

City Council Regular Meeting
Madison Heights, Michigan
September 28, 2026

A City Council Regular Meeting was held on Monday, September 28, 2026 at 6:30 PM at City Hall - Council Chambers, 300 W. 13 Mile Rd.

CALL TO ORDER

Mayor Haines called the meeting to order at 6:30 pm.

ROLL CALL

PRESENT

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

ABSENT

Councilwoman Toya Aaron

ALSO PRESENT

City Manager Melissa Marsh
City Attorney Larry Sherman
City Clerk Mary Daley

CM-26-204 Motion to excuse Councilwoman Aaron.

Motion made by Mayor Pro Tem Mier, Seconded by Councilor Wright.
Voting Yea: Mayor Haines, Mayor Pro Tem Mier, Councilman Fleming, Councilor Gerald, Councilor Rohrbach, Councilor Wright

INVOCATION and PLEDGE OF ALLEGIANCE - COUNCILOR ROHRBACH

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

APPROVAL OF THE AGENDA:

CM-26-205 Approval of the Agenda.

Motion to approve the agenda.

Motion made by Councilor Wright, Seconded by Mayor Pro Tem Mier.
Voting Yea: Mayor Haines, Mayor Pro Tem Mier, Councilman Fleming, Councilor Gerald, Councilor Rohrbach, Councilor Wright

Motion carried.

PRESENTATIONS

DPS Director Sean Ballantine presented the 2026 Summer Beautification Awards. This year's first and second place winners are 28727 Dartmouth, and 30725 Hales received certificates and an award.

MEETING OPEN TO THE PUBLIC

Chelsea - Madison Heights resident:

Flock Cameras & Police Accountability: Raised concerns regarding Flock license plate reading cameras, police department funding, local impact and accountability, referencing a recent police incident in neighboring Eastpointe.

Mayor Haines clarified during the meeting that Madison Heights is already administratively canceling its Flock contract and that its City-owned cameras are bagged, covered, and out of operation.

Kimberly Heisler - Executive Director, Madison Heights Community Coalition:

Grant Award Announcement: Celebrated the coalition being awarded a \$625,000, 5-year Drug-Free Communities grant from the CDC, ensuring funding through at least 2031. She thanked the city for its office/meeting space and ongoing partnership.

Kratom Ban (Ordinance 2214): Spoke in strong support of the ordinance prohibiting local Kratom sales, citing FDA health warnings (including risks of seizures, liver toxicity, and substance use disorder) and emphasizing the lack of regulatory oversight or safety standards for Kratom products.

Emailed Public Comments (Entered into Record by the City Clerk)

The City Clerk distributed five written emails to the Mayor and Council prior to the meeting to be added to the public record:

Neil Batson: Opposed Ordinance 2214, asking Council to consider whether a blanket prohibition on Kratom is the right approach.

Ashley Davidson: Opposed Ordinance 2214, sharing her personal experience with Kratom and requesting Council reconsider the ban.

Heidi Sakura (Chief Scientific Officer, International Plant Herbal Alliance): Provided technical information on Kratom and asked Council to distinguish between natural Kratom and synthetic products.

Allison Smith (Director of Government Affairs, Global Kratom Coalition): Submitted comments opposing Ordinance 2214.

Kevin Trabucchi: Submitted an email voicing concern about local establishments causing noise/disturbances near his property.

CONSENT AGENDA:

CM-26-206 Consent Agenda

Motion to approve the consent agenda as presented.

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

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

Motion carried.

CM-26-207 2026-27 RCOC Winter Maintenance Agreement

Motion to approve the motion to approve the 2026-27 Winter Maintenance Agreement with RCOC and authorize the Mayor and City Clerk to sign on behalf of the City.

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

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

Motion carried.

Fire Chief - 2026 Fire Prevention Proclamation

City Council presented a proclamation recognizing October 4–10, 2026, as Fire Prevention Week in Madison Heights. This year’s theme, “Charge into Fire Safety: Safe Charging Is a Superpower,” highlights the growing fire risks associated with lithium-ion batteries in everyday devices and the importance of safe charging practices. The proclamation encourages residents to use approved chargers, charge devices safely, and recognize warning signs such as overheating or swelling batteries.

CM-26-208 City Council Regular Meeting Minutes of September 14, 2026

Motion to approve the City Council Regular Meeting minutes of September 14, 2026, as printed.

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

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

Motion carried.

BID AWARDS/PURCHASES:

CM-26-209 DPS Pavement Repairs

Motion to approve the project for the DPS Pavement Repairs to DiLisio Contracting, of Clinton Township, in a project amount of \$91,725.00.

Motion made by Mayor Pro Tem Mier, Seconded by Councilor Wright.
Voting Yea: Mayor Haines, Mayor Pro Tem Mier, Councilman Fleming, Councilor
Geralds, Councilor Rohrbach, Councilor Wright

Motion carried.

CM-26-210 Fire Station 1 Pavement Repairs

Motion to approve the proposal for the Fire Station 1 Pavement Repairs to DiLisio Contracting, of Clinton Township, in a project amount of \$184,772.00.

Motion made by Mayor Pro Tem Mier, Seconded by Councilor Rohrbach.
Voting Yea: Mayor Haines, Mayor Pro Tem Mier, Councilman Fleming, Councilor
Geralds, Councilor Rohrbach, Councilor Wright

Motion carried.

CM-26-211- Police and Fire Station 1 Carpet Replacement

Motion to award the Police & Fire Carpet Replacement Project to Conventional Carpet, of Sterling Heights, for a total project amount of \$139,077.81 through the Sourcewell purchasing cooperative.

Motion made by Councilor Wright, Seconded by Councilor Rohrbach.
Voting Yea: Mayor Haines, Mayor Pro Tem Mier, Councilman Fleming, Councilor
Geralds, Councilor Rohrbach, Councilor Wright

Motion carried.

ORDINANCES:

**CM-26-212- Ordinance 2213 - Amendment to Water and Sewer Ordinance for
Rentals - Second Reading**

Motion to approve amendment to Water and Sewer Ordinance 2213 for Rentals - Second Reading as follows:

**ORDINANCE NO. 2213
CITY OF MADISON HEIGHTS
OAKLAND COUNTY, MICHIGAN**

AMENDMENT TO THE CODE OF ORDINANCES

An Ordinance to amend Ordinance No. 571, being an Ordinance codifying and adopting a new Code of Ordinances for the City of Madison Heights, by amending Chapter 29, titled "Water Supply and Sewage Disposal Systems," Article II, titled "Water," Division 3, titled "Connection and Use," Section 29-50.1, titled "Lessors requirements to abate lien on property," by amending subsection (e) therein by providing further clarification as to a property owner/lessor's obligations to pay for water and sewer services provided to owner/lessor's tenant, and the penalties for violation thereof.

THE CITY OF MADISON HEIGHTS ORDAINS

SECTION 1. AMENDMENT.

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

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

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

SECTION 2. REPEALER.

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

SECTION 3. SEVERABILITY

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

SECTION 4. SAVINGS.

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

SECTION 5. EFFECTIVE DATE.

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

SECTION 6. INSPECTION.

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

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

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

Motion carried.

CM-26-213 - Kratom Prohibition Ordinance 2214 - Second Reading

Motion to approve the Kratom Prohibition Ordinance 2214 on second and final reading as follow:

ORDINANCE NO. 2214

CITY OF MADISON HEIGHTS OAKLAND COUNTY, MICHIGAN AMENDMENT TO THE CODE OF ORDINANCES

An Ordinance to amend Ordinance No. 571, being an Ordinance codifying and adopting a new Code of Ordinances for the City of Madison Heights, by amending Chapter 17, Article VIII, Section 17-168 through 17-175 to prohibit the possession, sale, manufacture, creation, delivery and possession with intent to manufacture, create, or deliver Kratom or any Kratom derivative within the City of Madison Heights and to provide criminal penalties and business and non-business license sanctions for violation thereof.

THE CITY OF MADISON HEIGHTS ORDAINS

SECTION 1. AMENDMENT.

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

Sec. 17-168. – Short Title.

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

Sec. 17-169. – Findings and Purpose.

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

Sec. 17-170 – Definitions.

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

1. *Kratom* means any part of the plant *Mitragyna speciosa*, including its leaves, stems, roots, extracts, powders, resins, preparations, concentrates, or other material derived from or containing any part of that plant.
2. *Kratom derivative* means any substance, preparation, compound, extract, concentrate, mixture, product, or other material that is derived from, contains, or is manufactured, created from kratom, whether or not the substance is chemically altered from its naturally occurring form.
- (c) *Manufacture* means the production, preparation, propagation, compounding, processing, extraction, conversion, packaging, repackaging, or other creation of kratom or a kratom derivative, directly or indirectly, by natural, chemical or other means.
- (d) *Creation* means to grow, produce, prepare, formulate, compound, extract, concentrate, process, or otherwise bring into existence kratom or a kratom derivative.
- (e) *Deliver or delivery* means the actual, constructive, or attempted transfer of kratom or a kratom derivative from one person to another, whether or not here is an exchange of money or other consideration.
- (f) *Person* means any individual, natural person, corporation, limited liability company, partnership, limited partnership, limited liability partnership, association, trust, estate, joint venture, cooperative, organization, business, business establishment, entity, firm, company, nonprofit organization, governmental entity, or other legal or commercial entity, whether or not incorporated, and any other entity or combination of individuals or entities capable of owning property, entering into contracts, conducting business, or being subject to legal obligations. The definition of “Person” also includes any officer, director, manager, member, partner, agent, employee, representative, or other person acting on behalf of such entity to the extent permitted by applicable law.
- (g) *Possession* means knowingly or intentionally having actual, constructive, or joint possession of kratom or a kratom derivative.

(h) *Sale* means any transfer of kratom or a kratom derivative for money, property, services, or anything else of value and includes an offer or attempt to sell.

Sec. 17-171. – Prohibited conduct.

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

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

Sec. 17-172. – Possession With Intent.

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

Sec. 17-173. – Applicability of Ordinance.

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

Sec. 17-174. – Exceptions.

This ordinance shall not prohibit conduct that is expressly authorized by applicable federal or Michigan law. Nothing in this ordinance shall prohibit possession, handling, manufacture, testing, or use of kratom or a kratom derivative by a federal, state or local governmental agency or law

enforcement agency acting with the scope of its official duties; possession or handling of kratom or a kratom derivative by a person acting pursuant to a valid court order or other specific legal authorization; possession, handling, manufacturing, or testing of kratom or a kratom derivative by an appropriately authorized laboratory, educational institution, or research organization when such activity is expressly permitted by applicable law; or any other conduct that applicable state or federal law expressly exempts from local regulation.

Sec. 17-175 -- Penalties.

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

SECTION 2. REPEALER.

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

SECTION 3. SEVERABILITY

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

SECTION 4. SAVINGS.

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

SECTION 5. EFFECTIVE DATE.

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

SECTION 6. INSPECTION.

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

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

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

Motion carried.

CM-26-214 - Ordinance 2215 - Rezoning request PRZN 26-02 - City initiated rezoning of 27431 Hales Street from R-3 to N-P

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

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

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

Motion carried.

COUNCIL COMMENTS:

Councilman Fleming noted that October is Fire Prevention Month and reminded residents of the city's free smoke detector program available through the fire department website. He also spoke about Community Connect, a database where residents can submit emergency information (such as medical details and pet counts) to assist first responders on scene.

Councilor Gerald had no comments for the evening.

Councilor Rohrbach voiced strong support for passing the Kratom prohibition ordinance to keep children and the community safe, thanking the Madison Heights Community Coalition for their input. She also noted that absentee ballots had arrived in the mail and urged all residents to vote.

City Clerk Daley reported that over 5,500 absentee ballots were mailed out on Friday. Advised residents on the permanent list or those who requested a ballot to look for a blue and white envelope in their mail and noted that applications can still be submitted online or through the clerk's office.

Councilman Wright expressed gratitude to City staff, the Historical Commission, and volunteers who supported the "Rev'n in the Heights" event despite the rain.

Mayor Pro Tem Mier announced that the Downtown Development Authority (DDA) donated a set of original clock tower hands to the Historical Commission. He also congratulated the Madison Heights Community Coalition on their federal grant award and thanked them for supporting local youth

City Manager Marsh reminded the Council and public about the Fire Station Open House happening this Saturday and also announced the upcoming Harvest Festival scheduled for Saturday, October 10th, from 12:00 p.m. to 3:00 p.m. at Rosie's Park.

City Attorney Larry Sherman noted no official legal updates, but shared personal news that his daughter, Jolie, got engaged over Labor Day weekend to Matt Finkel, a sports anchor for local news.

Mayor Haines spoke on the following:

Flock Cameras: Clarified that the city's license plate reading cameras have been bagged and covered to block data usage while administrators work to conclude the contract, noting that the camera previously at JARS Cannabis was removed earlier.

Kratom Prohibition: Supported the ban on local Kratom sales, emphasizing that Kratom is unapproved by the FDA and lacks ingredient regulation or transparency.

Event Support: Thanked Councilman Wright for presenting the Mayor's award at the "Rev'n in the Heights" event in his absence.

Made a clarification that City Council does not directly handle employee or police discipline, as personnel decisions and union agreement enforcement fall under the City Manager and administrative team.

ADJOURNMENT:

Having no further business, Mayor Haines adjourned the meeting at 7:30 p.m.

Corey K. Haines, Mayor

Mary Daley, City Clerk