



**CITY OF MADISON HEIGHTS**  
**CITY HALL - COUNCIL CHAMBERS, 300 W. 13 MILE RD.**  
**CITY COUNCIL REGULAR MEETING AGENDA**  
**JANUARY 22, 2024 AT 7:30 PM**

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**CALL TO ORDER**

**ROLL CALL**

**INVOCATION and PLEDGE OF ALLEGIANCE - COUNCILMAN MIER**

**APPROVAL OF THE AGENDA:**

- [1.](#) Additions/Deletions

**PRESENTATIONS**

2. 2023 Fire Department Awards
3. Oakland County's Manager of Workforce Development, Jennifer Llewellyn Presentation on the Oakland80 Initiative

**PUBLIC HEARINGS:**

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

**MEETING OPEN TO THE PUBLIC:**

**CONSENT AGENDA:**

- [4.](#) Regular City Council Meeting Minutes of January 8, 2024.

**COMMUNICATIONS:**

**REPORTS:**

- [5.](#) City Manager - Resolution Supporting State's Implementation of the Ground Emergency Medical Transportation Program (GEMT)
- [6.](#) City Manager - Interlocal Agreement between the City of Madison Heights and Habitat for Humanity of Oakland County to Manage all aspects of a Neighborhood Improvement Program

**ITEMS FOR FUTURE PUBLIC HEARINGS:**

- [7.](#) CED Director - 29488 John R Rd Brownfield Plan Agenda Item Establish Public Hearing

**BID AWARDS/PURCHASES:**

- [8.](#) Skynet IT Contractor - Networking Equipment Upgrade Phase I
- [9.](#) City Manager - Purchase of Bandshell Structure Materials

**ORDINANCES:**

- [10.](#) Ordinance 2196 Medical Marihuana Facilities Amendment, Second Reading
- [11.](#) Ordinance 2197 Marihuana Licensing Amendment, Second Reading

**UNFINISHED BUSINESS:**

**MINUTES:**

**EXECUTIVE SESSION:**

## **ADJOURNMENT**

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

DATE: January 18, 2024

TO: City Council

FROM: Melissa R. Marsh, City Manager

SUBJECT: Agenda Comments - Regular Council Meeting of Monday, January 22, 2024

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The following are my comments on items appearing on the agenda of the Regular Council Meeting on Monday, January 22, 2024.

**PRESENTATION:**

**2023 FIRE DEPARTMENT AWARDS**

Fire Chief Greg Lelito has requested time on the Council agenda to present the 2023 Fire Department Awards.

**OAKLAND80 INITIATIVE**

Oakland County's Manager of Workforce Development, Jennifer Llewellyn, has requested time on the Council agenda to present on the Oakland80 initiative.

In 2019, Michigan Governor Gretchen Whitmer set a goal to increase Michigan's adult post-secondary education rate to 60% by 2030. In Oakland County, 61% of adults already had a college degree or other post-secondary credential, prompting its leaders and key partners to set a goal of 80% adult post-secondary attainment by 2030. To achieve 80% and ensure attainment reflects progress for all Oakland County residents, County Executive David Coulter launched the Oakland80 initiative. Oakland County has partnered with the Corporation for a Skilled Workforce (CSW) to understand key data on the makeup, needs, and potential barriers facing adult residents without post-secondary education, as well as to develop comprehensive, data-informed strategies the Oakland80 partners and stakeholders could pursue to reach their goal.

**REPORTS:**

**RESOLUTION – SUPPORT STATE'S IMPLEMENTATION OF GROUND EMERGENCY MEDICAL TRANSPORTATION PROGRAM (GEMT)**

The Federal Center for Medicare and Medicaid Services (CMS) oversees a Ground Emergency Medical Transportation (GEMT) program. GEMT provides funding and support to eligible healthcare providers through state agencies to ensure that individuals without reliable transport can access emergency medical care. This program improves access to medical services for Medicare recipients. Michigan doesn't currently participate in this program, although we are the nation's 8th highest number of Medicaid enrollees. This means that local agencies that transport, like the City of Madison Heights, aren't fully reimbursed by Medicaid to cover the cost of medical transport for this significant segment of our community (approximately 13%).

Since last February, we have been working to move legislation forward to require the Michigan Department of Health and Human Services to implement this program for our state. Our 2021 estimate of available funding for Madison Heights was \$400,000; the numbers have only increased since. This is significant funding that Madison Heights and most other communities in the state can desperately use.

Therefore, the staff recommends that the City Council approve this resolution urging the State Legislature to adopt legislation directing the MDHHS to enroll in the GEMT program. In addition to this resolution, Madison Heights with Sterling Heights has taken the lead role in requesting possible executive action that would force MDHHA to implement this plan sooner.

#### SUBRECIPIENT CONTACT – HABITAT FOR HUMANITY OF OAKLAND COUNTY

In Fiscal Year 2023, the City of Madison Heights partnered with Habitat for Humanity of Oakland County (HFHOC) to submit a \$850,000 grant application for Community Project Funding (CPF) through HUD. CPF grants provide investment in a wide variety of projects, including home improvements in specific areas.

Through this partnership, City staff worked with HFHOC, to create a multi-faceted program to help Madison Heights homeowners make home upgrades, such as furnaces, hot water heater replacements, roof replacements and repairs, kitchen and bath upgrades, deck and porch replacements, new siding and other home upgrades to address long-term health and safety issues. The project area was designated in the south end of Madison Heights, located South of Lincoln, North of I-696 between Dequindre and Stephenson Highway.

HFHOC will be a sub-recipient of the City and has staff dedicated to homeowner-occupied home restoration and financial counseling. As the sub-recipient, they will oversee all grant activities, including applicants for participants, assessing and approving repairs to be completed, contracting for the work to be completed, verifying that work is completed, payment of vendors, and repayment (if required) from participants in the program. They will also track expenditures and report to the municipality throughout the program.

In order to begin implementing this program this Spring, the City and HFHOC need to enter into a Sub-Recipient grant agreement. Legal Counsel has reviewed this agreement.

Staff recommends that the City Council approve the attached sub-recipient agreement between the City of Madison Heights and Habitat for Humanity of Oakland County to administer the CPF 2023 Grant program for Neighborhood Home Improvements as outlined in the grant application.

#### **ITEMS FOR FUTURE PUBLIC HEARINGS:**

The City of Madison Heights and MMD Acquisitions LLC entered into an agreement for the sale of the property located at 29448 John R Rd (former Active Adult Center) on May 10th, 2022. This agreement included a due diligence period, which was extended, and the property was closed in November 2023. A condition of the sale of the property was the approval of a Brownfield Plan that included the reimbursement of eligible activities as defined in the Michigan Brownfield Redevelopment Financing Act (Public Act 381). This site was formerly used as a landfill for the



Royal Oak dump and as a part of the Southeastern Oakland County Resource Recovery Authority's (SOCCRA) transfer station and incinerator. A Phase II ESA found heavy contamination, qualifying the property as a "facility" as defined by 1994 P.A. 451, Part 201, as amended.

Reimbursement of Tax Increment Financing revenues will be used to reimburse costs of eligible activities as permitted by the Brownfield Redevelopment Financing Act. The total "not to exceed" cost estimates for eligible activities total \$1.785 million and a 15% contingency of \$255,781. This contingency excludes Baseline Environmental Assessment Activities and preparation and implementation of the Brownfield Plan.

On January 16, 2024, the Brownfield Redevelopment Authority reviewed the 29448 John R Rd Brownfield plan and recommended that the City Council approve the plan as presented. Therefore, the Staff recommends that the City Council hold a Public Hearing for the consideration of the Brownfield Plan submitted for 29448 John R Rd, at the Regular City Council Meeting of February 12, 2024.

## **BID AWARDS AND PURCHASES:**

### **NETWORKING EQUIPMENT UPGRADE PHASE 1**

As part of Phase I of the Networking Equipment Upgrade Project, the City is upgrading all of our Cisco 2960/3650X series switches to Cisco Meraki MS350 switches. Our current equipment is considered to be end-of-life and end-of-support, posing a security risk if the equipment is not updated. This is a replacement of 13 separate switches with 48 port MS350-48FP's and will allow us to continue using the Meraki Dashboard that we currently use for Cameras and Access Points. ITAC has been consulted and provided an update on this project through their quarterly review process with Skynet, and labor costs are \$15,525.

Staff recommends approving the purchase of the Cisco Meraki MS350 switches from CDW-G, of Chicago, Illinois, under the Michigan Master Computing MiDEAL, in the amount of \$109,208.00 as well as labor cost of \$15,525 for phase I of the Networking Equipment Upgrade project for a total amount of \$124,733.00 Funding for this project has been authorized in the FY 23/24 Budget, account number 101-228-982-0000.

### **PURCHASE OF BANDSHELL STRUCTURE MATERIAL**

The City of Madison was awarded a \$250,000 grant from the Consumer Energy Foundation for the construction of a bandshell in Civic Center Park. The staff has sourced the bandshell structure and is currently working with Frank Rewold and Sons on construction. City Council is being asked to approve the purchase of the bandshell materials from Penchura, who holds a Sourcewell contract in an amount not to exceed \$79,235. Future agenda items will be presented to the City Council for the construction of the bandshell.

Therefore, staff recommends that the City Council approve the purchase of the bandshell materials from Penchura, who holds a Sourcewell contract in an amount not to exceed \$79,235. In addition, a budget amendment will be required to increase revenues for the grant of \$250,000 to Miscellaneous Revenues 101-044-674-0000 and \$250,000 to increase park improvement expense Parks Improvements 101-752-987-0000. This will require a super-majority.

**ORDINANCES:**

**ORDINANCE NO. 2196 MEDICAL MARIHUANA FACILITIES AMENDMENT**

If City Council's motions to approve the recommendation of MMRMA special counsel regarding the resolution of litigation in the matters of Artic Fox LLC vs City of Madison Heights and 305 N. Euclid LLC vs. City of Madison Heights, two ordinance amendments are required.

Ordinance 2196 amends Article XVI MEDICAL MARIHUANA FACILITIES Section 7-305(d) License Requirements to adjust the number of medical marihuana facility licenses for Grower – Class C, Processor and Provisioning Center from three (3) to five (5). The revision also clarifies that if a license is vacated or revoked, the City is not required to re-issue such license to an alternate party. It would be at the Council's discretion to leave that license open indefinitely or seek applicants for it.

Revisions to the Green Zone Map regarding the allowable locations for marihuana licensees within the City are planned to be addressed after rezoning and lot combinations.

**ORDINANCE NO. 2197 MARIHUANA LICENSING AMENDMENT**

Ordinance 2197 revises Article XVII MARIHUANA ESTABLISHMENTS Section 7-405(e) License Requirements to adjust the number of adult-use recreational marihuana establishment licenses for Processor and Retailer from three (3) to five (5). Additionally, Class C Grow licenses would be modified from fifteen (15) to twenty-five (25). The previously mentioned clarification language related to the vacating or revoking of licenses is also included for Marihuana establishment licenses in this amendment.

City Council Regular Meeting  
Madison Heights, Michigan  
January 08, 2024

A City Council Regular Meeting was held on Monday, January 08, 2024 at 7:30 PM at City Hall  
- Council Chambers, 300 W. 13 Mile Rd.

**PRESENT**

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

**ABSENT**

Councilor Quinn Wright

**OTHERS PRESENT**

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

**CM-24-01. Excuse Councilmember.**

Motion to excuse Councilor Wright from tonight's meeting.

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

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

Absent: Councilor Wright

Motion Carried.

Councilman Fleming gave the invocation and the Pledge of Allegiance followed.

**CM-24-02. Additions/Deletions.**

Motion to add under Reports: Letter of Agreements and Contract Extensions through June 30, 2026 between the City of Madison Heights and Supervisors & Assistant Unions AFSCME Council 25 Local 1917.33, Department Heads Union AFSCME Council 25 Local 1917.34, Fire Fighters Association, Police Officers Union Michigan Fraternal Order of Police, Police Command Officers Union, Municipal Employees Union

Technical Professional and Office Workers of Michigan, and the Department of Public Services Union Technical Professional and Office Workers of Michigan.

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

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

Absent: Councilor Wright

Motion carried.

## **PRESENTATIONS:**

### 2023 Holiday Light Awards

On behalf of the Active Adult Advisory Board, Department of Public Services (DPS) Director Sean Ballantine announced the 2023 Holiday Lighting Award winners, as follows:

First Place Winner: Marc and Robin Cram - 27123 Osmun Street

Second Place Winner: Nicole and Robert Gudat - 26531 Brush Street

He then shared a PowerPoint presentation of the winner's and nominees outstanding displays. He also noted that in July, there will be a Summer Beautification awards for residents to participate in and nominations are due to the Active Adult Advisory Board in June.

## **MEETING OPEN TO THE PUBLIC:**

Linda Dimambro-Marshall, 1118 Elliot, spoke regarding her water bill. She stated that she had a meter issue and since it has been repaired, she went from a minimum usage to extremely large bills. She stated that she has been working with DPS, however, she would like the matter to be looked into further.

Oakland County Commissioner Ann Erickson Gault introduced herself to the community. She was appointed to Gary McGillivray's seat. She stated that she is working on catching up on Madison Heights issues, and she wants to continue his legacy regarding supporting parks and recreation. She noted that she has worked with City Manager Marsh on the Co-Responder Program and encouraged anyone to reach out to her at anytime. She stated that she will work with Oakland County to continue to improve quality of life for the residents of City of Madison Heights.

### **CM-24-03. Consent Agenda.**

Motion to approve the Consent Agenda with the following amendment:

*Agenda Item #6, amend the minutes of the Special Council Meeting of December 4th to reflect that the discussion on speed humps to include broadening the budget item to incorporate other elements that would lend to traffic safety, not just speed humps.*

Motion made by Councilor Rohrbach, Seconded by Councilman Fleming.

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

Absent: Councilor Wright

Motion Carried.

**CM-24-04. 2024 Poverty Exemption Resolution and Application.**

Motion to approve the following 2024 Poverty Exemption Resolution and Application.

Motion made by Councilor Rohrbach, Seconded by Councilman Fleming.

**RESOLUTION ADOPTING POVERTY EXEMPTION GUIDELINES**

WHEREAS, Public Act 253 of 2020, which amended Section 7u of Act No. 206 of the Public Acts of 1893, as amended by Act No. 313 of the Public Acts of 1993, being sections 211.7u of the Michigan Compiled Laws, requires that the governing body of the local assessing unit determine and make available to the public the policy and guidelines used by the Board of Review in granting reductions in property assessments due to limited income and assets, referred to as “Poverty Exemptions.”

THEREFORE, BE IT RESOLVED that in order to be eligible for poverty exemption in the City of Madison Heights, a person shall do all of the following on an annual basis:

1. Be an owner of and occupy as a principal residence the property for which an exemption is requested.
2. File a claim with the Board of Review on a form provided by the City Assessor’s Office The form must be filled out in its entirety and returned in person. Handicapped or infirmed applicants may call the Assessor's Office to make necessary arrangements for assistance.
3. Submit the most recent year’s copies of the following:
4. All applicants and other persons residing in the homestead must submit last year’s copies of the following:
  - a. Federal Income Tax Return-1040, 1040A or 1040E.
  - b. Michigan Income Tax Return-MI1040, MI1040A or MI1040EZ.
  - c. Senior Citizens Homestead Property Tax Form MI-1040CR-1.
  - d. General Homestead Property Tax Claim MI-1040CR-4.
  - e. Statement from Social Security Administration and/or Michigan Social Services as to moneys paid to you during previous year.
  - f. All copies of the prior year bank statements (including December) as well the statement(s) from the current month.
  - g. Family Independence Program (FIP) and/or Food Assistance Program (FAP) statement of benefits.
  - h. Complete IRS form 4506-T and return it with the application.

5. Produce a valid driver's license or other form of identification for all persons residing in the household.
6. Produce a deed, land contract or other evidence of ownership of the property for which the exemption is requested.

BE IT FURTHER RESOLVED that applications may be filed only once annually beginning January 1st each year for the March Board of Review or beginning May 1st until the day prior to the last day of the Board of Review meeting.

BE IT FURTHER RESOLVED that the applicant's total household income cannot exceed the Federal Poverty Guidelines published in the prior calendar year in the Federal Register set forth by the U.S. Department of Health and Human Services as established by the State Tax Commission-to be updated annually.

BE IT FURTHER RESOLVED that meeting the income level guidelines does not guarantee 100% exemption, at their discretion in accordance with the General Property Tax Act 211.7u(5), the Board may grant a full or partial exemption as permitted under the law, if deemed appropriate.

BE IT FURTHER RESOLVED that if the Board of Review determines that the applicant has or should have income from other sources, such as relatives, dependents and/or friends, they may add this income to the applicant's reported income. If the resulting sum of these incomes is greater than the income guidelines, then a poverty exemption may be denied. If the amount of this income is added to the applicant's reported income and the resulting sum is less than the income guidelines, then a poverty exemption may be granted.

BE IT FURTHER RESOLVED that the Board may review applications without the applicant being present. However, the Board may request that any or all applicants be physically present to respond to any questions the Board or Assessor may have. This means that an applicant could be called to appear on short notice.

"Do you, \_\_\_\_\_, swear and affirm that evidence and testimony you will give on your own behalf before the Board of Review is the truth, the whole truth, and nothing but the truth, so help you God."

Applicant responds, "I do" or "I will."

BE IT FURTHER RESOLVED that a poverty exemption shall not be granted to any applicant whose assets exceed \$10,000. An applicant's homestead and principal vehicles shall be excluded from consideration as an asset. All other property, including from all other persons residing in the household, shall be included as an asset. Property shall include, but is not limited to: cash, savings, stocks, bonds, mutual funds, insurance commodities, coin collections, art, motor vehicles, recreation vehicles, etc.

BE IT FURTHER RESOLVED that the designated City Official and the Board of Review must agree as to the disposition of the poverty claim for the exemption to be granted and any successful applicant may be subject to personal investigation by the City. This would be done to verify information submitted or statements made to the Assessor or Board regarding their poverty tax exemption claim. The designated City Official will tape and

keep minutes of all proceedings before the Board of Review and all meetings must be held in a municipal building.

BE IT FURTHER RESOLVED a person filing a poverty exemption claim is not prohibited from also appealing the assessment on the property for which that claim is made before the March Board of Review in the same year.

BE IT FURTHER RESOLVED that the Board of Review shall follow the policy and guidelines set forth above when granting and denying poverty exemptions. The same standards shall apply to each taxpayer within the city claiming the poverty exemption for the assessment year. In reviewing the application and all supporting documentation, the Board of Review will consider income, assets, and potential earning capacity of the applicant.

BE IT FURTHER RESOLVED that in order to ease the burden on taxpayers, the assessor and the Board of Review and to ensure that all taxpayers have an equal opportunity to be heard by the Board of Review, the City of Madison Heights hereby resolves, according to provisions of MCL 211.30(8) of the General Property Tax Act, that the Board of Review shall receive letters of protest regarding assessments from resident taxpayers from the first Tuesday in March until it adjourns from the public hearings for which it meets to hear such protests. All notices of assessment change and all advertisements of Board of Review meetings are to include a statement that the resident taxpayers may protest by letter to the Board.

BE IT FURTHER RESOLVED that to conform with the provisions of PA 253 of 2020, this resolution is hereby given immediate effect and will stay in effect for subsequent years until amended or voided.

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

Absent: Councilor Wright

Motion Carried.

**CM-24-05. FY 2024-2029 Capital Improvement Plan.**

Motion to receive and file the FY 2024-2029 Capital Improvement Plan as presented.

Motion made by Councilor Rohrbach, Seconded by Councilman Fleming.

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

Absent: Councilor Wright

Motion Carried.

**CM-24-06. Recommendation to Remove Lisa Wright from the Parks and Recreation Advisory Board.**

Motion to remove Lisa Wright from the Parks and Recreation Advisory Board and declare the seat vacant.

Motion made by Councilor Rohrbach, Seconded by Councilman Fleming.

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

Absent: Councilor Wright

Motion Carried.

**CM-24-07. City Council Special Meeting Minutes of December 4, 2023.**

Motion to approve the City Council Special Meeting Minutes of December 4, 2023, with the following amendment:

*Amend the minutes of the Special Council Meeting of December 4th to reflect that the discussion on speed humps included broadening the budget item to include other elements that would lend to traffic safety, not just speed humps.*

Motion made by Councilor Rohrbach, Seconded by Councilman Fleming.

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

Absent: Councilor Wright

Motion Carried.

**CM-24-08. City Council Special Meeting Minutes of December 11, 2023.**

Motion to approve the City Council Special Meeting Minutes of December 11, 2023, as printed.

Motion made by Councilor Rohrbach, Seconded by Councilman Fleming.

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

Absent: Councilor Wright

Motion Carried.

**CM-24-09. City Council Regular Meeting Minutes of December 11, 2023.**

Motion to approve the City Council Regular Meeting Minutes of December 11, 2023, as printed.

Motion made by Councilor Rohrbach, Seconded by Councilman Fleming.

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

Absent: Councilor Wright

Motion Carried.



**CM-24-10. Board and Commission 2024 Work Plans.**

Motion to approve the Work Plans for the 2024 Calendar year for the following boards: Arts Board, Crime Commission, Environmental Citizens Commission, Historical Commission, Library Advisory Board, and Human Relations and Equity Commission.

Motion made by Councilor Rohrbach, Seconded by Councilman Mier.

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

Absent: Councilor Wright

Motion Carried.

Mayor Pro Tem Bliss reviewed the Arts Board workplan noting that it includes increasing visual arts in community; enhancing cultural community involvement; and facilitating performance arts. This includes continuation and expansion of current programming including the Arts Gala, Trail Tunes, Trail of Treats, and the addition of new performance art programming. The biggest event for 2024 will be the unveiling of bandstand and its utilization. The Arts Board has been working hard for six years and will continue to do great things.

Councilman Fleming reviewed Crime Commission workplan stating it includes community engagement through guest speakers including a human trafficking speaker, holding the bike rodeo in June; and having a Fall police canine demonstration. The Crime Commission will be aimed towards building relationships between the Police Department and the community in 2024.

Councilor Rohrbach discussed the Environmental Citizen Committee workplan. From 2023, EAGLE granted \$15,000 to create a sustainability master plan - this work will continue; they are hoping to begin resident and business education, continue ongoing gardening initiatives including garden grants and fundraising, maintain the seed library, review and adopt the action plan for their master plan and moving forward on their energy futures grant, support native gardening, partner with Michigan Green Communities, continue to be a Tree City USA, and work with the County to incentivize water sustainability in the city.

Mayor Pro Tem Bliss noted that the Historical Commission workplan includes experiencing Madison Heights, naming Madison Heights, and digitizing Madison Heights. Digitizing Madison Heights is ongoing; we are trying to preserve as much history through digitization as possible. Naming Madison Heights continues, to identify which of our founders and/or long-serving Councilmembers deserve recognition and determine locations to name after them. Experience Madison Heights is allowing us to gain more traction and traffic in our Historical Museum, as well as our online components. They are trying to drive some awareness into the history of our community. This next year, the Historical Commission is partnering with DDA business to give a history of music in Madison Heights.

Councilman Soltis stated that this next year, the Library Board will be working on a collaborate speaker series, expand tween events, free educational events for community, more activities for grades 5-8. Resources needed are space, snacks and books and the Board will measure success by participation.

Councilor Rohrbach stated that the Human Relations and Equity Commission's 2024 new calendar for social media content that celebrates recognizing cultural and religious holidays, continuation

of advising Council on inclusion and diversity issues as they arise, participate in Juneteenth in a meaningful way, plan and execute a car show and cooking competition in July, continuation of the cook book project that will celebrate our cultural diversity, continue to work with Library on a book club that increases exposure to different view points and culture.

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

Absent: Councilor Wright

Motion carried.

**CM-24-11. Letters of Agreement and Contract Extensions through June 20, 2026  
between the City of Madison Heights and the City's Labor Unions.**

Motion to approve the Letter of Agreements and Contract Extensions through June 30, 2026 between the City of Madison Heights and the Supervisors & Assistants Union AFSME Council 25 Local 1917.33, Department Heads Union AFSCME Council 25 Local 1917.34, Fire Fighters Association, Police Officers Union Michigan Fraternal Order of Police, Police Command Officers Union, Municipal Employees Union Technical Professional and Office Workers of Michigan, and the Department of Public Services Union Technical Professional and Office Workers of Michigan.

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

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

Absent: Councilor Wright

Motion carried.

**Council Comments:**

Councilman Mier welcomed 2024 and stated that he hoped everyone had a restful holiday. He commented that he is looking forward to his first full year of making good things happen here in Madison Heights.

Mayor Pro Tem Bliss expressed Go Blue and Go Lions! He stated that he was going through some old paperwork and found his father's election pamphlet from many years ago. His goals were all goals that this Council has worked on and have been able to accomplish over the past years and he expressed his thanks to the staff, the City Attorney, and his colleagues for helping to accomplish these items.

Assistant City Attorney Burns stated that he was looking forward to working with Council this year and wished a Happy New Year to all.

City Manager Marsh had no comments this evening.

Deputy City Manager/City Clerk Rottmann reminded voters that they must return their Ballot Selection Form or Absentee Ballot Application and select which party ballot they wish to receive

for the February 27, 2024 Presidential Primary election in order to have a ballot sent to them. Go Blue!!

Councilor Rohrbach wished everyone a Happy New Year and Go Blue!

Councilman Fleming had no comments this evening.

Councilman Soltis had no comments this evening.

Mayor Grafstein wished everyone a Happy New Year. She stated that we are expecting snow, so please drive carefully; the DPS will be doing the best job they can do to make the streets safe for the community.

**ADJOURNMENT:**

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

**To: Mayor and City Council**

**From: Melissa Marsh, City Manager**

**Date: January 10, 2024**

**RE: Resolution – Michigan’s Participation in Ground Emergency Management Funding**

The Federal Center for Medicare and Medicaid Services (CMS) oversees a Ground Emergency Medical Transportation (GEMT) program. GEMT provides funding and support to eligible healthcare providers through state agencies to ensure that individuals without reliable transport can access emergency medical care. This program improves access to medical services for Medicare recipients.

Michigan doesn’t currently participate in this program, although we are the nation’s 8th highest number of Medicaid enrollees. This means that local agencies, like the City of Madison Heights, aren’t fully reimbursed by Medicaid to cover the cost of medical transport for this significant segment of our community (approximately 13%). Since last February, we have been working with the City of Sterling Heights, the Michigan Municipal League, and the Michigan Association of Fire Chiefs to move legislation forward to require the Michigan Department of Health and Human Services to implement this program for our state.

Only communities that provide medical transport would be eligible for reimbursement. For Madison Heights, our 2021 estimate was 13% or \$400,000. The numbers have only increased since this. This is significant funding that Madison Heights and most other communities in the state can desperately use. Therefore, we are asking the City Council to approve a resolution urging the State Legislature to adopt legislation directing the MDHHS to enroll in the GEMT program.

In addition to this resolution, Madison Heights with Sterling Heights has taken the lead in educating other communities on this program, advocating our representative to create and support bills to implement, as well as requesting possible executive action that would force MDHHA to implement this plan sooner.

Item 5.

**A RESOLUTION BY THE CITY COUNCIL OF THE CITY OF MADISON HEIGHTS, MICHIGAN  
EXPRESSING SUPPORT FOR IMPLEMENTATION OF THE GROUND EMERGENCY MEDICAL  
TRANSPORTATION PROGRAM IN MICHIGAN**

**WHEREAS**, the City of Madison Heights Fire Department provides Ground Emergency Medical Transportation (GEMT) services for City residents, which includes many Medicaid beneficiaries; and

**WHEREAS**, the GEMT program available through the United States Centers for Medicare and Medicaid Services provides reimbursement to public providers for services provided to Medicaid patients; and

**WHEREAS**, the State of Michigan is not currently participating in the GEMT program, which is a voluntary enrollment program at both the state and local levels; and

**WHEREAS**, according to the US Census Bureau, approximately 13.8% of residents within the City of Madison Heights are Medicaid recipient; and

**WHEREAS**, the emergency services sector has struggled with workforce retention and recruiting in the wake of the COVID-19 pandemic; and

**WHEREAS**, the GEMT program will help Michigan public agencies including the City of Madison Heights retain and hire employees; and

**WHEREAS**, the GEMT program has shown to expand access, quality, and sustainability of emergency services for Medicaid recipients for public providers; and

**WHEREAS**, the MI-GEMT coalition is advocating for the passage of legislation directing the Michigan Department of Health and Human Services to enroll in the GEMT program; and

**WHEREAS**, the MI-GEMT coalition includes the Michigan Association of Fire Chiefs, Michigan Municipal League, Michigan Townships Association; and

**NOW, THEREFORE, BE IT RESOLVED** that the City Council of the City of Madison Heights hereby conveys its support for efforts of the MI-GEMT coalition; and

**IT IS FURTHER RESOLVED** that the City of Madison Heights The City Council of the City of Madison Heights urges the Michigan State Legislature to adopt legislation directing the Michigan Department of Health and Human Services to enroll in the GEMT program through the Centers for Medicare and Medicaid Services State Plan Amendment process.



Roslyn Grafstein  
Mayor



Mark Bliss  
Mayor Pro Tem



William J. Mier  
Councilman



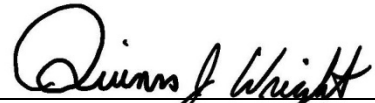
David M. Soltis  
Councilor



Sean D. Fleming  
Councilman



Emily J. Rohrbach  
Councilor



Quinn J. Wright  
Councilor

# MI-GEMT

## Implementing the Ground Emergency Medical Transportation Program (GEMT) in Michigan

Item 5.



**Ambulance services provide thousands of medical transportation trips for 2.8 MILLION MEDICAID ENROLLEES in Michigan that DO NOT receive the full reimbursement available from the federal government.**

# ***WE AIM TO CHANGE THIS.***

The United States Centers for Medicare and Medicaid Services (CMS) oversees the Ground Emergency Medical Transportation (GEMT) program. GEMT provides funding and support to eligible healthcare providers through state agencies, aiming to ensure that individuals without reliable transportation can access emergency medical care. This program improves access to emergency services for Medicaid beneficiaries, bridging the gap between patients and healthcare facilities and facilitating timely care during emergencies.

While Michigan doesn't currently participate in the program, our state has the 8th highest number of Medicaid Enrollees in the nation. Local emergency services and ambulance providers are not fully reimbursed by Medicaid to cover the costs of medical transportation for this significant segment of our communities. The GEMT initiative in Michigan seeks to address health disparities, promote health equity, and reimburse local agencies and emergency services providers for serving vulnerable populations.

### *Supporters*



MICHIGAN  
TOWNSHIPS  
ASSOCIATION



CITY OF  
**Sterling Heights**  
InnovatingLiving

# Quick Facts

## Ground Emergency Medical Transportation Program



### *Voluntary Program*

GEMT is a voluntary program available to emergency medical transportation providers operated by or for any governmental entity. Local governing bodies have the option to choose whether or not they participate in the program. Each community can evaluate the expected benefits received with provider capacity and costs of program participation.



### *Stable Source of Federal Funding*

GEMT programs are entitlement programs are part of the federal Medicaid System. They operate as part of the Social Security Act Title XIX and have been in use since 1965. There are no current plans to repeal or withdraw funds from providing this benefit.



### *Enhances Quality of Care*

Providing reliable and timely transportation to medical facilities during emergencies improves service delivery and care for Medicaid recipients. This program ultimately bridges gaps in transportation services, enabling Medicaid recipients to receive essential medical treatment without delays or obstacles.



### *Improves Workforce Retention and Attraction*

Emergency service providers were one of the most impacted workforce segments during the COVID-19 pandemic. Providing stable reimbursement mechanisms reduces financial uncertainties for emergency providers and allows them to develop a stable, motivated, and high-quality emergency medical workforce.



### *Millions of Dollars for Michigan Providers*

Participation in the GEMT program offers significant financial benefits to local communities by injecting much-needed funding to offset the costs of emergency medical transportation services. This additional revenue can be vital for community health infrastructure, enhancing the overall quality of healthcare services, and reducing financial burden on local taxpayers.

# Benefits

## Ground Emergency Medical Transportation Program

### **IMPROVES ACCESS TO EMERGENCY CARE**

Providing care to Medicaid beneficiaries places a financial burden on communities, making it more difficult.

### **IMPROVES QUALITY OF CARE**

Bridge the gap between patients and healthcare facilities, GEMT ensures timely access to essential care during emergencies.

### **IMPROVES RECRUITING**

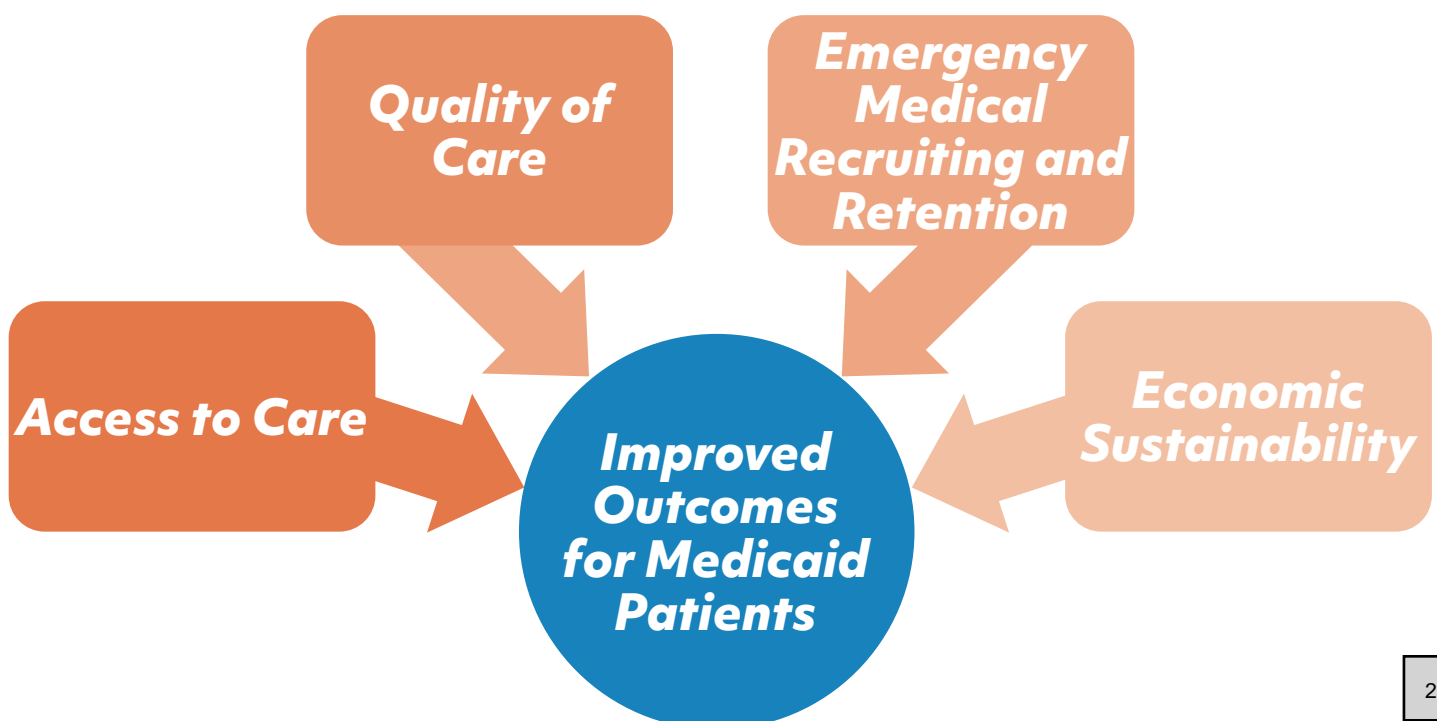
Emergency medical response has experienced a recruiting crisis in the wake of the COVID-19 pandemic. Increasing reimbursement to providers will help improve wages to attract more workers into the sector.

### **IMPROVES ECONOMIC SUSTAINABILITY**

By bolstering the financial health of EMS agencies, the program supports job creation, stimulates local economies, and contributes to the overall well-being and safety of residents.

### **IMPROVES CARE OUTCOMES**

Aims to reduce health disparities and enhance healthcare outcomes for vulnerable populations in Michigan who face challenges related to transportation, ultimately promoting health equity.







# Ground Emergency Medical Transportation Program (GEMT)

January 8, 2024



**City of  
Sterling  
Heights**  
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Living



Item 5.

## Charter Partners

- Michigan Association of Fire Chiefs (MAFC)
- Michigan Municipal League (MML)
- Michigan Townships Association (MTA)
- City of Sterling Heights
- City of Madison Heights



michigan municipal league



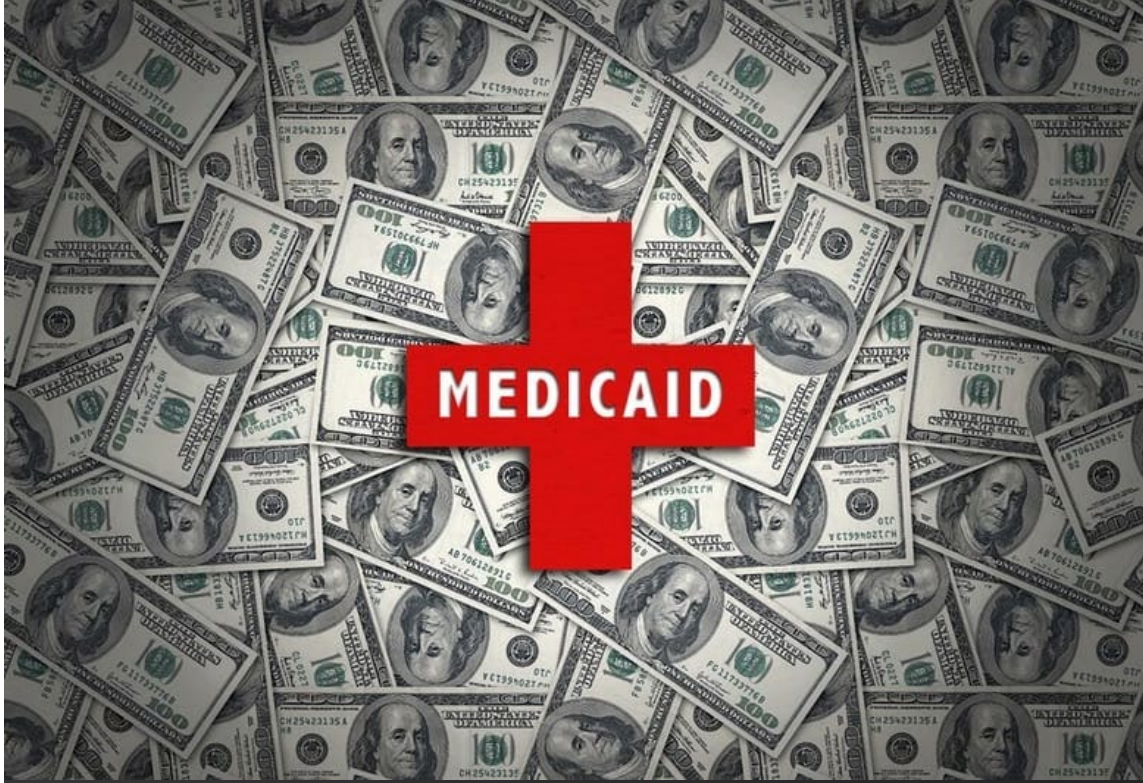
**MADISON HEIGHTS**  
MICHIGAN

## Activities

- Legislative advocacy
- Develop legislation and policy
- Communicate importance of this program to local elected leaders







## GEMT Overview

### Voluntary enrollment program.

To participate in the GEMT program, healthcare providers must meet specific criteria.

Reimburses eligible healthcare providers for their emergency medical transportation services to Medicaid beneficiaries.

GEMT programs have helped reduce health disparities among Medicaid beneficiaries.



**\$50-70 million** per year for Michigan providers (estimate).

**\$63 of each 100 spent** of potential reimbursement.

**EXAMPLE CALCULATION**

Average Cost per Transport	\$1,500
Average Medicaid Reimbursement	- \$300
<hr/>	
<b>Uncompensated Cost per Transport</b>	<b>\$1,200</b>
Number of Transports (managed care and fee for service)	* 500
<hr/>	
<b>Total Uncompensated Costs</b>	<b>\$600,000</b>
GEMT Reimbursement Rate (63%)	* .63
<hr/>	

**^Medicaid Transports Only**

**GEMT Overview**





## GEMT Overview



Item 5.

**\$50-70 million** per year for Michigan providers (estimate).

**\$63 of each 100 spent** of potential reimbursement.

### EXAMPLES\*

Community	Population	Percent Medicaid	Potential Reimbursement
Southfield	76,759	14%	\$1,052,100
Wayne (City)	17,335	15%	\$188,187
Ogemaw County	20,671	18%	\$450,716
Royal Oak	59,441	8%	\$178,344
Kinross EMS	14,008	29%	\$172,688

\*based on figures provided in voluntary survey



## GEMT Overview

Expands access to care.

Enhances quality of care.

Improves sustainability of care.

Promotes workforce retention and attraction.

# Perceived Challenges to Implementation

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MDHHS Information Technology systems and staff are not in place to administer the program.



Funding source for staff and technology to administer the program is needed.



Cost-reporting capacity and proficiency

# State Best Practices

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- **Most states have adopted a cost reporting model developed by CMS.**
  - *Some states require participants to go through cost report training.*
  - *Training is often provided by advocacy organizations.*
- **Many states use Intergovernmental Transfer (IGT) agreements.**
  - *Establishes the transfer of the non-federal share of funds from GEMT providers to the agency responsible for administration.*
- **State agencies/stakeholder providing annual training opportunities for cost report process and program updates.**
- **States have utilized independent private consultants to aid state agencies responsible for administering GEMT programs.**
  - *These consultants also often provide cost reporting, auditing, policy development, and training for providers, as well.*
  - *In some states, a municipal entity or authority provides administration on behalf of the state*





# What is Needed to Implement?

Item 5.



**Pass Legislation**



**Work with MDDHS on  
program  
implementation**

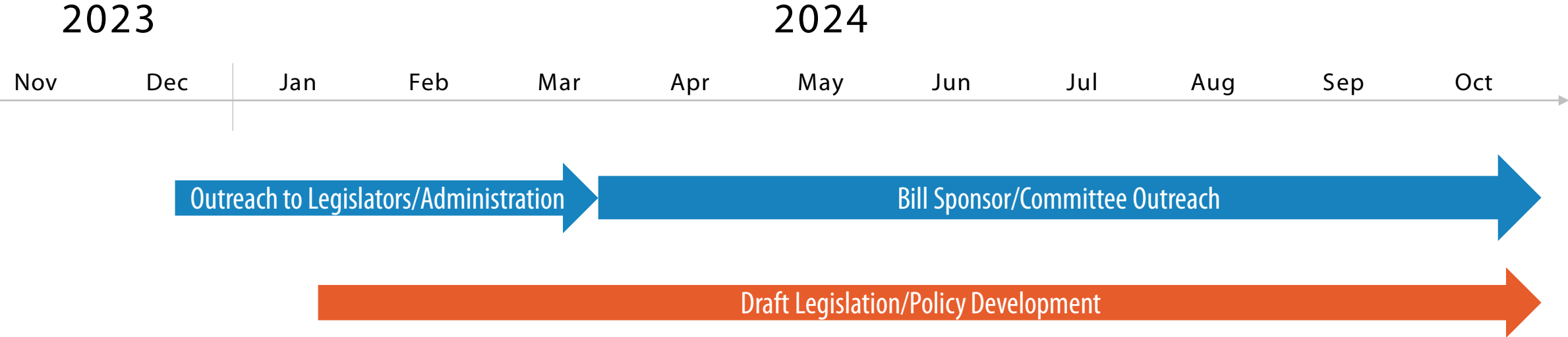


**DHHS Submits  
Medicaid Annual Plan  
Amendment**



**Cost-reporting  
training**

# Legislation Schedule

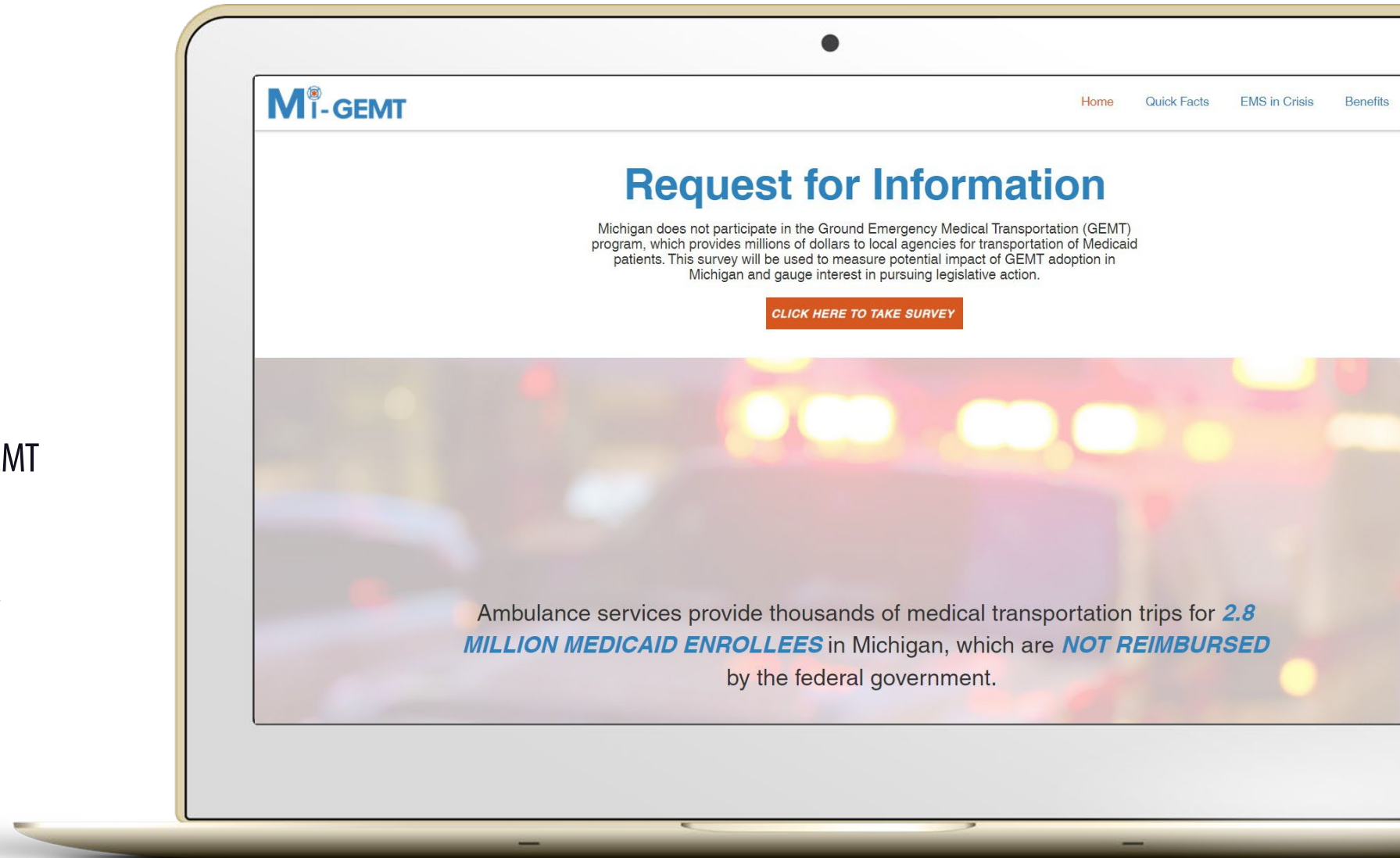


# Next Steps

Item 5.

## Take our Survey

- Determine agency benefit from the GEMT program.
- Help us determine aggregate benefits.
- Enlist more advocates for GEMT.



# Next Steps

Item 5.

## Complete a Cost Report

- Know how much your agency stands to benefit.
- Help demonstrate impact to legislators.
- Provide feedback on cost reporting.

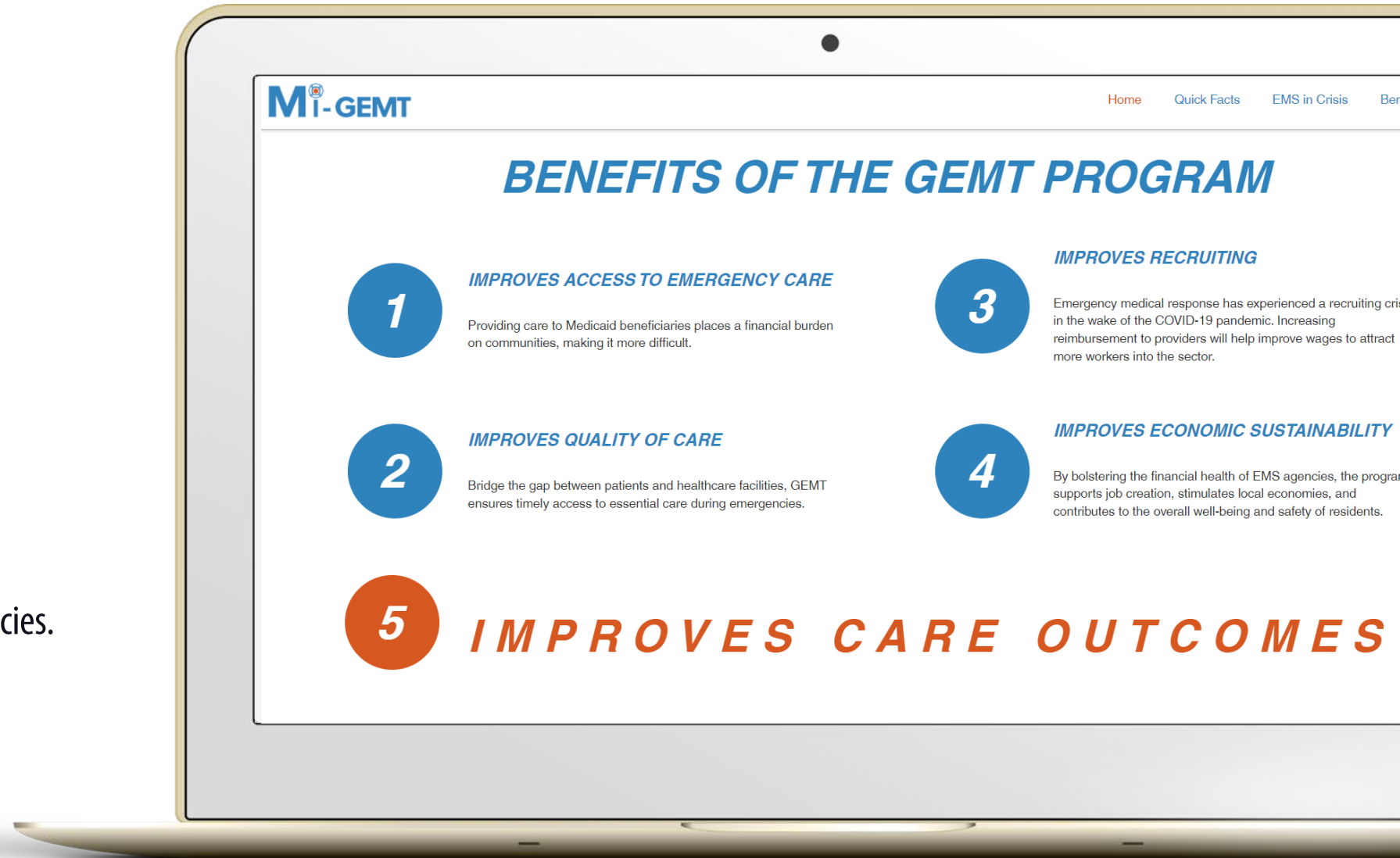
EMERGENCY MEDICAL TRANSPORTATION INTEGRATED DISCLOSURE AND MEDICAID COST REPORT GENERAL INFORMATION			
1. Name of Fire Department / Agency:		2. Medicaid #:	3. National Provider ID (NPI):
City of Collinsville			
4. Doing Business As (DBA):			5. Facility Business Phone:
			618-346-5022
6. Fire District/Agency Street Address:		7. City:	8. Zip Code:
130 S. Clinton St.		Collinsville	62234
9. Mailing Address - Street or P.O. Box (if different):		10. City:	11. Zip Code:
12. Name of Person Signing and Certifying Report:			
Kevin Edmond			
13. Report Contact Person:		14. Phone Number and Extension:	
15. Mailing Address - Street or P. O. Box:		16. City:	17. State:
			18. Zip Code:
19. Previous Name of Fire District/Agency if Changed Since Previous Report:		20. Date of Change:	
21. Does your organization use another entity to provide EMT services?		22. Date Range of EMT Service Agreement:	
No			
23. Does your organization use another entity to provide billing for EMT services?		24. Are billing services paid on a Flat Rate or a Percentage:	
Yes		Percentage	
25. Reporting Period Began:		26. Reporting Period Ended:	
January 1, 2019		December 31, 2019	
27. Net Cost of Transports			
\$1,659.12			

# Next Steps

Item 5.

## Be an Advocate


- Talk to your legislator!
- Pass a resolution of support
- Help us spread the word to other agencies.
- Participate in one of our committees.



# How Will We Help?

## Advocacy Resources


- Messaging and Information Support
- Case Support
- Draft Legislation



City Administration  
40555 Ulva Road  
Sterling Heights, MI 48313  
sterling-heights.net

### Ground Emergency Medical Transportation Program Engagement Strategy

Assistance Provided By:



500 Griswold, Suite 2500  
Detroit, MI 48226  
[www.wadetrim.com](http://www.wadetrim.com)

**While challenges exist, MICHIGAN HAS EXISTING STRUCTURES and funding mechanisms that can support the implementation of the GEMT program. Addressing the challenges would pave the way for improved emergency healthcare access and outcomes for Medicaid beneficiaries in the state.**

#### ELIGIBILITY CRITERIA

Eligible providers must be Medicaid-enrolled and comply with federal and state regulations related to emergency medical transportation. Providers must demonstrate their capacity to serve Medicaid beneficiaries and show a commitment to maintaining a reliable and accessible transportation system.

#### PRIVATE PROVIDER IMPACT

None of the money that is paid out to public ambulance providers comes from or is "pulled" from the local ambulance system. There will be no financial impact to the private providers. They will continue to be paid that same amount for the same services.

#### COLLABORATION PARTNERSHIP

State agencies are implementing the program at the local level, including and establishing with healthcare providers, hospitals and ambulance actively participate in emergency medical services and seeking for their services.

#### GEMT CHALLENGES

- Enabling legislation appropriations.
- Information Technology systems are not in place to administer the program. Funds would be needed.
- Lack of medical provider capacity/expertise in developing cost reports adequate for program administration.

#### IMPACTS & BENEFITS

- Reduce health disparities among Medicaid beneficiaries
- Access to timely and appropriate healthcare during emergencies
- Increased chance of positive health outcomes
- Bridge gaps between rural and remote communities and healthcare facilities

#### WHO PAYS THE STATE & WHERE DOES IT COME FROM?

For CPE's the state cannot incur a cost for running the program. The states cost are divided between the providers and CMS on a 50/50 basis. There is no cost to the taxpayer for CPE programs. These programs are entitlement programs and are part of the federal Medicaid system and operate as part of the Social Security act title XIX.

#### FUNDING MECHANISMS

Rates are determined by provided transportation factors such as mileage, personnel salaries, and other operational costs. Rates are typically set through negotiation Medicaid agencies providers to ensure compensation with program sustainability.

### GEMT Quick Facts

- Unit of Government Eligibility**  
Any governmental entity that is recognized as a "Unit of Government" can participate in these programs. The definition is located in 42 CFR 433.50.
- Private Provider's Cannot Participation**  
Private ambulance providers voluntarily enter a business model that fits their needs and is not supported by tax dollars. All money comes from the federal Medicaid program. They will continue to be paid that same amount for the same services.
- Operation Under Social Security Act Title XIX**  
GEMT programs are entitlement programs are part of the federal Medicaid system. They operate as part of the Social Security Act Title XIX. They have been in use since 1965. There are no current plans in place to repeal or withdraw funds from providing this benefit.
- Annual Surveying of Participating Providers**  
Each year the state does a survey of the participating providers to determine the amount of money needed to fund the program. They typically will add 10-20% to that number in order to insure there will be enough money for that years participants. Money that is not used is returned back to CMS. Each year the participants and amount of funds can change.
- Leftover Funding is Returned to the General Fund**  
Returned funds represent money that has already been expended. IGT funds must be used to provide the service for which the IGT was generated. The total amount of revenue that is collected cannot exceed the cost of providing the service.
- State Costs are Divided Between the Providers and the CMS on a 50/50 Basis**  
For CPE's the state cannot incur a cost for running the program. There is no cost to the taxpayer for CPE programs. When it comes to IGT's the state is allowed to charge a fee for their part of the services provided as long as it either included in statute or part of the state plan. Each fee is determined by the state, and some are minimal while others are fairly large.

Item 5.

Table 2 Comparison of State Legislation/Rules Governing GEMT									
State	Defines Eligible Providers	Establishes Reimbursement Calculation	Prohibits Expenditure from State General Fund	Requires Local Cost Share Agreement with Administering Agency	Provider Fee	QAF/ CPE	IGT	Non-State Administrator	Excludes Private Providers
California	X	X	X	X			X	X	X
Washington	X	X	X	X			X		X
Iowa	X*	X*			X*				X*
Idaho	X	X	X						+
Oregon	X		X	X			X		+
Nebraska	X	X	X	X			X		X
Missouri	X			X			X	X	+
Oklahoma	X	X	X						+

\*Not addressed in legislation but defined by administrative rule.  
+Private providers that are contracted by public providers are eligible for reimbursement.

## Medicaid Reimbursement Enhancement for Emergency Medical Transportation

REQUEST FOR INFORMATION

Michigan does not participate in the Ground Emergency Medical Transportation (GEMT) program, which provides millions of dollars to local agencies for transportation of Medicaid patients. This survey will be used to measure potential impact of GEMT adoption in Michigan and gauge interest in pursuing legislative action.

1. Agency Name

Enter your answer

2. What is your agency's annual budget?

The value must be a number

14

34

# Mi-GEMT

## Questions?



**Sterling  
Heights**  
Innovating  
Living





# Comparison of State Legislation/Rules Governing GEMT

State	Defines Eligible Providers	Establishes Reimbursement Calculation	Prohibits Local Cost Share Agreement with Administering Agency	Requires Local Cost Share Agreement with Administering Agency	Provider Fee	IGT	Non-State Administrator	Excludes Private Providers
California	X	X	X	X		X	X	X
Washington	X	X	X	X		X		X
Iowa	X*	X*			X*			X*
Idaho	X	X	X					+
Oregon	X		X	X		X		+
Nebraska	X	X	X	X		X		X
Missouri	X			X		X	X	+
Oklahoma	X	X	X					+

***\*Not addressed in legislation but defined by administrative rule.***

***+Private providers that are contracted by public providers are eligible for reimbursement.***



## AGENDA ITEM SUMMARY FORM

**MEETING DATE:** 1/22/24

**PREPARED BY:** Melissa Marsh, City Manager

**AGENDA ITEM CONTENT:** Sub-recipient Contract with Habitat for Humanity of Oakland County

**AGENDA ITEM SECTION:** Reports

**BUDGETED AMOUNT:** \$0

**FUNDS REQUESTED:**

**FUND:**

**EXECUTIVE SUMMARY:**

The City of Madison Heights partnered with Habitat for Humanity of Oakland County (HFHOC) to submit a \$850,000 grant application to create a multi-faceted program to help Madison Heights homeowners make home upgrades, such as furnaces, hot water heater replacements, roof replacements and repairs, kitchen and bath upgrades, deck and porch replacements, new siding and other home upgrades to address long-term health and safety issues. The project area was designated in the south end of Madison Heights, located South of Lincoln, North of I-696 between Dequindre and Stephenson Highway. Under this agreement Madison Heights is the grantee and HFHOC will administer all grant activities.

**RECOMMENDATION:**

Staff recommends that the City Council approve the attached sub-recipient agreement between the City of Madison Heights and Habitat for Humanity of Oakland County to administer the CPF 2023 Grant program for Neighborhood Home Improvements as outlined in the grant application.

To: Mayor and City Council

From: Melissa R. Marsh, City Manager

Date: January 14, 2024

RE: Interlocal Agreement between the City of Madison Heights and Habitat for Humanity of Oakland County to Manage all aspects of a Neighborhood Improvement Program

In Fiscal Year 2023, the City of Madison Heights partnered with Habitat for Humanity of Oakland County (HFHOC) to submit a grant application for congressionally directed spending under the Economic Development Initiative - Community Project Funding (CPF). CPF grants provide investment in a wide variety of projects, including home improvements in specific areas. In March of 2023, Madison Heights was notified that they were awarded \$850,000 through this process.

Through this partnership, City staff worked with HFHOC, to create a multi-faceted program to help Madison Heights homeowners make home upgrades, such as furnaces, hot water heater replacements, roof replacements and repairs, kitchen and bath upgrades, deck and porch replacements, new siding and other home upgrades to address long-term health and safety issues. The project area was designated in the south end of Madison Heights, located South of Lincoln, North of I-696 between Dequindre and Stephenson Highway.

HFHOC will be a sub-recipient of the City and has staff dedicated to homeowner-occupied home restoration and financial counseling. Homeowners with low to moderate income can qualify for grant funding to cover various home repairs with emphasis placed on addressing health and safety concerns. As the sub-recipient, they will oversee all grant activities, including applicants for participants, assessing and approving repairs to be completed, contracting for the work to be completed, verifying that work is completed, payment of vendors, and repayment (if required) from participants in the program. They will also track expenditures and report to the municipality throughout the program.

HFHOC will manage this fund on behalf of the City and has staff dedicated to homeowner-occupied home restoration and financial counseling. Homeowners with low to moderate income can qualify for grant funding to cover various home repairs with emphasis placed on addressing health and safety concerns.

As a partner, HFHOC is also able to bring other funding and programs to the City, including a Rock the Block program focused on exterior improvements and neighborhood beautification and an Ownes Corning roof grant for \$50,000.

In order to begin implementing this program this Spring, the City and HFHOC need to enter into a Sub-Recipient grant agreement. Legal Counsel has reviewed this agreement. Staff recommends that the City Council approve the attached sub-recipient agreement between the City of Madison Heights and Habitat for Humanity of Oakland County to administer the CPF 2023 Grant program for Neighborhood Home Improvements as outlined in the grant application.

**Subrecipient Contract for  
FY 2023 Community Project Funding (CPF) Grant**

City of Madison Heights  
(municipality)

&

Habitat for Humanity of Oakland County  
(servicing agency)

**CONTRACT DURATION:**

Beginning Date: January 1, 2024

Ending Date: December 31, 2030

This contract shall be effective from the beginning date until December 31, 2030, or when funding has been expended, whichever comes first. The contract may be extended if additional CPF funds become available to the City of Madison Heights.

**CONTRACT FUNDING SOURCES: FEDERAL COMMUNITY PROJECT FUNDING – HUD**

In the Consolidated Appropriations Act, 2023 (Public Law 117-328) (the FY2023 Act), Congress made funding available for “grants for the Economic Development Initiative (EDI) for the purposes, and in amounts, specified for Community Project Funding/Congressionally Directed Spending.” These “Community Project Funding” or “CPF” awards are administered by the Department of Housing and Urban Development (HUD).

HUD has approved the following project, which was included in the Senate section of the Congressional Record on December 20, 2022.

Grantee:	City of Madison Heights
Subrecipient:	Habitat for Humanity of Oakland County
Project:	Home Upgrades program with Habitat for Humanity
Amount:	\$850,000
Grant Number:	B-23-CP-MI-0818

**Section 1. AGREEMENT**

This contract is made this day, January \_\_\_\_, 2024, between Habitat for Humanity of Oakland County, hereinafter designated as the “Agency,” having its principal office at 150 Osmun Street, Pontiac, Michigan 48342, and City of Madison Heights, hereinafter designated as the “Municipality” having its principal offices at 300 West 13 Mile Road, Madison Heights, MI 48071.

## Section 2. PURPOSE

The City of Madison Heights has received an allocation of Community Project Funding for home upgrades and improvements to be completed specifically with Habitat for Humanity of Oakland County. Both parties approve of and hereby agree to the following as the purpose of his contract:

- A) The City of Madison Heights reimburses the Agency for services provided to City of Madison Heights residents, not exceeding \$850,000.
- B) The Total Grant amount awarded through CPF is \$850,000, with the Municipality retaining applicable administrative fees as necessary for the project.

## Section 3. THE AGENCY'S RESPONSIBILITIES

The Agency shall do the following.:

- A. The Agency agrees to administer a program in line with the program criteria, application process, and construction processes detailed in the CPF Project Narrative attached to this agreement as Appendix 1.
- B. The Agency agrees to maintain all records required by the Federal regulations specified in CFR Part 200, Subpart D – Post Federal Award Requirements, that are pertinent to the project being funded under this Agreement. Such records shall include but are not limited to:
  - a. Records providing a full description of the project undertaken
  - b. Records demonstrating that the project undertaken meets one of the National Objectives of the CPF program
  - c. Records documenting compliance with the fair housing and equal opportunity component of HUD programs
  - d. Records of all applicants for the program, whether approved or not
  - e. All other records necessary to document compliance with Subpart D of 2 CFP Part 200
- C. Reimbursement Payment Procedures – The City will reimburse the Agency's funds available under this Agreement based upon information submitted by the Agency under the terms and conditions of this Agreement. Payments will be made for eligible expenses actually incurred directly related to this project. The City will make its best efforts to process the reimbursement payment in a timely manner as first reimbursed by HUD through the CPF program.
- D. Progress Reports – The Agency will report to the City's progress towards meeting goals and achievement in providing program benefits in forms, content, and frequency as required by the City and/or HUD. Progress reports shall be subject to the Paperwork Reduction Act requirements (2 CFR 200.328).
- E. Maintain an effective system of internal fiscal control and accountability for all CPF. Ensure all costs are supported by properly executed payrolls, time records, invoices, vouchers or other official documentation. All accounting documents relating to the use of federal funds shall be clearly identified and readily accessible. Maintain records pertaining to the monies received in accordance with this Agreement for a minimum of five years from the completion of this agreement. Allow the City of Madison Heights, the U.S. Department of Housing and Urban Development (HUD), the Comptroller General of the United States, and any of their authorized

representatives access to financial records pertaining to Community Project Funding Grant Funds and this agreement for the purpose of audit or examination.

- F. Maintain client data demonstrating client eligibility for services provided. Such data shall include, name, address, income level or other basis for determining eligibility, and demographic information. Provide the Municipality a summary of Madison Heights clients and eligibility.
- G. Provide the Municipality invoices for services rendered based on actual costs. To the extent possible, costs must meet the Office of Management and Budget Uniform Guidance, "Cost Principles, Audit and Administrative Requirements for Federal Awards (2 CFR 200) general criteria such as be reasonable for the performance of the award, be accorded consistent treatment, be determined in accordance with generally accepted accounting principles and be adequately documented.
- H. Submit payment requests that include required supporting documentation on a quarterly basis.
- I. Provide management and personnel to perform the services prescribed by this agreement adequately.
- J. Be solely responsible for any and all taxes (federal, state and/or local); worker's compensation insurance; disability payments; social security payments; unemployment insurance payments; and/or any similar and shall hold the Municipality harmless from such payments.
- K. Provide insurance information. The municipality shall be named as an additional insured thereon and furnished with a certificate thereof.
- L. Provide copy of single audit report and federal audit if submitted to the Federal Audit Clearing House.
- M. Stay up-to-date and in compliance with any laws or policies that effect the expenditure of FY 2023 CPF funding.

#### **Section 4. THE MUNICIPALITY RESPONSIBILITIES**

The Municipality shall do the following:

- A. In consideration for services rendered by the Agency, pay a total sum not to exceed the CPF Program Year amount of \$850,000.
- B. Reimburse the Agency upon receipt of a payment request that includes the required supporting documentation from the Agency after the City has been reimbursed from HUD.
- C. The Municipality shall monitor the operations of Agency activities under this contract to assure compliance with applicable Federal requirements and contract provisions and that performance goals are being achieved on an annual basis in accordance with program regulations 24 CFR Part 570 and OMB regulations 2 CFR Part 200.

## **Section 5. COMPLIANCE**

The Agency agrees to comply with the requirements of Housing and Urban Development (HUD) regulations concerning Community Project Funding Grant (CPF). The Agency also agrees to comply with all other applicable federal, state and local laws, regulations, and policies governing the funds provided under this Agreement.

## **Section 6. DISCRIMINATION PROHIBITED**

The Agency shall not discriminate against any employee or applicant for employment with respect to hire, tenure, terms, conditions or privileges of employment on a matter directly or indirectly related to employment because of race, color, religion, national origin, age, sex, height, weight, or marital status pursuant to the Elliot Larsen Civil Rights Act, 1976, P.A. 453. The Agency and the Municipality shall also comply with the provisions of the Michigan Handicappers Civil Rights Act, 1976, P.A. 220, and the Federal Rehabilitation Act of 1973, P.A. 93-112, 87 Stat. 394, which requires that no employee or client or otherwise qualified handicapped individual shall, solely by reason of his/her handicap, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal Assistance. No person shall, on the grounds of race, creed, color, sex, age, national origin, height, weight, handicap, or marital status, be excluded from participation in, be denied the proceeds of, or be subject to discrimination in the performance of this contract. The Agency shall comply with all applicable regulations promulgated pursuant to the Civil Rights Act of 1964 as amended.

## **Section 7. PROHIBITION OF POLITICAL AND RELIGIOUS ACTIVITY**

There shall be no religious worship, instruction or proselytization as part of, or in connection with, the performance of this Agreement. None of the funds, materials, property or services under this Agreement shall be used in the performance of this Agreement for any partisan political activity, including lobbying, as specified in Federal Circular A-122 Cost Principles for Nonprofit Organizations -- lobbying revisions, or to further the election, defeat, recall, impeachment, appointment or dismissal of any candidate for or from any public office.

## **Section 8. GENERAL CONTRACT PROVISIONS**

- A. **Merger or Integration:** This Agreement constitutes the entire agreement between the Agency and the Municipality with respect to the subject matter hereof; there are no other further written or oral understandings or Agreements with respect hereto.
- B. **Modification, Assignment or Subcontracting Absent Prior Written Consent:** No variation or modification of this Agreement and no waiver of its provisions shall be valid unless in writing and signed by the duly authorized officers of the Agency and the Municipality. Any alterations, additions, or deletions to the terms of this Agreement, which are required by the enactment of legislation, regulations, and directives, are automatically incorporated into this Agreement on the date designated by law, regulation, or directive.



- C. **Default/Suspension/Termination:** The Agency agrees that default, suspension or termination of this project may occur if it materially fails to comply with any term of this Agreement, or any rules, regulations or provisions referred to within, and that this grant may be terminated for convenience by the City. These conditions are fully described in the Code of Federal Regulations, Title 24, Part 85.43 (Enforcement) & Part 85.44 (Termination for Convenience).

Either party may, at any time during the life of this agreement, terminate this agreement by giving thirty (30) days written notice to the other party and City of Madison Heights, of its intention to terminate and an opportunity for consultation prior to termination. In the event of a termination, the Municipality's obligation shall only be to reimburse the Agency for services actually rendered up to the point of notification of termination.

- D. **Addendum:** The contract duration may be extended or shortened, funds may be added or subtracted pursuant to an Addendum signed by a representative from the Municipality and the Agency setting forth the modifications of the Agreement.
- E. **Hold Harmless:** To the fullest extent permitted by law, the Agency agrees to indemnify, pay in behalf of, and hold harmless the Municipality, their elected and appointed officials, employees, volunteers, boards, commissions and others working in behalf of the Municipality, against any and all claims, demands, suits, losses, including all costs connected therewith for any damages which may be asserted, claimed or recovered against or from the Municipality, by reason of personal injury, including bodily injury and death, and/or property damage, including loss of use thereof, which arises out of, or is in any way connected or associated with, the activity authorized by this contract.
- F. **Confidentiality:** The use or disclosure of personally identifiable information by the Municipality concerning services, applicants or recipients obtained in connection with the performance of the Agreement shall be restricted to the purposes directly connected with the administration of the services provided under this Agreement. Such information shall not be used for any other purpose unless required by law, statute or other legal process and is disclosed to Municipality.
- G. **Disputes:** Either the Agency or Municipality shall notify the other in writing of its intent to pursue a claim for breach of any terms of this Agreement. No suit may be commenced by the either party for breach of the agreement prior to the expiration of ninety (90) days from the date of such notification. Within this ninety (90) day period, the parties must meet with an appointed representative of the other party for the purpose of attempting to resolve the dispute. A period of ninety (90) days to cure or remedy an issue within such ninety (90) day period.
- H. **Duplication of Benefits (DOB):** In an effort to guard against fraud and ineligible use of taxpayer funding, the agency agrees that it will collect a certification from its recipient households that the household is not receiving duplicative benefit (DOB). The Agency agrees to not be in violation of Federal DOB regulations implementing the project described in this Agreement.
- I. **Conflict of Interest:** Except for approved administrative costs, no person having responsibilities dealing with CPF assisted activities may obtain a personal or financial benefit from this project, or have an interested in any contract, subcontract or agreement, either for themselves or their family

during the tenure or for one year thereafter. The general procurement standards in 2 CFR Part 200.318 shall apply.

- J. Notices: Whenever under this Agreement provision is made for notice of any kind, unless otherwise herein expressly provided, it shall be in writing and shall be served personally or sent by registered or certified mail with postage prepaid to the designated representatives at the addresses supplied below. A copy shall be provided to the Municipality.
- K. Equal Employment Opportunity: The Agency shall comply with Executive Order 11246 of September 24, 1965, entitled "Equal Employment Opportunity," as amended by Executive Order 11375, October 13, 1967, and as supplemented in Department of Labor regulations (41 CFR Chapter 60).
- L. Copeland "Anti-Kickback Act": The Agency shall comply with the Copeland "Anti-Kickback" Act (18 U.S. C. 874) as supplemented in the Department of Labor regulations (29 CFR part 3). (Applies to contracts and subgrants for construction or repair.)
- M. Patent Regulations: The Agency shall comply with the Municipality requirements pertaining to patent rights with respect to any discovery or intervention, copyrights and rights in date which arise or is developed in the course of, or under this Agreement.
- N. Debarment, Suspension, Ineligibility and Voluntary Exclusion: The Agency shall comply with the provisions of CFR Part 24 that neither it nor its' Principals are presently debarred, suspended, proposed for debarment, declared ineligible or voluntarily excluded for participation in this contract. Additionally, the Agency shall not use, directly or indirectly utilize any of the funds provided by this contract to employ, award contracts to, or otherwise engage the services of, or fund any contractor/subcontractor during any period that the contractor/subcontractor is debarred, suspended or ineligible under the provisions of CFR Part 24. Using the System for Award Management ([Http://sam.gov](http://sam.gov)), the Municipality has determined as of the date of this contract that the Agency is not excluded from the Federal Procurement and Non-procurement Programs.

**IN WITNESS WHEREOF**, this Agreement has been duly executed this \_\_\_\_\_ day of \_\_\_\_\_, 2023.

CITY OF MADISON HEIGHTS, MI

HABITAT FOR HUMANITY OF OAKLAND COUNTY

By: \_\_\_\_\_

By: \_\_\_\_\_

Its: \_\_\_\_\_

Its: \_\_\_\_\_

By: \_\_\_\_\_

By: \_\_\_\_\_

Its: \_\_\_\_\_

Its: \_\_\_\_\_

**FY 2023 COMMUNITY PROJECT FUNDING  
GRANT AGREEMENT NO. B-23-CP-MI-0818**

**Appendix 1 – Project Narrative**

The City of Madison Heights, in partnership with Habitat for Humanity of Oakland County (HFHOC) , will create a multi-faceted program to help Madison Heights homeowners make home upgrades, such as furnaces, hot water heater replacements, roof replacements and repairs, kitchen and bath upgrades, deck and porch replacements, and new siding and other home upgrades to address long-term health and safety issues.

The project area has been designated in the south end of Madison Heights, located South of Lincoln, North of I-696 between Dequindre and Stephenson Highway.

HFHOC will be a sub-recipient of the City and has staff dedicated to homeowner-occupied home restoration and financial counseling. Homeowners with low to moderate income can qualify for grant funding to cover various home repairs with emphasis placed on addressing health and safety concerns. HFHOC's Unique Entity ID number is T2ZYT2MKZH5. As the sub-recipient, they will oversee all grant activities, including applicants for participants, assessing and approving repairs to be completed, contracting for the work to be completed, verifying that work is completed, payment of vendors, and repayment (if required) from participants in the program. They will also track expenditures and report to the municipality throughout the program.

HFHOC will manage this fund on behalf of the City and has staff dedicated to homeowner-occupied home restoration and financial counseling. Homeowners with low to moderate income can qualify for grant funding to cover various home repairs with emphasis placed on addressing health and safety concerns.

**Program Criteria:**

- Property must be owner-occupied
- Property owner(s) must be current on mortgage, homeowner's insurance, and property taxes or current on a payment plan for delinquent taxes.
- Habitat must deem the home in acceptable condition for requested work to be performed.

**Application Process:**

1. Interested applicants complete an online application. Applications can be taken via phone with HFHOC staff.
2. HFHOC Intake Specialist (IS) receives completed online application forms and exports forms into processing spreadsheets.
3. Applicants are initially screened for falling within Geographic Service Area (GSA) and meeting AMI requirements. Ineligible applicants are sent a denial letter due to falling outside of GSA or exceeding income eligibility.
4. Applications will be reviewed by Partner and Community Programs (PCP) team following existing homeowner selection criteria: need, income eligibility, and willingness to partner.

5. HFHOC IS will send applicant addresses to Oakland County Treasurer's office to confirm ownership and tax delinquency status.
6. Background checks & sex offenders will be processed by HFHOC.
7. All eligible applicants are priority scored based on criteria of Income and Special Needs (Veteran Status, Senior, Disability Status).
8. If the applicant passes the selection criteria, PCP will inform the Construction team that a site evaluation is required.

#### Project Evaluation & Admin Process

1. Construction contacts homeowners to schedule a site evaluation. The Project Manager (PM) completes site evaluation, verifying the requested work and inspecting the entire property. Construction compiles a project estimate and the required photos of the requested work.
  1. Construction provides a list of priority home repairs and recommended order of importance and urgency.

#### Construction Process

1. Construction will request contractor bids for the project.
2. Once all bids are received, a Pre-Construction meeting is scheduled with the homeowner & the construction team to review the documents below.
  1. Home Assessment Worksheet
  2. Pre-construction meeting acknowledgment form
  3. Contract/Scope of work
3. Homeowner and HFHOC will determine the final scope of work to be completed.
4. Construction will meet with the homeowner at the home for the following:
  1. Explain payment policy and procedures and sign the following documents:
    1. Statement of satisfaction
    2. Warranty
    3. Addendums, if necessary

Upon completion of the home repair project, Habitat's construction staff visits each home to perform a final inspection and take after photos for reporting. We meet with the homeowner to review a statement of satisfaction and gather feedback on how to improve the program for the future. Each homeowner is asked to complete a survey rating their experience with the program on a scale of 1-5, 5 being the highest. Results are compiled and included in our reporting. Habitat will offer a 1-year warranty on work completed.



## AGENDA ITEM SUMMARY FORM

**MEETING DATE:** 1/22/24

**PREPARED BY:** Giles Tucker - CED

**AGENDA ITEM CONTENT:** 29448 John R Rd Brownfield TIF Plan

**AGENDA ITEM SECTION:** Items for Future Public Hearings

**BUDGETED AMOUNT:** N/A

**FUNDS REQUESTED:** N/A

**FUND:** N/A

**EXECUTIVE SUMMARY:**

Establish a Public Hearing for consideration of a Brownfield Plan for Moschouris Management Company, LLC located at 29448 John R Rd.

**RECOMMENDATION:**

Staff recommends that City Council hold a Public Hearing for the consideration of the Brownfield Plan submitted by Moschouris Management Company, LLC located at 29448 John R Rd at the Regular City Council Meeting of February 12, 2024.

## Brownfield Redevelopment Authority of City of Madison Heights

### Memorandum

**Date:** January 17, 2024

**To:** Melissa Marsh, City Manager

**From:** Giles Tucker, Director of Community & Economic Development

**Subject:** 29448 John R Rd Brownfield TIF Plan

The City of Madison Heights and MMD Acquisitions LLC entered into an agreement for the sale of the property located at 29448 John R Rd on May 10<sup>th</sup>, 2022. This agreement included a due diligence period, which was extended, and the property was closed upon in November 2023. A condition of the sale of the property was the approval of an approved Brownfield Plan that included the reimbursement of eligible activities as defined in the Michigan Brownfield Redevelopment Financing Act (Public Act 381). The proceeds of the sale of this property were a significant part of the funding for the much-needed renovation of City Hall, Adult Active Center, and Library.

### Basis for Brownfield Eligibility

This site was formerly used as a landfill for the Royal Oak dump and as a part of the Southeastern Oakland County Resource Recovery Authority's (SOCCRA) transfer station and incinerator. A Phase II ESA found heavy metals and naphthalene in soil samples and arsenic in the groundwater samples above Michigan Department of Environment, Great Lakes, and Energy (EGLE) Part 201 generic residential cleanup criteria (GRCC). For this reason, the property qualifies as a "facility" as defined by 1994 P.A. 451, Part 201, as amended. Phase II ESA also detected Mercury, ethylbenzene, naphthalene, and 1,2,4-trimethylbenzene were detected above EGLE Residential Volatilization to Indoor Pathway (VIAP) Screening Levels, dated September 4, 2020. The complete Phase II report conducted by NTH Consultants can be found under Appendix E of the included proposed Brownfield Plan.

### Summary of Eligible Activities & Total Reimbursement

Tax Increment Financing revenues will be used to reimburse costs of eligible activities as permitted by the Brownfield Redevelopment Financing Act. It is important to note that cost estimates may increase or decrease depending on unknown conditions as the project is under development. The total "not to exceed" cost discussed later is the maximum amount of reimbursement allowed for this plan unless the Plan is amended by the MHBRA & City Council. The following are estimates for each of these eligible activity areas:

- Work Plan Exempt Activities	\$50,700
- Department Specific Activities	\$810,230
- Demolition	\$117,500
- Asbestos Abatement	\$30,000
- Infrastructure Improvements	\$500,000
- Site Preparation	\$247,475
- Preparation and Implementation of a Brownfield Plan	\$30,000
<i>Est. Eligible Activities Subtotal</i>	<b>\$1,785,905</b>

It is anticipated that most of these activities will be performed after the adoption of this Brownfield Plan. However, the Brownfield Plan allows for eligible activities to be included for reimbursement if they are performed up to 180 days prior to the adoption to the Brownfield Plan's approval by the City Council.

The developer is requesting a "not to exceed" total reimbursement of **\$2,041,686 for eligible activities**. This total includes \$1,785,905 in estimated eligible activities and a 15% contingency of \$255,781. This contingency excludes Baseline Environmental Assessment Activities and preparation and implementation of the Brownfield Plan. However, Table 2 within the Brownfield Plan shows a projected reimbursement of **\$1,497,551** over 30 years of capture, assuming a new taxable value of \$1.2M increasing 2% per year for the duration of the plan.

### **Madison Heights Brownfield Redevelopment Authority (MHBRA) Action**

On January 16, 2024, the MHBRA reviewed the 29448 John R Rd Brownfield plan and recommended that City Council approve the plan with the following motion:

*Motion by Busler, Seconded by Morando, that the Madison Heights Brownfield Redevelopment Authority (MHBRA) recommends that Madison Heights City Council adopt the proposed Brownfield Plan for property located at 29448 John R Rd and to authorize the Mayor and City Clerk to sign the Development Agreement and Reimbursement Agreement after review and minor modifications are made from the City Attorney.*

### **Staff Recommendation**

Staff recommends that City Council adopt a resolution to approve the Brownfield Plan for 29448 John R Rd as presented and to authorize the Mayor and City Clerk to sign the Development Agreement and Reimbursement Agreements and to authorize the City Attorney to make minor modifications for effectuation.

### **Attachments**

1. Brownfield Application
2. Proposed Resolution
3. Public Hearing Notice
4. 29448 John R Rd Draft Brownfield Plan
5. 29448 John R Rd Draft Development Agreement
6. 29448 John R Rd Draft Reimbursement Agreement



## Madison Heights Brownfield Redevelopment Authority Project Application Form

*All interested applicants are required to have pre-application meeting with city staff to discuss eligibility guidelines and obligations. Company President, senior management, or other company representatives who will be signing the Brownfield Redevelopment application are required to attend the application meeting. Contact the Community & Economic Development Department at 248-583-0831 to schedule this pre-application meeting.*

*This application form must be completed and signed by the applicant to initiate the project review process by the Madison Heights Brownfield Redevelopment Authority (MHBRA). The completed application forms, application fee, and any supplemental materials must be submitted to the Madison Heights Community Development Department, 300 West 13 Mile Road, Madison Heights, MI 48071-1853. There are no deadlines for the submittal of applications – applications will be accepted on an ongoing basis.*

*Once the appropriate City departments have reviewed the application, applicant will provide copies of the application, revised if necessary, for the MHBRA.*

*For assistance in completing this application form, please contact the Madison Heights Economic Development Division at (248)837-2650 (phone) or [gilestucker@madison-heights.org](mailto:gilestucker@madison-heights.org).*

### PROJECT APPLICANT INFORMATION

Project Applicant Name: 28202 Woodward Holding, LLC

Mailing Address: 876 Horace Brown Drive, Madison Heights, MI 48071

Contact Person for Applicant: William Gershenson

Telephone/Fax Number: (248) 417-3913

E-mail Address: wgershenson@mmdco.com

Property Owner Name: 28202 Woodward Holding, LLC

Mailing Address: 876 Horace Brown Drive, Madison Heights, MI 48071

Contact Person for Property Owner: William Gershenson

Telephone/Fax Numbers: (248) 417-3913

E-mail Address: wgershenson@mmdco.com

❖ *If the property owner is not the project applicant, please attach a signed and notarized letter from the property owner authorizing the applicant to submit this application form for consideration by the MHBRA.*

❖ *Attach copy of current title commitment and proof of ownership.*

## PROJECT INFORMATION

Project Address: 29448 John R. Road, Madison Heights, Michigan

Parcel ID Number(s): 44-25-12-304-010

**Legal Description:**

T1N, R11E, SEC 12, N 3 ACRES OF S 6 ACRES OF NW ¼ OF SW ¼ EXC 690 FT, ALSO PART OF NW ¼ OF SW ¼ BEG AT SW SEC COR, TH E 672.6 FT, TH 95.9 FT, TH W 672.2 FT, TH S 95.9 FT TO BEG, ALSO PART OF SW ¼ OF SW ¼ BEG AT PT DIST N 00-10-00 E 1205.19 FT FROM SW SEC COR, TH N 00-10-00 E 80.39 FT, TH S 89-29-00 E 1374.18 FT, TH S 00-26-00 W 79.89 FT, TH N 89-58-00 W 1373.81 FT TO BEG EXC W 60 FT OF EACH TAKEN FOR RD, ALSO EXC PART OF SW ¼ BEG AT PT DIST S 00-02-18 W 1161.72 FT & S 89-51-16 E 60 FT FROM W ¼ COR, TH S 89-51-16 E 613.92 FT, TH S 00-18-28 E 14.24 FT, TH N 89-50-41 W 614 FT, TH N 00-02-18 E 14.14 FT TO BEG 4.91 A 08/04/08 FR 006

**Proposed Project Description:**

This project includes demolition of the existing vacant former senior center buildings (totaling approximately 12,427 square feet), to construct a 4,625 square foot car wash facility and a drive-thru restaurant consisting of approximately 2,500 square feet. In addition, the project will include the installation of an underground stormwater detention system, landscaping, and the removal and restoration of a parking lot into a greenfield.

- ❖ *Attach copies of proposed preliminary site development or concept plans to illustrate how the proposed redevelopment and land uses will be situated on the subject property, and documenting access to all necessary utilities and infrastructure.*

**Proposed Redevelopment Use(s):**

See Above.

**Anticipated Project Schedule/Critical Dates:**

Demolition and site preparation activities are anticipated to begin in the winter of 2023 with the construction taking place immediately after. It is anticipated the project will be completed over a 1-year period, with completion estimated in the winter of 2024.

**Status of Development Permits and Applications:**

**Description of Known or Suspected Environmental Contamination Concerns:**

The subject property was formerly used for landfilling, which included the presence of buried waste fill consisting of dump refuse, incinerator ash, and unburned refused. Concentrations of volatile organic compounds (VOCs) including naphthalene and heavy metals, including lead and mercury were identified in soil samples analyzed from the Property during previous site investigations occurring on July 20, 2020, above the Part 201 Generic Residential Cleanup Criteria (GRCC) drinking water protection (DWP), groundwater surface water interface protection (GSIP), and direct contact (DC) screening levels.

- ❖ *Attach additional pages if needed and supporting documentation or reports if available.*

Summary of Needed Eligible Activities and Projected Costs (if known):

Total Estimated Eligible Costs: \$2,041,686

Work plan exempt activities (due diligence costs), vapor barrier design and installation, contaminated soil management, demolition and asbestos abatement, site preparation activities, stormwater detention, and preparation and implementation of a brownfield plan.

❖ *Attach additional pages if needed and supporting documentation or reports if available.*

Projected Private Investment in Redevelopment:

Approximately \$4.8 Million

❖ *Attach detailed project budget illustrating all related project expenses, sources of financing, and project financing needs.*

Anticipated Job Creation or Retention Impacts:

Approximately 25 new jobs, and 75 construction jobs.

Other Significant Project Information:

**Application Fees**

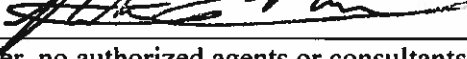
Non-Refundable Fee (payment to: City of Madison Heights, 300 W. 13 Mile, Madison Heights, MI 48071)  
 Fee Schedule for 2023 \$1,500.00

Payment of application fee is non-refundable and due at the time of application. Acceptance of the fee does not constitute approval of Plan.

**Important Note:** The application and processing fee for the City of Madison Heights Brownfield Redevelopment Authority do not include other fees required for applicable review or permits (rezoning, site plan, special use, engineering review, building permits, etc) Additional fees may be charged by the State of Michigan, MDEQ or MEDC. Applicant is required to supply a Developer and Reimbursement Agreement in order to qualify for any financial assistance or reimbursement.

**Acknowledgment and Agreement**

Applicant affirms that they are not involved in any litigation of any kind against the City, including actions in the Michigan Tax Tribunal and actions initiated under section 211.154 of the General Property Tax Act against the City. Additionally, if the Applicant institutes or becomes involved with litigation of any kind against the City after the application and/or the Work Plan has been approved, the applicant shall consent to a request by the MHBRA to terminate any or all agreement, including any approval of a Work Plan executed between the applicant and the MHBRA.

Signature:  Date: 11/17/2023  
 (Company Officer, no authorized agents or consultants)

Applicant, whether a corporate entity, partnership, or other legal type of business entity or an individual, acknowledges and verifies that it is current on all tax obligations, assessments or other governmental levies and assessments and that the same have been paid when due and payable and no delinquencies exist at the time of application. Please note as part of the application process, all information will be verified and confirmed

Signature:  Date: 11/17/2023  
 (Company Officer, no authorized agents or consultants)

Applicant submits the final application along with all necessary supporting documents and appropriate fees.

Date: 11/17/2023



## AGENDA ITEM SUMMARY FORM

**MEETING DATE:** 1/22/24

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

**AGENDA ITEM CONTENT:** Skynet IT Contractor - Networking Equipment Upgrade Phase I

**AGENDA ITEM SECTION:** Reports

**BUDGETED AMOUNT:**

**FUNDS REQUESTED:** \$124,733.00

**FUND:** 101-228-982-0000

**EXECUTIVE SUMMARY:**

As part Phase I of the Networking Equipment Upgrade Project, the City is upgrading all of our Cisco 2960/3650X series switches to Cisco Meraki MS350 switches. Our current equipment is considered end of life and end of support, posing a security risk if the equipment is not updated. This is a replacement of 13 separate switches with 48 port MS350-48FP's and will allow us to continue using the Meraki Dashboard that we currently use for Cameras and Access Points. ITAC has been consulted and provided an update on this project through their quarterly review process with Skynet and labor costs are \$15,525. Please see the attached quote and Statement of Work.

**RECOMMENDATION:**

Staff recommends approving the purchase of the Cisco Meraki MS350 switches from CDW-G, of Chicago, Illinois, under the Michigan Master Computing MiDEAL, in the amount of \$109,208.00 as well as labor cost of \$15,525 for phase I of the Networking Equipment Upgrade project for a total amount of \$124,733.00. Funding for this project has been authorized in the FY 23/24 Budget, account number 101-228-982-0000.

## PURCHASE ORDER

**Bill to:**  
**City of Madison Heights**

300 W. 13 Mile Road  
 Madison Heights, MI 48071

P.O. NO. 101-228-982-0000.1  
 DATE December 21, 2023  
 CUSTOMER # 4558647

**VENDOR**

CDW -G  
 200 N. Milwaukee Ave.  
 Vernon Hills, MI 60061

**SHIP TO** City of Madison Heights  
 300 W. 13 Mile Road  
 ATTN: IT Dept  
 Madison Heights, MI 48071

	PAYMENT TERMS	
	Net 30	

QTY	PART NO.	DESCRIPTION	CDW#	EACH	TOTAL
13.00	MS350-48FP-HW	CISCO MERAKE MS350-48FP SWITCH	3928685	6,150.00	79,950.00
13.00	LIC-MS350-48FP-3YR	CISCO MERAKE ENT SUB LICENSE 3YR	3961677	765.00	9,945.00
13.00	MA-PWR-1025WAC	CISCO MERAKE POWER ADPTR 1025W	3911256	865.00	11,245.00
9.00	MA-CBL-40G-50CM	CISCO MERAKE STACKING CABLE 1.6FT	3942265	52.00	468.00
1.00	MA-CBL-40G-1M	CISCO MERAKE STACKING CABLE 3.3FT	3973814	100.00	100.00
14.00	MA-SFP-10GB-SR	CISCO MERAKE SFP+ TRANS MODULE	3532321	450.00	6,300.00
6.00	MA-SFP-1GB-TX	CISCO MERAKE SFP (MINI-GBIC) TRANS	3416208	200.00	1,200.00
		REFERENCE QUOTE: NQLZ061			
SUBTOTAL					109,208.00
FREIGHT					
TOTAL					109,208.00

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 Authorized by

---

 Date

City of Madison Heights

Date: January 11, 2024  
Expiration Date: February 11, 2024

## Networking Equipment Upgrade

### Objectives

The Scope of Work agreement is designed to outline deliverables for Networking Equipment Upgrade.

### Scope of Work

**Technical Project Phases: Completed by 6/30/2024**

- Equipment Receipt
- Add Equipment to Meraki Dashboard
- Apply Licensing to Meraki Dashboard
- Add redundant power Supply to Switches
- Rack Mount the Switches
- Configure Switches
- Test & verify
- Cutover to New Switches
- Update documentation
- Decommission replaced hardware

### Materials

\*Note: Equipment and Licensing quoted and ordered through CDWG

### Anticipated Budget Hours

Labor	Hours (Up To)	Unit Price	Total Price
Configuration & Installation	115	\$135	\$15,525

\*Note: Only hours used will be billed. Should additional time be needed, Skynet will bill direct time at our current rate

**Estimated Labor: \$15,525**

**TOTAL \$15,525**

### Resources Dedicated

- Colin Wynn – Skynet Engineer
- Chris Sandu – Skynet Engineer

Authorizing Signature: \_\_\_\_\_ Date: \_\_\_\_\_



## AGENDA ITEM SUMMARY FORM

**MEETING DATE:** 1/22/24

**PREPARED BY:** Melissa Marsh, City Manager

**AGENDA ITEM CONTENT:** Purchase of Bandshell Structure

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

**BUDGETED AMOUNT:** \$250,000

**FUNDS REQUESTED:** \$79,235

**FUND:** 101 - General Fund

**EXECUTIVE SUMMARY:**

The City of Madison was awarded a \$250,000 grant from Consumer Energy Foundation for the construction of a bandshell in Civic Center park. Staff has sourced the bandshell structure and is currently working with Frank Rewold and Sons on construction. City Council is being asked to approve the purchase of the bandshell materials from Penchura, who holds a Sourcewell contract in an amount not to exceed \$79,235. Future agenda items will be presented to City Council for construction of the bandshell.

**RECOMMENDATION:**

City Council is being asked to approve the purchase of the bandshell materials from Penchura, who holds a Sourcewell contract in an amount not to exceed \$79,235. If approved, a budget amendment will be needed to increase revenues for the grant of \$250,000 to 101-044-674-0000 and \$250,000 to increase park improvement expense 101-752-987-0000.





Make all P.O.s, Contracts, and Checks to:  
**Penchura, L.L.C.**  
**889 S. Old US 23**  
**Brighton, MI 48114**

# Proposal

Date	Project #
1/10/2024	24-130

<b>Bill To</b>
City of Madison Heights 300 W 13 Mile Road Madison Heights MI 48071

<b>Ship To</b>
Please Advise

Customer Contact	Customer Phone	Customer Fax	Terms	P.O. No.	Rep
	248-583-0829		Net 30		LAS

Item	Description	Qty	Weight	Price	Total
WLLW	Band Shell - supply only	1		78,981.00	78,981.00
	40' includes stained frame and Tongue & Groove between walls and Multi-rib metal roof "R" panel. 115mph Wind speed and 25lbs psf. Ground snow load.				
Engineering	Misc. Engineering Services, CDs, Preconstruction Documents			500.00	500.00
Shipping	Shipping			6,072.00	6,072.00
Sourcewell Dis...	Sourcewell Discount			-6,318.48	-6,318.48
	*Does not include unloading and installation. This will be quoted seperatley				

Proposal good for 30 days.

Ship Via: common carrier

Delivery contact name and number: \_\_\_\_\_

Customer signature below constitutes a purchase order.

<b>Subtotal</b>	\$79,234.52
<b>Sales Tax (6.0%)</b>	\$0.00
<b>Total</b>	\$79,234.52

Credit Card fee of 3% on all purchases over \$2,000.00

AMX fee of 5% on all purchases over \$2,000.00

889 S. Old US 23, Brighton, MI 48114

Office: (810) 229-6245 Fax: (810) 229-6256 Toll Free: (888) 778-7529






<input checked="" type="checkbox"/>	WLLW-40
<input type="checkbox"/>	WLLW-50

COVER SHEET / ORDER FORM
ELEVATION VIEWS
STRUCTURAL FRAME
ANCHOR LAYOUT

SHELTER MODEL:  
**WOOD BANDSHELL 40 w/ WALLS**  
**WLLW-40**

SCALE: 1:100	REV LEVEL: A	DATE: 9/27/2011
		
<p>Designs and calculations of Polygon buildings are protected under copyright laws and patents and may not be used in the construction or design of a building that is not supplied by Polygon.</p> <p style="text-align: center;">by <b>PORTERCORP</b></p> <p>PORTERCORP, 4240 N. 138th Ave., HOLLAND, MI 49424  <a href="http://www.polygon.com">www.polygon.com</a>     616-399-1963</p>		
SHEET		<b>COVER SHEET</b>

Copyright laws protect the style and visual appearance of the structure while patents may protect other parts of the design



## BANDSHELL DETAIL

**BENCHMARKS**  
**(NAVD88)**

**BENCHMARK #300**  
NW BOLT LIGHT POLE  
ELEVATION= 635.83

**BENCHMARK #301**  
CHISSED "X" ON THE  
SE. CORNER OF  
CONCRETE LIGHT POLE  
BASE  
ELEVATION= 637.16

**BENCHMARK #302**  
CHISSED "X" ON THE  
SW. CORNER OF  
CONCRETE LIGHT POLE  
BASE  
ELEVATION= 637.30

LE CONTROL  
LE TRAVERSE#1  
N. 375094.08  
E. 13461845.68  
LE TRAVERSE#2  
N. 375304.07  
E. 13462013.96

NOTE:  
NORTHINGS AND EASTINGS SHOWN  
ON THIS DRAWING ARE BASED ON  
MICHIGAN STATE PLANE COORDINATE  
SYSTEM, SOUTH ZONE  
INTERNATIONAL FEET (NAD83),  
ELEVATION BASED UPON NAVD88  
DATUM FROM RTK GPS  
OBSERVATIONS.

A vertical stack of 15 icons. From top to bottom: a red circle with a white 'E'; a red gear; a green magnifying glass with 'Sc'; a green circle with a white 'D'; a green circle with horizontal lines; a green square with horizontal lines; a black flag on a pole; a green wheelchair symbol; a green starburst; a green cloud with a dot; a yellow triangle with a black dot; a black and white checkerboard; and a grey bar at the bottom.

ELECTRIC MANHOLE  
LIGHT POLE  
STORM CLEANOUT  
STORM MANHOLE  
CATCH BASIN ROUND  
CATCH BASIN SQUARE  
CATCH BASIN IN CURB  
  
FLAG POLE  
SIGN  
HANDICAP  
  
CONIFEROUS TREE  
DECIDUOUS TREE  
  
EXISTING U.G. STORM SEWER LINE EXCEPT AS NOTED  
  
TRAVERSE POINT-SET  
BENCHMARK

ASPHALT

CONCRETE

EXISTING STORM SEWER SCHEDULE				
STR #	TYPE	DIA	RIM ELEV	INVERT DATA
cb01	CATCH BASIN	1.5'	633.30	4" PVC INV. 632.30 NE. T/WATER 632.30
cb02	CATCH BASIN	2'	634.39	6" PVC INV. 630.72 N. T/WATER 631.01
cb03	CATCH BASIN	2'	633.52	8" CLAY INV. 630.25 NE. 6" PVC INV. 630.40 S. T/WATER 630.25
cb04	CATCH BASIN	2'	634.55	8" CLAY INV. 629.31 NE. 8" CLAY INV. 629.31 SW. T/WATER 629.54
cb05	CATCH BASIN	4'	634.85	8" CLAY INV. 629.17 NW. 8" CLAY INV. 629.65 SW. T/WATER 629.45 BOTTOM 628.31
cb06	CATCH BASIN	3'	634.59	DOWNTURNED SE. T/WATER 630.79
cb07	CATCH BASIN	4'	635.09	10" PVC INV. 630.24 NNE. UNKNOWN SW. T/WATER 629.38
cb08	CATCH BASIN	2'	635.52	10" CLAY INV. 632.42 SW. T/WATER 632.67

### HATCH LEGEND

PROPOSED CONCRETE

## PARK PLAN

**Draft Print**  
NOT FOR CONSTRUCTION

# Sherman & Sherman, P.C.

30700 Telegraph Road, Suite 3420  
Bingham Farms, MI 48025-4590  
(248) 540-3366 Telephone  
(248) 540-5959 Fax

Larry H. Sherman  
Jeffrey A. Sherman  
Tim Burns

September 22, 2023

## VIA EMAIL ONLY

Mayor Roslyn Grafstein  
and Members of the City Council  
City of Madison Heights  
300 West Thirteen Mile Road  
Madison Heights, MI 48071

### **Re: Proposed Code of Ordinances Amendments for Medical Marihuana Facilities and Marihuana Establishments License Requirements**

Dear Mayor Grafstein and Members of City Council:

In accordance with Council's motion to approve the recommendation of MMRMA special counsel Andrea Pike regarding resolution of litigation in the matters of *Artic Fox LLC vs City of Madison Heights* and *305 N. Euclid LLC vs City of Madison Heights*, please find attached two ordinance amendments for your review to be presented for first reading at your September 26<sup>th</sup> meeting. If Council approves first reading, second reading is scheduled for your October 23, 2023 meeting.

The first amendment revises Article XVI MEDICAL MARIHUANA FACILITIES Section 7-305(d) License Requirements to adjust the number of medical marihuana facility licenses for Grower – Class C, Processor and Provisioning Center from three (3) to five (5). The revision also clarifies that if a license is vacated or revoked that the City is not required to re-issue such license to an alternate party. It would be at Councils discretion to leave that license open indefinitely or seek applicants for it.

The second amendment revises Article XVII MARIHUANA ESTABLISHMENTS Section 7-405(e) License Requirements to adjust the number of adult use recreational marihuana establishment licenses for Processor and Retailer from three (3) to five (5). Additionally, Class C Grow licenses would be modified from fifteen (15) to twenty-five (25). The previously mentioned clarification language related to the vacating or revoking of licenses is also included for Marihuana establishment licenses in this amendment.

Revisions to the Green Zone Map regarding the allowable locations for marihuana licensees within the City are planned to be addressed after Second Reading of the ordinance amendments via a separate authorizing resolution.

If you have any questions concerning these proposed amendments do not hesitate to contact the City Attorney's office.

Sincerely yours,

SHERMAN & SHERMAN P.C.

Tim Burns  
Assistant City Attorney



**CITY OF MADISON HEIGHTS  
ORDINANCE NO. 2196**

An ordinance to amend ordinance 571 being an ordinance codifying and adopting a new Code of Ordinances for the City of Madison Heights by amending Chapter 7, Article XVI, Sec. 7-305 (d) to adopt a new Section relating to Medical Marihuana License Requirements to insure the public health, safety, and welfare.

**THE CITY OF MADISON HEIGHTS ORDAINS:**

**Section 1.**

The existing section 7-305 (d) of Article XVI of Chapter 7 of the Madison Heights Code of Ordinance is hereby repealed and the following new section is hereby adopted to stand in its place:

**CHAPTER 7 – BUSINESS REGULATIONS AND LICENSES**

**ARTICLE XVI – MEDICAL MARIHUANA FACILITIES**

**Sec. 7-305. – License requirements.**

(d) *Number of licenses.* The city has limited the number of medical *marihuana* facility licenses issued under this article and may revise this limit from time to time. The city may issue up to the maximum number of each type of city medical *marihuana* facility licenses; however, in the event of a voluntary nonrenewal or a revocation of a medical *marihuana* facility license, the city is not required to take applications for the newly available licenses. The maximum number of each type of city medical *marihuana* facility license allowed by the city shall be as follows:

<b>Type of Facility</b>	<b>Number of Licenses</b>
Marihuana Grower – Class A (100 plants)	None
Marihuana Grower – Class B (500 plants)	None
Marihuana Grower – Class C (1,500 plants)	5
Marihuana Processor	5
Marihuana Secure Transporter	4
Marihuana Safety Compliance Facility	4
Marihuana Retailer	5

This is hereby adopted, published and approved by Madison Heights City Council together with all amendments, references and supplements are hereby adopted by reference as if fully set forth herein except as otherwise set out in the Code of Ordinances; provided, that any provisions thereof are not in conflict of any provisions of this Code of Ordinances. The Police Department is designated as the enforcing agent to discharge the responsibilities and enforce the provisions of this code.

**THE REMAINDER OF THIS SECTION IS UNALTERED AND REMAINS IN FULL FORCE AND EFFECT AS IT WAS PRIOR TO THIS AMENDMENT.**

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If you have any questions concerning these proposed amendments do not hesitate to contact the City Attorney's office.

Sincerely yours,

SHERMAN & SHERMAN P.C.

Tim Burns  
Assistant City Attorney

**CITY OF MADISON HEIGHTS  
ORDINANCE NO. 2197**

An ordinance to amend ordinance 571 being an ordinance codifying and adopting a new Code of Ordinances for the City of Madison Heights by amending Chapter 7, Article XVI, Sec. 7-405 (e) to adopt a new Section relating to Medical Marihuana License Requirements to insure the public health, safety, and welfare.

**THE CITY OF MADISON HEIGHTS ORDAINS:**

**Section 1.**

The existing section 7-405 (e) of Article XVI of Chapter 7 of the Madison Heights Code of Ordinance is hereby repealed and the following new section is hereby adopted to stand in its place:

**CHAPTER 7 – BUSINESS REGULATIONS AND LICENSES**

**ARTICLE XVI – MARIHUANA ESTABLISHMENTS**

**Sec. 7-405. – License requirements.**

- (e) *Number of licenses.* The city has limited the number of *marihuana* establishment licenses issued under this article and may revise this limit from time to time. The city may issue up to the maximum number of each type of city *marihuana* establishment license; however, in the event of a voluntary nonrenewal or a revocation of a *marihuana* establishment license, the city is not required to take applications for the newly available licenses. The maximum number of each type of city *marihuana* establishment license allowed by the city shall be as follows:

<b>Type of Facility</b>	<b>Number of Licenses</b>
Marihuana Grower – Class A (100 plants)	None
Marihuana Grower – Class B (500 plants)	None
Marihuana Grower – Class C (2,000 plants) (Stacked up to 5 per each Marihuana Retailer location)	25
Marihuana Processor	5
Marihuana Secure Transporter	4
Marihuana Safety Compliance Facility	4
Marihuana Retailer	5

This is hereby adopted, published and approved by Madison Heights City Council together with all amendments, references and supplements are hereby adopted by reference as if fully set forth herein except as otherwise set out in the Code of Ordinances; provided, that any provisions thereof are not in conflict of any provisions of this Code of Ordinances. The Police Department is designated as the enforcing agent to discharge the responsibilities and enforce the provisions of this code.

**THE REMAINDER OF THIS SECTION IS UNALTERED AND REMAINS IN FULL FORCE AND EFFECT AS IT WAS PRIOR TO THIS AMENDMENT.**