Pro Tem



Emily J. Rohrbach
Councilor



Quinn J. Wright
Councilor



AGENDA ITEM SUMMARY FORM

MEETING DATE: 9/28/26

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

AGENDA ITEM CONTENT: Director of Public Services - 2026-27 RCOC Winter Maintenance Agreement

AGENDA ITEM SECTION: Consent Agenda

BUDGETED AMOUNT: Revenue: \$49,391.98

FUNDS REQUESTED:

FUND: 202-025-676-6781

EXECUTIVE SUMMARY:

Attached for consideration is the annual agreement with the Road Commission for Oakland County (RCOC) for the City to provide winter maintenance on County roads within the City limits, including 14 Mile from Campbell to Dequindre, John R from 14 Mile to the Red Run Drain, and 12 Mile from Dequindre to Campbell. This contract allows \$8,416.16 per mile of four or five lane road, and \$10,380.44 per mile of six lane road.

The total amount of the contract is \$49,391.98. This amount reflects a 4% increase from last year.

RECOMMENDATION:

Staff recommends that City Council approve the 2026-27 Winter Maintenance Agreement with RCOC, and authorize the Mayor and City Clerk to sign on behalf of the City.



QUALITY LIFE THROUGH GOOD ROADS:
ROAD COMMISSION FOR OAKLAND COUNTY
"WE CARE."

Board of Road Commissioners

James Esshaki
Commissioner

Tylene L. Henry
Commissioner

Eric D. McPherson
Commissioner

Dennis G. Kolar, P.E.
Managing Director

Gary Piotrowicz, P.E., P.T.O.E.
Deputy Managing Director
County Highway Engineer

**Highway Maintenance
Department**

**2420 Pontiac Lake Road
Waterford, MI 48328**

248-858-4881

www.rcocweb.org

September 10, 2026

Melissa R. Marsh
City Manager
City of Madison Heights
300 West Thirteen Mile Road
Madison Heights, Michigan 48071

RE: 2026-2027 Winter Maintenance Agreement

Dear Ms. Marsh:

Attached are two copies of a Winter Maintenance Agreement between the Road Commission for Oakland County and the City of Madison Heights.

This 2026-2027 agreement has an increase of 4%, which increases the amount from \$47,492.28 to \$49,391.98.

If this agreement is satisfactory, please electronically send one signed copy of the agreement and the resolution of approval by your City Council to my account assistant Lema Sabbagh, email, lsabbagh@rcoc.org. One fully signed copy will be returned to you upon approval by the Board of Road Commissioners.

Please furnish proof that your liability insurance covers this agreement, and particularly covers your personnel and equipment working on county roads under the jurisdiction of the Board of Road Commissioners. If there are any changes in this coverage during the term of this agreement, we must be notified of these changes. We will also need a current certificate of membership in the Michigan Municipal Workers Compensation Fund.

The Board of Road Commissioners and I extend our appreciation to you, the City Council, and your personnel for the fine work that has been done. We will continue to cooperate in any way to provide our citizens with the best road system possible.

We request that your signed agreement be returned to us no later than the end of November, so that we may present the agreement to our Board prior to the end of the year, which will allow RCOC to make payments per the agreement.

Sincerely,

Darryl M. Heid, P.E.
Director of Highway Maintenance

/ls
Attachment

2026-2027 WINTER MAINTENANCE AGREEMENT
CITY OF MADISON HEIGHTS

Item 3.

Under 1951 PA 51, As Amended

This Winter Maintenance Agreement (“Agreement”) is made this ____ day of _____, 2026 between the Board of County Road Commissioners of the County of Oakland, State of Michigan, a public body corporate, hereinafter referred to as the “Board,” and the City of Madison Heights, Oakland County Michigan, a Michigan municipal corporation hereinafter referred to as the “City.”

WHEREAS, certain county primary and local roads more specifically set forth in Exhibit A, attached hereto, are under the jurisdiction and control of the Board and are located within or adjacent to the City; and

WHEREAS, The City desires to be responsible for certain winter maintenance of said roads under the terms of this Agreement, and the Board is willing to participate in the cost thereof as provided in Section III of this Agreement;

NOW, THEREFORE, in consideration of the mutual covenants set forth herein as provided, it is hereby agreed as follows:

I

The City shall perform Winter Maintenance of certain roads under the terms of this Agreement, and the Board will participate in the cost thereof as provided in Section III of this Agreement. “Winter Maintenance,” herein required to be performed by the City, shall mean snow removal and ice control, on all roads listed in Exhibit A, as follows: Snow removal by blading, plowing and other methods necessary to make the roads reasonably safe for public travel, and ice control by salting, sanding, scraping and other methods necessary to make the roads reasonably safe for public travel, together with such other work and services, such as recordkeeping and insurance, required by this Agreement. All Winter Maintenance work and services performed by the City shall be in accordance with the Board’s maintenance guidelines, including the Board adopted Winter Maintenance Guidelines, the Board’s standard practices and this Agreement.

II

The City shall keep accurate and uniform records of all Winter Maintenance work performed pursuant to this Agreement. The Board shall have the right to audit City accounts and records insofar as such documents concern this Agreement and the work and services performed and to be performed hereunder.

III

In consideration of the assumption of Winter Maintenance by the City, the Board hereby agrees to pay to the City the sum of \$49,391.98 as set forth in Exhibit A, attached hereto and made a part hereof. Such amounts are to be used by the City for Winter Maintenance. Payments are to be made by the Board to the City as follows:

50% in December 2026
50% in March 2027

The making of said payments shall constitute the Board’s entire obligation in reference to Winter Maintenance.

The City hereby agrees to hold harmless, represent, defend and indemnify the Board, the Road Commission for Oakland County, its officers, and employees; the County of Oakland; the Office of the Oakland County Water Resources Commissioner and applicable drainage district(s); the Michigan State Department of Transportation and the Transportation Commission; and any and all local unit(s) of government within which the roads subject to this Agreement are located, against any and all claims, charges, complaints, damages, or causes of action for (a) public or private property damage, (b) injuries to persons (including death), or (c) other claims, charges, complaints, damages or causes of action arising out of the performance or non-performance of the activities which are the subject matter of this Agreement, specifically those activities set out in Section I, both known and unknown, whether during the progress or after the completion thereof. However, this hold harmless provision does not apply in so far as any claim or suit is alleged to be, or demonstrated to be, the result of a defect in highway design or condition and not related to the Winter Maintenance activities set out in Section I. Further, since the Board has the statutory responsibility for maintenance of the roads under this Agreement, it is the intent of the parties that the delegation by this Agreement of those maintenance responsibilities to the City provide immunity to the City as an agent of the Board. Therefore, the City falls within the governmental immunity protection of the Board.

During that part of the year that the City is providing Winter Maintenance under Section I, the City agrees to promptly notify the Board as soon as possible, but not longer than 5 days, should it become aware of defects or maintenance requirements in the roads set forth in Exhibit A, if said defects or maintenance requirements are not Winter Maintenance subject to this Agreement.

V

The City shall acquire and maintain, during the term of the Agreement, statutory worker's compensation insurance, employer's liability insurance, automobile and comprehensive general liability insurance coverages, as more fully described in Exhibit B attached hereto, covering the Board's liability for any and all claims arising out of the City's performance or non-performance of the activities which are the subject matter of this Agreement.

Without the prior written consent of the Board, the City shall not cancel, reduce, or fail to renew the insurance coverage required by this Agreement. Certificates of insurance for each policy of insurance required by this Agreement shall provide for 30 days actual (not "endeavor to"), prior, written notice to the RCOC by the insurance carrier of any cancellation, termination, reduction or other material change of the policy; and the City shall deliver such certificates to the RCOC.

VI

The City further agrees to comply with all applicable laws and regulations, including without limitation, laws and regulations of the State of Michigan for safeguarding the air and waters of the State. In particular, City facilities and operations must meet the provisions of Part 5 (Spillage of Oil and Polluting Materials) rules promulgated pursuant to Part 31, Water Resources Protection, of the Natural Resources and Environmental Protection Act, 1994 PA 451, as amended. (Rules R324.2001 through R324.2009 address release prevention planning, secondary containment, surveillance, and release reporting requirements).

VII

In accordance with Michigan 1976 Public Acts No. 220 and 453, being MCLA §§37.1209 and 37.2209, as the same may be amended, the City and its subcontractors shall not discriminate against an employee or applicant for employment with respect to hire, tenure, terms, conditions, or privileges of employment, or matter directly or indirectly related to employment, because of race, color, religion, national origin, age, sex, height,

weight, or marital status; or because of a disability that is unrelated to the individual's ability to perform duties of a particular job or position. A breach of this covenant may be regarded as a material breach of Agreement. Item 3.

VIII

It is the intention of the parties hereto that this Agreement is not made for the benefit of any third party.

It is anticipated that subsequent agreements regarding Winter Maintenance activities will be executed annually by the Parties hereto.

The terms and conditions of this Agreement shall become effective on October 1, 2026, and shall continue in full force and effect until a subsequent Winter Maintenance agreement has been executed by the parties hereto or until this Agreement is terminated, as set forth below.

In the event that a subsequent Winter Maintenance agreement has not been executed by the parties hereto on or before September 1, 2027, either party may terminate this Agreement by providing the other party hereto with written notice of intent to terminate, at least thirty (30) days prior to the date of termination.

This Agreement is executed by the Board at its meeting of _____,
and by the City by authority of a resolution of its governing body, adopted _____,
(copy attached as Exhibit C).

Witnesses:

CITY OF MADISON HEIGHTS
A Municipal Corporation

_____ By: _____

Its: _____

_____ By: _____

Its: _____

Witnesses:

BOARD OF COUNTY ROAD COMMISSIONERS
OF THE COUNTY OF OAKLAND,
A Public Body Corporate

_____ By: _____

Its: _____

_____ By: _____

Its: _____

**WINTER MAINTENANCE
2026-2027
CITY OF MADISON HEIGHTS
EXHIBIT A**

Item 3.

John R Road

Extending from the Red Run Drain to Fourteen Mile Road

<u>Miles</u>	<u>Cost Per Mile</u>	
1.70	\$8,416.16	\$ 14,307.47

Twelve Mile Road

Extending from Campbell Road to Dequindre Road

<u>Miles</u>	<u>Cost Per Mile</u>	
2.01	\$8,416.16	\$ 16,916.48

Fourteen Mile Road

Extending from Campbell to Stephenson Highway

<u>Miles</u>	<u>Cost Per Mile</u>	
0.32	\$8,416.16	\$ 2,693.17

Extending from John R to Dequindre

<u>Miles</u>	<u>Cost Per Mile</u>	
1.00	\$8,416.16	\$ 8,416.16

Extending from Stephenson Highway to John R

<u>Miles</u>	<u>Cost Per Mile</u>	
0.68	\$10,380.44	\$ 7,058.70

<u>Total Miles</u>	TOTAL	\$ 49,391.98
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5.71

FOUR OR FIVE LANES (\$8,416.16 per mile)

<u>Miles</u>	<u>Cost Per Mile</u>	
1.70	\$8,416.16	\$ 14,307.47
2.01	\$8,416.16	\$ 16,916.48
0.32	\$8,416.16	\$ 2,693.17
<u>1.00</u>	\$8,416.16	<u>\$ 8,416.16</u>
5.03		\$ 42,333.28

SIX OR MORE LANES (\$10,380.44 per mile)

<u>Miles</u>	<u>Cost Per Mile</u>	
<u>0.68</u>	\$10,380.44	<u>\$ 7,058.70</u>
0.68		<u>\$ 7,058.70</u>

<u>Total Miles</u>	TOTAL	\$ 49,391.98
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5.71

50% in December, 2026 \$ 24,695.99

50% in March, 2027 \$ 24,695.99

\$ 49,391.98

EXHIBIT B
2026-2027 WINTER MAINTENANCE AGREEMENT

ROAD COMMISSION FOR OAKLAND COUNTY
INSURANCE PROVISION
(CITY)

Insurance Coverage:

The City, prior to execution of the maintenance agreement, shall file with the Road Commission for Oakland County, copies of completed certificates of insurance as evidence that he carries adequate insurance satisfactory to the Board. Insurance coverage shall be provided in accordance with the following:

- a. Worker's Compensation and Employer's Liability Insurance: The insurance shall provide worker's compensation protection for the City's employees, to the statutory limits of the State of Michigan, and provide Part B Employers Liability as follows:

Each Accident	\$1,000,000
Disease – Each Employee	\$1,000,000
Disease – Policy Limit	\$1,000,000

The indemnification obligation under this section shall not be limited in any way by any limitation on the amount or type of damage, compensation or benefits payable by or for the City under worker's disability compensation coverage established by law.

- b. Bodily Injury and Property Damage: The insurance shall provide protection against all claims for damages to public or private property, and injuries to persons arising out of and during the progress and to the completion of the work, and with respect to product and completed operation for one year, after completion of the work.

1. Bodily Injury and Property Damage Other Than Automobile: The minimum limits of property damage and bodily injury liability covering each contract shall be:

Bodily Injury and Property Damage Liability:	or: Combined Single Limit:
Each Person \$1,000,000	Aggregate \$2,000,000
Each Occurrence \$1,000,000	
Aggregate \$2,000,000	

Such insurance shall include: 1) explosion, collapse, and underground damage hazards (x,c,u), which shall include, but not be limited to coverage for (a) underground damage to facilities due to drilling and excavating with mechanical equipment; and (b) collapse or structural injury to structures due to blasting or explosion, excavation, tunneling, pile driving, cofferdam work, or building moving or demolition; (2) products and completed operations; (3) contractual liability; and (4) independent contractors coverages.

2. Bodily Injury Liability and Property Damage Automobiles: The minimum limits of bodily injury liability and property damage liability shall be:

Bodily Injury and Property Damage Liability:	or: Combined Single Limit: Each Occurrence: \$1,000,000
Each Person \$1,000,000	
Each Occurrence \$1,000,000	

Such insurance shall include coverage for all owned, hired, and non-owned vehicles.

- c. Excess and Umbrellas Insurance – The City may substitute corresponding excess and/or umbrella liability insurance for a portion of the above listed requirements in order to meet the specified minimum limits of liability.
- d. The City shall provide for and on behalf of the Road Commission for Oakland County and all agencies specified by the Road Commission, as their interest may appear, Owner's Protective Public Liability Insurance. Such insurance shall provide coverage and limits the same as the City's General Liability Insurance.
- e. Notice – The City shall not cancel, renew, or non-renew the coverage of any insurance required by this Section without providing 30-day prior written notice to the Road Commission for Oakland County. All such insurance shall include endorsement whereby the insurer shall agree to notify the Road Commission for Oakland County immediately of any reduction by the City. The City shall cease operations on the occurrence of any such cancellation or reduction and shall not resume operations until new insurance is in force. If the City cannot secure the required insurance within 30 days, the Board reserves the right to terminate the Contract.
- f. Reports: The City or its insurance carrier shall promptly report to the Road Commission all of the following events each time as they occur: Claims received, claims investigations made, and disposition of claims.

See provisions of the maintenance agreement to which Exhibit B is attached.



AGENDA ITEM SUMMARY FORM

MEETING DATE: 9/28/26

PREPARED BY: Greg Lelito

AGENDA ITEM CONTENT:

AGENDA ITEM SECTION: Presentations

BUDGETED AMOUNT:

FUNDS REQUESTED:

FUND:

EXECUTIVE SUMMARY:

2026 Fire Prevention Proclamation

RECOMMENDATION:

City of Madison Heights 2026 Fire Prevention Week Proclamation

WHEREAS, the City of Madison Heights is committed to ensuring the safety and security of all those living in Madison Heights and visiting; and

WHEREAS, fire remains a serious public safety concern both locally and nationally, and the presence of lithium-ion batteries in many household devices introduces fire risks; and

WHEREAS, most of the rechargeable electronics used in homes daily, including smartphones, tablets, laptops, power tools, e-bikes, e-scooters, and toys, are powered by lithium-ion batteries, which, if misused, damaged, or improperly charged, can overheat, start a fire, or explode; and

WHEREAS, the National Fire Protection Association reports an increase in battery-related fires, underscoring the need for public education on the safe use of lithium-ion batteries and devices; and

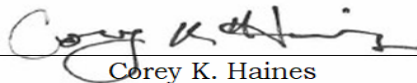
WHEREAS, the way lithium-ion battery devices are charged can make a difference in helping prevent home fires; and

WHEREAS, safe charging includes using the cord and charger that came with your device or one approved by the manufacturer, charging on a hard, flat surface, watching for warning signs like devices that are very hot or start to swell, unplugging when fully charged, and charging larger devices like e-bikes outside and away from exits; and

WHEREAS, residents are encouraged to understand that safe charging means making smart choices every time they plug in; and

WHEREAS, the 2026 Fire Prevention Week theme, “Charge into Fire Safety: Safe Charging Is a Superpower,” serves to remind all residents that safe charging can help reduce the risk of fires in homes and communities;

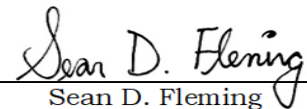
NOW, THEREFORE, BE IT RESOLVED, that the Madison Heights City Council hereby proclaims October 4–10, 2026, as Fire Prevention Week throughout the city, urges all residents to learn about and practice safe charging habits, and encourages all to participate in the Fire Department’s open house at Fire Station 1 on Saturday, October 3, 2026, from 11 am to 2 pm.



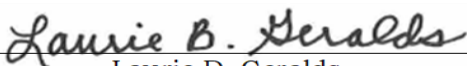
Corey K. Haines
Mayor



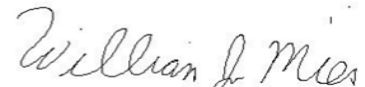
Toya Aaron
Councilwoman



Sean D. Fleming
Councilman



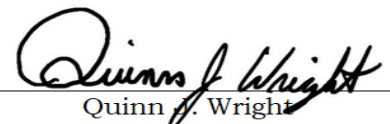
Laurie D. Gerald
Councilor



William J. Mier
Mayor Pro Tem



Emily J. Rohrbach
Councilor



Quinn J. Wright
Councilor

City Council Regular Meeting
Madison Heights, Michigan
September 14, 2026

A City Council Regular Meeting was held on Monday, September 14, 2026 at 6:30 PM at City Hall - Council Chambers, 300 W. 13 Mile Rd.

ROLL CALL

PRESENT

Mayor Corey Haines
Mayor Pro Tem William Mier
Councilwoman Toya Aaron
Councilman Sean Fleming
Councilor Laurie Gerald
Councilor Emily Rohrbach
Councilor Quinn Wright

ALSO PRESENT

City Manager Melissa Marsh
Assistant City Attorney Tim Burns
City Clerk Mary Daley

The invocation was given by Councilor Gerald and the Pledge of Allegiance followed.

APPROVAL OF THE AGENDA:

CM-26-194 Approval of the Agenda.

Motion to approve the agenda.

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

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

Motion carried.

PRESENTATIONS

Proclamation Recognizing Constitution Week

City Council recognized September 17-23, 2026 as Constitution Week in the City of Madison Heights encouraging residents to reflect on the Constitution, civic engagement, and the responsibilities of citizenship. Sharlan Douglas accepted the resolution.

Proclamation Recognizing National Patriot Week

City Council recognized September 7-13, 2026 as National Patriotism Week in the City of Madison Heights honoring veterans, members of the Armed Forces, and those who demonstrated

courage and service on September 11. Angela Johnson, leader of the Clawson-Troy Elks Lodge #2169, was present to accept the proclamation.

City Clerk - Certificate of appreciation honoring Clifford Oglesby

The Mayor and City Council presented a Certificate of Appreciation to Cliff Oglesby for his many years of volunteerism to the City of Madison Heights.

MEETING OPEN TO THE PUBLIC:

Martha Covert: Resident, congratulated the City Clerk on her appointment and noted September birthdays for Council members Aaron, Wright, and Mayor Haines.

Hali from Elu & Friends Pet Care LLC - resident at 30159 Brush Street: Clarified her special land use request (PSP 26-05) is for single-client household pet boarding rather than a commercial kennel.

Chester Grabowski: Resident, raised traffic safety concerns regarding lane mergers and curbs on 11 Mile Road east of John R.

Martino Tomas: Spoke on behalf of applicant Tonya Cole supporting special land use PSP 26-06 for home massage therapy.

Andrew Kalpa: Spoke regarding Ordinance 2214, requesting Council differentiate natural kratom botanicals from synthetic derivatives.

Elliot Bedell: Resident, urged Council to deny special land use PSP 26-06 (Groveland St massage therapy).

Chelsea Hager: Resident, raised concerns regarding DTE energy rate hikes, power restoration delays, and grid demand from data centers.

Emailed Comments: City Clerk Daley entered three emails into the record. All of the communications received via email were provided to the Council ahead of the meeting.

Kevin Trabucchi, resident, regarding conduct at local establishments

Kim and Zach DeRocher residents, opposing Special Land Use PSP 26-06 - 26126 Groveland St. - Major Home Occupation (Licensed Massage Therapy)

Paula Brown, on behalf of a group of independent scientists wrote in opposition to the proposed Kratom Prohibition Ordinance.

CONSENT AGENDA:

CM-26-195 Consent Agenda.

Motion to approve the Consent Agenda as presented.

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

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

Motion carried.

REPORTS:

CM-26-196 City Planner - Special Land Use Request #PSP 26-05 - 30159 Brush St. - Major Home Occupation (Dog/Pet Boarding).

Motion to approve Special Land Use request number PSP 26-05 for a major home occupation in the form of a pet boarding business at 30159 Brush Street based upon the following findings:

1. The applicant requests Special Land Use approval for a pet boarding Major Home Occupation at 30159 Brush Street.
2. The Planning Commission held a public hearing for PSP 26-05 at their August 25th, 2026 special meeting.
3. The proposed pet boarding Major Home Occupation use is consistent with the Special Land Use review standards and criteria set forth in Section 15.05.3. In particular:
 - a. The use is designed, located, and proposed to be operated in a way that protects the public health, safety and welfare.
 - b. The use will not involve activities that will be detrimental to adjacent residential land uses.
 - c. The use is designed and located so that it is compatible with the principal uses permitted in the R-3, One-Family Residential district.
 - d. The use is designed and located so that it is compatible with the Madison Heights Master Plan and the Single-Family Residential future land use classification.
4. The use satisfies the use-specific standards for Major Home Occupations as contained in Section 7.03.18 – Use-Specific Standards for Major Home Occupations - as contained in Section 7.03.3 of the Madison Heights Zoning Ordinance

APPROVAL IS GRANTED WITH THE FOLLOWING CONDITIONS:

1. The pet boarding business shall at all times comply with the use-specific standards for Major Home Occupations, Section 7.03.18, as effective on the date of this approval, which shall be attached to the record of the Special Land Use approval, except as modified as part of this motion.
2. Only one animal shall be boarded at a time; at no point shall more than three (3) animals be on the property which includes the applicants personal pets.
3. Client pick-up and drop-off of dogs shall be limited to one at a time and shall occur between the hours of 8:00 a.m. and 8:00 p.m.

4. A minimum of one (1) parking space shall be provided for clients on the residential driveway. Vehicles shall not overhang the public sidewalk.
5. This special land use expires upon applicant's transfer of property ownership of this parcel.
6. Any violation of the City's animal, criminal or business sections within its code of ordinances shall result in a termination of the special land use.

During deliberations on the special land use request by Hali at Elu and Friends Pet Care LLC, the applicant clarified additional questions Councilmembers had. One clarification is that the term "one client" refers to "one dog". The applicant has two dogs of her own currently and is allowed a maximum of three dogs by ordinance. She has no prior violations. It was also noted that this applicant is following all proper paths to be compliant with the City to operate her business. She has applied for a certificate of occupancy and business license. Council discussed additional limitations on this special land use request.

1. 7.03.18 – Use-Specific Standards for Major Home Occupations - as contained in Section 7.03.3 of the Madison Heights Zoning Ordinance

Home Occupation, Major

1. The operation of a Major Home Occupation shall be conducted within the Dwelling Unit, attached or detached accessory building, or rear yard.
2. The Major Home Occupation shall be conducted by the person or persons occupying the structure as their principal residence and up to two (2) non-resident employees. Additional employees may meet at the residence solely for purposes of receiving instructions regarding work to be conducted at another site or collection equipment or materials necessary for their work at another site, or documents relating to their employment.
3. One off-street parking space per employee is required in addition to the minimum required for the principal residential use. On-street parking shall not be counted towards required parking spaces.
4. The Major Home Occupation shall not create negative impacts on surrounding residential property. No nuisance shall be generated by any heat, glare, noise, smoke, vibration, noxious fumes, odors, vapors, gases or matters at any time. No mechanical, electrical, or similar machinery or equipment, other than that used for residential purposes, shall be utilized in the Major Home Occupation.
5. The floor area dedicated to the Major Home Occupation shall not exceed 35% of the Gross Floor Area of the dwelling unit.
6. Retail sales of goods must be entirely accessory to any service provided on the site, except for merchandise crafted on-site.
7. Outside storage shall be located in the rear yard and must be fully screened from surrounding properties by an opaque fence.

8. Customer or client business-related visits, deliveries, and non-resident employee arrivals and departures shall occur between 8:00 a.m. and 8:00 p.m.
9. No signage shall be permitted, except where specifically required by law.
10. No display of any kind shall be visible from the exterior of the premises.
11. Major Home Occupations shall not include the sales and/or service of weapons, guns ammunition, fireworks, or any components thereof, nor a regulated use as regulated in **Section 5.03.**
12. In addition to Special Land Use approval in accordance with **Section 15.05**, a Certificate of Occupancy shall be required for Major Home Occupations, in accordance with **Section 15.03.**

Motion by Rohrbach, seconded by Aaron.

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

Motion carried.

**CM-26-197 City Planner: Special Land Use Request #PSP 26-06 - 26126
Groveland St. - Major Home Occupation (Licensed Massage Therapy)**

Council reviewed the letters provided from neighboring residents, staff report regarding the application, and the minutes of the August 25th meeting of the Planning Commission and heard the public comments from neighboring residents and the applicant pertaining to this special land use prior to the motion being made and approved.

Motion to deny the special land use request PSP 26-06 for a major occupation in the form of a licensed massage therapy business at 26126 Groveland Street based upon the Planning Commission's recommendation of denial at their August 25th, 2026 meeting, and upon the following findings:

1. The proposed massage therapy use does not satisfy the criteria for a major home occupation business with the special land use standards and criteria set forth in section 15.05.2 in particular:
 - a. The use is not operated in a way that protects the public health, safety and welfare of the residential district where it is proposed.
 - b. The special land use involves activities and uses that are detrimental to neighboring people and properties from increased pedestrian and vehicle traffic to the site.
 - c. The use is incompatible with adjacent conforming land use of its neighbors in a residential zone.

2. The use is incompatible with the surrounding properties, neighborhood and vicinity in the following manners:
 - a. Conformance with the master plan and future land use map for the area as adopted by the Planning Commission;
 - b. Compatibility with the permitted principal uses allowed in the zoning district where the special land use is requested and consistency with the intent of the zoning district.
3. The use is not consistent with the intent and purpose of the r-3 zoning district in which it is proposed.
4. The use does not satisfy the use specific standards for major home occupations as contained in section 7.03.18 of the zoning ordinance:
 - a. The special land use does not occur within the primary dwelling of the property and the accessory structure that would be utilized for the major home occupation is not harmonious with the zoning district within which it is located and negatively impacts the surrounding residential properties.
 - b. The major home occupation also creates discernable traffic from its use coming and going from the property that negatively impacts surrounding residential properties.

Motion made by Councilwoman Aaron, seconded by Councilor Rohrbach

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

Motion carried.

**CM-26-198 Assistant City Attorney - Artic Fox, LLC d/b/a JARS Cannabis -
Amendment to Settlement Agreement**

Motion to approve the amendment to the settlement agreement and authorizes the City Manager to execute the agreement on behalf of the City.

Motion made by Councilor Rohrbach, Seconded by Councilor Wright.

Voting Yea: Mayor Haines, Councilwoman Aaron, Councilman Fleming, Councilor Gerald, Councilor Rohrbach, Councilor Wright

Voting Nay: Mayor Pro Tem Mier

Motion carried.

BID AWARDS/PURCHASES:

CM-26-199 Fire Chief - Large Diameter Hose Replacement

Motion to award the Fire Department's Large Diameter Hose bid to the lowest qualified vendor, CSI Emergency Apparatus, in the amount of \$51,645.

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

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

Motion carried.

ORDINANCES:

CM-26-200 Assistant City Attorney - Ordinance 2213 - Amendment to Water and Sewer Ordinance for Rentals - First Reading

Motion to adopt Ordinance 2214 on first reading and schedule the second reading on September 28, 2026.

City Manager Marsh clarified that this ordinance amendment updates the City's existing ordinance related to water and sewer for eligible rental homes to clarify the obligations of property owners/lessors participating in the City's water and sewer billing program. The amendment is intended to ensure the City's ordinance is consistent with applicable state law and provides clear direction regarding the collection of delinquent water and sewer charges. Specifically, the amendment clarifies that when a property owner/lessor has complied with the requirements of the City's water and sewer program, the City may disconnect water and sewer service for non-payment.

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

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

Motion carried.

CM-26-201 Assistant City Attorney - Kratom Prohibition Ordinance 2214 - First Reading

Motion to approve Ordinance 2214 Kratom Prohibition Ordinance upon first reading.

The discussion reflected consensus across the council in favor of the ordinance, driven primarily by concerns over youth safety, addiction risks, and the lack of state or federal regulation. Below is a summary of the individual positions and points raised:

Mayor Corey Haines stated that while adults might argue over its botanical uses, local action is necessary to safeguard youth while higher levels of government lag behind. Councilor Rohrbach highlighted that state and federal legislative bodies move far too

slowly compared to real-world threats facing local communities and expressed concern as regarding Kratom being sold openly at gas stations, stating that the dangers in an unregulated market far outweigh any alleged botanical benefits. Councilor Wright clarified the distinction between Kratom and K2 and noted that being a natural or organic plant does not mean it is safe or harmless. Stated the Council has a duty to protect young people from purchasing habit-forming substances at local stores. Councilwoman Aaron strongly advocated for prohibition, describing Kratom as an opioid-like compound that causes high rates of physical dependency, severe withdrawal symptoms, and addiction requiring treatments similar to heroin. Mayor Pro Tem Mier discussion noted that even if Kratom is a botanical plant, the primary hazard is that it may not be used responsibly, leading to possible addiction. Stated the Council's priority must be protecting community members from these addiction risks.

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

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

Motion carried.

COUNCIL COMMENTS:

Councilwoman Aaron shared that she visited the local Elks Lodge over the weekend, played darts for the first time, and won. Extended Rosh Hashanah wishes to Jewish residents and wished happy birthdays to Councilor Wright and Mayor Haines.

Mayor Pro Tem Mier reflected on the 25th anniversary of September 11th, noting that many younger residents have no direct memory of the event and encouraging families to remind children to never forget the events of that day. Highlighted an upcoming Madison Heights Community Coalition open house scheduled for September 23rd 5:30–7:30 p.m. in the Breckenridge Room) focused on youth substance prevention.

Councilor Wright shared memories of 9/11 as student government president at Michigan State University and emphasized that patriotism belongs to all Americans regardless of political affiliation. Promoted the Rev'n in the Heights event at Civic Center Park on September 19th, highlighting the car show, national anthem, RC racing track, and food trucks. Reminded pet owners to keep proper control of their animals when walking in neighborhoods to ensure safety and consideration for neighbors.

Councilor Rohrbach expressed gratitude to first responders and Department of Public Services (DPS) crews clearing tree debris from recent storms, asking residents for continued patience. Paid tribute to late long-time city volunteer Mike Sally, honoring his service on the Active Adult Center board and Environmental Citizens Committee. Encouraged attendance at Rev'n in the Heights and wished residents a happy Rosh Hashanah.

Councilor Gerald passed on extended closing remarks.

Assistant City Attorney passed on closing remarks.

City Manager Marsh commended DPS, police, fire, library, and City Hall staff for their hard work handling recent storm cleanup and operating tornado shelter in the lower level of City Hall.

City Clerk Daley announced that absentee ballots for those on the permanent absentee ballot list for the November election will be mailed on September 25th.

Mayor Corey Haines urged residents to contact the Public Utility Commission directly regarding DTE rate hikes and storm outages to reinforce the council's formal opposition. Offered condolences to the family of Mike Sally and emphasized the importance of recognizing long-time volunteers like Clifford Oglesby. He shared his experience hosting a 9/11 ceremony at his full-time job and later attending a local Boy Scout flag retirement ceremony at the fire station.

ADJOURNMENT:

Having no further business, Mayor Haines adjourned the meeting at 8:07 pm.



AGENDA ITEM SUMMARY FORM

MEETING DATE: 9/28/26

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

AGENDA ITEM CONTENT: Director of Public Services - DPS Pavement Repairs

AGENDA ITEM SECTION: Bid Awards/Purchases

BUDGETED AMOUNT: \$100,000

FUNDS REQUESTED: \$91,725

FUND: 592-901-987-0000

EXECUTIVE SUMMARY:

Over the last several budget cycles, DPS has continued a phased replacement of the failing pavement around the building and yard. This approach has allowed us to both reduce the impact on the budget and allow for normal DPS operations to continue while the work is being done. The next identified phase is the deteriorated pavement around the approach to the salt dome.

Staff reached out to Nowak and Fraus, the City's consulting engineers, to measure and estimate the cost of this phase based on DiLisio's unit bid price for concrete. By utilizing DiLisio's existing unit pricing for roadwork, instead of bidding the project as a stand-alone concrete paving, the City is able to recognize significant savings.

RECOMMENDATION:

Staff recommends that Council approve the project for the DPS Pavement Repairs to DiLisio Contracting, of Clinton Township, in a project amount of \$91,725.00. Funding is budgeted and available.

MEMORANDUM

Item 6.

DATE: September 22, 2026
TO: Melissa R. Marsh, City Manager
FROM: Sean P. Ballantine, Director of Public Services
SUBJECT: DPS Pavement Repairs

Over the last several budget cycles, DPS has continued a phased replacement of the failing pavement around the building and yard. This approach has allowed us to both reduce the impact on the budget and allow for normal DPS operations to continue while the work is being done. The next identified phase is the deteriorated pavement around the approach to the salt dome.

Staff reached out to Nowak and Fraus, the City's consulting engineers, to measure and estimate the cost of this phase based on DiLisio's unit bid price for concrete. DiLisio was awarded the most recent bid for both the R-3 reconstruction and Major and Local Sectional paving projects. The scope of work is within the budgetary amount, and DiLisio will be able to replace the concrete this fall, or in the spring if the weather changes. By utilizing DiLisio's existing unit pricing for roadwork, instead of bidding the project as a stand-alone concrete paving, the City is able to recognize significant savings.

This phase of pavement repair corrects significant drainage issues in the area, and will greatly improve the efficient loading and cleanup of salt during the winter maintenance season, which is relevant to the City's stormwater permit, and good housekeeping practices generally.

Staff recommends that Council approve the project for the DPS Pavement Repairs to DiLisio Contracting, of Clinton Township, in a project amount of \$91,725.00. Funding is budgeted and available.

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

p: (248) 589-2294 | f: (248) 589-2679 | e: DPS@MadisonHeightsMI.gov



23525 Lakepointe Drive, Clinton Township, Michigan, 48036

Phone 586.783.4044 Fax: 586.783.4058

August 26, 2026

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

Re: DPS Parking Lot Improvements

DiLisio Contracting Inc. is pleased to submit this proposal for construction services for the above referenced project. Included in our scope of work is the following:

Line No.	Item Description	Quantity	Unit Price	Total
1.	Remove and Replace 9" Concrete	1,215 SYD	\$75.00	\$91,125.00
2.	Structure Adjust	3 EA	\$200.00	\$600.00
			Total	\$91,725.00

Acceptance of Proposal- **The above prices and conditions are satisfactory and are hereby accepted. You are authorized to do the work specified.**

Authorized Signature _____ Date _____



AGENDA ITEM SUMMARY FORM

MEETING DATE: 9/28/26

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

AGENDA ITEM CONTENT: Director of Public Services - Fire Station 1 Pavement Repairs

AGENDA ITEM SECTION: Bid Awards/Purchases

BUDGETED AMOUNT: \$220,000

FUNDS REQUESTED: \$184,772

FUND: 101-336-987-0000

EXECUTIVE SUMMARY:

The FY 2026-27 budget includes funding for the rehabilitation of the Fire Station 1 rear parking and staging area. This concrete is original to the building's construction, and has generally succumbed to the 'joint rot' issue which was a nationwide problem with certain cement mixes and concrete pavement in and around the early 2000s.

This pavement is used for training exercises, employee parking, and fire apparatus staging and movement. It's severely deteriorated condition, and the rapid acceleration of this deterioration make the total replacement of this pavement a priority capital project.

RECOMMENDATION:

Staff recommends that Council approve the proposal for the Fire Station 1 Pavement Repairs to DiLisio Contracting, of Clinton Township, in a project amount of \$184,772.00. Funding is budgeted and available.

MEMORANDUM

Item 7.

DATE: September 22, 2026
TO: Melissa R. Marsh, City Manager
FROM: Sean P. Ballantine, Director of Public Services
SUBJECT: Fire Station 1 Pavement Repairs

The FY 2026-27 budget includes funding for the rehabilitation of the Fire Station 1 rear parking and staging area. This concrete is original to the building's construction, and has generally succumbed to the 'joint rot' issue which was a nationwide problem with certain cement mixes and concrete pavement in and around the early 2000s.

As with the DPS pavement project, Staff reached out to Nowak and Fraus, the City's consulting engineers, to measure and estimate the cost of this phase based on DiLisio's unit bid price for concrete, and the favorable project cost realized by utilizing this existing road construction unit pricing.

This pavement is used for training exercises, employee parking, and fire apparatus staging and movement. Its current condition, besides being severely deteriorated generally, presents the potential for numerous trip hazards, as the majority of the joints have spalled deeply and widely. For a number of years, DPS has utilized a variety of sealants and mastic products, as well as outright pavement patching in order to extend the life of the pavement, however, the deterioration is accelerating rapidly. Based on these facts, the total replacement of this pavement is a priority capital project.

Staff therefore recommends that Council approve the proposal for the DPS Pavement Repairs to DiLisio Contracting, of Clinton Township, in a project amount of \$184,772.00. Funding is budgeted and available.

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



23525 Lakepointe Drive, Clinton Township, Michigan, 48036

Phone 586.783.4044 Fax: 586.783.4058

August 26, 2026

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

Re: Fire Station #1 Pavement Improvements

DiLisio Contracting Inc. is pleased to submit this proposal for construction services for the above referenced project. Included in our scope of work is the following:

Line No.	Item Description	Quantity	Unit Price	Total
1.	Pavement Removal	1,800 SY	\$10.00	\$18,000.00
2.	Sidewalk Removal	55 SY	\$10.00	\$550.00
3.	Earth Excavation	100 CY	\$30.00	\$3,000.00
4.	Aggregate Base, 4" CIP- 21 AA	432 SY	\$8.00	\$3,456.00
5.	9" NR Concrete Pavement w/ Integral C. & G.	1,800 SY	\$85.00	\$153,000.00
6.	4" Concrete Sidewalk	560 SF	\$5.85	\$3,276.00
7.	6" Concrete Sidewalk Ramp	180 SF	\$8.00	\$1,440.00
8.	Adjust Drainage Structure	4 EA	\$300.00	\$1,200.00
9.	Reconstruct Drainage Structure	1 EA	\$450.00	\$450.00
9.	Class A Sod	40 SY	\$5.00	\$200.00
10.	Topsoil Surface, 3"- Complete	40 SY	\$5.00	\$200.00
			Total	\$184,772.00

Acceptance of Proposal- **The above prices and conditions are satisfactory and are hereby accepted. You are authorized to do the work specified.**

Authorized Signature _____ Date _____





AGENDA ITEM SUMMARY FORM

MEETING DATE: 9/28/26

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

AGENDA ITEM CONTENT: Director of Public Services - Police & Fire Station 1 Carpet Replacement

AGENDA ITEM SECTION: Bid Awards/Purchases

BUDGETED AMOUNT: \$145,000

FUNDS REQUESTED: \$139,077.81

FUND: 101-301/336-987-0000

EXECUTIVE SUMMARY:

The current budget includes accumulated funding to replace carpet and other flooring in both the Police Department and Fire Station #1. The carpet in both buildings is over 20 years old and is in very poor condition. Staff elected to have the two projects quoted together in order to achieve economies of scale with a single company. Qualified vendors were sourced through the State of Michigan's MiDeal and the Sourcewell cooperative purchasing programs, and Conventional Carpet was identified as a local and preferred vendor for the work.

RECOMMENDATION:

Staff requests that Council award the Police & Fire Carpet Replacement Project to Conventional Carpet, of Sterling Heights, for a total project amount of \$139,077.81 through the Sourcewell purchasing cooperative. Funding is budgeted and available.

MEMORANDUM

Item 8.

DATE: September 22, 2026

TO: Melissa R. Marsh, City Manager

FROM: Chris Woodward, Deputy Director of Public Services
Sean P. Ballantine, Director of Public Services

SUBJECT: Police & Fire Station 1 Carpet Replacement

The current budget includes accumulated funding to replace carpet and other flooring in both the Police Department and Fire Station #1. The carpet in both buildings is over 20 years old and is in very poor condition. Several areas are so worn that they have created trip hazards, making it difficult for staff to navigate safely.

Staff elected to have the two projects quoted together in order to achieve economies of scale with a single company. Qualified vendors were sourced through the State of Michigan's MiDeal and the Sourcewell cooperative purchasing programs, and Conventional Carpet was identified as a local and preferred vendor for the work. Representatives from both the contractor, Conventional Carpet, and the carpet manufacturer, Tarkett, have visited both locations and provided estimates for the work.

The proposal to replace the carpet in various areas of the Police Department, including the hallways, K-9 & Training Office, Detective Bureau, Reserve Office, and Administrative areas, is \$112,541.15. The proposal to replace the carpet in various areas of Fire Station 1, including the vestibule, Training Room, Bunk Area, Watch/Report Writing Office, and Administrative areas, is \$26,536.66.

The total amount budgeted for carpet replacement at the Police Department is \$125,000, and the budgeted amount for carpet replacement at the Fire Station is \$20,000, which provides adequate budgeted funding for the overall combined project in the General Fund.

Staff respectfully requests that Council award the Police & Fire Carpet Replacement Project to Conventional Carpet, of Sterling Heights, for a total project amount of \$139,077.81 through the Sourcewell purchasing cooperative. Funding is budgeted and available.

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

PRICING PROPOSAL

8/13/2026

Attn: City of Madison Heights

From: Conventional Carpet Inc. 7155 19 Mile Rd. Sterling Heights, MI 48314

Contact: Chris Woodward

Phone: 586 739 6090 Fax: 586 739 5466

Job: Madison Heights Admin Building

Source well Contract 061323TFU/ Region 6 pricing union/ Tarkett alliance #168119

220 sy	Allowance carpet TBD	30.00	6,600.00
25 sy	attic stock material color Direct Current 22405	30.00	750.00
5 each	C-EX adhesive 4 gallon pail 60 sy per	126.52	632.60
650 sf	Tandus LVT allowance	5.33	3,464.00
1 each	Rollsmart adhesive	lot	299.61
650 sf	installation of LVT	3.73	2,424.50
650 sf	adhesive removal at LVT	1.22	793.00
360 lf	R&R wall base rubber	5.84	2,102.00
220 sy	carpet labor installation	12.25	2,695.00
220 sy	demo of existing carpet	5.00	1,100.00
220 sy	disposal of existing carpet	2.05	451.00
2630 sf	application of C-56 primer labor	1.21	3,182.30
3 each	Tandus C-56 4 gallon primer 120 sy per	126.52	379.56
Total \$			24,873.57

Notes: Floor to be carpet ready, no furniture or equipment.

Pricing based on regular work hours.

Additional floor repair based on time and materials.

Conventional Carpet is a proud member of local 1045 Carpenters Union.

Sourcewell contract pricing utilized for each line item.

Conditions of Proposal:

1. Proposal made subject to credit review and approval by Conventional Carpet Inc.
2. This proposal valid for 30 days.
3. Our terms are Net 30. Customer will be responsible for any costs or fees incurred in the collection of any past due invoices, including attorney fees, and understands that past due invoices are subject to a 1.5% monthly finance charge.
4. One (1) year limited warranty available upon request.

Accepted _____

CANCELLATION OF SUBMITTED ORDERS WILL RESULT IN RESTOCKING FEES.

PRICING PROPOSAL

8/13/2026

Attn: City of Madison Heights

From: Conventional Carpet Inc. 7155 19 Mile Rd. Sterling Heights, MI 48314

Contact: Chris Woodward

Phone: 586 739 6090 Fax: 586 739 5466

Job: Madison Heights Detective Area

Source well Contract 061323TFU/ Region 6 pricing union/ Tarkett alliance #168119

285 sy	Allowance carpet TBD	30.00	8,550.00
20 sy	attic stock material color Direct Current 22405	30.00	600.00
5 each	C-EX adhesive 4 gallon pail 60 sy per	126.52	632.60
600 lf	R&R wall base rubber	5.84	3,504.00
285 sy	carpet labor installation	12.25	3,491.25
285 sy	demo of existing carpet	5.00	1,425.00
285 sy	disposal of existing carpet	2.05	584.25
2600 sf	application of C-56 primer labor	1.21	3,146.00
3 each	Tandus C-56 4 gallon primer 120 sy per	126.52	379.56

Total \$ 22,312.66

Notes: Floor to be carpet ready, no furniture or equipment.

Pricing based on regular work hours.

Additional floor repair based on time and materials.

Conventional Carpet is a proud member of local 1045 Carpenters Union.

Sourcewell contract pricing utilized for each line item.

Conditions of Proposal:

1. Proposal made subject to credit review and approval by Conventional Carpet Inc.
2. This proposal valid for 30 days.
3. Our terms are Net 30. Customer will be responsible for any costs or fees incurred in the collection of any past due invoices, including attorney fees, and understands that past due invoices are subject to a 1.5% monthly finance charge.
4. One (1) year limited warranty available upon request.

Accepted _____

CANCELLATION OF SUBMITTED ORDERS WILL RESULT IN RESTOCKING FEES.

PRICING PROPOSAL

8/13/2026

Attn: City of Madison Heights

From: Conventional Carpet Inc. 7155 19 Mile Rd. Sterling Heights, MI 48314

Contact: Chris Woodward

Phone: 586 739 6090 Fax: 586 739 5466

Job: Madison Heights PD dispatch hallway

Source well Contract 061323TFU/ Region 6 pricing union/ Tarkett alliance #168119

25 sy	Allowance carpet TBD	30.00	750.00
5 sy	attic stock material color Direct Current 22405	30.00	150.00
1 each	C-EX adhesive 4 gallon pail 60 sy per	126.52	126.52
120 lf	R&R wall base rubber	5.84	700.80
25 sy	carpet labor installation	12.25	306.25
25 sy	demo of existing carpet	5.00	125.00
25 sy	disposal of existing carpet	2.05	51.25
220 sf	application of C-56 primer labor	1.21	266.20
1 each	Tandus C-56 4 gallon primer 120 sy per	126.52	126.52

Total \$ 2,602.54

Notes: Floor to be carpet ready, no furniture or equipment.

Pricing based on regular work hours.

Additional floor repair based on time and materials.

Conventional Carpet is a proud member of local 1045 Carpenters Union.

Sourcewell contract pricing utilized for each line item.

Conditions of Proposal:

1. Proposal made subject to credit review and approval by Conventional Carpet Inc.
2. This proposal valid for 30 days.
3. Our terms are Net 30. Customer will be responsible for any costs or fees incurred in the collection of any past due invoices, including attorney fees, and understands that past due invoices are subject to a 1.5% monthly finance charge.
4. One (1) year limited warranty available upon request.

Accepted _____

CANCELLATION OF SUBMITTED ORDERS WILL RESULT IN RESTOCKING FEES.

PRICING PROPOSAL

8/13/2026

Attn: City of Madison Heights

From: Conventional Carpet Inc. 7155 19 Mile Rd. Sterling Heights, MI 48314

Contact: Chris Woodward

Phone: 586 739 6090 Fax: 586 739 5466

Job: Madison Heights Police Basement Gun Range

Source well Contract 061323TFU/ Region 6 pricing union/ Tarkett alliance #168119

60 sy	Allowance carpet TBD	30.00	1,800.00
5 sy	attic stock material color Direct Current 22405	30.00	150.00
1 each	C-EX adhesive 4 gallon pail 60 sy per	126.52	126.52
120 lf	R&R wall base rubber	5.84	700.80
60 sy	carpet labor installation	12.25	735.00
60 sy	demo of existing carpet	5.00	300.00
60 sy	disposal of existing carpet	2.05	123.00
540 sf	application of C-56 primer labor	1.21	653.40
1 each	Tandus C-56 4 gallon primer 120 sy per	126.52	126.52

Total \$ 4,715.24

Notes: Floor to be carpet ready, no furniture or equipment.

Pricing based on regular work hours.

Additional floor repair based on time and materials.

Conventional Carpet is a proud member of local 1045 Carpenters Union.

Sourcewell contract pricing utilized for each line item.

Conditions of Proposal:

1. Proposal made subject to credit review and approval by Conventional Carpet Inc.
2. This proposal valid for 30 days.
3. Our terms are Net 30. Customer will be responsible for any costs or fees incurred in the collection of any past due invoices, including attorney fees, and understands that past due invoices are subject to a 1.5% monthly finance charge.
4. One (1) year limited warranty available upon request.

Accepted _____

CANCELLATION OF SUBMITTED ORDERS WILL RESULT IN RESTOCKING FEES.

PRICING PROPOSAL

8/13/2026

Attn: City of Madison Heights

From: Conventional Carpet Inc. 7155 19 Mile Rd. Sterling Heights, MI 48314

Contact: Chris Woodward

Phone: 586 739 6090 Fax: 586 739 5466

Job: Madison Heights K-9 and training

Source well Contract 061323TFU/ Region 6 pricing union/ Tarkett alliance #168119

70 sy	Allowance carpet TBD	30.00	2,100.00
10 sy	attic stock material color Direct Current 22405	30.00	300.00
1 each	C-EX adhesive 4 gallon pail 60 sy per	126.52	126.52
120 lf	R&R wall base rubber	5.84	700.80
70 sy	carpet labor installation	12.25	857.50
70 sy	demo of existing carpet	5.00	350.00
70 sy	disposal of existing carpet	2.05	143.50
630 sf	application of C-56 primer labor	1.21	762.30
1 each	Tandus C-56 4 gallon primer 120 sy per	126.52	126.52

Total \$ 5,467.14

Notes: Floor to be carpet ready, no furniture or equipment.

Pricing based on regular work hours.

Additional floor repair based on time and materials.

Conventional Carpet is a proud member of local 1045 Carpenters Union.

Sourcewell contract pricing utilized for each line item.

Conditions of Proposal:

1. Proposal made subject to credit review and approval by Conventional Carpet Inc.
2. This proposal valid for 30 days.
3. Our terms are Net 30. Customer will be responsible for any costs or fees incurred in the collection of any past due invoices, including attorney fees, and understands that past due invoices are subject to a 1.5% monthly finance charge.
4. One (1) year limited warranty available upon request.

Accepted _____

CANCELLATION OF SUBMITTED ORDERS WILL RESULT IN RESTOCKING FEES.

PRICING PROPOSAL

8/13/2026

Attn: Chris

From: Conventional Carpet Inc. 7155 19 Mile Rd. Sterling Heights, MI 48314

Contact: Jeff Cardinali jcardinali@conventionalcarpet.com

Phone: 586 739 6090 Fax: 586 739 5466

Job: Madison Heights Hallways at police station			
Sourcewell Contract 061323TFU/ Region 6 pricing/ Tarkett Alliance #168119			
1300 sf	Allowance for LVT	5.33	6,929.00
2 each	Tandus Rollsmart adhesive	299.61	599.22
1300 sf	installation of LVT	3.73	4,849.00
144 sy	removal of existing carpet	5.50	792.00
144 sy	disposal of carpet	1.02	146.88
480 sy	R&R wall base	5.84	2,803.20
1300 sf	adhesive removal	1.22	1,586.00
1300 sf	minor prep/ skimcoat @ LVT	1.05	1,365.00
2 each	C36-E primer	63.68	127.36
60 lf	transition strips and labor	4.31	258.60
1 lot	Moisture Test	lot	241.35
lot	Mobilization		0.00
		Total \$	19,697.61

Notes: Floor to be carpet ready, no furniture or equipment.

Pricing based on regular work hours.

Additional floor repair based on time and materials.

Conditions of Proposal:

1. Proposal made subject to credit review and approval by Conventional Carpet Inc.
2. This proposal valid for 30 days.
3. Our terms are Net 30. Customer will be responsible for any costs or fees incurred in the collection of any past due invoices, including attorney fees, and understands that past due invoices are subject to a 1.5% monthly finance charge.
4. One (1) year limited warranty available upon request.

Accepted_____

CANCELLATION OF SUBMITTED ORDERS WILL RESULT IN RESTOCKING FEES.

PRICING PROPOSAL

9/18/2026

Attn: City of Madison Heights

From: Conventional Carpet Inc. 7155 19 Mile Rd. Sterling Heights, MI 48314

Contact: Chris Woodward

Phone: 586 739 6090 Fax: 586 739 5466

Job: Madison Heights Reserve Police Building 1st floor

Source well Contract 061323TFU/ Region 6 pricing union/ Tarkett alliance #168119

1000 sf	Allowance LVT	5.00	5,000.00
1000 sf	glue removal	0.70	700.00
50 sf	attic stock material	5.00	250.00
1 each	allowance for material and labor at stairs	lot	3,000.00
1 each	Rollsmart lvt adhesive	278.71	278.71
360 lf	R&R wall base rubber	5.84	2,102.00
1000 sf	lvt labor installation	4.00	4,000.00
100 sy	demo of existing carpet	5.00	500.00
50 each	Birch underlayment 4'x5'	75.00	3,750.00
1000 sf	labor installation of wood subfloor	3.35	3,350.00
100 sy	disposal of existing carpet	2.05	205.00
1000 sf	application of C-56 primer labor	1.21	1,210.00
1 each	Tandus C-56 4 gallon primer 120 sy per	126.52	126.52

Total \$ 24,472.23

Notes: Floor to be carpet ready, no furniture or equipment.

Pricing based on regular work hours.

Additional floor repair based on time and materials.

Conventional Carpet is a proud member of local 1045 Carpenters Union.

Sourcewell contract pricing utilized for each line item.

Conditions of Proposal:

1. Proposal made subject to credit review and approval by Conventional Carpet Inc.
2. This proposal valid for 30 days.
3. Our terms are Net 30. Customer will be responsible for any costs or fees incurred in the collection of any past due invoices, including attorney fees, and understands that past due invoices are subject to a 1.5% monthly finance charge.
4. One (1) year limited warranty available upon request.

Accepted _____

CANCELLATION OF SUBMITTED ORDERS WILL RESULT IN RESTOCKING FEES.

PRICING PROPOSAL

9/18/2026

Attn: City of Madison Heights

From: Conventional Carpet Inc. 7155 19 Mile Rd. Sterling Heights, MI 48314

Contact: Chris Woodward

Phone: 586 739 6090 Fax: 586 739 5466

Job: Madison Heights Reserve Police Building 2nd floor

Source well Contract 061323TFU/ Region 6 pricing union/ Tarkett alliance #168119

100 sy	Allowance carpet TBD	30.00	3,000.00
20 sy	attic stock material	30.00	600.00
2 each	C-EX adhesive 4 gallon pail 60 sy per	126.52	253.04
240 lf	R&R wall base rubber	5.84	1,401.60
100 sy	carpet labor installation	12.25	1,225.00
100 sy	demo of existing carpet	5.00	500.00
100 sy	disposal of existing carpet	2.05	205.00
900 sf	application of C-56 primer labor	1.21	1,089.00
1 each	Tandus C-56 4 gallon primer 120 sy per	126.52	126.52

Total \$ 8,400.16

Notes: Floor to be carpet ready, no furniture or equipment.

Pricing based on regular work hours.

Additional floor repair based on time and materials.

Conventional Carpet is a proud member of local 1045 Carpenters Union.

Sourcewell contract pricing utilized for each line item.

Conditions of Proposal:

1. Proposal made subject to credit review and approval by Conventional Carpet Inc.
2. This proposal valid for 30 days.
3. Our terms are Net 30. Customer will be responsible for any costs or fees incurred in the collection of any past due invoices, including attorney fees, and understands that past due invoices are subject to a 1.5% monthly finance charge.
4. One (1) year limited warranty available upon request.

Accepted _____

CANCELLATION OF SUBMITTED ORDERS WILL RESULT IN RESTOCKING FEES.

PRICING PROPOSAL

8/13/2026

Attn: City of Madison Heights

From: Conventional Carpet Inc. 7155 19 Mile Rd. Sterling Heights, MI 48314

Contact: Chris Woodward

Phone: 586 739 6090 Fax: 586 739 5466

Job: Fire Entry vestibule and mat

Source well Contract 061323TFU/ Region 6 pricing union/ Tarkett alliance #168119

25 sy	Tandus Abrasive Action walk off tile	73.51	1,837.75
5 sy	attic stock material color TBD	73.51	367.55
1 each	C-EX adhesive 4 gallon pail 60 sy per	126.52	126.52
25 sy	carpet labor installation	12.25	306.25
225 sf	glue removal	1.22	274.50
225 sf	minor floor prep	1.12	252.00
25 sy	demo of existing carpet	5.00	125.00
25 sy	disposal of existing carpet	2.05	51.25
225 sf	application of C-56 primer labor	1.21	272.25
1 each	Tandus C-56 4 gallon primer 120 sy per	126.52	126.52

Total \$ 3,739.59

Notes: Floor to be carpet ready, no furniture or equipment.

Pricing based on regular work hours.

Additional floor repair based on time and materials.

Conventional Carpet is a proud member of local 1045 Carpenters Union.

Sourcewell contract pricing utilized for each line item.

Conditions of Proposal:

1. Proposal made subject to credit review and approval by Conventional Carpet Inc.
2. This proposal valid for 30 days.
3. Our terms are Net 30. Customer will be responsible for any costs or fees incurred in the collection of any past due invoices, including attorney fees, and understands that past due invoices are subject to a 1.5% monthly finance charge.
4. One (1) year limited warranty available upon request.

Accepted _____

CANCELLATION OF SUBMITTED ORDERS WILL RESULT IN RESTOCKING FEES.

PRICING PROPOSAL

8/13/2026

Attn: City of Madison Heights

From: Conventional Carpet Inc. 7155 19 Mile Rd. Sterling Heights, MI 48314

Contact: Chris Woodward

Phone: 586 739 6090 Fax: 586 739 5466

Job: Madison Heights Fire # Bunk Area

Source well Contract 061323TFU/ Region 6 pricing union/ Tarkett alliance #168119

90 sy	Allowance carpet TBD	30.00	2,700.00
10 sy	attic stock material color Direct Current 22405	30.00	300.00
2 each	C-EX adhesive 4 gallon pail 60 sy per	126.52	253.04
360 lf	R&R wall base rubber	5.84	2,102.40
90 sy	carpet labor installation	12.25	1,102.50
90 sy	demo of existing carpet	5.00	450.00
90 sy	disposal of existing carpet	2.05	184.50
810 sf	application of C-56 primer labor	1.21	980.10
1 each	Tandus C-56 4 gallon primer 120 sy per	126.52	126.52

Total \$ 8,199.06

Notes: Floor to be carpet ready, no furniture or equipment.

Pricing based on regular work hours.

Additional floor repair based on time and materials.

Conventional Carpet is a proud member of local 1045 Carpenters Union.

Sourcewell contract pricing utilized for each line item.

Conditions of Proposal:

1. Proposal made subject to credit review and approval by Conventional Carpet Inc.
2. This proposal valid for 30 days.
3. Our terms are Net 30. Customer will be responsible for any costs or fees incurred in the collection of any past due invoices, including attorney fees, and understands that past due invoices are subject to a 1.5% monthly finance charge.
4. One (1) year limited warranty available upon request.

Accepted _____

CANCELLATION OF SUBMITTED ORDERS WILL RESULT IN RESTOCKING FEES.

PRICING PROPOSAL

8/13/2026

Attn: City of Madison Heights

From: Conventional Carpet Inc. 7155 19 Mile Rd. Sterling Heights, MI 48314

Contact: Chris Woodward

Phone: 586 739 6090 Fax: 586 739 5466

Job: LVT Bunk @ Fire Station 31313 John R.

Source well Contract 061323TFU/ Region 6 pricing union/ Tarkett alliance #168119

20 sy	Allowance carpet TBD	30.00	600.00
5 sy	attic stock material color Direct Current 22405	30.00	150.00
1 each	C-EX adhesive 4 gallon pail 60 sy per	126.52	126.52
120 lf	R&R wall base rubber	5.84	784.00
20 sy	carpet labor installation	12.25	245.00
20 sy	demo of existing carpet	5.00	100.00
20 sy	disposal of existing carpet	2.05	41.00
180 sf	application of C-56 primer labor	1.21	217.80
1 each	Tandus C-56 4 gallon primer 120 sy per	126.52	126.52

Total \$ 2,390.84

Notes: Floor to be carpet ready, no furniture or equipment.

Pricing based on regular work hours.

Additional floor repair based on time and materials.

Conventional Carpet is a proud member of local 1045 Carpenters Union.

Sourcewell contract pricing utilized for each line item.

Conditions of Proposal:

1. Proposal made subject to credit review and approval by Conventional Carpet Inc.
2. This proposal valid for 30 days.
3. Our terms are Net 30. Customer will be responsible for any costs or fees incurred in the collection of any past due invoices, including attorney fees, and understands that past due invoices are subject to a 1.5% monthly finance charge.
4. One (1) year limited warranty available upon request.

Accepted _____

CANCELLATION OF SUBMITTED ORDERS WILL RESULT IN RESTOCKING FEES.

PRICING PROPOSAL

8/13/2026

Attn: City of Madison Heights

From: Conventional Carpet Inc. 7155 19 Mile Rd. Sterling Heights, MI 48314

Contact: Chris Woodward

Phone: 586 739 6090 Fax: 586 739 5466

Job: Fire Station Stage

Source well Contract 061323TFU/ Region 6 pricing union/ Tarkett alliance #168119

50 sy	Allowance carpet TBD	30.00	1,500.00
5 sy	attic stock material color TBD	30.00	150.00
1 each	C-EX adhesive 4 gallon pail 60 sy per	126.52	126.52
50 sy	carpet labor installation	12.25	612.50
450 sf	glue removal	1.22	549.00
450 sf	minor floor prep	1.12	504.00
120 lf	wall base material and labor	5.84	700.80
48 lf	Stair nosing	46.24	2,219.52
1 gal	wall base cement	106.07	106.07
50 sy	demo of existing carpet	5.00	250.00
50 sy	disposal of existing carpet	2.05	102.50
450 sf	application of C-56 primer labor	1.21	544.50
1 each	Tandus C-56 4 gallon primer 120 sy per	126.52	126.52
Total \$			7,491.93

Notes: Floor to be carpet ready, no furniture or equipment.

Pricing based on regular work hours.

Additional floor repair based on time and materials.

Conventional Carpet is a proud member of local 1045 Carpenters Union.

Sourcewell contract pricing utilized for each line item.

Conditions of Proposal:

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2. This proposal valid for 30 days.
3. Our terms are Net 30. Customer will be responsible for any costs or fees incurred in the collection of any past due invoices, including attorney fees, and understands that past due invoices are subject to a 1.5% monthly finance charge.
4. One (1) year limited warranty available upon request.

Accepted _____

CANCELLATION OF SUBMITTED ORDERS WILL RESULT IN RESTOCKING FEES.

PRICING PROPOSAL

9/18/2026

Attn: City of Madison Heights

From: Conventional Carpet Inc. 7155 19 Mile Rd. Sterling Heights, MI 48314

Contact: Chris Woodward

Phone: 586 739 6090 Fax: 586 739 5466

Job: Madison Heights Fire Station 1 Report Room

Source well Contract 061323TFU/ Region 6 pricing union/ Tarkett alliance #168119

60 sy	Allowance carpet TBD	30.00	1,800.00
5 sy	attic stock material	30.00	150.00
1 each	C-EX adhesive 4 gallon pail 60 sy per	126.52	126.52
120 lf	R&R wall base rubber	5.84	700.80
60 sy	carpet labor installation	12.25	735.00
60 sy	demo of existing carpet	5.00	300.00
60 sy	disposal of existing carpet	2.05	123.00
540 sf	application of C-56 primer labor	1.21	653.40
1 each	Tandus C-56 4 gallon primer 120 sy per	126.52	126.52

Total \$ 4,715.24

Notes: Floor to be carpet ready, no furniture or equipment.

Pricing based on regular work hours.

Additional floor repair based on time and materials.

Conventional Carpet is a proud member of local 1045 Carpenters Union.

Sourcewell contract pricing utilized for each line item.

Conditions of Proposal:

1. Proposal made subject to credit review and approval by Conventional Carpet Inc.
2. This proposal valid for 30 days.
3. Our terms are Net 30. Customer will be responsible for any costs or fees incurred in the collection of any past due invoices, including attorney fees, and understands that past due invoices are subject to a 1.5% monthly finance charge.
4. One (1) year limited warranty available upon request.

Accepted _____

CANCELLATION OF SUBMITTED ORDERS WILL RESULT IN RESTOCKING FEES.



AGENDA ITEM SUMMARY FORM

MEETING DATE: 09/14/26

PREPARED BY: Melissa Marsh, City Manager

AGENDA ITEM CONTENT: Ordinance 2213 - Amendment to Water and Sewer Ordinance for Rentals

AGENDA ITEM SECTION: Ordinances

BUDGETED AMOUNT:

FUNDS REQUESTED:

FUND:

EXECUTIVE SUMMARY:

The proposed ordinance amends Chapter 29 of the City Code concerning water and sewer services for rental properties. The amendment provides additional clarification regarding a property owner/lessor's responsibility for delinquent water and sewer charges when the requirements of Section 29-50.1(a)-(d) have not been met. The amendment also clarifies the City's ability to disconnect water and sewer service for non-payment and to assess a lien against the property for unpaid delinquent charges, including applicable interest and costs incurred by the City in recording the lien.

RECOMMENDATION:

Staff recommends that City Council adopt Ordinance No. 2214 on first reading and schedule the second reading on September 28.

ORDINANCE NO. 2213**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 29, titled "Water Supply and Sewage Disposal Systems," Article II, titled "Water," Division 3, titled "Connection and Use," Section 29-50.1, titled "Lessors requirements to abate lien on property," by amending subsection (e) therein by providing further clarification as to a property owner/lessor's obligations to pay for water and sewer services provided to owner/lessor's tenant, and the penalties for violation thereof.

THE CITY OF MADISON HEIGHTS ORDAINS**SECTION 1. AMENDMENT.**

That Chapter 29, titled "Water Supply and Sewage Disposal Systems," Article II, titled "Water," Division 3, titled "Connection and Use," and Section 29-50.1, titled "Lessors requirements to abate lien on property," specifically being Section 29-25.1(e) is hereby amended in its entirety, to read as follows:

Sec. 29-50.1(e) is amended to read as follows:

If a property owner/lessor fails to comply with the requirements of section 29-50.1(a)-(d), any delinquency in the payment of water or sewer charges shall be the responsibility of the property owner/lessor. If a property owner/lessor complies with the requirements of section 29-50.1(a)-(d), the City shall disconnect water and sewer for non-payment and may apply the deposit to any delinquency in the payment of water or sewer charges. In either case, if the balance used to pay the delinquency is not replenished or the delinquent balance due is not paid, the property will not be in compliance with section 29-50.1(a)-(d) and the city may assess a lien against the subject property for the amount of the delinquency or balance due, plus impose a lawful rate of interest on the unpaid delinquency or balance due, and costs incurred by the city in recording the lien. The city may disconnect the water and sewer service for properties complying with section 29-50.1(a)-(d) for non-payment as a violation of section 29-48 of the code by being deemed a failure of all reasonable means of collection.

SECTION 2. REPEALER.

All remaining sections of Section 29-50.1, not otherwise modified herein, shall remain in full force and effect; provided, however, all other ordinances, or parts of ordinances, in conflict with this amendment are repealed only to the extent necessary to give this amendment full force and effect.

SECTION 3. SEVERABILITY

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

SECTION 4. SAVINGS.

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

SECTION 5. EFFECTIVE DATE.

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

SECTION 6. INSPECTION.

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



AGENDA ITEM SUMMARY FORM

MEETING DATE: 09/14/2026

PREPARED BY: Assistant City Attorney, Jeff Sherman

AGENDA ITEM CONTENT: Kratom Prohibition Ordinance - First Reading

AGENDA ITEM SECTION: Ordinances

BUDGETED AMOUNT: n/a

FUNDS REQUESTED:

FUND:

EXECUTIVE SUMMARY:

The proposed Kratom Prohibition Ordinance would amend Chapter 17 of the City Code to prohibit the possession, sale, manufacture, creation, delivery, and certain other activities involving kratom and kratom derivatives within the City of Madison Heights. The ordinance is intended to protect the public health, safety, and welfare and provides for criminal penalties and potential business license sanctions for violations.

The ordinance is presented to City Council for first reading on September 14, 2026. If approved, the second reading and consideration for adoption will take place on September 28, 2026.

RECOMMENDATION:

Staff recommends that City Council approve this Kratom Prohibition Ordinance on first reading and schedule the second reading for September 28, 2026.

ORDINANCE NO. 2214**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 17, Article VIII, Section 17-168 through 17-175 to prohibit the possession, sale, manufacture, creation, delivery and possession with intent to manufacture, create, or deliver Kratom or any Kratom derivative within the City of Madison Heights and to provide criminal penalties and business and non-business license sanctions for violation thereof.

THE CITY OF MADISON HEIGHTS ORDAINS**SECTION 1. AMENDMENT.**

That Chapter 17, titled “Miscellaneous Offenses and Provisions,” Article VIII, titled “Controlled Substances,” Section 17-168 through 17-175, titled “Reserved,” of the Code of Ordinances, City of Madison Heights, Michigan, is hereby amended in its entirety, to read as follows:

Sec. 17-168. – Short Title.

This ordinance shall be known and may be cited as the “Kratom Prohibition Ordinance.”

Sec. 17-169. – Findings and Purpose.

The purpose of this ordinance is to protect the public health, safety and welfare of persons within the jurisdiction of the city by prohibiting the possession, sale, manufacture, creation, delivery, and possession with intent to manufacture, create, or deliver kratom and kratom derivatives, except as expressly provided in this ordinance and to provide methods of enforcement through the criminal justice system and the licensing system in the city. The Madison Heights City Council finds that kratom and products containing kratom pose risks to public health, safety and welfare of the public and that prohibiting activities specified in this Ordinance are necessary to protect the community, including those who reside, work and visit the city.

Sec. 17-170 – Definitions.

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

- (a) *Kratom* means any part of the plant *Mitragyna speciosa*, including its leaves, stems, roots, extracts, powders, resins, preparations, concentrates, or other material derived from or containing any part of that plant.
- (b) *Kratom derivative* means any substance, preparation, compound, extract, concentrate, mixture, product, or other material that is derived from, contains, or is manufactured, created from kratom, whether or not the substance is chemically altered from its naturally occurring form.

- (c) *Manufacture* means the production, preparation, propagation, compounding, processing, extraction, conversion, packaging, repackaging, or other creation of kratom or a kratom derivative, directly or indirectly, by natural, chemical or other means.
- (d) *Creation* means to grow, produce, prepare, formulate, compound, extract, concentrate, process, or otherwise bring into existence kratom or a kratom derivative.
- (e) *Deliver or delivery* means the actual, constructive, or attempted transfer of kratom or a kratom derivative from one person to another, whether or not there is an exchange of money or other consideration.
- (f) *Person* means any individual, natural person, corporation, limited liability company, partnership, limited partnership, limited liability partnership, association, trust, estate, joint venture, cooperative, organization, business, business establishment, entity, firm, company, nonprofit organization, governmental entity, or other legal or commercial entity, whether or not incorporated, and any other entity or combination of individuals or entities capable of owning property, entering into contracts, conducting business, or being subject to legal obligations. The definition of “Person” also includes any officer, director, manager, member, partner, agent, employee, representative, or other person acting on behalf of such entity to the extent permitted by applicable law.
- (g) *Possession* means knowingly or intentionally having actual, constructive, or joint possession of kratom or a kratom derivative.
- (h) *Sale* means any transfer of kratom or a kratom derivative for money, property, services, or anything else of value and includes an offer or attempt to sell.

Sec. 17-171. – Prohibited conduct.

Except as expressly authorized by state or federal law and subject to the exceptions in Section 7 below of this ordinance, it shall be unlawful for a person, within the jurisdiction of the city, to:

- (a) Knowingly possess kratom or any kratom derivative;
- (b) Knowingly sell or offer for sale kratom or any kratom derivative;
- (c) Knowingly manufacture kratom or any kratom derivative;
- (d) Knowingly create kratom or any kratom derivative;
- (e) Knowingly deliver kratom or any kratom derivative;
- (f) Knowingly possess kratom or any kratom derivative with the intent to manufacture, create, sell, or deliver it;
- (g) Knowingly advertise, offer, arrange, or facilitate the sale or delivery of kratom or any kratom derivative; or
- (h) Knowingly maintain or operate a location for the purpose, in part, of manufacturing, creating, storing, selling, or delivering kratom or any kratom derivative in violation of this ordinance.

Sec. 17-172. – Possession With Intent.

A person who knowingly possesses kratom or a kratom derivative under circumstances demonstrating an intent to manufacture, create, sell, or deliver kratom or kratom derivative commits a violation of this ordinance. Intent may be established through any evidence permitted by applicable law, including but not limited to the quantity or packaging of the material, communications concerning the material, financial records, equipment, transaction records, or other circumstances surrounding the possession.

Sec. 17-173. – Applicability of Ordinance.

This ordinance applies regardless of the form in which the kratom or kratom derivative exists, including powder, capsule, tablet, liquid, resin, extract, concentrate, plant material, edible product, beverage or other preparation, whether the kratom or kratom derivative is labeled or marketed as a dietary supplement, botanical product, herbal product, food, beverage, wellness product, research chemical or otherwise; whether the product is intended for human consumption; and whether the product contains naturally occurring kratom constituents or constituents that have been chemically modified or concentrated.

Sec. 17-174. – Exceptions.

This ordinance shall not prohibit conduct that is expressly authorized by applicable federal or Michigan law. Nothing in this ordinance shall prohibit possession, handling, manufacture, testing, or use of kratom or a kratom derivative by a federal, state or local governmental agency or law enforcement agency acting with the scope of its official duties; possession or handling of kratom or a kratom derivative by a person acting pursuant to a valid court order or other specific legal authorization; possession, handling, manufacturing, or testing of kratom or a kratom derivative by an appropriately authorized laboratory, educational institution, or research organization when such activity is expressly permitted by applicable law; or any other conduct that applicable state or federal law expressly exempts from local regulation.

Sec. 17-175 -- Penalties.

- (a) A person who violates this article is guilty of a misdemeanor punishable by imprisonment for not more than 90 days or a fine of not more than \$500.00, or both. Further, each separate act of possession, manufacture, creation, sale, delivery, or possession with intent prohibited by this ordinance shall constitute a separate violation to the extent permitted by law.
- (b) A person who violates this article and who has or possesses a business license or other license issued by the city may be subject to revocation, non-renewal, or denial of said license, subject to the provisions in the city code of ordinances.
- (c) Pursuant to lawful enforcement of this ordinance, the city police department may seize and retain any kratom or kratom derivative, which may be kept, maintained, preserved, tested or transferred to other appropriate government authorities, or otherwise disposed of or destroyed in accordance with applicable law and established evidence-handling procedures.
- (d) Nothing in this article shall prevent the city from pursuing any other remedy authorized by law.

SECTION 2. REPEALER.

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

SECTION 3. SEVERABILITY

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

SECTION 4. SAVINGS.

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

SECTION 5. EFFECTIVE DATE.

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

SECTION 6. INSPECTION.

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



AGENDA ITEM SUMMARY FORM

MEETING DATE: 09/24/26

PREPARED BY: Melissa Marsh, City Manager

AGENDA ITEM CONTENT: Ordinance 2215 - Rezoning request PRZN 26-02 27431 Hales Street

AGENDA ITEM SECTION: Ordinances

BUDGETED AMOUNT: 0

FUNDS REQUESTED: 0

FUND:

EXECUTIVE SUMMARY:

Please see attached report.

RECOMMENDATION:

Staff recommends that City Council approve the first reading of the ordinance 2215 - Rezoning 27431 Hales Street, Parcel No. 44-25-13-401-021, from R-3, One-Family Residential, to N-P, Natural Preservation and Recreation, and to schedule the second reading and consideration of final adoption for October 12, 2026.

To: Honorable Mayor and City Council

From: Melissa Marsh, City Manager

Date: September 28, 2026

Subject: Rezoning Request PRZN 26-02 – 27431 Hales Street (R-3 to N-P) First Reading

Background

The City is initiating the rezoning of the 1.74-acre parcel located at 27431 Hales Street (Parcel No. 44-25-13-401-021) from R-3, One-Family Residential, to N-P, Natural Preservation and Recreation.

The property is currently owned by the Federal Aviation Administration (FAA), which previously operated a small facility on the site. The facility has since been demolished, and the property currently functions largely as an extension of the adjacent Rosie's Park. The City is in discussions with the FAA regarding the potential purchase of the property and its future incorporation into Rosie's Park. Rezoning the property to N-P would eliminate the existing split zoning and provide a consistent zoning designation with the surrounding City-owned park property.

The 2021 Master Plan identifies the subject property as Recreation, which is consistent with the proposed N-P zoning designation and the City's intent to incorporate the property into the recreational area. Staff determined that the proposed rezoning is compatible with the surrounding land uses and zoning and supports the City's recreational future land use designation.

Planning Commission Review

The Planning Commission held the required public hearing on September 22, 2026, and unanimously recommended that City Council approve the rezoning of 27431 Hales Street from R-3 to N-P. The recommendation was based on the findings that the proposed rezoning satisfies the applicable map amendment review standards contained in Section 15.07 of the Zoning Ordinance, including compatibility with surrounding uses, consistency with the Master Plan, and the appropriateness of the N-P zoning designation for the property.

Recommendation

Staff recommends that City Council approve the first reading of the ordinance 2215 - Rezoning 27431 Hales Street, Parcel No. 44-25-13-401-021, from R-3, One-Family Residential, to N-P, Natural Preservation and Recreation, and to schedule the second reading and consideration of final adoption for October 12, 2026.



MEMORANDUM

Date: September 25th, 2026
 To: City of Madison Heights City Council
 Meeting Date: September 28th, 2026
 From: Matt Lonnerstater, AICP – City Planner
 Subject: Rezoning Request PRZN 26-02 (Ord. 2215)– City-Initiated Rezoning of 27431 Hales Street [R-3 to N-P] – First Reading

Introduction

The City of Madison Heights is initiating a rezoning of one (1) parcel of land at 27431 Hales Street (TM# 44-25-13-401-021) from R-3, One-Family Residential, to N-P, Natural Preservation and Recreation. The property is 1.74 acres in size and is surrounded by Rosie's Park, which is owned by the City.

The subject property is owned by the Federal Aviation Administration (FAA) of the U.S. government who operated and maintained a small structure/facility on the parcel; this structure has since been demolished. The city is in discussions with the FAA to purchase the property and formally combine it with the adjacent Rosie's Park property. To avoid split-zoning, the City is initiating a rezoning to the N-P, Natural Preservation and Recreation district which is consistent with the remainder of the city-owned Rosie's Park property.

Planning Commission Action and Findings

At their September 22nd, 2026 meeting, the Planning Commission approved the following motion pertaining to the proposed rezoning:

Motion by Mayor Haines, seconded by Commissioner Graettinger, to recommend that City Council approve *the rezoning of 27431 Hales Street, parcel # 44-25-13-401-021, from R-3, One-Family Residential, to N-P, Natural Preservation and Recreation, after the required public hearing, based upon the following findings:*

Rezoning to N-P satisfies the map amendment review standards contained in Section 15.07 of the Zoning Ordinance. In particular, the Planning Commission finds that a rezoning to N-P satisfies the following standards:

- a. The site is compatible with the physical, geological, hydrological and other environmental features with the uses permitted in the proposed zoning district.*
- b. The uses allowed in the proposed N-P district are compatible with surrounding uses and zoning in terms of land suitability, impacts on the environment, density, nature of use, traffic impacts, aesthetics, infrastructure and potential influence on property values.*
- c. The proposed zoning district is compatible with the goals, policies, and objectives of the Master Plan (including the Future Land Use Plan) and the "Recreation" future land use category.*

- d. *The boundaries of the N-P district will be reasonable in relationship to surrounding zoning districts, and construction on the site will be able to meet the dimensional regulations for the requested zoning district.*
- e. *The proposed district is considered to be more appropriate from the city's perspective than the existing R-3 district.*
- f. *Rezoning the land is considered to be more appropriate than amending the list of permitted or special land uses in the current zoning district to allow the use.*

Motion carries unanimously.

Background

The U.S. Federal Aviation Administration (FAA) owns the subject parcel and operated/maintained a small structure and fenced compound on the parcel. Based on aerial photographs, the structure was demolished sometime between 2020 and 2023, but the fence is currently still standing. With the exception of the area interior to the fence, the remainder of the property acts as an extension of Rosie's Park. As the property is no longer used by the FAA, the City is interested in purchasing the property and formally consolidating it into Rosie's Park. The subject property is currently zoned R-3, One-Family Residential, while Rosie's Park is zoned N-P, Natural Preservation and Recreation. To avoid split zoning and to facilitate the purchase of the property, the City is requesting a rezoning to N-P.

Subject Parcel with Remnants of FAA Compound



Map Amendment (Rezoning) Review Standards

Section 15.07 of the Madison Heights Zoning Ordinance contains standards that the Planning Commission and City Council shall consider when reviewing and acting upon a rezoning request:

- (1) *Compatibility of the site's physical, geological, hydrological and other environmental features with the uses permitted in the proposed zoning district.*
- (2) *Compatibility of all the potential uses allowed in the proposed zoning district with surrounding uses and zoning in terms of land suitability, impacts on the environment, density, nature of use, traffic impacts, aesthetics, infrastructure and potential influence on property values.*
- (3) *Consistency with the goals, policies, and objectives of the Master Plan (including the Future Land Use Plan), and any sub-area or corridor plans. If conditions have changed since such plans were adopted, consistency with recent development trends in the area shall be considered.*

- (4) *The boundaries of the requested zoning district will be reasonable in relationship to surrounding zoning districts, and construction on the site will be able to meet the dimensional regulations for the requested zoning district.*
- (5) *The requested zoning district is considered to be more appropriate from the city's perspective than another zoning district.*
- (6) *If a rezoning is requested to allow for a specific use, rezoning the land is considered to be more appropriate than amending the list of permitted or special land uses in the current zoning district to allow the use.*
- (7) *The requested rezoning will not create an isolated or incompatible zone in the neighborhood.*
- (8) *The capability of the street system to safely and efficiently accommodate the expected traffic generated by uses permitted in the requested zoning district.*
- (9) *That the amendment will not be expected to result in exclusionary zoning.*

Zoning and Land Use Considerations

Per the Zoning Ordinance, the intent of the existing **R-3, One-Family Residential district** is to, “provide for one-family dwelling sites and residentially-related uses in keeping with the Master Plan of residential development in the City of Madison Heights.”

The intent of the proposed **N-P, Natural Preservation and Recreation District** is to:

- *Protect and sustain those lands and water bodies most suitable for public recreational purposes and the preservation of natural features.*
- *Provide for the protection, preservation, proper maintenance and use of trees, woodlands and other natural lands located in the City of Madison Heights in order to minimize disturbance to them and to prevent damage from erosion and siltation, a loss of wildlife and vegetation, and/or from the destruction of the natural habitat.*
- *Protect the woodlands (including trees and other form of vegetation) of this city for their economic support of local property values when allowed to remain uncleared and/or unharvested and for their natural beauty, wilderness, character, or geological, ecological, or historical significances.*
- *Provide for the paramount public concern for those natural resources in the interest of health, safety, and general welfare of the residents of the city.*

While the city intends to purchase the property, combine it with Rosie's Park, and maintain it for park purposes, City Council should consider all of the potential uses that could be developed on this site if it were to be rezoned to N-P. City Council should also consider the list of R-3 residential uses currently allowed on-site which would no longer be permitted in an N-P district. Some of these more intense uses and significant use departures are highlighted in the table on the following page:

Permitted Use Comparison: R-3 and N-P Districts

USE	R-3	N-P
CURRENT USE: De-commissioned FAA compound (Essential Public Utility Services)	P	P
PROPOSED USE: Public Park	P	P
Residential Uses		
One-Family Dwelling	P	S
Child Family Day Care Homes	P	P
Child Group Day Care Homes	S	S
Foster Care Family Homes	P	P
Foster Care Group Homes	S	S
Public & Quasi-Public Uses		
Public Library, Museum, Art Center, Community Center	P	S
Government Office Building, Courthouse, Public Police and Fire Services	P	P
Religious Institutions, Private Clubs and Lodges	S	
K-12 Schools, Public or Private	S	
Public Parks	P	P
Essential Public Utility Services	P	P

P = Permitted by Right S = Special Approval Required Blank = Not Permitted

The full Permitted Use Table is attached to this memorandum. While the list of permitted uses in both districts is limited, it is important to note that one-family dwellings require Special Land Use approval in the N-P district, whereas they are permitted by right in the R-3 district.

Existing Land Use and Zoning

Existing adjacent land uses and zoning designations are denoted in the table below:

Existing Land Uses and Zoning

	Existing Land Use	Existing Zoning
Site	Park/Decommissioned FAA Facility	R-3, One Family Residential
North	Rosie's Park	N-P, Natural Preservation and Recreation
South	Rosie's Park	N-P, Natural Preservation and Recreation
East (across Hales)	Single-Family Residential	R-3, One Family Residential
West	Rosie's Park	N-P, Natural Preservation and Recreation

The property is surrounded by Rosie's Park, zoned N-P. The properties across Hales Street are zoned R-3 and improved with single-family detached homes.

Future Land Use and Master Plan

Adjacent future land uses, as envisioned by the 2021 Madison Heights Master Plan, are denoted in the table below:

Future Land Use

	Future Land Use
Site	Recreation
North	Recreation
South	Recreation
East	Single-Family Residential
West	Recreation

The future land use designation of the subject site is *Recreation*. Per the Master Plan, the Recreation designation is intended to continue the established system of neighborhood parks, community parks and playfields, and the recreation corridor associated with the Red Run Drain. These areas are envisioned to continue as recreation areas and are maintained and improved as noted in the city’s Recreation Plan.

Pertinent Goals & Objectives from the Master Plan include:

Public Services & Facilities

- Expand the range of recreational opportunities and facilities in Madison Heights in accordance with residents’ needs and abilities.
- Replace aging infrastructure, as necessary, with technologically advanced, state of the art infrastructure and materials.

Staff Discussion and Policy Analysis

In practice, the subject parcel currently acts as a part of Rosie’s Park despite its separate ownership. Staff is in support of this city-initiated rezoning to help facilitate the transfer of property ownership to the City, combine the property with Rosie’s Park, and ensure a consistent zoning designation. Further, the rezoning is fully compatible with the property’s recreational future land use designation.

Next Step

Based on the recommendation of approval from the Planning Commission and their pertinent findings, staff recommends that City Council adopt Ordinance #2215 (PRZN 26-02) upon first reading and schedule the second and final reading for the October 12th, 2026 City Council Meeting. An additional public hearing is not required.

Attachments

- Compiled Maps
- Section 3.06 – Permitted Use Table
- Section 3.19 – Natural Preservation and Recreation District – Schedule of Regulations
- Section 15.07 – Zoning Ordinance Amendments (Map and Text)
- Public Hearing Notice

ORDINANCE NO. 2215

AN ORDINANCE TO AMEND ORDINANCE NUMBER 2198, BEING AN ORDINANCE CODIFYING AND ADOPTING A NEW ZONING ORDINANCE FOR THE CITY OF MADISON HEIGHTS, BY AMENDING THE ZONING MAP CONTAINED WITHIN APPENDIX A.

THE CITY OF MADISON HEIGHTS ORDAINS:

SECTION 1. That the Zoning Map in connection with the Zoning Ordinance of the City of Madison Heights shall be amended so that the zoning on the following described property, to-wit:

T1N, R11E, SEC 13, PART OF SE 1/4 BEG AT PT DIST S 87-55-00 E 167.77 FT & N 00-16-38 E 1331.08 FT & E 211.45 FT FROM S 1/4 COR, TH N 249.25 FT, TH E 245.35 FT, TH S 16 FT, TH E 62 FT, TH S 233.25 FT, TH W 307.35 FT TO BEG 1.74 A

PIN 44-25-13-401-021 – 27431 HALES STREET

Shall be changed from R-3, ONE-FAMILY RESIDENTIAL, to N-P, NATURAL PRESERVATION AND RECREATION.

SECTION 2. 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. This ordinance shall take effect ten (10) days after its adoption and upon publication.

Corey K. Haines
Mayor

Mary P. Daley
City Clerk

CERTIFICATION:

I, Mary Daley, the duly appointed City Clerk of the City of Madison Heights, County of Oakland, State of Michigan, do hereby certify that the foregoing is a true and correct copy of an Ordinance adopted by the Madison Heights City Council at their Regular Meeting held on _____, 2026.

Mary P. Daley
City Clerk

FIRST READING: September 28th, 2026

SECOND READING:

ADOPTED:

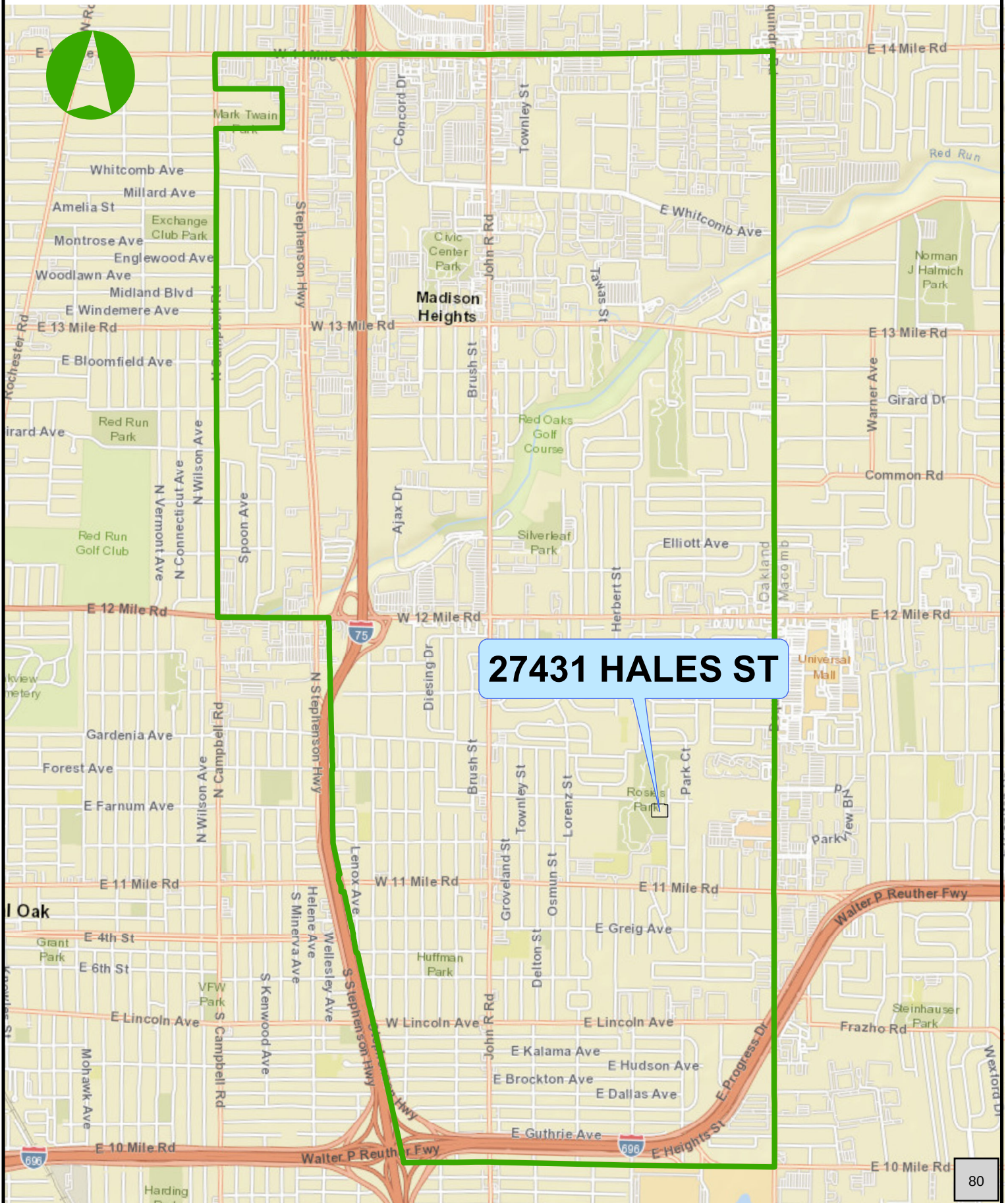
PUBLISHED:

EFFECTIVE:

DRAFT

PRZN 26-02 : 27431 HALES ST

Item 11.

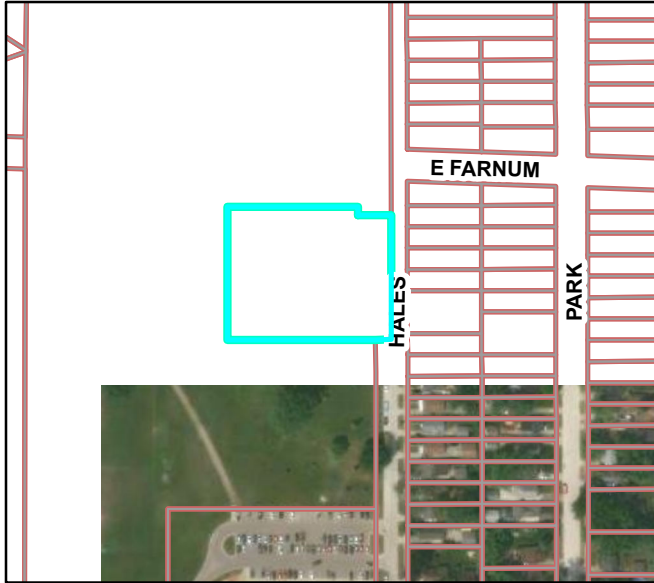


Site Address: 27431 Hales St



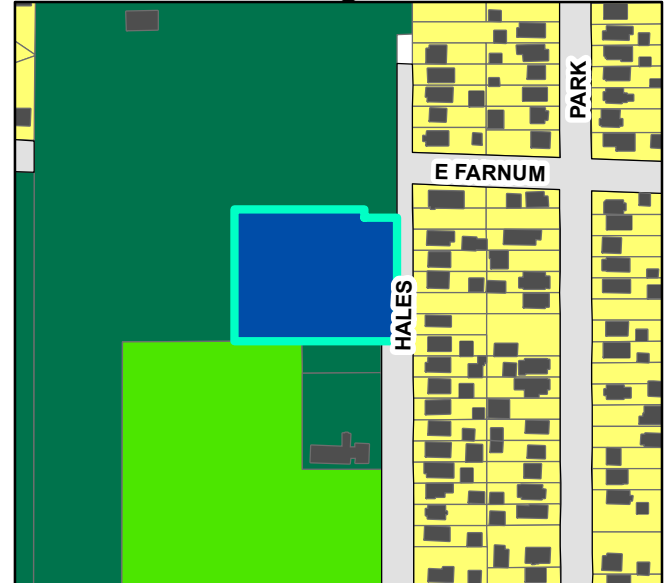
Click for maps

Aerial



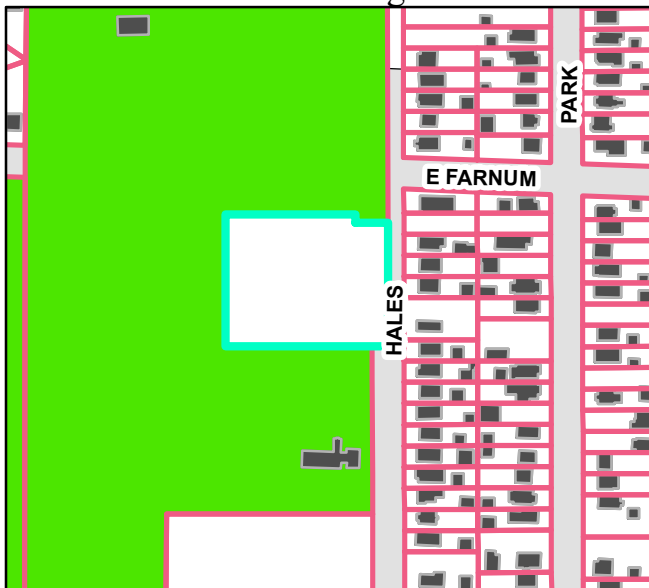
27431 Hales St Parcels

Existing Land Use



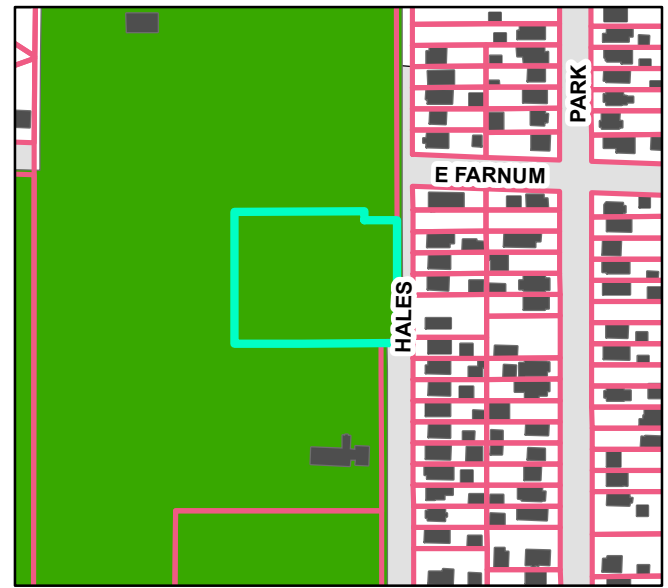
27431 Hales St Recreation
 Single and Two Family Public
 School

Zoning



27431 Hales St R-3 Residential
 N-P

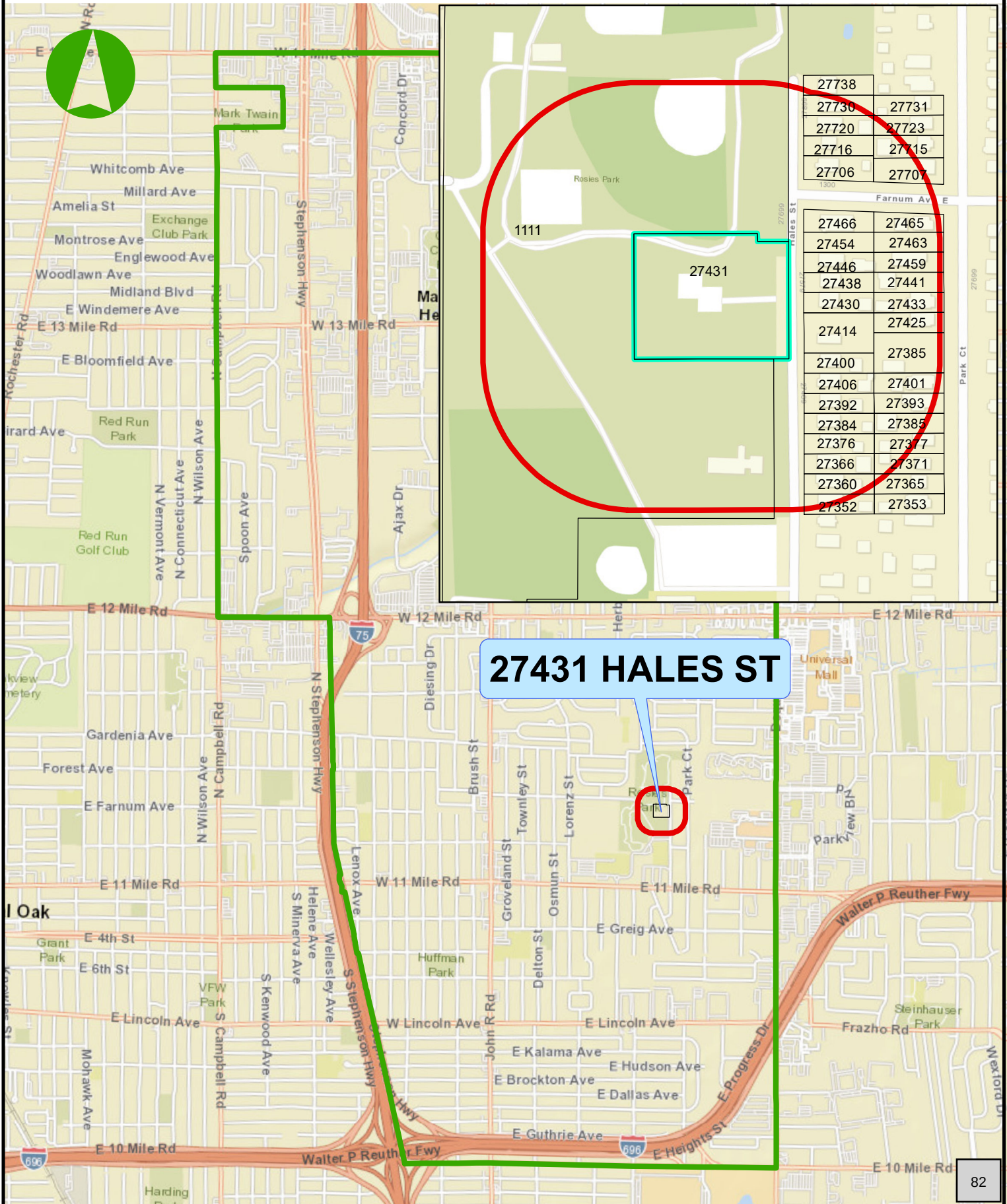
Future Land Use



27431 Hales St Single Family
 Conservation

PRZN 26-02 : 27431 HALES ST BUFFER 300 FT

Item 11.



Section 3.06 Permitted Use Table

Uses not listed in a particular Zoning District but permitted elsewhere in the Zoning Ordinance shall be considered prohibited in that Zoning District. However, the Planning and Zoning Administrator or their designee may determine that a use which is not specifically mentioned in this Ordinance is comparable to a permitted or prohibited use in any district, either by right or as a Special Land Use. The Planning and Zoning Administrator may refer a use interpretation to the Zoning Board of Appeals.

The City Center Zoning District is regulated in [City Center District, Section 6.02](#)

Key:

P = Principal Uses Permitted By-Right

S = Uses Permitted on Special Land Use Approval

A = Permitted as an Accessory Use

P/S = May be Permitted By-Right or as a Special Land Use. Refer to use-specific standards

A+S = Permitted as an Accessory Use upon Special Land Use Approval

[blank] = Not Permitted

* = Refer to City Center, [Section 6.02](#), for additional use matrix based on building type.

† = Only permitted in Primary Caregiver Marihuana Grow Overlay District, [Section 5.01](#)

Land Use	R-1	R-2	R-3	R-MN	R-MF	O-1	B-1	B-2	B-3	CC*	MUI-1	MUI-2	M-1	M-2	H-M	N-P	Use Standards (Section No.)
Residential Uses																	
Accessory Dwelling Unit	A	A	A	A	A												7.03(1)
Detached One-Family Dwelling	P	P	P	P	P											S	7.03(10)
Townhomes, Attached One-Family Dwellings				P	P						P	P					7.03(45)
Duplexes				P	P												7.03(12)
Multiplexes				P	P												7.03(29)
Multi-Family Dwellings					P					P*		P					7.03(30)
Residential/Commercial Mixed-Use							P	P	P	P*	P	P					7.02(2)
Live/Work				S	S		P				P	P					7.03(23)
Manufactured Homes															P		3.12
Senior Housing, Assisted					S	S						S					7.03(41)
Senior Housing, Independent					P					P*		P					7.03(42)
Child Family Day Care Homes	P	P	P	P	P						P	P				P	7.03(7)
Child Group Day Care Homes	S	S	S	S	S						S	S				S	7.03(7)
Foster Care Family Homes	P	P	P	P	P						P	P				P	7.03(14)
Foster Care Group Homes	S	S	S	S	S						S	S				S	7.03(14)
Commercial Uses																	
Artist Studio						P	P	P	P	P*	P	P	P	P			
Auto Repair and Service (Minor)								S	P		S		S	S			7.03(2)
Auto Repair and Service (Major)								S	S		S		S	S			7.03(2)
Auto Sales (New and Used) and Rental								S	S		S	S	P/S	P/S			7.03(3)
Auto Wash									S								7.03(4)
Banquet/Assembly/Meeting Halls (less than 75 persons)						S	S	P	P	P/S*	P	P	P	P			7.03(5)
Banquet/Assembly/Meeting Halls (greater than 75 persons)								P	P	P/S*	S	P					7.03(5)
Bars and Taprooms							S	P	P	P/S*	P	P	P	P			
Business or Trade Schools						P	S	P	P	P*	S	P	P	P			

Land Use	R-1	R-2	R-3	R-MN	R-MF	O-1	B-1	B-2	B-3	CC*	MU-1	MU-2	M-1	M-2	H-M	N-P	Use Standards (Section No.)
Child/Adult Day Care Center and Preschools	S	S	S	S	S	P	P	P	P	P*	S	P					7.03(6)
Commercial Kennels and Boarding Facilities								S	S			S	S	S			7.03(8)
Drive-Through Facilities						A+S	A+S	A	A		A+S	A					7.03(11)
Financial Institutions						P	P	P	P	P*	P	P	P	P			
Firearm Retail Sales								P	P				A	A			7.03(13)
Funeral Homes						S		S	S			S					7.03(15)
Gasoline/Recharging Stations								S	S								7.03(16)
General Retail, Small to Mid-Format (up to 30,000 sq. ft.)							P	P	P	P*	P	P					
General Retail, Large Format (>30,000 sq. ft.)								P	P		S	S					
Home Improvement Centers and Garden Centers, Small to Mid-Format (up to 30,000 sq. ft.)							P	P	P	P/S*	P	P	S	S			7.03(17)
Home Improvement Centers and Garden Centers, Large Format (>30,000 sq. ft.)								P	P		S	S	S	S			7.03(17)
Hotels and Lodging Facilities								S	P	P/S*	S	P					7.03(20)
Incubator Kitchen or Catering Facility						S	P	P	P	P*	P	P	P	P			
Indoor Recreational Business							P/S	P	P	P/S*	P/S	P/S	P	P			7.03(21)
Indoor Shooting Range									S				S	S			7.03(22)
Medical Office						P	P	P	P	P*	P	P					
Microbreweries, Wineries and Distilleries							S	P	P	P*	P	P	P	P			
Mobile Food Court (Principal Use)										S*	S	S					7.03(27)
Mobile Food Site (Accessory Use)										A*	A	A					7.03(28)
Outdoor Dining and Seating						A	A	A	A	A*	A	A	A	A			7.03(31)
Outdoor Recreational Business								S	S			S					7.03(32)
Outdoor Sales and Display						A+S	A+S	A	A	A*	A	A	A	A			7.03(33)

Land Use	R-1	R-2	R-3	R-MN	R-MF	O-1	B-1	B-2	B-3	CC*	MUI-1	MUI-2	M-1	M-2	H-M	N-P	Use Standards (Section No.)
Personal Service Establishments						P	P	P	P	P*	P	P					
Pharmacy						P	P	P	P	P*	P	P					
Professional Office						P	P	P	P	P*	P	P	P	P			
Restaurant						P	P	P	P	P*	P	P	P	P			
Self-Storage Facility									S				S	S			<u>7.03(40)</u>
Tutoring and Instructional Services						P	P	P	P	P*	P	P					
Tobacco/Smoke Shop or Smoke Lounge								P	P	S*	S	P					<u>7.03(44)</u>
Theater							S	P	P	P*	P	P					
Veterinary Clinic or Animal Grooming						S	S	P	P	P*	P	P					<u>7.03(46)</u>
Industrial Uses																	
Artisan Manufacturing/Makerspace										P*	P	P	P	P			
Contractor's Office						P	P	P	P	P*	P	P	P	P			<u>7.03(9)</u>
Light Industrial, Assembly, Repair and Manufacturing											P		P	P			
Heavy Industrial, Assembly, Repair and Manufacturing														P			
Lumber Yard													S	S			<u>7.03(17)</u>
Fleet Vehicle and Trucking Storage Yard. Commercial Storage of Boats, Trailers, Recreational Vehicles, or other Operable Vehicles or Equipment.													S	S			
Research, Development and Testing Facilities										S*	P		P	P			
General Warehouse and Distribution											P		P	P			
Wholesale Sales/Retail									P		S	S	S	S			
Industrial Tool and Equipment Sales, Rental, Service, Storage and Distribution								P	P	S*	S	P	P	P			
Incubator Workspaces								P	P	P*	P	P	P	P			
Yard Waste Transfer and Composting Facilities														S			
Junk, Tow, or Salvage Yard														S			

Land Use	R-1	R-2	R-3	R-MN	R-MF	O-1	B-1	B-2	B-3	CC*	MUI-1	MUI-2	M-1	M-2	H-M	N-P	Use Standards (Section No.)
Recycling Drop Off Centers													S	S			
Recycling Transfer and Processing Facilities														S			
Public & Quasi-Public Uses																	
Hospital						S		S	S								7.03(19)
Public Library, Museum, Art Center, Community Center	S	S	S	S	S	P	P	P	P	P*	P	P	P	P	S	S	
Government Office Building/Courthouse/Public Police and Fire Services	P	P	P	P	P	P	P	P	P	P*	P	P	P	P	P	P	
Post Office					P	P	P	P	P	P*	P	P	P	P			
Religious Institutions, Private Clubs, and Lodges (less than 75 persons)	S	S	S	S	S	S	S	P	P	P*	P	P	P	P			7.03(39)
Religious Institutions, Private Clubs, and Lodges (greater than 75 persons)	S	S	S	S	S			P	P	S*	S	P					7.03(39)
K-12 Schools, Public or Private	S	S	S	S	S	P	S	S	S	S*	S	S					
Institutions of Higher Learning						P	S	P	P	S*	P	P					
Public Parks	P	P	P	P	P	P	P	P	P	P*	P	P	P	P	P	P	
Cemetery	S	S															
Essential Public Utility Services	P	P	P	P	P	P	P	P	P	P*	P	P	P	P	P	P	
Other Uses																	
Accessory Buildings, Structures and Uses	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	8.03
Temporary Buildings/Uses	P	P	P	P	P	P	P	P	P	P*	P	P	P	P	P	P	7.03(43)
Home Occupation, Minor	A	A	A	A	A					A*	A	A			A	A	7.03(18)
Home Occupation, Major	A+S	A+S	A+S	A+S	A+S					A+S*	A+S	A+S			A+S	A+S	7.03(18)
Parking as a Principal Use	S	S	S	S	S	S	S	S	S	S*	S	S	S	S	S		7.03(34)
Regulated Uses								S	S								7.03(38)
Wireless Communication Facilities	Refer to Section 7.03(47)																
Medical Marihuana Caregiver											P ⁺	P ⁺	P ⁺	P ⁺			7.03(24)
Medical Marihuana and Adult Use Marihuana Safety Compliance Facility						P					P	P	P	P			7.03(25)

Land Use	R-1	R-2	R-3	R-MN	R-MF	O-1	B-1	B-2	B-3	CC*	MUI-1	MUI-2	M-1	M-2	H-M	N-P	Use Standards (Section No.)
Medical Marihuana and Adult Use Marihuana Facilities	Refer to Section 7.03(26)																

Section 3.19 N-P Natural Preservation and Recreation District

PREAMBLE

The purposes of this Zoning District are:

2. To protect and sustain those lands and water bodies most suitable for public recreational purposes and the preservation of natural features.
3. To provide for the protection, preservation, proper maintenance and use of trees, woodlands and other natural lands located in the City of Madison Heights in order to minimize disturbance to them and to prevent damage from erosion and siltation, a loss of wildlife and vegetation, and/or from the destruction of the natural habitat.
4. To protect the woodlands (including trees and other form of vegetation) of this city for their economic support of local property values when allowed to remain uncleared and/or unharvested and for their natural beauty, wilderness character, or geological, ecological, or historical significances.
5. To provide for the paramount public concern for these natural resources in the interest of health, safety, and general welfare of the residents of this city.

REQUIRED CONDITIONS

The following specific standards are hereby established to guide the use and development of woodlands and other natural areas designated as N-P in this city, including the spacing of trees, the clearing of shrubs and brush, the density of vegetation growth and preservation per acre, forestry, and tree replacement practices. However, since the environmental values, soil characteristics, tree growth, and related natural resource parameters will remain unique for each parcel of land and for each development application, each site shall be reviewed on an individual basis. Nonetheless, the following criteria must be considered and balanced with respect to each proposal under this Ordinance:

1. Residential living units shall blend into the natural setting of the landscape for the enhancement of sound, orderly economic growth, and development and for the protection of property values in this city.
2. The preservation of woodlands, trees, similar wood vegetation and related natural resources and values shall take priority over all forms of development.
3. The protection and conservation of irreplaceable natural resources from pollution, impairment or destruction shall remain the paramount factor.
4. No proposal shall be denied solely on the basis that some trees are growing on the private or public property under consideration. Other factors which demonstrate a public need for woodland preservation must be stated.
5. The total acreage of woodlands and other natural areas per capita existing in the city shall be considered.
6. The relationship of streets, highways and other transportation corridors to the natural area shall be considered, along with alternatives for new transportation routes and for the location of the proposed development.

PERMITTED USES	SPECIAL LAND USES	ACCESSORY USES
• Child Family Day Care Homes 7.03(7) • Essential Public Utility Services • Foster Care Family Homes 7.03(14) • Government Office Building/Courthouse/Public Police and Fire Services • Public Parks • Temporary Buildings and Uses 7.03(43)	• Child Group Day Care Homes 7.03(7) • Detached One-Family Dwelling 7.03(10) • Foster Care Group Homes 7.03(14) • Home Occupation, Major 7.03(18) • Public Library, Museum, Art Center, Community Center	• Accessory Buildings, Structures and Uses Section 8.03 • Home Occupation, Major 7.03(18) • Home Occupation, Minor 7.03(18)

The above list is a summary of Principal Permitted Uses, Special Land Uses, and Accessory Uses in the district. Uses provided with a section reference indicates uses that have specific use standards. Refer to [Article 2](#) for definitions of uses.

DIMENSION REGULATIONS			
Lot Standards		Minimum Setbacks	
Min. Lot Area (sq. ft.)	43,560 sq. ft.	Front Yard (ft.)	25 ft.
Min. Lot Width (ft.)	150 ft.	Side Yard (one) (ft.)	10 ft.
Max. Lot Coverage	20%	Side Yard (total of 2) (ft.)	25 ft.
Min. Floor Area/Unit	--	Street Sides (ft.)	10 ft.
Max. Building Height (ft.)	25 ft.	Rear Yard (ft.)	50 ft.
Max. Building Height (stories)	--		
Footnotes: Refer to Section 4.02 wherever a footnote is referenced in parentheses after one of the design regulations.			

- C. That plight of the owner is due to the unique circumstances of the property, such as the shape of the parcel, unique topographic or environmental conditions, or any other physical situation on the land, building or structure deemed by the Zoning Board of Appeals to be extraordinary; and
- D. That the requested variance is the minimum amount necessary to permit reasonable use of the land, building or structure; and
- E. That the authorization of such variance will not be of substantial detriment to adjacent properties and will not materially impair the intent and purpose of this Ordinance or the public health, safety, and general welfare of the community; and
- F. That the need for the requested variance is not the result of actions of the property owner or previous property owners (self-created).

In granting any variance, the Zoning Board of Appeals may prescribe appropriate conditions and safeguards in conformity with this Ordinance, provided that said conditions:

- (1) Are designed to protect natural resources, the health, safety, and welfare and social and economic well-being of the public; and
 - (2) Are necessary to meet the intent and purpose of this Ordinance, are related to the standards established in the section for the land use or activity under consideration and are necessary to ensure compliance with those standards.
- 3. **Use Variances Prohibited.** The Zoning Board of Appeals shall not have the authority to grant a use variance to permit a use that is not permitted in a zoning district. However, the Zoning Board of Appeals may consider expansions or alterations of non-conforming uses in accordance with [Section 13.01](#).
- 4. **Approval Period.**
 - A. No order of the Zoning Board of Appeals permitting the erection or alteration of buildings shall be valid for a period longer than one year unless a building permit for such erection or alteration is obtained within such period and such erection or alteration is commenced and proceeds to completion in accordance with the terms of such permit.
 - B. No order of the Zoning Board of Appeals permitting a use of a building or premises shall be valid for a period longer than one year unless such use is established within such period; provided, however, that the use of such permit is dependent upon the erection or alteration of a building, such order shall continue in full force and effect if a building permit for such use, erection or alteration is obtained within such period and such erections or alterations are commenced and proceed to completion in accordance with the terms of such permit.
- 5. **Appeals of Decisions to Circuit Court.** The decision of the ZBA shall be final. An appeal of a decision of the Zoning Board of Appeals shall be taken to the Oakland County Circuit Court within a time period specified in the Michigan Zoning Enabling Act (P.A. 110 of 2006, as amended) and by such persons permitted by State statute and common law. Upon appeal, the court shall review the record and decision of the ZBA to ensure that the decision complies with the constitution and laws of the state, is based upon proper procedure, is supported by competent, material, and substantial evidence on the record and represents the reasonable exercise of discretion granted by law to the ZBA. As a result of this review required by this Section, the court may affirm or modify the decision of the ZBA.
- 6. **Resubmittal.** No application for a variance which has been denied in whole or in part by the Zoning Board of Appeals shall be re-submitted for a period of three hundred sixty five (365) days from such denial, except on the ground of new evidence or proof of changed conditions found by the Zoning Board of Appeals to be valid.

Section 15.07 Zoning Ordinance Amendments (Map and Text)

The City Council may amend, supplement, or change the regulations or the district boundaries of this Ordinance pursuant to the authority and according to the procedure set forth in Act 110, of the Public Acts of 2006, as amended. Changes in the text or zoning district boundaries of this Ordinance may be proposed by the Planning Commission, Planning and Zoning Administrator, other City Staff, or any interested person or organization.

1. **Application for Amendment.** An application for an amendment to the text of this Ordinance or an amendment to change the zoning classification of a particular property shall be commenced by filing an application with the Community and Economic Development Department on the forms provided by the Department and accompanied by the fees specified. The application shall describe the proposed amendment and shall be signed by the applicant. Applications for rezoning of a specific site shall be accompanied by a plot plan or survey which specifies the boundaries and legal description of the site. The Planning and Zoning Administrator, Planning Commission, and City Council may request additional information with the application.
2. **Amendment Review Procedures.** The amendment, be it a text or a map amendment, and application materials shall be prepared in accordance with the provisions of this Article and shall be reviewed in accordance with the following procedure. Amendments or application materials that do not meet the stipulated requirements shall be considered incomplete and shall not be eligible for consideration by the Planning Commission:
 - A. **Technical Review.** Prior to Planning Commission consideration, the proposed amendment and application materials shall be distributed to the Technical Review Committee for review, comment, and recommendations. The proposed amendment and application materials may also be distributed to applicable outside agencies and designated city consultants for review.
 - B. **Public Hearing.** A public hearing shall be held at a Planning Commission meeting in accordance with [Section 15.01](#)
 - C. **Planning Commission Consideration of the Proposed Amendment.** The Planning Commission shall review the proposed amendment, together with any reports and recommendations from staff, consultants, other reviewing agencies, and any public comments. The Planning Commission shall identify and evaluate all factors relevant to the petition, including the appropriate criteria listed in this Section, and shall report its findings and recommendation to the City Council.
 - D. **City Council Action on the Proposed Amendment.** Upon receipt of the report and recommendation from the Planning Commission, the City Council may approve or deny the proposed amendment. If determined to be necessary, the City Council may refer the amendment back to the Planning Commission for further consideration. City Council may, but is not required to, hold an additional public hearing. In the case of an amendment to the official Zoning Map, the City Council shall approve or deny the amendment, based upon its consideration of the criteria contained in this Ordinance.
3. **Standards of Review for Amendments.**
 - A. **Text Amendments.** In considering any petition for an amendment to the text of this Ordinance, the Planning Commission and City Council shall consider the following criteria in making findings, recommendations, and a decision. The Planning Commission and City Council may also take into account other factors or considerations that are applicable to the application but are not listed below.
 - (1) Consistency with the goals, policies and objectives of the Master Plan and any sub-area or corridor plans. If conditions have changed since such plans were adopted, consistent with recent development trends in the area shall be considered.
 - (2) Consistency with the basic intent and purpose of this Zoning Ordinance.
 - (3) Consideration of changing conditions since the Zoning Ordinance was adopted or a finding that there is an error in the Zoning Ordinance that justifies the amendment.
 - B. **Map Amendments.** In considering any petition for an amendment to the Zoning Map, the Planning Commission and City Council shall consider the following criteria in making findings, recommendations, and a decision. The Planning Commission and City Council may also take into account other factors or considerations that are applicable to the application but are not listed below.
 - (1) Compatibility of the site's physical, geological, hydrological and other environmental features with the uses permitted in the proposed zoning district.
 - (2) Compatibility of all the potential uses allowed in the proposed zoning district with surrounding uses and zoning in terms of land suitability, impacts on the environment, density, nature of use, traffic impacts, aesthetics, infrastructure and potential influence on property values.

- (3) Consistency with the goals, policies and objectives of the Master Plan (including the Future Land Use Plan), and any sub-area or corridor plans. If conditions have changed since such plans were adopted, consistent with recent development trends in the area shall be considered.
- (4) The boundaries of the requested rezoning district will be reasonable in relationship to surrounding zoning districts, and construction on the site will be able to meet the dimensional regulations for the requested zoning district.
- (5) The requested zoning district is considered to be more appropriate from the city's perspective than another zoning district.
- (6) If a rezoning is requested to allow for a specific use, rezoning the land is considered to be more appropriate than amending the list of permitted or special land uses in the current zoning district to allow the use.
- (7) The requested rezoning will not create an isolated or incompatible zone in the neighborhood.
- (8) The capability of the street system to safely and efficiently accommodate the expected traffic generated by uses permitted in the requested zoning district.
- (9) That the amendment will not be expected to result in exclusionary zoning.

C. **Rezoning with Conditions.** The Planning Commission and City Council recognize that, in certain instances, it would be an advantage to both the City and to a property owner seeking rezoning if the property owner proposes certain conditions and limitations as part of a petition for rezoning. Therefore, it is the intent of this Section to provide a process consistent with the provision of Section 405 of the Michigan Zoning Enabling Act, Public Act 110 of 2006, as amended, being MCL 125.3405, to permit property owners to offer conditions regarding the use and/or development of land as part of the rezoning request. It is the further intent of this ordinance to accomplish, among other things, the objectives of the Zoning Ordinance and the Master Plan to achieve integration of the proposed land development project with the characteristics of the surrounding area.

(1) **Authorization and Eligibility.**

- (a) The standards of this Section shall grant a property owner the option of voluntarily proposing conditions for the development and use of property in connection with the submission of a petition seeking a rezoning. Such conditions may be proposed at the time the application for rezoning is filed, or at a subsequent point in the process of review of the proposed rezoning.
- (b) In order to be eligible for consideration of a Rezoning with Conditions, a property owner must propose a rezoning of property to a new zoning district classification, and must, as part of such proposal, voluntarily offer certain site-specific conditions (to be set forth in a Rezoning with Conditions Agreement) that are more strict or limiting than the regulations that would apply to the land under the proposed new zoning district. Such conditions may include, but are not limited to, the following:
 - (i) The location, size, height or other measure for and/or of buildings, structures, improvements, setbacks, landscaping, buffers, design, architecture and other physical features of the proposed development.
 - (ii) Specification of maximum density or intensity of development and/or use, expressed in terms fashioned for the particular development and/or use. For example: units per acre, maximum usable floor area, or hours of operation.
 - (iii) Preservation of open space, natural resources and/or natural features.
 - (iv) Improvements to address traffic issues, including paving, substantial improvements to or funding of improvements to major roads to the benefit of the entire City.
 - (v) Site improvements such as signage, lighting, landscaping, building materials for the exterior of some or all structures above and beyond what would otherwise be required by City Ordinance.
 - (vi) Limitations on permissible uses of the property.
 - (vii) Any other conditions that may be voluntarily proposed by the property owner.

(2) **Application and Review Procedures.**

- (a) Application.

- (i) At the time of making application for amendment of this ordinance seeking a rezoning of property, or at a later time during the process of City consideration of such rezoning a property owner may submit a complete application for approval of a Rezoning with Conditions to apply in conjunction with the rezoning.
 - (ii) The application, which may be amended by the applicant during the process of consideration, shall specify the Rezoning Conditions proposed by the applicant, recognizing that Rezoning Conditions shall not authorize uses or development not permitted in the district proposed by the rezoning.
 - (iii) An application for a Rezoning with Conditions shall include a Rezoning with Conditions Agreement ("the Agreement"). The Agreement shall set forth the rezoning conditions and may incorporate a Rezoning with Conditions Plan.
 - (iv) The application shall include a notarized signature of the property owner indicating that the conditions attached to the rezoning are voluntarily offered.
 - (b) Technical Review Committee Review. The proposed Rezoning with Conditions will become an agenda item for the Technical Review Committee, with comments forwarded to the Planning Commission.
 - (c) Planning Commission Review.
 - (i) The proposed Rezoning with Conditions shall be noticed for public hearing in accordance with [Section 15.01](#) before the Planning Commission as a proposed legislative amendment of the Zoning Ordinance.
 - (ii) Following the public hearing, and further deliberations as deemed appropriate by the Planning Commission, the Planning Commission shall make a recommendation to the City Council on the proposed Rezoning with Conditions.
 - (d) City Council Review. Upon recommendation by the Planning Commission, the City Council shall make a final determination to approve or deny the Rezoning with Conditions as offered by the applicant. The City Council may only consider the conditions offered by the applicant and may not attach any other conditions to the rezoning other than those offered by the applicant. Any new conditions voluntarily offered by the applicant shall require Planning Commission review and a new public hearing. The City Council's deliberations shall include, but not be limited to, a consideration of the review criteria for a Rezoning with Conditions.
- (3) **Review Criteria.** A Rezoning with Conditions shall only be approved if it meets the following requirements and standards:
- (a) The proposed Rezoning with Conditions will further the goals and objectives of the City Master Plan.
 - (b) Rezoning conditions shall not authorize uses or development not permitted in the district proposed by the rezoning (and shall not permit uses or development expressly or implicitly prohibited in the Rezoning with Conditions Agreement).
 - (c) The use of the property in question shall be in complete conformity with all regulations governing development and use within the zoning district to which the property is proposed to be rezoned, including, without limitation, permitted uses, lot area and width, setbacks, height limits, required facilities, buffers, open space areas, and land use density; provided, however, the following shall apply:
 - (i) Development and use of the property shall be subject to the more restrictive requirements shown or specified in the Rezoning with Conditions Agreement, and/or in other conditions and provisions set forth in the Rezoning with Conditions Agreement required as part of the Rezoning with Conditions approval. Such Rezoning with Conditions Agreement shall supersede all inconsistent regulations otherwise applicable under the Zoning Ordinance.
 - (d) The proposed Rezoning with Conditions will result in integration of the proposed land development project with the characteristics of the project area, and result in an enhancement of the project area as compared to the existing zoning, and such enhancement would be unlikely to be achieved or would not be assured in the absence of the use of a Rezoning with Conditions.
 - (e) As compared to the existing zoning and considering the site-specific conditions and/or land use proposed by the applicant, it would be in the public interest to grant the Rezoning with Conditions. In determining whether approval of a proposed application would be in the public interest, the benefits

which would reasonably be expected to accrue from the proposal shall be balanced against and be found to clearly outweigh the reasonably foreseeable detriments, taking into consideration reasonably accepted planning, engineering, environmental and other principles, and also taking into consideration the special knowledge and understanding of the City by the City Council and Planning Commission.

- (f) The proposed conditions will not preclude future zoning and planning actions by or on behalf of the municipality.
 - (g) Existing and available public services will be capable of serving proposed or potential development that will occur as a result of the Rezoning with Conditions without negatively impacting the delivery of public services to other properties in the City, or the conditions will ensure that public services will be sufficient to serve both the site and other properties in the City.
 - (h) The offered condition(s) are beneficial to the public good and likely to be enforceable.
 - (i) The condition does not have the same effect as a use variance.
 - (j) The proposed conditions do not relieve the applicant of the responsibility of securing any applicable site plan, plat, condominium, or special land use approvals.
- (4) **Effect of Approval.** Approval of the Rezoning with Conditions and Rezoning with Conditions Agreement confirms only the rezoning of the property, subject to any conditions reflected in the Rezoning with Conditions Agreement. Any applicable site plan, plat, condominium, special land use, or variance approvals shall be required before any improvements to the property may be undertaken.

If approved, the zoning district classification of the rezoned property shall consist of the district to which the property has been rezoned, accompanied by a reference to "CR Rezoning with Conditions". The Zoning Map shall specify the new zoning district plus a reference to "CR" e.g., the district classification for the property might be "B-1, Neighborhood Business District (CR, Rezoning with Conditions)", with a Zoning Map Designation of "B-1/CR." Use of the property so classified and approved shall comply with the conditions set forth in the Rezoning with Conditions Agreement. No development or use of the land inconsistent with the conditions of the Rezoning with Conditions Agreement shall be permitted.

(5) **Compliance with Conditions.**

- (a) Any person who establishes a development or commences a use upon land that has been rezoned with conditions shall continuously operate and maintain the development or use in compliance with all of the conditions set forth in the Rezoning with Conditions Agreement. Any failure to comply with a condition contained within the Rezoning with Conditions Agreement shall constitute a violation of this Zoning Ordinance and shall be punishable accordingly. Additionally, any such violation shall be deemed a nuisance per se and subject to judicial abatement as provided by law.
- (b) No permit or approval shall be granted under this Ordinance for any use or development that is contrary to an applicable Rezoning with Conditions Agreement.

(6) **Period of Approval.**

- (a) The Rezoning with Conditions and Agreement shall expire after a period of one (1) year from the effective date of the Rezoning unless substantial progress towards obtaining site plan and other required approvals has been made, and shall expire after a period of two (2) years unless development of the property is substantially begun within such two (2) year period and proceeds diligently and in good faith as required by ordinance to completion.
- (b) In the event substantial progress towards obtaining site plan and other required approvals has not commenced within one (1) year and bona fide development has not commenced within two (2) years from the effective date of the rezoning, the Rezoning with Conditions and the Rezoning with Conditions Agreement shall be void and of no effect.
- (c) The property owner may apply for a one (1) year extension two (2) times. The request must be submitted to the Community and Economic Development Department before the approval time limit expires. The property owner must demonstrate why the extension should be granted, and must also demonstrate that there is a strong likelihood that the development or use will commence within the period of extension and proceed diligently thereafter to completion, and if the City Council finds that there has not been a change

in circumstances that would render the Rezoning with Conditions incompatible with adjacent or nearby use and zoning of land or is otherwise inconsistent with sound zoning policy.

- (d) An extension request shall be considered by the City Council following a recommendation by the Planning Commission.
- (e) If the Rezoning with Conditions becomes void in the manner provided in this section, the following procedures shall apply:
 - (i) The property owner may seek a new rezoning of the property within thirty (30) days of the expiration of the period of approval.
 - (ii) If no application is made for a new rezoning of the property, the land shall revert to its former zoning classification as set forth in MCL 124.286i (as amended). The City Council shall direct the Planning Commission to proceed with consideration of rezoning the land to its former zoning designation following the standard rezoning procedures set forth in this Zoning Ordinance.
 - (iii) Until such time as a new zoning district classification of the property has become effective, no development shall be undertaken or permits for development issued.
- (7) **Rezoning with Conditions Agreement Requirements.** A Rezoning with Conditions Agreement shall be executed between the applicant and the City at the time of City Council approval of a Rezoning with Conditions.
 - (a) Rezoning with Conditions Agreements shall, at a minimum, contain all of the following items:
 - (i) Identification of the requested zoning district and a listing of the conditions offered by the applicant.
 - (ii) A statement acknowledging that the Rezoning with Conditions was proposed by the applicant, and further agreement and acknowledgment that the conditions and Rezoning with Conditions Agreement are authorized by all applicable state and federal law and constitution, and that the Agreement is valid and was entered into on a voluntary basis and represents a permissible exercise of authority by the City.
 - (iii) Agreement and understanding that the property in question shall not be developed or used in a manner inconsistent with the Rezoning with Conditions Agreement.
 - (iv) Agreement and understanding that the approval and Rezoning with Conditions Agreement shall be binding upon and inure to the benefit of the property owner and City, and their respective heirs, successors, assigns, and transferees.
 - (v) If the City Council grants an extension of approval, a new Rezoning with Conditions Agreement with the new expiration date shall be recorded.
 - (vi) Agreement and understanding that, if a Rezoning with Conditions becomes void, no development shall be undertaken or permits for development issued until a new zoning district classification of the property has been established.
 - (vii) Agreement and understanding that each of the requirements and conditions in the Rezoning with Conditions Agreement represents a necessary and reasonable measure which, when considered with all other conditions and requirements, is roughly proportional to the increased impact created by the use represented in the approved Rezoning with Conditions, taking into consideration the changed zoning district classification and the specific use authorization granted.
 - (viii) A legal description of the property affected by the Rezoning with Conditions.
 - (ix) Development regulations affected by the conditions of rezoning, including but not limited to density, setbacks, height, site coverage, signs, parking, architecture, etc.
 - (x) Revocation of approval provisions returning the property to its original zoning designation if the developer violates the terms of the Agreement. A Rezoning with Conditions Plan may be included as an exhibit to the Agreement.
 - (b) The Rezoning with Conditions Plan may show the conceptual layout of the proposed development or use, along with any other information deemed relevant by the applicant. Inclusion of a Rezoning with Conditions Plan as an exhibit to a Rezoning with Conditions Agreement shall not replace the

requirement for preliminary and final site plan, subdivision, condominium, special land use or variance review and approval.

- (8) **Amendment of Rezoning with Conditions Agreement.** Amendment of a Rezoning with Conditions Agreement shall be proposed, reviewed and approved in the same manner as a new Rezoning with Conditions.
 - (9) **Recordation of Rezoning with Conditions Agreement.** A Rezoning with Conditions shall become effective following publication in the manner provided by law, and, after recordation of the Rezoning with Conditions Agreement, whichever is later.
 - (10) **Termination.** The City Council shall be the only body with the authority to terminate a Rezoning with Conditions agreement. The consideration to terminate the agreement shall be for reasons of expiration of the agreement, discovery of false information upon which the initial approval was based, or the existence or discovery of new information that alters the viability of the approved rezoning. The Termination shall comply with any applicable provisions of this ordinance or the Rezoning with Conditions Agreement.
 - (11) **City Right to Rezone.** Nothing in the Rezoning with Conditions Agreement or in the provisions of this Section shall be deemed to prohibit the City from rezoning all or any portion of land that is subject to a Rezoning with Conditions to another zoning classification. Any such rezoning shall be conducted in compliance with this Ordinance and the Michigan Zoning Enabling Act.
 - (12) If land that is subject to a Rezoning with Conditions Agreement is thereafter rezoned to a different zoning classification or to the same zoning classification but with a different or no Rezoning with Conditions Agreement, the Rezoning with Conditions Agreement attached to the former zoning classification shall cease to be in effect.
4. **Notice of Adoption of Amendment.** Following adoption of an amendment by the City Council, one (1) notice of adoption shall be filed with the City Clerk and one (1) notice shall be published in a newspaper of general circulation in the City within fifteen (15) days after adoption, in accordance with the Michigan Zoning Enabling Act, Public Act 110 of 2006, as amended. A record of all amendments shall be maintained by the City Clerk. A Zoning Map shall be maintained by the City Clerk, which shall identify all map amendments. The required notice of adoption shall include all of the following information:
- A. In the case of a newly adopted Zoning Ordinance, the following statement: "A zoning ordinance regulating the development and use of land has been adopted by the City of Madison Heights."
 - B. In the case of an amendment(s) to the existing Zoning Ordinance, either a summary of the regulatory effect of the amendment(s), including the geographic area affected, or the text of the amendment(s).

Section 15.08 Temporary Use Permits

1. **Purpose.** This section sets forth the requirements for the application, review, approval, and enforcement of temporary use permits in the City of Madison Heights. Temporary use permits may be reviewed and acted upon by the Planning and Zoning Administrator, Technical Review Committee, or Planning Commission.
2. **Use-Specific Standards.** Temporary uses are subject to the use-specific standards of [Section 7.03\(43\)](#)
3. **Planning and Zoning Administrator/Technical Review Committee Review.** The Planning and Zoning Administrator may review and approve certain temporary uses addressed in Section 7.03(XXXX). The Planning and Zoning Administrator reserves the right to refer any request for a temporary use permit to the Technical Review Committee or Planning Commission for review and approval.
4. **Planning Commission Review.** The Planning Commission shall review and act upon temporary use permit requests where the applicant seeks approval for a time period longer than otherwise allowed by [Section 7.03\(43\)](#) or for a temporary use not specifically permitted in [Section 7.03\(43\)](#) nor deemed similar by the Planning and Zoning Administrator; provided, that the temporary use complies with all other relevant development and operational standards for the use as provided in this Zoning Ordinance.